

## OPINION&amp;LETTERS

## Goalposts that don't stop moving

ALAN DEIDUN

The footballing world is a prolific source of idioms and metaphors which have become entrenched within the English language. That featuring goalposts is one of those most frequently employed, to denote the shifting of criteria so as to favour or disfavour those directly interested in a process.

The use of this particular metaphor is most appropriate applied to the current fluidity of the ODZ development landscape, as evidenced from the case studies being presented here.

**Zabbar:** The controversial planning application to include 14,000 square metres of agricultural land, which currently comprise part of the Zabbar-Fgura Strategic Gap fabric within development zone boundaries, was withdrawn by applicants following the understandable groundswell of opposition that this generated. Cynics have it that the withdrawal was just strategic, given the imminence of the European Parliament elections. They anticipate a resubmission once election mode has subsided.

The belief is that the applicants' arms were basically twisted in return for compensation at a later stage, pre-empting a haemorrhage of the green vote. Only time will tell whether the move was a conscientious one by the Zabbar applicants or just a strategic one.

**Swatar:** Yet another echo of the infamous 2006 development boundary extension scheme is being witnessed at Swatar, where a massive 128,000 square metres of previously ODZ land were included within development boundaries at the stroke of a pen.

The high-profile owners are being given a free reign by the PA. In fact, normal praxis for a development zone redrawing exercise like this stipulates that the PA issue a development brief to set the pace in terms of building heights, typology and density of development, road connections, etc., after, presumably, receiving advice from the government of the day to do so.

It transpires that this has not happened so far, resulting in the owners growing impatient and presenting their own proposals for commercial, residential, touristic and mixed development. The maximum height is planned at seven storeys and only one-sixth of the gargantuan swathe of land has been allocated for 'green spaces'.

The list of land owners in the area raises some eyebrows as it includes some head honchos, including Malta Development Association president Sandro Chetcuti, who has frequently expressed his support for a ban on further ODZ development. How credible and consistent is



Zabbar: Applicants who were advocating the inclusion of a large ODZ parcel of land within development boundaries have withdrawn the application. Was it just to win more time or really a change of heart? Only time will tell.

Chetcuti's view when he is behind the development of a large slice of land formerly designated as ODZ?

**Gharghur:** The Planning Authority recently approved PA 08051/18 which, at least on paper, proposed a relatively innocuous development. This is the dismantling of dilapidated rooms and subsequent excavation to construct residential garages at basement level, with dwellings on ground floor and first floor; the dismantling of rubble walls and their reconstruction using the same stone in order to alter the soil levels; and the construction of a swimming pool with underlying reservoir and surrounding deck area.

The case officer for this application recommended approval of the permit. Upon delving deeper into the issue, however, one realises that there is much more than meets the eye. The case officer was particularly dismissive of dissenting voices when stating that "the architect addressed all requirements satisfactorily and hence the positive recommendation".

For instance, the site is partly located within the Urban Conservation Area (UCA) of Gharghur as well as within an ODZ. Indeed, the Environment and Resources Authority had quite vehemently objected to this development: "The proposal is objectionable from an environment point of view. Approval of this application would also risk setting an undesirable precedent for similar future developments, making the surrounding area amenable to future pressures for urban sprawl out of the Development Zone."

Given that the swimming pool and decking, which both encroach on to an ODZ, still feature in the approved permit, the case officer's line of reasoning is nebulous, to say the least. More like ERA's concerns were ignored, and it would obviously not be the first or last occurrence.



Gharghur: This parcel of agricultural land, partly located within an ODZ area, will be developed to make way for a swimming pool and decking, along with a residence and garage, on the back of a policy which promotes the demolition of disused buildings. The approval of this permit goes against a large number of SPED policies and has been rightly appealed.

The case officer justifies his anomalous conclusion by stating that "the demolition of the existing structures and replacement by a dwelling is being considered

acceptable... since it is in line with policy P5 of DC 2015, Urban Objective 2 and Thematic Objective 8.6 of the SPED".

This is policy nit-picking from the SPED (Strategic Plan for the Environment and Development) at its best, considering that the proposal does in fact go counter to a large number of SPED objectives. To name a few: T.O.1.10 – Ensuring that socio-economic development protects rural areas from being exploited by uses which are not legitimate or necessary; T.O.7.7 – Protecting agricultural land and gardens to prevent loss of soil and soil sealing; U.O.3.7 – Protecting and greening open spaces which contribute towards the character and amenity of urban areas, reduction of soil sealing and support biodiversity with a view of developing ecological corridors; R.O.1.1 – Protecting good quality agricultural land from development; R.O.4.3 a – Protecting sensitive landscapes of cultural importance and natural beauty.

In this context, the case officer's report at best emerges as

incomplete and misguided, with yet another ODZ being the victim of such a biased interpretation of the SPED.

Two appeals have been lodged to the approval of this permit – one originating from a private citizen and one from the Gharghur local council. The applicant is contending that the latter has no right to appeal the granted permit (probably on grounds that the local council already had the opportunity to make submissions at application stage).

The mind boggles as to why private citizens and the local community have to take it upon themselves to appeal odious permits when such a struggle could easily be avoided if the PA adopted a blanket approach towards further ODZ development proposals, bar projects of national importance.

Any development on site should be nipped in the bud prior to the conclusion of the appeals process so as not to undermine the credibility of the latter.

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