28/1

801

Fil-Qorti Ċivili – Prim' Awla

L-Imħallef Dottor Joanne Vella Cuschieri

Każ Numru 506/2016 (JVC)

Theresa Debono et

kontra

Josephine Galea et

REGISTRY ... COURT
No: 2322
23 DEC 2019
PAID

Rapport tal-Perit Tekniku
Joe Grech

Illum 16/1/2020
Deher Perit Joe Grech
li ħalef / iddikjara solennement il-kontenut tar-rapport minnu redatt.

Karen Falzon
Deputat Reġistratur

14 ta' Diċembru, 2019

Inkarigu

Minħabba l-ħtieġa ta' Perit Tekniku l-esponent Perit Joe Grech ġie nkarigat mill-Imħallef Dottor Joanne Vella Cuschieri sabiex skont id-digriet datat 22 t'Ottubru, 2019 iħejji valutazzjoni tal-proprjeta hekk kif indikata fir-rapport.

Aċċess

L-aċċess sar nhar il-28 ta' Novembru, 2019 fis-2.00 p.m fil-preżenza ta' Joseph Debono, Ignatius Debono, Theresa Micallef u Evan Debono in rappreżentanza ta' l-atturi; u Carmel Galea għall-intimati. Dawn il-partijiet ma kinux assistiti mir-rappreżentati legali tagħhom.

Preżenti wkoll kien hemm Dr Mark Anthony Debono u Dr Carmelo Debono ukoll bħala atturi.

Deskrizzjoni tal-Proprjeta

Dan il-fond jinsab f' Numru 6, Triq il-Kbira, Sqaq Nru 1, Ħaż-Żebbug kif muri fis-site plan annessa bħala DOK JG 01 u jikkonsisti fi struttura mibnija fuq żewġ sulari u setaħ li minnu hemm aċċess dirett għall-imsemmija struttura. Il-fond jinsab fi stat strutturali ħażin ħafna u fil-fatt is-saqaf tal-kamra tas-sular ta' fuq, li hija aċċessibli minn taraġ estern mibni fis-setaħ, huwa sfrundat, waqa' fuq is-saqaf ta' taħtu u kkaġuna wkoll ħsara fis-saqaf ta' dan is-sular. (Ara ritratti DOK JG 02 sa 05).

Il-fond ikopri area superfiċċjali ta' madwar 45 metru kwadru u huwa mqassam kif deskritt aktar 'l fuq u kif jidher fl-iskizz anness bħala DOK JG 06. Il-fond jinsab fi stat mitluq u l-valur tiegħu jinsab biss fil-potenzjal ta' żvilupp li dan il-fond għandu bħala sit.

Skont il-pjan lokali għal Ħaż-Żebbuġ, il-fond jista' jiġi żviluppat għal skopijiet residenzjali (ara Policy Map ZG 2 tal-SMLP – anness bħala DOK JG 07), b'użi li huma

elenkati fil-'Policy' SMHO 02 ta' l-istess Pjan Lokali. Policy Map ZG 3 – annessa bħala DOK JG 08 timponi għoli ta' binjiet ta' mhux aktar minn tliet sulari, li f'dan il-każ ma jistax jaqbeż l-għoli komplessiv ta' 12-il metru u dan skont paragrafu 14(2) tal-liġijiet sanitarji LN 227 ta' 2016 meta wieħed iqis li l-wisgħa tal-isqaq quddiem il-fond in kwistjoni huwa ta' madwar 4 metri.

F'dan il-każ wieħed irid iqis ukoll il-'Policy' SMCO 01 li wkoll timponi għoli ta' tliet sulari minħabba l-viċinanza tas-sit għal-Area ta' Konservazzjoni Urbana.

L-esponent iżid ukoll li l-istrutturi eżistenti jinkludu elementi bħal kileb, xriek u arkati li jistgħu jkunu meqjusa ta' valur arkitettoniku mill-Awtoritajiet konċernati u li jistgħu joħolqu ċertu restrizzjonijiet fuq il-mod kif il-fond ikun jista' jiġi żviluppat.

