

# Position Paper on current development applications of Fuel Filling Stations in Burmarrad

*Prepared by: BirdLife Malta, Front Harsien ODZ, Nature Trust Malta and the Agrarian Society Malta*

## Overview

In August 2016, three different Planning Applications were open for public consultation on constructing one fuel filling station, relocating and further developing another fuel filling station and building one service station in Burmarrad. All three proposed developments are located in a close distance of less than 500 meters.

The Maltese environmental NGO's BirdLife Malta, Front Harsien ODZ, Nature Trust Malta and the Agrarian Society Malta raise concerns over these developments due to several reasons, including a breach of the Fuel Station Policy, 2015, if these applications will be approved by the Planning Authority.

Reference is being made to the following Planning Applications:

- PA/02335/07: a proposal for relocating existing kerbside pump to construct an ancillary office and servicing garage including car wash and landscaping
- PA/02115/16: construction of a service station, a class 4a office and a class 4b retail outlet; and
- PA/01514/16: the development proposal of a fuel service station, including fuel storage at basement level, tyre service garage, ATM and car wash facilities.

## Location

All three proposed developments are situated in ODZ land and will use up agricultural land. This goes strictly against the North West Local Plan, in section 13.9.2, where it is stated that the decline in available agricultural land is a serious threat to the quality of landscape in the region of the proposed developments.

In case of a proposed new fuel filling station in Malta, the Fuel Service Station Policy, 2015, identifies several areas as suitable to accommodate new fuel stations without creating adverse incompatibilities (paragraph 3.2), including a) Designated Industrial Areas, b) Small and Medium Enterprise Sites, c) Areas of Containment, d) Open Storage sites as identified in the Open Storage policy, e) Other areas designated for development in a subsidiary plan for non-residential development or planning designation or existing uses which do not contemplate a Social and Community facility or function; and where in both cases MRA, CPD and TM it deem would be safe to locate a fuel station, (f) Sites already occupied by fuel stations, g) Sites opposite to, or adjacent to designated industrial areas, as well as sites opposite or adjacent to Areas of Containment

- ➔ Particularly PA/01514/16 does not apply to these regulations and breaches both above mentioned legally binding documents.

The same regulation also determines in paragraph 5.4 that "New or Upgraded Fuel Stations or Relocated Fuel Stations within a 500m distance of an Existing Petroleum Filling Station, in the same direction of traffic should not be permitted".

Existing fuel stations in yellow and applications of fuel stations in red:



- ➔ Should these developments be permitted, the area of Burmarrad and St. Paul's Bay may see up to 6 service stations within a stretch of 2km of road (assuming PA2115/16 and PA1514 are separate developments and do not constitute a relocation of another station). This appears to be totally unnecessary speculation of land for business interests. It also basically may lead to Burmarrad becoming a fuel depot.
- ➔ The concentration of these service stations in close proximity to each other may pose a threat to environmental and human health. Additional risk of fire from neighbouring agricultural areas could also be a serious concern.

## Environmental footprint

Paragraph 2.2 of the Fuel Service Station Policy determines that in the case of existing petroleum filling stations operating from certain areas within the Development Zone (in this case PA/02335/07), there are issues of amenity, or safety or transport which justify their relocation to more appropriate areas. The relocation, however, can only be approved if certain obligations are met, including:

### Paragraph 4.3

For relocated fuel stations located on sites described under paragraph 4.2 the additional criteria of the site to not have a footprint exceeding three thousand (3,000) sqm shall apply.

- ➔ The proposed development site of PA/02335/07 will cover a total area of 4,045sqm and therefore exceed the set regulations.
- ➔ The development of these new fuel stations will surely impact traffic, possibly increasing as well as slowing down traffic flow through the area to the detriment of Burmarrad residents.
- ➔ As furthermore identified in the SPED, increased traffic flows defines a major threat to urban areas in Malta, not least because of increased air pollution by providing more fuel filling stations in areas that are already identified as unsuitable for such developments.
- ➔ The Burmarrad area is prone to flooding, both fields and roads are situated higher to this area leading occurring flash floods to the lower situated petrol stations. This could cause negative impact on both the water table as well as on the fields and crops from run off from the stations and has to be addressed to a high extent, particularly due to past events where flash floods scoured out part of the main Burmarrad road near the Burmarrad cemetery and the lower end of the Wardija Road, as the waters gushed on to the fields.

## Common position

The sustainable use of land resources depends on the effective and efficient use of available space on our islands. Therefore, relevant policies and plans were designed and adopted by the government to minimize land degradation and urban sprawl by using ODZ and building unnecessary infrastructure at non-beneficial locations for the general public.

So far, the Planning Authority has failed its obligation to regard the applicable policy and legal frameworks to a full extent during the development permitting and control process for fuel service station development in Malta in the case of Burmarrad.

Without respecting these legal and policy frameworks designed by the government authorities to ensure an environment worth living for the Maltese citizen, it is impossible to maintain a good implementation of sustainable spatial planning for the Maltese islands.

We need the government to make real commitments when unacceptable breaches of policies are identified and to stop permitting development applications that are not in favor to the Maltese citizen and their environment. Legally binding policies have to be respected and accountability of the government authorities towards their citizens has to be guaranteed during decision-making processes.

Unless the Planning Authority moves away from granting unjustifiable developments, Malta will be stuck in a system that promotes the interests of developers at the expense of the general public who will be heavily impacted by the negative causes of these developments.

We appeal to ERA and PA to:

- Investigate these applications in a holistic manner and see the wider picture with what will result with the Burmarrad area should all 3 applications be approved
- Justify the need for having further petrol stations in an area which is already adequately serviced by other existing petrol stations
- Investigate and report on why these applications have reached such a stage of processing without any of the concerns above being raised by the responsible authorities.

*Malta, 22<sup>nd</sup> September 2016*