

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

In the Environment and Planning Review Tribunal

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ST. FRANCIS DITCH
FLORIANA

Today, the 22nd of November, 2022

An application in terms of Article 33 of Chapter 551 of the Laws of Malta, filed by Mr Michael Cini (ID 371664 M) and Prof Michael A. Borg (ID 292163M), concurrently with an appeal from the issuing of a Full Development Permission re PA 00430/22.

Proposal: Demolition of dwelling and construction of four new residential units, overlying their ancillary parking facilities at ground and basement levels. Works to include excavation of subterranean water reservoir and car lift.

Site: 1, Triq Monsinjur Alan Fenech, Mosta

Applicant: Mr Martin Agius;

Architect: Perit Robert Vella

Decision Publication Date: 26 October 2022

This request is being filed on behalf of objectors **Mr Michael Cini** (ID 371664M) of 7 Ġizimina, Triq Monsinjur Alan Fenech, Mosta and **Prof. Michael A. Borg** (ID 292163M) of 11, Enchanted Grove, Triq il-Katakombi tal-Bistra, Mosta - together the "**Appellants**".

Appellants respectfully submit that they are concurrently filing an appeal from the approval of the above-captioned application and the issuing of the relative permit.

The appeal application sets out several grounds on the basis of which Appellants are requesting the reversal of the decision, including breach of planning guidelines and policies and shortcomings and errors in the planning


process leading to the granting of the permit. Obviously, these grounds are more clearly explained in the appeal itself.

Amongst the said grounds of appeal, appellants are also highlighting serious concerns relating to the structure of the proposed building, and the dangers which may arise both during construction and, following that, during the lifetime of the building.

It is therefore submitted that if the execution of the permit is allowed while the appeal is still pending, this would be immensely prejudicial to them. Even in the case of a successful outcome of the appeal, Appellants would have been subjected to breach of their rights and to dangers to their health, safety and property.

Moreover, it should be pointed out that the proposed development is, essentially, a block of four overlying apartments (in a street of terraced houses), making it not just unlikely, but, frankly impractical and very difficult if not **impossible** to physically reverse any development which would have occurred. It would certainly be impossible to do so without damage to the contiguous properties (belonging to appellants) since the Applicant is proposing using existing boundary walls as part of the structure!

In view of the above, Appellants humbly request that this Tribunal order the suspension of the execution of the above-captioned development permit PA/00430/22 pending a decision on the appeal which is being filed concurrently with the present application.



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