

ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL  
**RECEIVED**  
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ST. FRANCIS DITCH  
FLORIANA

**ENVIRONMENT AND PLANNING REVIEW TRIBUNAL**

Case Ref: PA/05048/20  
Application type: Full development permission  
Applicant: Mr Mark Agius  
Architect: Perit Saviour Micallef  
Proposal: To excavate site to construct 22 flats with 15 underlying garages and pool.  
Location: Site at, Triq ta' Bebuhaq, Triq it-Tempju tal-Imramma, Sannat  
Appellants: Din I-Art Helwa

**REQUEST FOR THE SUSPENSION OF EXECUTION OF PERMIT**

Whereas appellant humbly submits and premises as follows:

That contextually with this application the appellant is filing an appeal from the Planning Commission's decision on the application for full development permission published in the Government Gazette on the 7<sup>th</sup> April 2021.

That the appellant is hereby requesting the suspension of the execution of the permit for the following reasons:

- 1. Through this appeal the aggrieved appellant is requesting the tribunal to revoke the Planning Commission's approval of this permit, in part, to prevent the unjustified loss of extensive soil in the ODZ that would result if the development were to be implemented.

Once rendered executable, works will necessarily commence from the removal of this very substrate that the appellant maintains must be preserved and retained *in situ* as stemming from the grounds of appeal presented.

Failure to suspend the permit would result in the soil being removed and discarded before the appeal has even been decided, rendering this whole process futile.

Such an outcome would in effect strip the appellant of its legally given right to appeal and clearly result in a much greater prejudice to the appellant in comparison to that of the applicant if the permit was not immediately suspended.

In view of the above the appellant's humbly request this Honorable Tribunal to suspend the execution of the permit under the terms and conditions as it deems fit.



Perit Tara Cassar

Obo: Din I-Art Helwa