Meta jieħu konjizzjoni ta' dawn il-fatturi kollha, l-eponent huwa ta' l-opinjoni li l-valur tal-fond 6, Triq il-Kbira, Sqaq Nru 1, Ħaż-Żebbuġ jammonta għal € ~~75,0000.~~ * 75,000

Perit Joe Grech
Perit Tekniku

Illum 23 DEC 2019
Ippreżentata mill Perit Joe Grech
bla ... tmien (8) dokumenti

Rose Marie Vella
Deputat Reġistratur
Deputy Registrar
Qrati tal-Ġustizzja (Malta)
Law Courts (Malta)

* korrezzjoni awtorizzata b'digriet datat 28 ta' Jannar 2020

KAREN FALZON
Deputy Registrar
Courts of Justice (Malta)
28/1/2020

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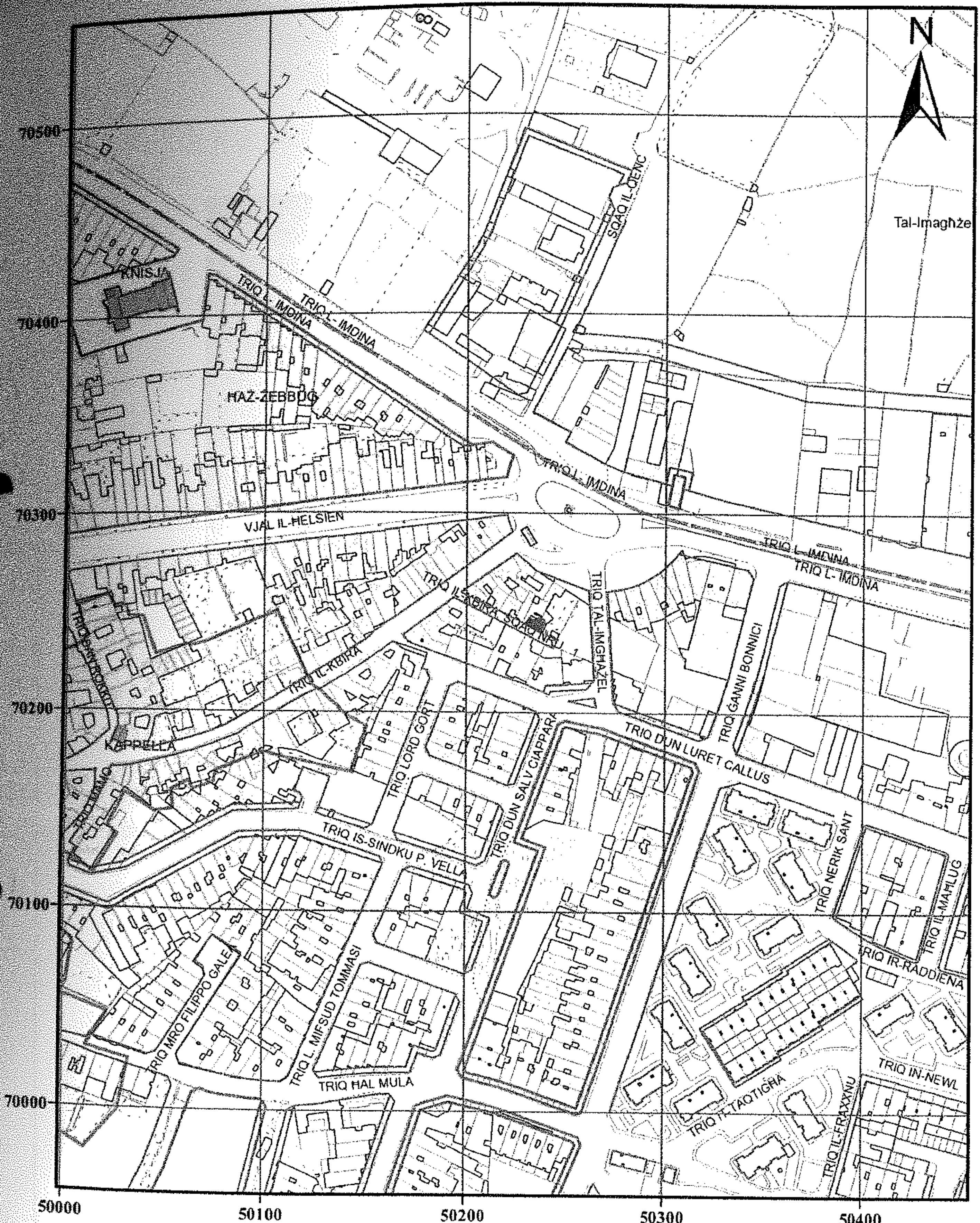

