

Dingli

Planning Control Applications

PC Number: PC 14/17

Proposal: To zone the area for terraced houses with a maximum height of 12.30m.

Location: Iċ-Cens ta' Lezja, Triq it-Turretta; Triq il-Gnien, Dingli

Architect: Edwin Mintoff

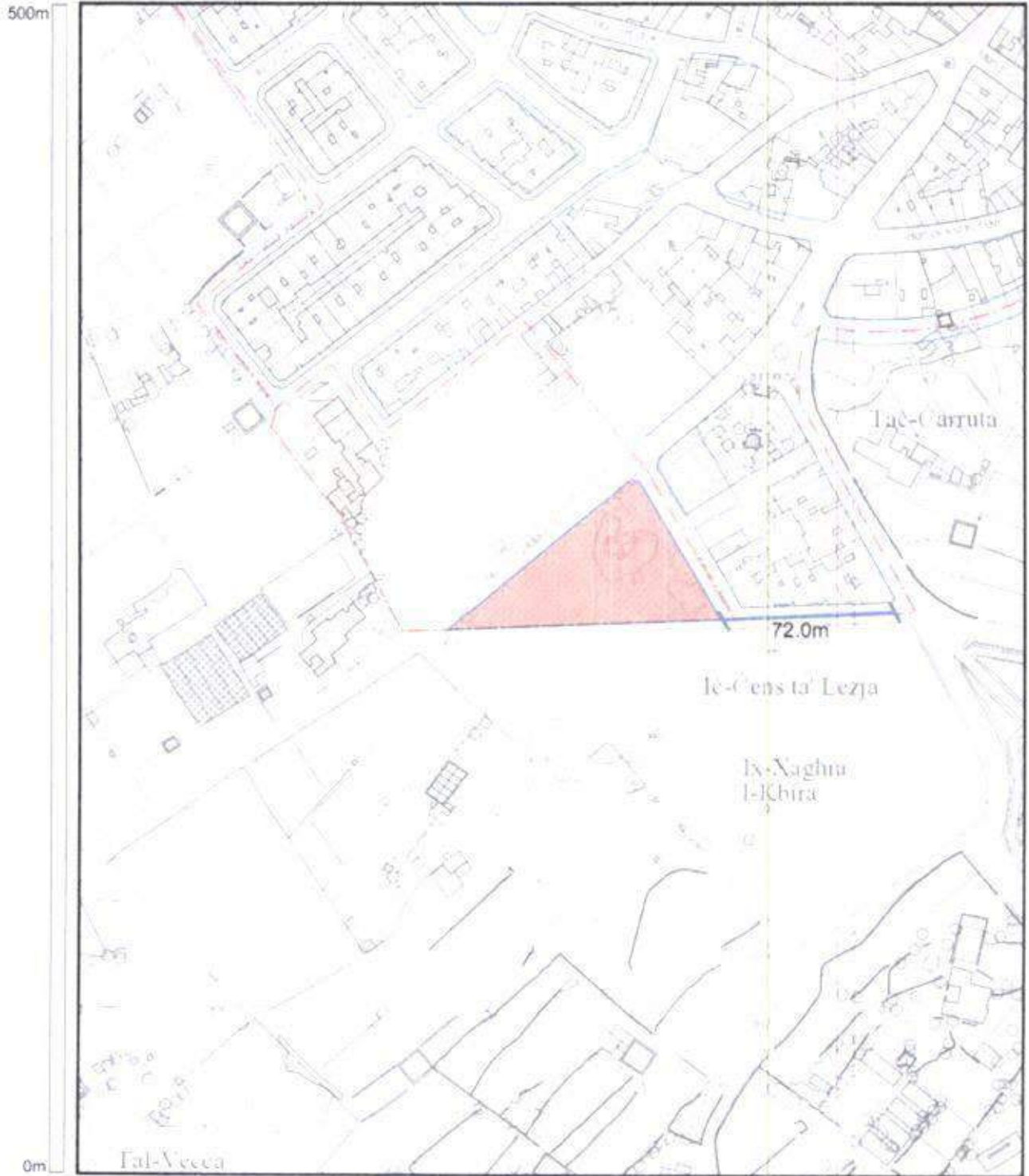
Applicant: Anthony Agius

Date of Endorsement: 15th June 2022

Drawing Numbers: PC 14/17/5A/146B

Conditions:

