



BirdLife Malta's objection

to the PA 03475/23

Internal and external modifications and addition of second floor level to existing first floor level maisonette. Proposed two overlying duplex apartments

22nd June 2023

BirdLife Malta would like to be registered as an official objector to the PA 03475/23 based on the following reasons.

The featured site is located within a 10 m distance from the wetland of international importance, Natura 2000 site MT0000006 *Is-Simar*. This area is one of very few wetlands in the Maltese Islands and is granted a high level of protection under the Birds and Habitats Directive. *Simar* is the only place in Malta where species like Little Bittern, Common Coot and Little Grebe breed or have bred. Also the reserve acts as an important stopover for large flocks of herons and other migratory species during migration. The scheme is situated within the 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 making use of the nature reserve.

The developer is seeking an increase in elevation of an existing two-storey building to reach 22 m height, while adding an additional floor and 2 duplex apartments. Therefore, this development shall add to an already initiated transformation of an area with mostly two-storey dwellings developed into higher buildings which are abutting and impinging onto the nature reserve. The increase in height is against the North West Local Plan which policies for the area would permit for up to 4-storeys height. Such limitations go beyond a simple resulting height of 22m, but concern also an amassing of residents and respective amenities in the area.

As a result of its location and the proposed height, the development will be of a highly sensitive nature to the reserve and is expected to lead to 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. Extremely concerning is the cumulative impact of the developments already approved in the area close to *Simar*, such as:

- PA 02217/23 (renewal of PA 09759/17);
- PA 10175/18;
- PA 401/14;



- PA 3621/19;
- PA 3484/21;
- PA/03678/22

all of these applied for the increase in height and were approved accordingly by the PA.

Earlier this year, the PA 3295/22 proposing the erection of an 8-storey building right in front of Simar nature reserve was granted permission by the Authority. BirdLife Malta together with other NGOs are appealing the PA's decision.

The proposed development will lead to numerous adverse impacts on the protected Natura 2000 site. During the **construction phase** there will be noise, dust and vibrations in the immediate proximity to the designated nature reserve. This shall undoubtedly affect breeding birds but also migratory species seeking refuge at the reserve. Any materials originating on the construction site (whether air-borne or liquid) risk ending up within the reserve as well and contaminate the waters therein.

During their **operational phase**, the residential units will reach high above any vegetation cover around the reserve. Therefore, there are further concerns from noise and light pollution generated metres away from what should be a refuge to breeding and migratory avifauna. Importantly, such disturbance shall be of a permanent nature.

Furthermore, the development shall contribute to the amassing of buildings reducing the educational and recreational value currently offered free of charge 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 this regard this development is counter-productive to the 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.

If approved, the PA 03475/23 will undermine the ecological value of Simar, and run counter to the proper application of local policies and nature protection, therefore it should not be permitted under any circumstances. Any planning application seeking such unacceptable increase in height (not in line with local policies) should be unconditionally rejected to ensure the status of the protected area.

Based on the above, BirdLife Malta objects to the PA 03475/23 due to its scale, nature and location within the Bird Sanctuary and buffer zone around the nature reserve. This development application contradicts local policies and will continue the harmful example of turning the low-height residential area into a high-building site. The Planning Authority should not further favour upscaling of the developments in this sensitive area.



We once again urge 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.

BirdLife Malta also calls on to the Environment and Resources Authority to ensure the protection of is-Simar Natura 2000 site and that any development encroaching onto or impacting 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.