0 25 50 100 150 200 250 Meters

Dok JG01

1:2,500 **Date Printed: 17/12/2019**

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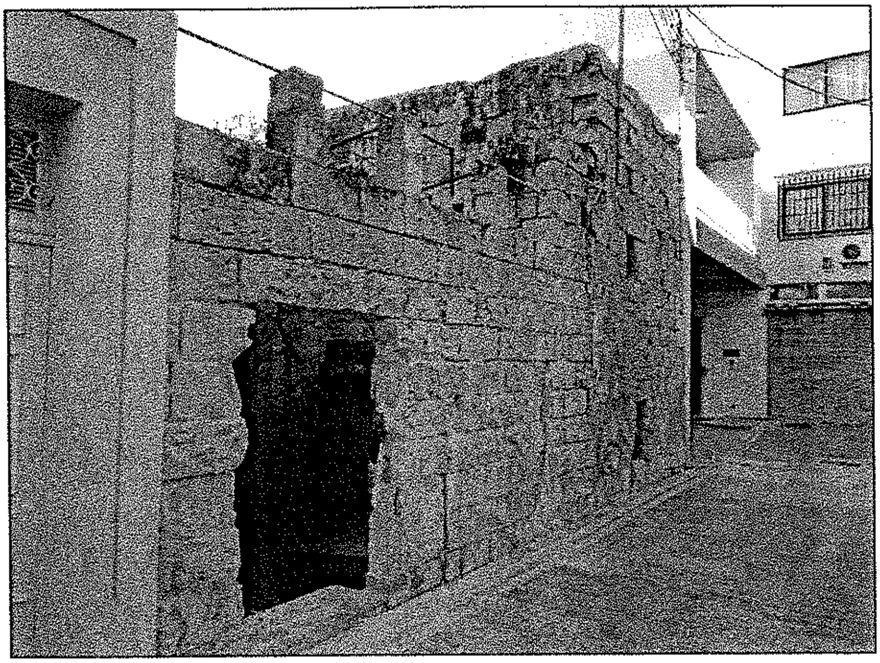
Data Captured from: 1988, 1994, 1998, 2004 & 2008 aerial photography and updates from 2012 orthophotos.
Truncated U.T.M. Coordinates. Levelling Datum M.S.L. (Mean sea level). Contours when shown are at

PLANNING AUTHORITY
St.Francis Ravelin, Floriana.

205



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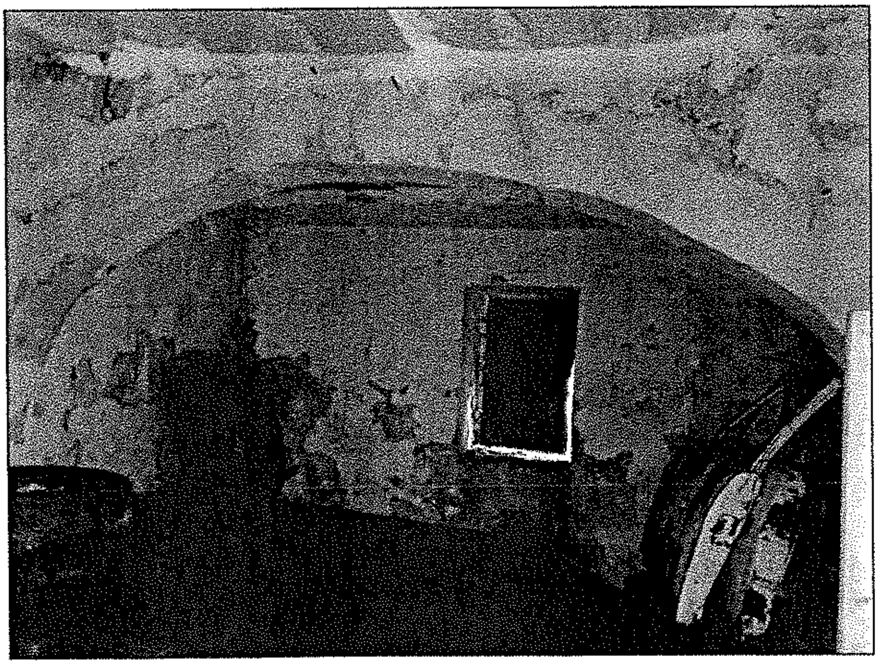