1. Land is zoned for residential land use following policy NWUS 3 of the NWLP (2006).
2. The building height limitation should not exceed an overall height of 2 floors plus basement.
3. No vehicular access will be permitted from the pedestrian passage located in the southern edge area of PC 014/17/146B.
4. A 3metre public pedestrian footpath completely within the Development Zone is required along the frontage facing ODZ.
5. Special attention shall be given to the design of building elevations on the pedestrian footpath. The elevation design must consider the scale, balance and character of the entire elevation overlooking the ODZ.
6. A 1.2m boundary walls at edge of scheme located totally within the Development Zone excluding the cart-ruts protection zone and its buffer zone should be constructed in traditional random rubble (sejjiġġ), avoiding ashlar walls and walls faced/clad in rubble.
7. PC Zoning Application Fees are to be settled by applicants as per LN356/10 at the Development Planning Application (DPA) stage.
8. Detailed development proposals shall be subject to any legal third party access rights through or to the site.



Min Easting 43896.38, Min Northing 68252.29, Max Easting 44296.38, Max Northing 68752.29



Planning Authority - www.pa.org.mt

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Site Plan, Scale 1:2500
Printed on: Wednesday, August 24, 2016

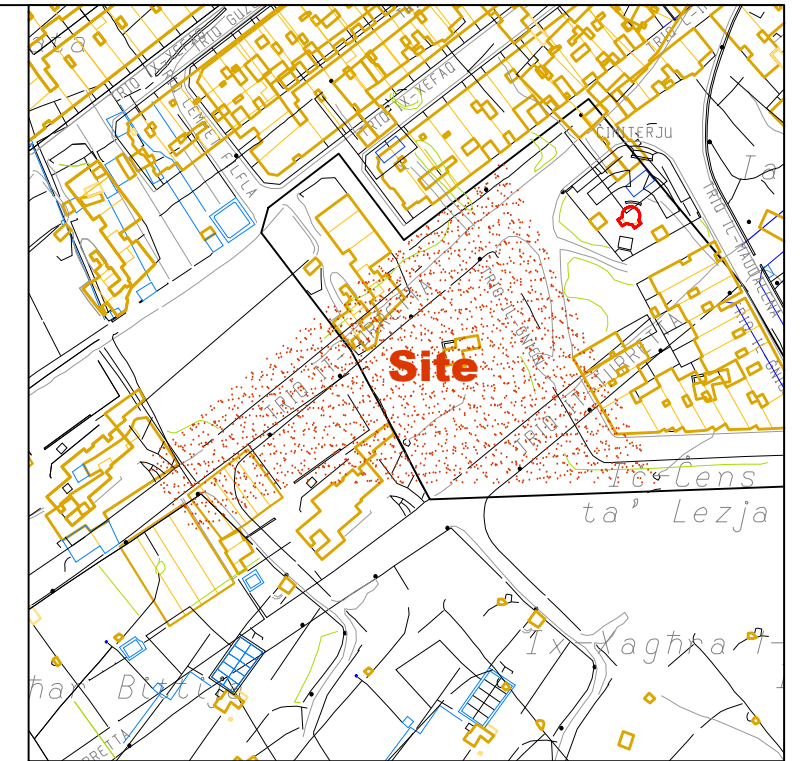
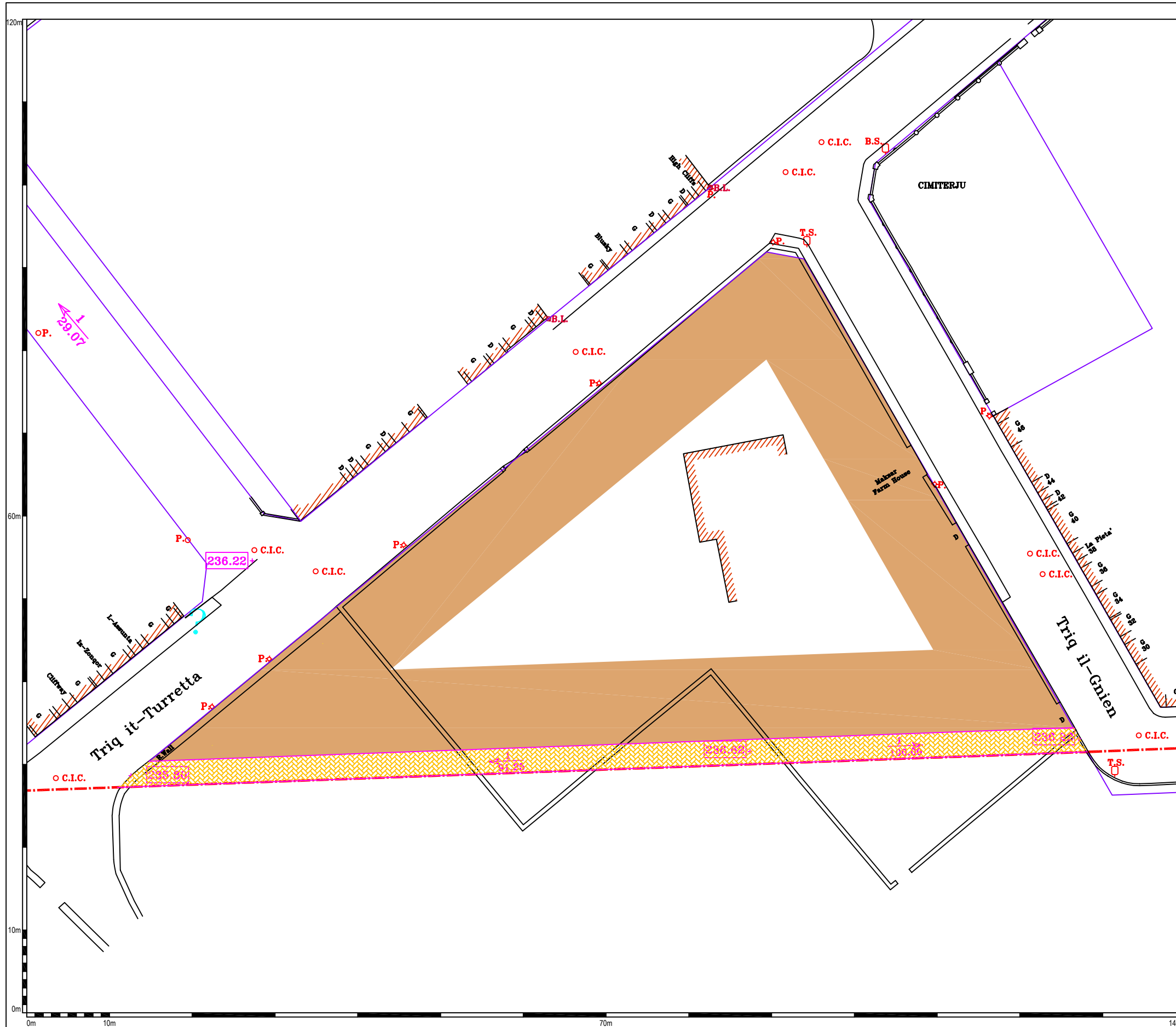
Not to be used for interpretation or scaling of scheme alignments
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S.S. No.: 4468

