

**BirdLife Malta's objection to the PA 4317/23  
proposing the excavation of plot for basement garages (42 garages),  
proposed construction of 43 residential units,  
Mqabba  
29th August 2023**

BirdLife Malta would like to be registered as an official objector to the PA 4317/23 which is proposing excavation of an untouched stretch of land, construction of 5 floors building and underground garages.

Even though the plot of land proposed for development has undergone a rationalisation exercise and hence is not considered an ODZ anymore, it is located on the very edge of Mqabba's development zone and has not been previously subject to such sort of intervention, being agricultural land (site context is seen on the Figure 1). Given the limitations set for the buildings height by the South Malta Local Plan, the proposed development is in conflict with policy SMSE 03 (refer to Figure 2). According to the Local Plan review (Planning Control), "the elevation design must consider the scale, balance and character of the entire elevation overlooking the ODZ".



Figure 1. PA 4317/23: site context and groundwater safeguard buffer zone. Source: PA MapsServer

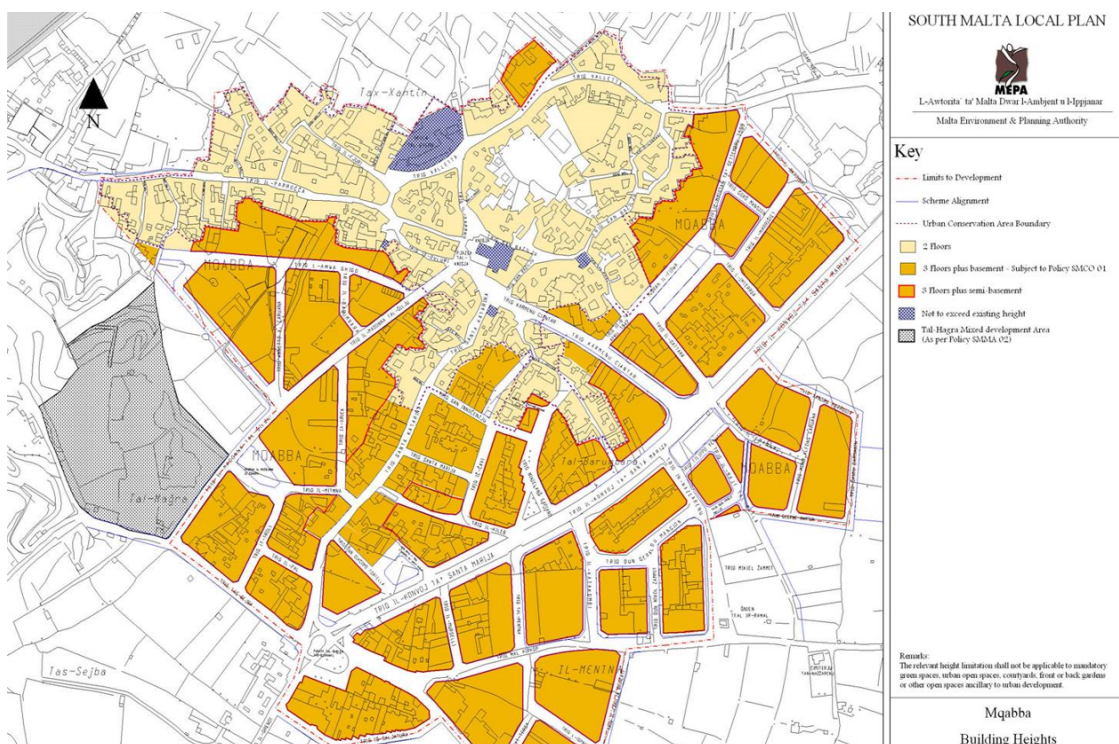


Figure 2. Building Heights. South Malta Local Plan

The Local Plan also states: “The overall strategy is to maintain and enhance the environmental quality of Mqabba as a residential area” (19.3.1). While the development in question is of such a size and design that it is likely to reduce environmental quality in the area, due to including but not limiting to:

- short-term adverse impacts, such as increased dust, noise and vibration during the construction phase;
- long-term impacts, including light pollution at the edge of ODZ, intensification of traffic in a relatively quiet area, impact on geology and hydromorphology, devastation of present agrobiocenosis, loss of arable land and soil. It will also set a precedent for urban encroachment onto the surrounding agricultural land.

The site is located in a Water Protection Zone, within a 200m groundwater safeguard buffer zone (as identified on Figure 1 above).

The proposed building is not compatible with the site context and will compromise visual amenity, not to mention that a building of such height will also significantly obstruct the view, and goes in breach of the Development Control Design Policy, Guidance and Standards, 2015:

- The developments should seek to respect and enrich its context, in terms of natural and built features, as well as “degree of activity of the particular area in which it is situated” (G1).

- Respecting topography implies the need for some form of control, which inevitably demands a quantitative component to ensure that height limitations established in the Local Plans for the areas in question are never exceeded (G2).
- Impact of development on the skyline should also be taken into consideration which seemingly has not been done in case of PA 4317/23.
- A design proposal must fulfil the following four requirements: a) Its profile must be stepped in accordance with the site topography. b) The height limitation in either the higher or lower street must not be exceeded (P2)
- New development should be compatible with the existing urban fabric (P4)
- The Authority will ensure that a suitable transition will be achieved in terms of built volume between the sites within the DZ and the ODZ. A height transition will be sought. The development must be stepped such that the height of development immediately adjacent to the ODZ will not be higher than 8.5 metres measured externally. It will subsequently be stepped until it reaches the height established for the rest of the DZ. In particular, attention in assessment will be given to its massing and the degree to which it relates to its surrounding context and its character, both within and beyond the DZ (P6).

According to SPED (2015) “general lack of awareness of the inter-linkages between socio-economic activities and environmental processes is leading to unsustainable use of natural resources and threatening the environmental quality which together are affecting environmental health and quality of life” (2.21). This and the below points raised in SPED are very relevant to the proposed PA 4317/23:

- “the way we utilise natural resources and the impacts arising from various human activities are leading to deterioration of our environmental quality” (2.23).
- The document refers to increasing urbanisation in Malta as one of the main pressures on soil (2.24).
- Amongst the main pressures affecting the water sources, including groundwater, SPED mentions developments that alter the hydro-morphology of these waters (2.26).
- “Malta’s cultural landscape is threatened by the extent of built-up area, ... taller buildings on urban fringes...” (2.28).

The proposed development is not aligned with following SPED objectives:

- ➔ Thematic objective 7. To promote the efficient use of resources including by protecting natural hydro-morphological and hydrological processes; protecting agricultural land to prevent loss of soil;
- ➔ 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;



- Urban Objective 1. To accommodate socio-economic development in those parts of the Urban Area well served by public transport and existing infrastructure to contain urban sprawl, including by guiding the distribution of new dwellings so the bulk is located in the Principal Urban Area on previously developed land;
- Urban Objective 3. To identify, protect and enhance the character and amenity of distinct urban areas including by establishing appropriate building heights; protecting and greening open spaces which contribute to the character and amenity of urban spaces, reduction of soil sealing and support biodiversity;
- Urban Objective 4. To ensure that all new developments are energy and water efficient and provide a sense of place, respond to the local character, improve amenity and the pleasantness of the place.

In its reply (doc 56a) ERA says that given the site context there are no environmental concerns which is a doubtful statement given the scarcity of remaining undeveloped land in Malta, the location and mass of the proposed development. No consideration of light pollution is given attention in ERA's reply.

Based on the fact that the PA 4317/23 is in conflict with a number of policies, not justified and is generally not compatible with the site character, BirdLife Malta objects to this development.