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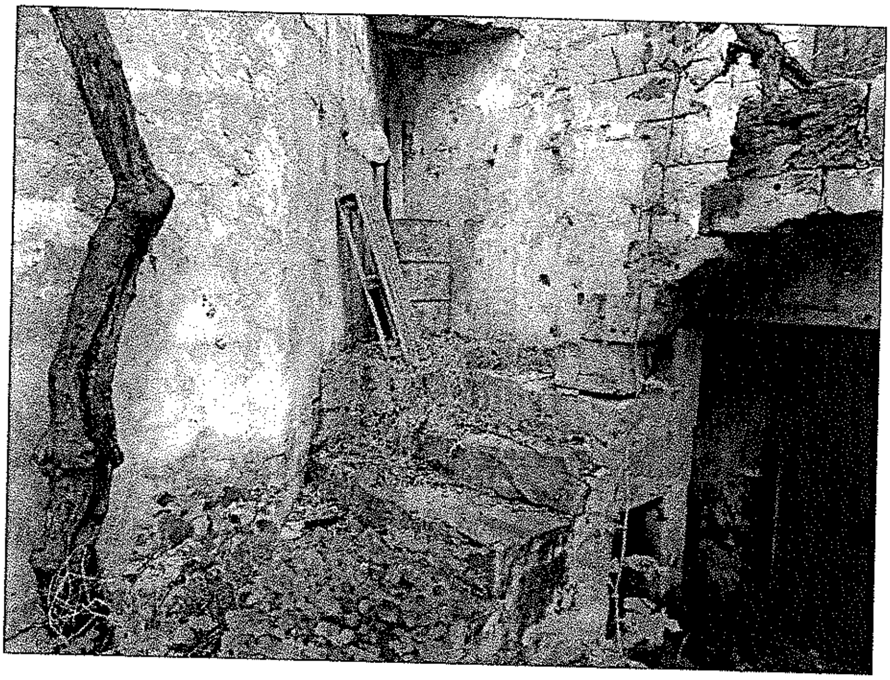

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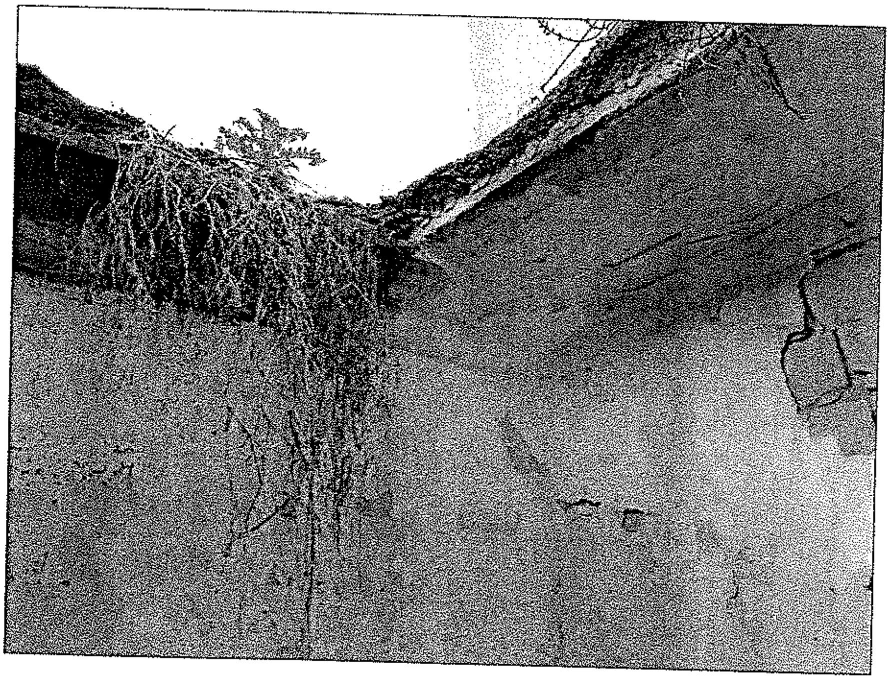