Scale: 1:2500



Subsidiary Plan Minor Modification

Locality:

Dingli

Plan Reference Number:

PC 0014/17/146B

Scale:

1:500

Survey No.:

Dng1919E2-18

Grid System:

U.T.M.

Scale Factor:

0.999632

Min. Coordinates:

44040|68460

Level datum:

M.S.L.

Survey Completion Date:

21/5/2018

Plan Completion Date:

06/05/2021

Survey Checked By:

M. Azzopardi (LSU)

Plan Checked By:

I.Fava

Map as approved by Minister
on the 15th June 2022

This map established the zoning, building height and alignments of the site included within the development boundaries in accordance with the Partial Structure Plan Review published in the Government Gazette on the 27 th February 2007.

Disclaimer:

The information on this plan has been carefully checked for accuracy at the time of survey. However the Planning Authority cannot assume responsibility for any changes occurring after the date of the survey and cannot be held liable for damages resulting from interpretation or misuse of the information on this plan.

Legend:	
	Existing Field Walls
	Existing Building
	Existing Vegetation
	Street Furniture
	Spot Level
	Formation Level
	Limit to Development
	Urban Conservation Area
	Front/Side Garden
	Scheme Road
	Pedestrian Area
	Terraced Development (Residential) - 2 Floors + Basement
	Alignment
	Proposed Alignment

PC Number: PC 0069/07

Proposal: To establish the zoning, building height and alignment of roads and buildings for a site included within the Development Boundaries in accordance with the Partial Structure Plan Review.

