

A taste of things to come



Despite developers pledging not to spill over in the adjacent ODZ land forming part of Wied l-Ghasel, Mosta, this photo shows how construction debris is spilling into the valley beyond the hoarding. Photo: Joe Abdilla

In response to a recent Parliamentary Question, the Prime Minister recently tabled a list of 51 Outside Development Zone (ODZ) applications that were destined for refusal but which have been given a second lease of life in view of the imminent, and preposterous, changes to ODZ policies. Delving into these 51 applications gives a foretaste into what's in the offing once the said ODZ policies are revised.

Twenty of these 51 applications propose sanctioning and, as they fall squarely within Schedule VI, they would be subject to outright refusal since, as of late 2012, no ODZ sanctioning is permitted. Some of the sanctioning applications refer to trivial issues, while others are definitely more serious.

For instance, PA 00387/13 requests the sanctioning of a swimming pool, deck area, rubble wall, and so on, in a property which is ironically called 'Farmhouse', close to St Thomas Bay in Marsascalea.

It would be folly not to take note of the stark lessons provided by these 51 applications

PA 0031/13 is equally brazen. Going by the convenient moniker of 'San Silvestru Farmhouse', it proposes to sanction extensions to an existing residence, including paved areas and boundary wall.

What raises eyebrows are that 35 out of these 51 resuscitated applications were submitted in 2013 and that some of them feature proposals which are apparently very similar to the proposed ODZ policy changes.

For instance, PA2252/13 proposes the extension of an existing agricultural store to up to 15 square metres, a provision which is acceptable under the proposed ODZ revisions. One gets the impression that some of these applications (at least those submitted in 2013) had prior notice of the developments which would be coming into effect further down the line, and felt emboldened to come forward.

What is definitely ironic about the whole issue is that, normally, architects representing their clients, argue that applications should be judged on the merits of planning legislation in force at the time when the applications are submitted to the Malta Environment and Planning Authority, and that the applications should not be subjected to revised legislation coming out subsequent to the date of submission.

This is especially true when, as has been the trend in recent years, planning legislation has become more and more rigorous, and hence it normally pays to advocate compliance with preceding legislation.

Sanctioning applications aside, some of the 51 applications are galling.

For instance, PA 01468/13 proposes the erection of five terraced houses in Triq Santu Rokku, Kalkara, in defiance of what is stipulated in the local plan.

In the (former?) hamlet of Bidnija alone, at Ħal Dragu, two proposals for the demolition of, and change of use from existing farms to dwellings have been submitted.

PA05139/01 might, at first glance, appear harmless, as it proposes the erection of a washroom and staircase at ground level. The only snag is that location is sensitive, to use an euphemism, from the landscape and aesthetics point of view, since it is at Rdum Depiro at Dingli Cliffs, where any new development will probably have a disproportionate visual impact.

Four of the 51 ODZ applications have been submitted by an architect who occupies the position of policy advisor to Mepa and to the relevant parliamentary secretariat.

One of these applications proposes the construction of a swimming pool, reservoir and ancillary facilities, besides sanctioning of a number of features, at a farmhouse along Mistra Road in St Paul's Bay.

In order to eliminate any hint of conflict of interest, these four applications should be immediately withdrawn from the list of 51.

The upshot of it all is that these 51 ODZ applications explicitly demonstrate that the proposed ODZ changes, which are being touted as promoting agrotourism, are in actual fact a loophole through which numerous kinds of ODZ infringements, ranging from minor ones to fully-fledged residences with swimming pools, will squeeze through.

It would be folly for those who conceived the ODZ policy changes not to take note of the stark lessons being provided by these 51 applications and to radically revise the same proposed changes to avoid the further desecration of ODZ areas.

Rabbit farms – the new smokescreen

Up to a few years ago, the planning loophole of choice of many of those conceiving an ODZ residence of sorts, aided and abetted by a number of architects, was to apply for the development of stables. The Maltese islands literally witnessed a windfall of stable applications, which naturally raised eyebrows since these small islands could not possibly hold so many horses.

Well, once the stables loophole was plugged, a new charade had to be devised to keep the ODZ mill well-oiled. In came applications for rabbit farms.

Incidentally, the current upsurge in rabbit farm applications is not a matter of applicants' preferences, mind you... the proposed changes to ODZ policies will make it easier to camouflage bare-faced abuse as legitimate. Rabbit farms have now been grouped, along with cow and pig farms, under husbandry and a range of other activities for which the use of ODZ land is deemed justified.

The proposed new ODZ policies will only usher in more ghost rabbit farms, whose tenants will more likely be consuming a pasta dish with rabbit sauce at their ODZ abode rather than actually rearing rabbits!

Development spillover into Wied I-Għasel

The angst over the residential development in the heart of Wied I-Għasel, Mosta, which was given the green light in 2009, knows no bounds. As the accompanying photo shows, despite the fact that the land skirting the development along the sides of the valley are ODZ, profuse quantities of construction debris are spilling over into this area, despite the hoarding in place.

The area, which the developer should have been left in a pristine condition, has also become a makeshift storage site for construction material.

This goes to show that the development will have a greater footprint than that claimed at application stage, further pushing outwards towards the valley floor and further nullifying policy RCO 29 of 1990 in the Structure Plan, which states: "No new physical development will normally be allowed on the sides of valleys and especially on valley watercourses except for constructions aimed at preventing soil erosion and the conservation and management of water resources".

Publication of land reclamation proposals

A summary of the 21 land reclamation proposals the government received in response to an international call for expressions of interest was recently compiled by a select group of experts.

Will the full details of each proposal be made available to NGOs and the public or will only partial details be released in order to screen out any unsavoury aspects of these projects?

Is Gozo still viewed a 'presepju'?

The Gozo Ministry recently pledged its commitment in favour of the extension of the Xewkija airstrip and the opening of an alternative route connecting Mġarr harbor to Xewkija. This adds to the already burgeoning list of a new yacht marina at Marsalforn, a cruise passenger terminal at Mġarr, possibly a bridge, a Lidl supermarket currently under construction, besides other major projects.

One wonders... is Gozo still a 'presepju' (crib), as some Gozitans constantly lament?

When will we realise that Gozo is coveted by the Maltese – the most numerous and loyal of 'tourists' to the island – for its relative tranquility and remoteness, and that alternative, more competitive destinations, beckon for such tourists?

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