Dok JG05

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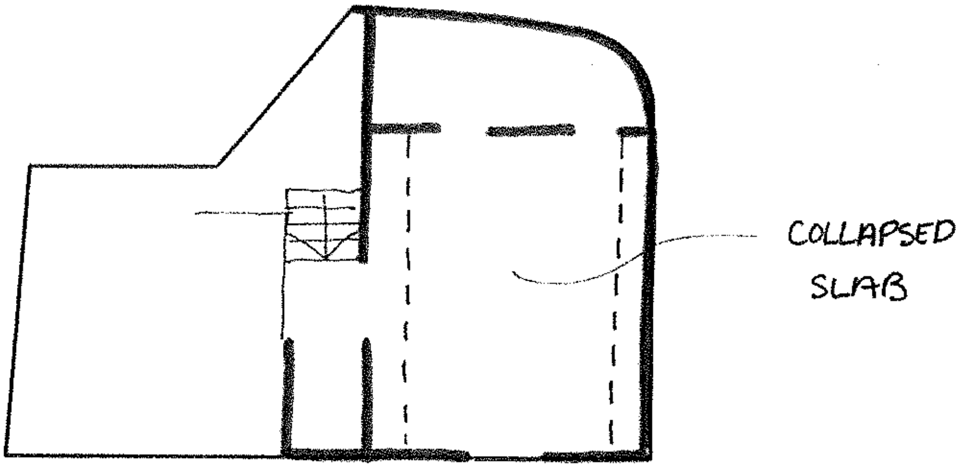
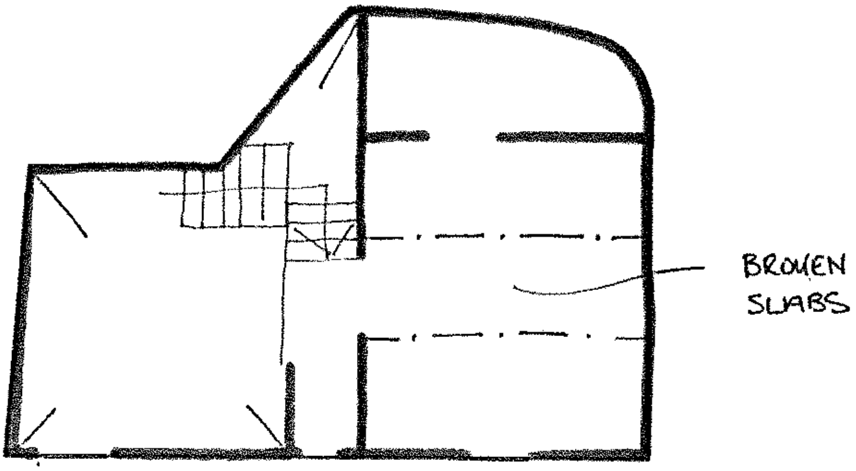
Dok JG06