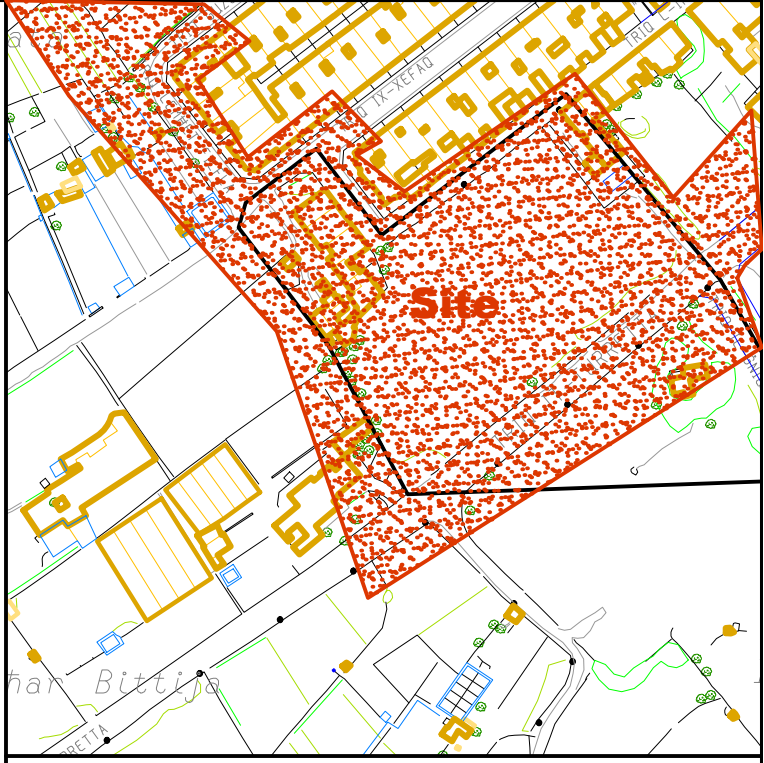
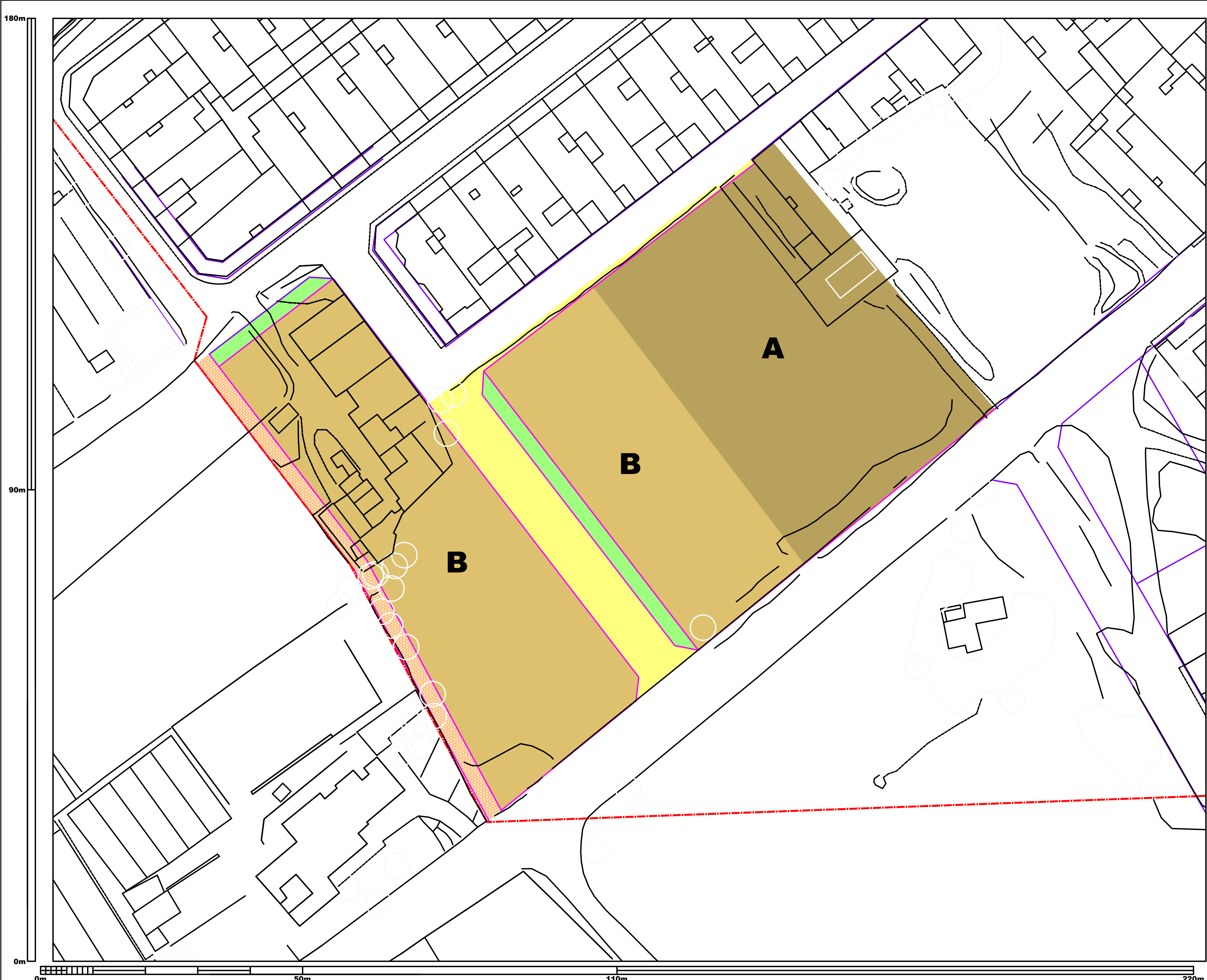
Location: Ix-Xaghra Iz-Zghira, Triq It-Turretta, Dingli

