



## BirdLife Malta's representation regarding PA 03295/22

16<sup>th</sup> June 2022

---

The application in question aims to demolish existing structures, excavate & construct a garage, 19 residential units over 8 floors with 3 jacuzzi at roof level from an existing one-storey level garage at a targeted site located less than 20m from Simar Nature Reserve which is currently under the management and responsibility of BirdLife Malta.

The site in question is located within an area designated as a Bird Sanctuary (known as il-Madwar tas-Simar, fir-Ramla tal-Pwales, San Pawl il-Baħar), which extends throughout the urban and rural areas of Xemxija Bay to protect both breeding and migratory avifauna which seek refuge at the nature reserve.

The site is also on the border of Is-Simar (limiti ta' San Pawl il-Baħar) Natura 2000 site which is designated as a Special Protection Area, a Site of Community Interest, a Site of Scientific Importance and an Area of Ecological Importance.

Having accessed the plans and elevations of the proposed development, the development shall see the transformation of an area with two-storey housing developed into a higher building which is abutting and impinging onto the nature reserve. According to the North West Local Plan the policies for the area would permit for up to 4 storeys height, whereas the planning application in question is proposing a total of 8 levels.

As a result of its location, the development shall therefore be of a very sensitive nature to the reserve and is accordingly expected to exert a number of significant impacts as a result of the manner in which it is being proposed, its construction, and its eventual operational use as residences.

During the construction phase there will be noise, dust and vibrations within metres of the designated nature reserve. This shall undoubtedly affect breeding birds but also migratory species seeking refuge at the reserve. Any materials flowing out of the construction site (whether air-borne or liquid) risk ending up within the reserve as well and contaminate the waters therein.

Once operational, the residential units including the rooftop areas shall reach high above any vegetation cover around the reserve. Therefore, there are further concerns from noise and light pollution again generated metres away from what should be a refuge to breeding and migratory avifauna. Such disturbance shall be of a permanent nature throughout.



Apart from the above, the development shall also drastically decrease the educational and recreational value currently offered by Simar Nature Reserve to thousands of yearly visitors including school visits which shall be treated to a high rise building overshadowing a nature reserve. In such regard the development in question shall be counter-productive to management objective MO27 for the Natura 2000 site which demands the Simar reserve to be utilised as an education tool for visiting students and members of the public. The development itself risks the area showcasing itself as an example of a nightmare of local policies versus nature protection.

Furthermore, if such an application is granted, it shall open up the area and adjacent buildings to further speculation, which by means of rationalisation of floor heights shall practically result in a future 8-level block in the area, further accentuating all the impacts mentioned beforehand.

In view of the above, BirdLife Malta:

- categorically objects to the proposed development PA 3295/22 owing to its excessive nature within a bird sanctuary and next to a nature reserve with international and national designations.
- calls on to the Environment and Resources Authority to ensure the protection of is-Simar Natura 2000 site and that any development that will impinge or impact on the Natura 2000 site's habitats is discouraged in view of the need to protect such sites and ensure appropriate buffering to such sensitive areas
- calls on the Planning Authority to reconsider revising the building policies in the area since they are counter-productive to the protection of the Natura 2000 site in question.
- calls on the Planning Authority to request the developer to revise the planned development in question so as to downsize it appropriately respecting the natural and educational value of the area. Moreover any development application should be scrutinised appropriately for its environmental impact during both construction and operational phases given the close proximity to the Simar Nature Reserve.