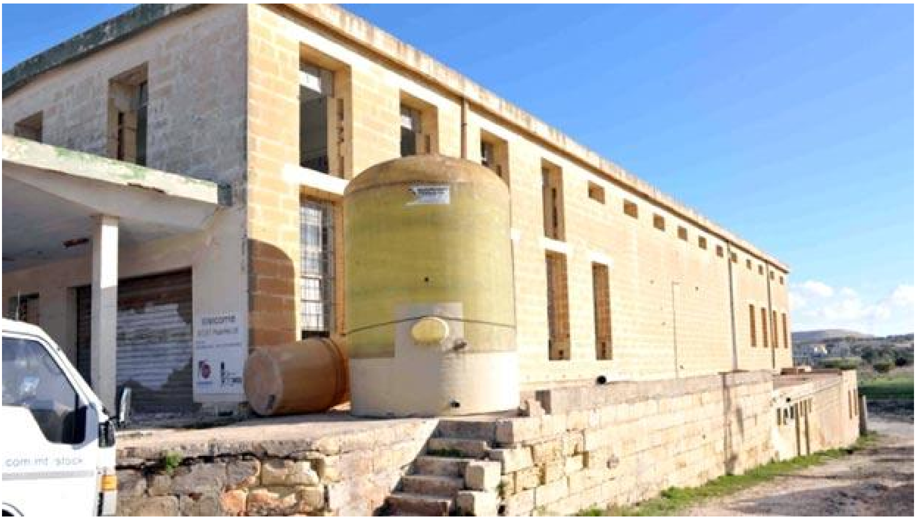
Sunday, September 20, 2015, 00:01 by Alan Deidun

There was once Burmarrad…



The former Farmers' Wine building in Burmarrad will now make way for a retail centre, complete with office and storage space and a total of 107 parking spaces, courtesy of the rural policy approved last year. Photo courtesy of James Debono

You might have thought that things could not get any worse for the former hamlet of Burmarrad… a burgeoning vehicle-leasing outlet, car spare parts strewn over fields and a traffic-congested arterial road slashing through its heart.

But we were all proven wrong, with Burmarrad being granted its own retail centre on the site of the former Farmers' Wine building, which is being bandied around as an 'improvement' of the current 'derelict' site.

The 5,900-square-metre site is opposite an existing area of containment and will house offices, storage facilities, a retail centre and 107 parking spaces – amenities which normally jar with open countryside, but not in Malta, it seems.

If one dared to delve deeper into the case, one would realise that the system has been worked to a tee for the permit to be issued.

To support claims by the client and their architect – echoed by the Planning Directorate – that the development would constitute an 'improvement' to the current derelict situation and that proposals are 'aesthetically acceptable', the immediate environs of the existing Farmers' Wine building were informally taken over by Burmarrad Commercials, the main shareholder within the BCBT company behind the retail centre proposals, through the hoarding of a large number of vehicles.

This was aptly exposed by Mepa board member Alex Vella in April 2014, when, during a hearing to decide on proposals by Burmarrad Commercials for a holistic plan for the area earmarked for the petrol station development, he stated that "he does not believe what the Bur people are saying, for he knows they have recently taken over the Farmers' Wine building and have actually increased their importation of car parts, adding yet another illegality to the many they have".

Even the seemingly insurmountable hurdle of the 99-year emphyteusis granted in 1965, restricting any use of the building's footprint to one exclusively linked to agriculture, was overcome with the providential intervention of the Land Department.

Ironically, the case officer's report on the application kicks off by listing the litany of Structure Plan policies which go counter to the proposed retail centre right in the middle of farmland.

The same report then nullifies all this rationale by featuring too prominently the counter-arguments of the client's architect and by referring to the Rural Policy and Design Guidance, ushered in only last year and according to which redevelopments within rural areas are acceptable as long as they abide by a number of criteria.

One may recall that this column and environmental NGOs had lambasted such a policy document since we had rightly anticipated that it would simply serve to rubber-stamp further development in the countryside.