Architect: Mr. Philip Mifsud

Applicant: Mr Norbert Caruana et

Date of Endorsement: 13th April, 2011.

Conditions: N/A



S.S. No.: 4268-4468 Scale: 1:2500

- Residential Area (Terraced Development)
3 Floors (no penthouse) + Basement (not habitable)
- Residential Area (Terraced Development)
2 Floors + Basement (not habitable)

- Notes:**
1. Site shall not be subject to floor area ratio planning considerations;
 2. Detailed development proposals shall be subject to third party access rights through or to the site.
 3. No recesses or setbacks from the official building alignment, intended to provide suitable headroom for vehicular access to the basements, are permitted at basement and ground floor levels to ensure a continuous built frontage on the official building alignment.

**Subsidiary Plan
Minor Modification**

Locality: **Dingli**

Plan Reference Number:
PC 0069/07/74B

Survey No.: 1919E1/07	Survey Works Order Form No.: 1919E1-07
Survey Checked By: M. Azzopardi (LSU)	Survey Completion Date: 1/11/2007
Alignment / Scheme Checked By: V. Borg F. (PCS)	Zoning Checked By: I. Galea (PCS)
Digital Drawing Ref. No.: Dng1919E1/07	Plan Completion Date: 06/07/2010

**Map as approved by Minister in
PC 69/07 on the 13th April 2011**

This map established the zoning, building height and alignments of the site included within the development boundaries in accordance with the Partial Structure Plan Review published in the Government Gazette on the 27 th February 2007.

Grid System: U.T.M.	Combined scale factor: 0.999632	Min Easting: 43950	Max Easting: 44170	Legend:	Spot level	Building alignment	Scheme Road	Pedestrian Area
Level datum: M.S.L.	Scale: 1:500	Min Northing: 68460	Max Northing: 68640	Existing field walls	Formation level	Front garden alignment	Front Garden	
				Existing building	Street Furniture	Limit to Development		
				Vegetation				

Disclaimer:
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PC Number: PC 0085/07

Proposal: To establish (a) road alignment following existing commitments,
(b) zoning conditions as Terraced Development (Residential Area),
(c) building height at 2 floors plus 3 courses basement.

Location: Site at Triq Gann Mari Abela and Triq San Pawl tal-Pitkal, Dingli.

