

ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL



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Case Ref: PA/04876/21

Application type: Full development permission

Applicant: Mr Mark Vella

Architect: Perit Adriana Zammit

Proposal: Proposed internal alterations to first floor maisonette to create a duplex with the ground floor and proposed construction of 3 apartments and a recessed unit

Location: 9, Triq I-Immakulata Kuncizzjoni, Gzira

Appellants: Eleonora Talarico – 11, Triq I-Immakulata Kuncizzjoni, Gzira  
 Michael Agius - 10, Triq I-Immakulata Kuncizzjoni, Gzira  
 May Agius – 10, Triq I-Immakulata Kuncizzjoni, Gzira  
 David O'shaughnessy –10, Triq I-Immakulata Kuncizzjoni, Gzira  
 Aaron Zarb – Aariana, 8, Triq I-Immakulata Kuncizzjoni, Gzira

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

Whereas appellants humbly submit, and premise as follows:

That appellants are third-party registered objectors and interested individuals for all intents and purposes at law.

That contextually with this application, the appellants are 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 16<sup>th</sup> of February 2022.

That the appellants are 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 heritage 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 'TP' or similar initials, written in a cursive style.

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Perit Tara Cassar  
*tara.cassar@gmail.com*