FIRST FLOOR



GROUND FLOOR

6, TRIQ IL-KBIRA, SQAQ NR 1

ŻEBBUG

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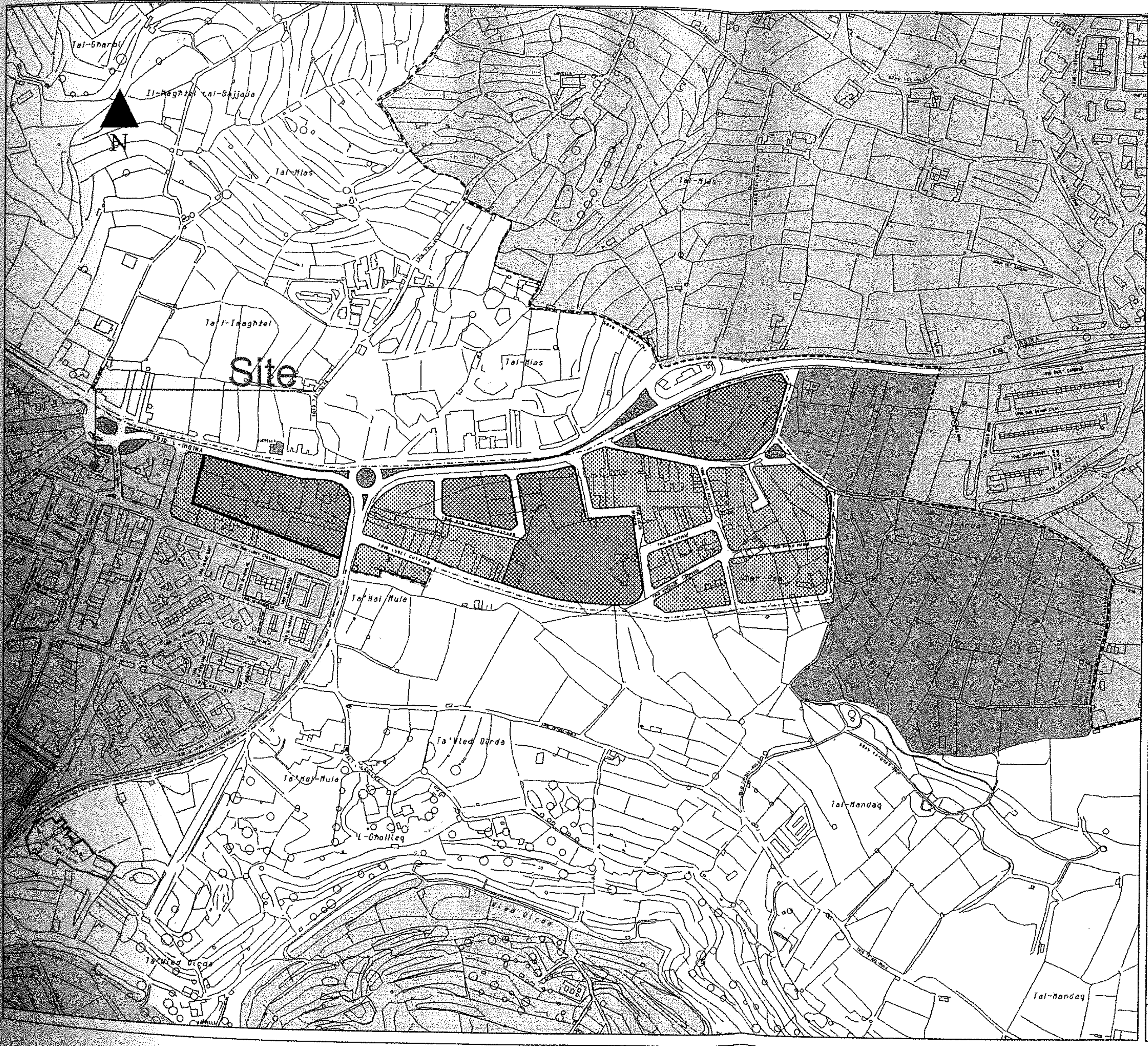

SOUTH MALTA LOCAL PLAN

MEPA

L-Awtorita' ta' Malta Dwar l-Ambjent u l-Ippjanar

Malta Environment & Planning Authority

Key

- Limits to Development
- Scheme Alignment
- Local Plan Boundary
- Urban Conservation Area - SMCO 01
- Category 1 Settlement - SMSE 05, SMSE 06
- Residential Area - SMHO 02, SMSE 04
- Green Area - SMSE 04
- Strategic Open Gap - SMCO 10
- Creation of Boulevard - SMIA 04
- Hal-Mula Mixed Use Area (Area A) - SMZG 01
- Hal-Mula Mixed Use Area (Area B) - SMZG 01
- Church/Chapel

Dok JG07

Żebbuġ - East

Policy Map

Scale:	Date:	Map:
1:5000	July 2006	ZG 2

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Zebbug East Policy Map.wor

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SOUTH MALTA LOCAL PLAN

MEPA
L-Awtorita ta' Malta Dwar l-Ambjent u l-Ippjanar
Malta Environment & Planning Authority

Key

- - - Limits to Development
Scheme Alignment
...... Urban Conservation Area
2 floors
2 floors plus basement
3 floors plus basement Subject to Policy SMCO 01
3 floors plus semi basement
4 floors plus semi basement
As per Policy SMZG 03
Not to exceed existing height

Dok JG08

Remarks
The relevant height limitation shall not be applicable to mandatory green spaces, urban open spaces, courtyards, front or back gardens or other open spaces ancillary to urban development.

Żebbuġ - West

Building Heights

Scale	Date	Map :
1:5000	July 2006	ZG 3

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Żebbuġ West Height Limitation Map.wor