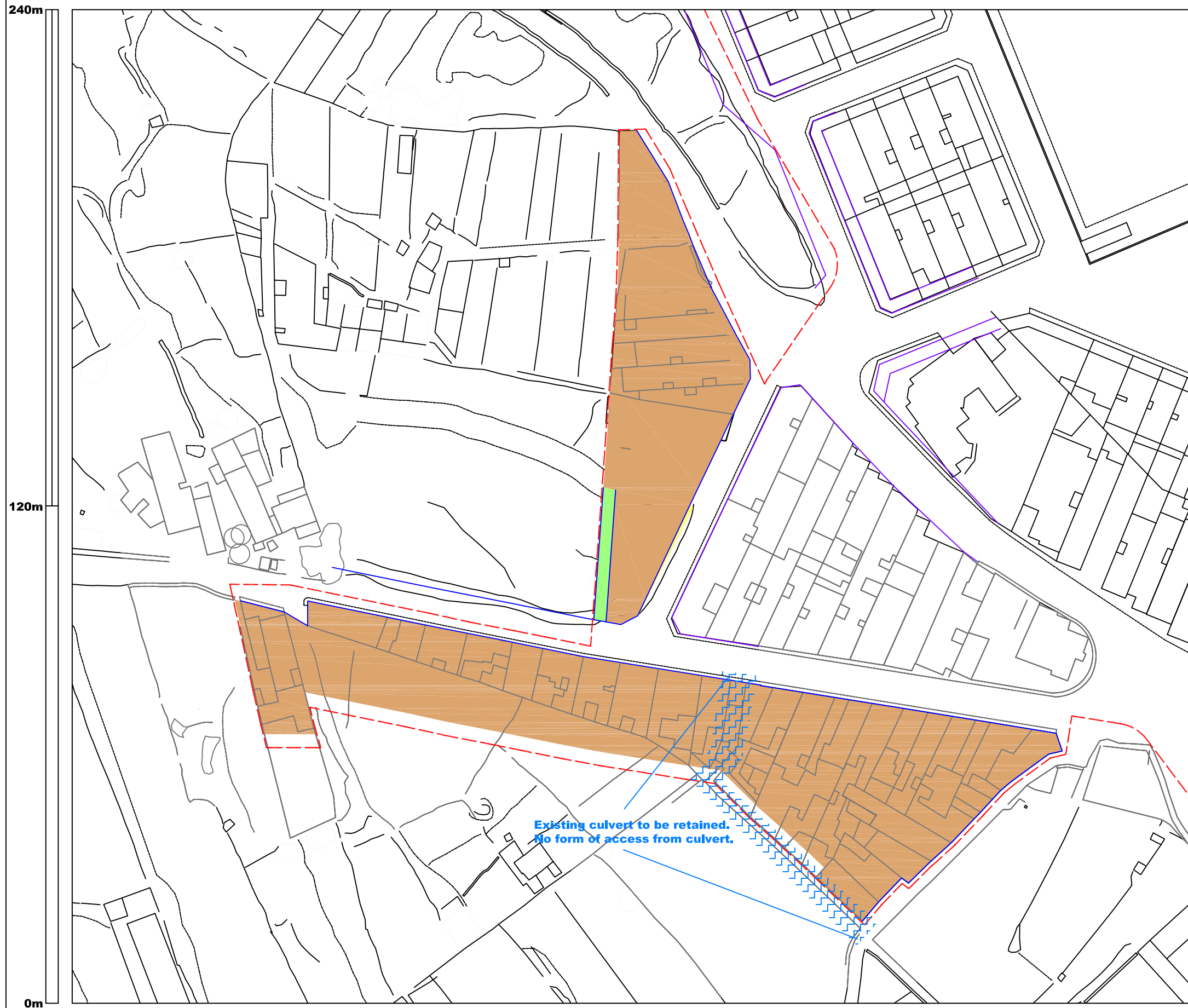
Architect: MEPA

Applicant: MEPA

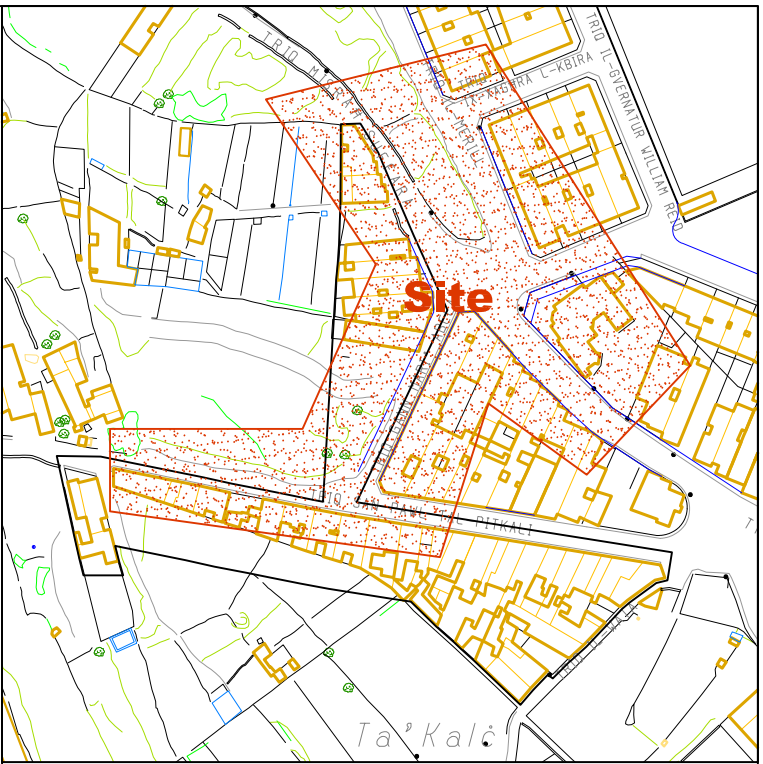
Date of Endorsement: 8th March, 2010. Published.

Conditions:

1. Site is zoned for terraced residential development subject to conditions in NWUS 3 in the NWLP
2. Maximum height limitation is 2 floors + 3 courses basement.
3. No semi-basements are allowed on this site.
4. Buildings with frontage on Triq San Pawl tal-Pitkal and Triq Tal-Wata do not have access from an open culvert at the back of their property.
5. Site shall not be subject to Floor Area Ratio (FAR) planning considerations.
6. Detailed development proposals shall be subject to legal third party rights, including those related to access through or to the site.



Existing culvert to be retained.
No form of access from culvert.



S.S. No.: 4268 Scale: 1:2500

Subsidiary Plan Minor Modification

Locality:

Dingli

Plan Reference Number:

PC 085/07/18b

Survey No: 1956E1/4268/08	Survey Works Order Form No: 1956-06
Survey Checked By: M. Azzopardi (LSU)	Survey Completion Date: 08/02/08
Alignment / Scheme Checked By: V. Borg F. (TPU)	Zoning Checked By: I. Galea (TPU)
Digital Drawing Ref. No.: Dng 1956 e-08	Plan Completion Date: 5/11/2009

Map as approved by Minister in
PC 085/07 on the 8th March 2010

This map established the zoning, building height and alignments of the site included within the development boundaries in accordance with the Partial Structure Plan Review published in the Government Gazette on the 27 th February 2007.

Disclaimer:
