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ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL



ENVIRONMENT AND PLANNING REVIEW TRIBUNAL

Case Ref: PA/00276/20

Application type: Full development permission

Applicant: Mr Luke Zahra

Architect: Perit Lara Runco

Proposal: To carry out a partial demolition of the existing structure and construct a residential development with garages at ground floor, 9 apartments and 1 penthouse.

Location: 46, 47, 48, Triq il-Mithna c/w, Triq il-Wied, Qormi

Appellants: Din I-Art Helwa

REQUEST FOR THE SUSPENSION OF EXECUTION OF PERMIT:

Whereas appellant humbly submits, and premises as follows:

That appellant is a third-party registered objector and interested organization for all intents and purposes at law.

That contextually with this application, the appellant is filing an appeal from the Planning Commission's decision on the application for full development permission, which decision was published in the Government Gazette on the 1st of September 2021.

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

1. That the extensive demolition of the vernacular property in question as approved through the applicable permit cannot be easily reversed.

Failure to suspend the application would result in the loss of a building of possible architectural value, which loss cannot be retrieved through reconstruction as the value of the property lies within the authenticity of its current built form and original fabric.

The application has been approved as one for demolition and not dismantling. Once demolition commences, the fabric will be permanently lost and the very purpose of this appeal rendered meaningless.

2. That the tribunal would not be able to scrutinize the property through an onsite inspection and thus be able to verify its architectural and cultural value if the application were to be rendered executable and the building be demolished whilst the appeal is still underway.
3. That not suspending the execution of the permit will result in an immediate and far greater prejudice to the appellant's in comparison to that of the applicant's if the permit was not immediately suspended. In fact, the suspension of the permit does not affect the applicant negatively as the time for the decision of this appeal will be abbreviated by means of the suspension - which will result in a greater degree of legal certainty for the applicant and shortened decision time spans.

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.

A handwritten signature in black ink, appearing to be 'Perit Tara Cassar', written in a cursive style.

Perit Tara Cassar
tara.cassar@gmail.com