



ENVIRONMENT AND PLANNING REVIEW TRIBUNAL

Case Ref: PA/05925/21

Application type: Full development permission

Applicant: Jeffrey Farrugia

Architect: Perit Alexander Bigeni

Proposal: Proposed demolition of existing property, excavation and construction of garages and 10 residential units. A car lift is also being proposed.

Location: FranCarm, Triq il-Kav. Lorenzo Zammit Haber, Xewkija

Appellants: Din I-Art Helwa

THIRD PARTY APPEAL – REQUEST FOR SUSPENSION

Whereas the appellant humbly submits, and premises as follows:

That the appellant is a third-party registered objector and interested party 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 a full development permission.

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 soil and development 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 appellants maintain 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 appellants of their legally given right to appeal and clearly result in a much greater prejudice to the appellants in comparison to that of the applicant if the permit were not immediately suspended.

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

Perit Tara Cassar