

Slashing through Balzan's gardens



No longer sacred – mature citrus orchards in Balzan, Attard and Lija are being ripped up to make way for further development.

Hortibus undique septa, Latin for 'surrounded by gardens', is the motto proudly emblazoned on Balzan's insignia.

The local council's website also refers to this legacy, saying "Balzan is well-known for its typical beautiful gardens and orchards, laden with the fresh scents of citrus fruits. In spite of the decreasing number of such gardens, Balzan still boasts an abundance of traditional town houses with back gardens full of lemon, orange and tangerine trees."

Balzan, Attard and Lija (often referred to as the 'Three Villages') are renowned for their inextricable link with citrus gardens, as epitomised in the coat-of-arms of Lija, which is graced by a branch laden with mature oranges.

However, not everyone seems to appreciate this horticultural legacy, as more often than not developers view these gardens as spokes in their wheels, that they would gladly do away with to pave the way for further development.

Bulwarks against the development of these iconic gardens do exist – for instance, if the same gardens fall within the boundaries of the Urban Conservation Area of a village, they are normally designated as an Open Space Enclave in the Central Malta Local Plan (CMLP) to protect them from development.

Also, Balzan local council has lately been vociferous in opposing applications seeking to develop old townhouses and adjacent gardens in the village core. Palazzo de Rohanhad is a case in point.

However, some planning applications, shored up by the perseverance of their proponents, manage to beat all odds, despite all the safeguards that should be in place.

A blatant case in point is that of the following set of planning applications: PA6795/02 (for the demolition of existing rooms and garages, construction of basement garages for private vehicles

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- Alan Deidun

and overlying apartments, some of which will be located internally); PA 5117/06 (for the demolition of existing garages and construction of basement garages, semi-basement garages /apartments and overlying apartments); and PA 3644/08 (for the proposed extensions and additions of garages from 29 to 33, and apartments from 32 to 36 units to PA 5117/06).

I have lumped all three applications together since there are similarities in these cases over a period of six to seven years. The developers in question managed to get what they wanted – that is, the total eradication of the mature garden on site.

The first nail in the coffin of the mature garden on site was driven in December 2004, when Mepa's Development Control Commission (DCC) board C approved the first planning application.

This despite an initial refusal and despite the objections of the Planning Directorate and the Heritage Advisory Committee (HAC), which were contrary to the mature garden on site not being safeguarded adequately from the proposed development.

Further nails in the coffin were driven in September 2008 when the script was repeated, the same developer applied for a full permit for the site for which an outline permit had been granted previously and, despite the same objections from the Planning Directorate and the HAC, the DCC gave the green light once again.

Mepa auditor Joseph Falzon, addressing complaints submitted by a number of Balzan residents on the process that led to the eradication of the garden on site, summarises the whole process by saying: "It is obvious that development application PA 6795/02, and consequently development application PA 5117/06 were approved contrary to established policies and the DCC Division C is solely responsible for this fact."

The auditor further comments that the situation with the third planning application was even more serious, since by now the applicant did away with any veil of caution and did not try to hide his real intentions to the Planning Directorate – that of developing in a piecemeal fashion the size of his development so that the entire area could be developed.

When the DCC C board approved the latest application, the applicant achieved his ultimate sleight of the hand.

The auditor is vitriolic in his criticism of the permit's approval: "The DCC justified the approval of the application by stating that 'according to CMLP map BZM4 the site lies outside the open space enclave and policy CGO 9 does not apply'.

"An examination of map BZM4 was carried out by the Audit Office and it is clear that the site is within the Open Space Enclave.

"It is not clear where the DCC got its information, but this information is clearly incorrect, and hence possibly fraudulent in terms of the provisions of the Development Planning Act."

However, the auditor in his report says that no redress is possible in terms of the Development Planning Act.

This conclusion should have alarmed complaining Balzan residents since there is precious little left to safeguard, with the developers' heavy machinery quickly moving in to sound the swan song of the many mature trees on site.

A resident from the area recounted how upset he was at the sight of mature trees, most of which were laden with oranges, being uprooted because they stood in the way of 'development'.

It seems the developers assured residents these trees would be replanted elsewhere, but the way in which they were uprooted indicates there is little possibility of this happening.

Falzon does not mince his words and concludes his report in a scathing tone: "It is of great concern that an application detrimental to the environment of an urban conservation area is approved without any justification by Mepa.

"This constitutes an abuse of power as the developer enjoys the fruits of his action with the blessings of Mepa while the general public suffers the resulting deterioration in the environment.

"Mepa, which has been set up specifically to improve the quality of life of the general public, approved of a development contrary to the interests of the community and the people who perpetuated this act are not accountable to anybody."

This is well and truly an indictment of the Mepa DCC board and its spineless profile in the entire issue, which has de facto accommodated the developer's every whim, with some minor and inconsequential concessions.