



ENVIRONMENT AND PLANNING REVIEW TRIBUNAL

Case Ref: PA/07073/21

Application type: Full development permission

Applicant: Mr Alvin Cutajar

Architect: Perit Alistair Avallone

Proposal: To demolish existing house and garage, excavation and construction of 7 basement garages, 1 maisonette at ground floor level, 4 apartments at first, second and third floor levels plus 1 overlying penthouse with pool

Location: Ave M.Stella, Triq il-Barrieri, Birzebbuga

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 uprooting of olive trees, loss of soil and development of the portion of the site that exceeds the 30m built depth.

Failure to suspend the permit would result in the loss of the olive trees and removal of soil covering over 325sqm, all of which will be 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