

Kissing ODZ goodbye – 1

This is the first in a short series of articles in which I will delve into the implications of the proposed revision of the Outside Development Zone policies.

The recently-launched proposals for the revision of ODZ policies (downloadable from www.mepa.org.mt/public-consultation) are being touted as absolutely justifiable. They are being branded and marketed using appealing motivations, ranging from 'giving agrotourism a sorely-needed boost' to 'giving genuine farmers the possibility to expand their activities'.

However, if one cares to scratch beyond the surface, one notices that the plethora of proposals being made contain an equally vast range of planning loopholes, which effectively render the proposals extremely dangerous. The sheer extent of the proposals warrant my dedicating more than one article to the issue.

The ODZ policy revision document kicks off with a biased statement: "The spirit of this document is to allow whoever genuinely needs to upgrade or redevelop an existing building or to construct a new one outside the development zone, in conjunction with its use".

'Whoever' literally means anyone, without discriminating whether the applicant is a genuine farmer or a ruthless land speculator. Someone might have a 'genuine need' to convert his farmhouse into a villa, but does this render him eligible for such a permit under the revised policies?

The document continues: "Proposals which are not addressed by this policy document may be considered on their own merits by the deciding body if it is felt that the proposal will generate an improvement to the area where it is located". This statement opens a loophole of cataclysmic proportions as it gives no hint as to the criteria to decide what constitutes 'an improvement to the area'.

The document seems to revolve around the 'genuine need' of the individual and this approach is flawed for two reasons: (i) such a need is impossible to prove, although crafty architects do exist out there, and (ii) the focus in ODZ areas should be about the 'genuine need of the environment', not that of the individual.

In fact, from the very outset, this document goes against the spirit of the Structure Plan, specifically against policies SET 11 and SET 12, which discourage urban development in ODZ areas.

The document also states: "There is scope for diversification of farms by small-scale enterprises such as small-scale farm retail, farm-based visitor attractions and agro-tourism accommodation". Have any studies been carried out to substantiate this? Do we actually know if there is a tangible demand for such services, before sacrificing more of our ODZs?

Is the rampant promotion of agro-tourism in Malta so viable when Sicily, a prime, world-class agro-tourism destination, is on our doorstep?

What are the implications of this policy direction on vehicular access and parking? It's not difficult to envisage that farm retail outlets will result in a greater number of cars being parked in fields. Is this desirable?

If the ventures fail, will the revised policy request the demolishing of the permitted structures in ODZ areas and reinstatement of the areas to their former state within a stipulated timeframe, or will a future policy revision simply sanction their conversion into something else, thus enshrining their permanence?

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The document at times even manages to send contradictory messages. For instance, it states that "conversions to create dwellings raise concerns", while at the same time giving the green light for such conversions to occur. Such conversions do not 'raise concerns'. They run counter to the Structure Plan, and hence, the document should be more assertive in this sense.

The vagueness of the document continues: “There may be overriding reasons for seeking a change to another use, for example in order to maintain the economic life of buildings to accommodate a use in the countryside”. Practically every amenity could fit the bill here – anything from restaurants to dwellings.

Equally blinkered is the following proposal in the document: “The value of any bank guarantees related to landscaping schemes shall be calculated by the cost of each tree plus 20 per cent”. While the inclusion of trees in such considerations is laudable, it is amateurish not to differentiate between tree species and trees of different ages.

Two of the most treacherous proposals in the document are the one to assign “more responsibility to external consultees” and another to “allow a 10 per cent tolerance in all developments as a flexibility extension”.

The first proposal opens a Pandora’s box since, with hindsight, consultee opinions in Development Permission Applications (DPA) reports are not considered as very reliable by a number of members of the Malta Environment and Planning Authority board since they tend to change tack too frequently.

Also, the document does not specify who these consultees are, besides the Agriculture and Veterinary departments.

The latter proposal is downright unacceptable for two reasons: (i) 10 per cent is way too high for ODZs, especially in a country whose built-up area is six times the EU average, and (ii) entrenching such leeway from the very outset is inviting trouble, since, by default, developers will seek to exploit, the 10 per cent elbow room, as if it was a given.

Perhaps the most dangerous aspect of the document is that it will ultimately promote larger buildings in the countryside, with a consequent negative visual impact, by supporting the “consolidation of scattered permitted or pre-1967 buildings”, when on a small island like ours devoid of large farm holdings, smaller structures would make much more sense than larger ones for purposes such as storing pesticides and tools.

I am willing to give whoever penned these proposals the benefit of the doubt. I am prepared to believe that the many planning loopholes opened up by these proposals, of which I have unearthed only a few in this first article, is all down to naivete, rather than specific design. However, this will certainly change if these loopholes are not rectified in the final version of the proposals. As things stand, these proposals are dangerous, and have the potential to equal the damage ushered in through the ill-advised ‘rationalisation’ exercise of 2006.

Public submissions and representations in response to the proposals are to be e-mailed to Mepa on ODZpolicies@mepa.org.mt by December 6. Hopefully, the sobering scenarios highlighted in this first article will nudge readers to make such submissions.

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