

BirdLife Malta's comments in relation to the PA 4672/23
proposing to construct a 2 storey structure to form two separate
dwellings with pools and basements

Bahrija, Rabat

07 September 2023

BirdLife Malta categorically objects to the PA 4672/23 based on the reasoning explained below.

Even though the Public Application Form identifies the area proposed for the erection of the two dwellings simply as “vacant”, the scheme is situated within a Natura 2000 site *Rdumijiet ta' Malta: Ir-Ramla taç- Ċirkewwa sal-Ponta ta' Bengħisa* (MT0000024) which is designated to protect the valuable habitats it supports. The land is undeveloped, located inches away from the protected cliffs and is Outside Development Zone. According to the North West Local Plan, the area is gaining from protection:

- an Area of High Landscape (*Diversi Rdumijiet*) and Conservation Value;
- an Area of Ecological Importance and Site of Scientific Importance *Wied il-Baħrija/Wied Rini u Wied Gerżuma, limiti tar- Rabat.*

This also is an Area of Ecological Importance, Level 2 - *Irdumijiet Ta' Madwar il-Kosta miç-Ċirkewwa sa Bengħisa.*

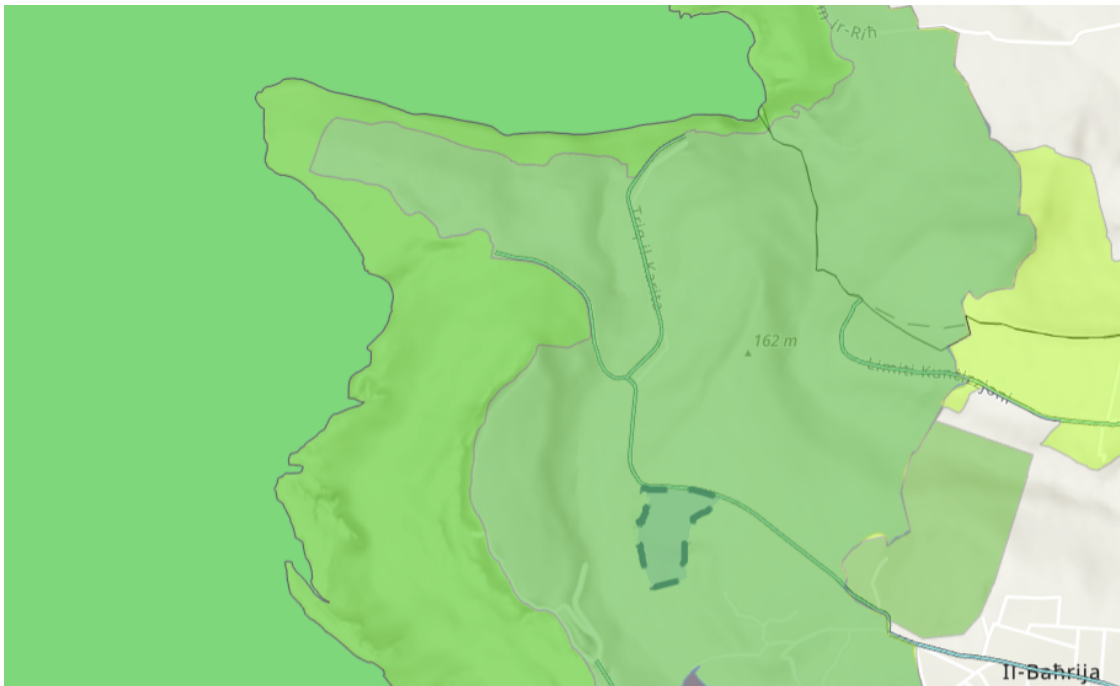


Figure 1. PA 4672/23 in dotted line and the area's environmental designations in green (PA Mapserver)



The proposal is in conflict not only with the NWLP, but also with the Rural Policy and Design Guidance 2014 which declares that:

- Proposals which would damage and/or disturb (directly or indirectly): a) any protected species of wild flora or fauna; and/or b) any habitat of protected species of wild flora or fauna, whether man-made or natural, and including any important breeding, rearing or resting sites, will not be permitted, unless the Authority is certain that all legal requirements and conditions of the relevant environmental regulations are satisfied (Policy 1.2F).
- Proposed developments which would have an unacceptable adverse environment, landscape, cultural or archaeological impact will not be permitted. Particularly Policy 1.2G deals with the conservation of scheduled, listed, designated or protected areas including Special Areas of Conservation, Special Protected Areas, Areas of Ecological Importance, Sites of Scientific Importance, Areas and Sites of Archaeological Importance (including buffer zones), Areas of High Landscape Value and Protected Landscape Areas.
- The Authority will seek to conserve, maintain and enhance important landscape features that contribute to:
 - the connectivity, appearance and/or integrity of protected areas, sites and/or features,
 - the character, scenic or ecological value of the rural area (Policy 1.2.H).
- Policy 1.2.I protects traditional footways or cartways/tracks ('sqaqien') which are located in close proximity to the site based on the PA Mapserver data.
- Policy 6.4 states "the proposed pool and any ancillary facilities are of a compatible design and must respect the rural context. Scheduled locations (Class A or Class B Area/Site of Archaeological Importance, and/or Level 1 or 2 Area of Ecological Importance/Site of Scientific Importance) are in principle considered inappropriate locations".

The proposal is also in breach of SPED, including:

- Thematic objective 8. To safeguard and enhance biodiversity and cultural heritage, geology and geomorphology including by controlling sources of light pollution which negatively affect the rural area;
- Rural Objective 3: To guide development... away from protected areas and areas of high landscape sensitivity.
- Rural Objective 4: To protect and enhance the positive qualities of the landscape and the traditional components of rural landscape.

In line with the Environment Impact Assessment Regulations, the proposal should be screened for EIA: 6.3.2.3 Development on the coast or in the sea, not covered by Category I, with a footprint of 500m² or more (the proposed scheme is 558m²). Given its



location within a Natura 2000 site, the proposal needs to also be subjected to an Appropriate Assessment procedure.

The scheme is to occupy more than 500m² of unspoilt natural landscape and will contradict the traditional rural character of the area. Apart from compromising the protected status of the Natura 2000 site, this development will lead to a number of negative environmental impacts, such as increased light pollution, trampling, deterioration of habitat, parceling of land, loss of soil, etc. Protected areas should remain free from harmful interventions like this.