Such a rural policy stipulated that an existing building located in a rural area could be redeveloped only if it was destined for ‘a use already legally established and/or covered by a development permission’.

The client’s architect astutely argued that the previous use of the building was that of a winery, which can be classified as having a commercial/retail nature, and thus the proposed retail centre did not violate such a condition.

By allowing the client to elastic-ally stretch such an argument, Mepa will have effectively allowed a winery, which is consonant with a rural and agricultural context, to be replaced by offices, storage facilities and a retail centre selling who knows what.

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Will they restrict the newly-permitted retail centre to sell only agricultural produce, for instance, thus respecting the rural policy’s principles?

The case officer shows further unfounded optimism in his report by listing these further conditions: “Where provided, loading and unloading shall take place solely within the premises and not from/on the public pavement or street”; “provisions to prevent dust, mud and construction-phase debris from overspilling or contaminating areas adjacent to the site”; “no activity is to take place outside the premises unless clearly indicated on the approved drawings”; and “no crates or other items are to be stored outside and the placing or installation of any structures or facilities in front of the premises, unless indicated on the approved drawings, must be the subject of a separate clearance or permission from Mepa”.

I can only sneer, given Mepa’s track record in enforcing its will. Who will monitor that the applicant will stick to such conditions when a large vehicle with Burmarrad Commercials advertisements has been blocking the entrance to Wied Riħana valley for years now?

The case officer’s report seeks to sweeten the pill by pinning its faith on the powers of landscaping, allocating a substantial bank guarantee to such a condition, symptom-atic of a class of people swayed by aesthetics only and who don’t object to developments. Such an attitude is reminiscent of the illegal ‘rooms’ peppering our countryside and which are astutely masked by eucalyptus and acacia trees.

True to a time-honoured script, the Environment Protection Directorate’s views, which vehemently opposed the development on the grounds that the permit would result in an increase in the hard surfacing (tarmac) area for parking purposes and in further urban sprawl in the countryside, were brushed aside.

My gut feeling is that the dissenting but inconsequential voice of the EPD actually bolsters Mepa’s public image, perceived as tolerating such dissenting voices within its set-up as long as they don’t tangibly impact on the final decision.

EPD staff must feel heartened and motivated knowing that their meticulously compiled arguments will amount to nothing at decision-making stage.

To rub salt into the wound, an application for a petrol station within a cleared field in Burmarrad is being fast-tracked by a new policy that favourably considers such developments in ODZ.

Ironically, the same field is the subject of a 20-year enforcement notice on the illegal erection of a boundary wall, further testimony that most enforcement notices are just a formality.

With all the hype and clichés about sustainable development, the mind boggles as to how no one is looking at the bigger picture and assessing the ‘real’ need for such a petrol station, given that there are already two operating – one at the entrance to Buġibba and another planned for T’Alla w Ommu.

Once it happens, Burmarrad will have a cluster of four petrol stations lying within two kilometres from one another.

Those responsible for issuing the odious permit for the retail centre and in favour of the petrol station permit must live with the feeling that Burmarrad will lose its distinct character.

The retail centre has set a dangerous precedent that will lead to further uptake of farmland in the area. Hailing from Burmarrad, one would expect the Prime Minister to be aggrieved by this scenario. Will he prevent further commercial and industrial uptake?

The Malta Developers Association’s recent stand against the possible development of another Lidl supermarket in an ODZ, this time along the Birkirkara bypass, is commendable and comes in the wake of further such aspersions against ODZ development made by the group in the past.

What puzzles me, however, is why the association did not disapprove the new retail centre, which represents commercial activity right in the middle of ODZ land.

Quoting Sandro Chetcuti, the MDA is against some developers being given an unfair advantage over others through the granting of permits for ODZ areas when such land is purchased at below-par prices. Doesn’t the Burmarrad ex-winery site fit such a bill perfectly?

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