The information on this plan has been carefully checked for accuracy at the time of survey. However MEPA cannot assume responsibility for any changes occurring after the date of the survey and cannot be held liable for damages resulting from interpretation or misuse of the information on this plan.



Grid System: U.T.M.	Combined scale factor: 0.999632	Min Easting: 43630	Max Easting: 43900	Legend: Existing field walls	Spot level +18.20	Building alignment	Pedestrian Area	Terraced Development (Residential) Building Height 2 Floors + 3 Courses Basement
Level datum: M.S.L.	Scale: 1:1000	Min Northing: 68750	Max Northing: 68990	Existing building	Formation level +20.00	Front garden alignment	Scheme Road	Rationalisation Exercise Site (as per Local Plans Rationalisation of Development Zone Boundaries - Approved Document by Parliament July 2006)
				Vegetation	E.P.O. Street Furniture	Limit to Development	Front/Side Garden	

240m

120m

0m

0m 100m 270m

Partial Local Plan Reviews

Partial Review of the North West Local Plan (2006)

**Dingli
Ta` Kalc**

Approved



December 2019

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1 Introduction

1.1 The Planning Authority is undertaking a Partial Local Plan Review of the North West Local Plan (2006), for a site known as Ta` Kalc in Dingli as indicated on Figure 1 Dingli – Ta` Kalc Site Plan below.

1.2 This Partial Review is required to reassess the current building height limitation for the site in the context of the rest of the building height limitations for the whole of Dingli, while maintaining a suitable transition zone between the development zone and the area outside the development zone.

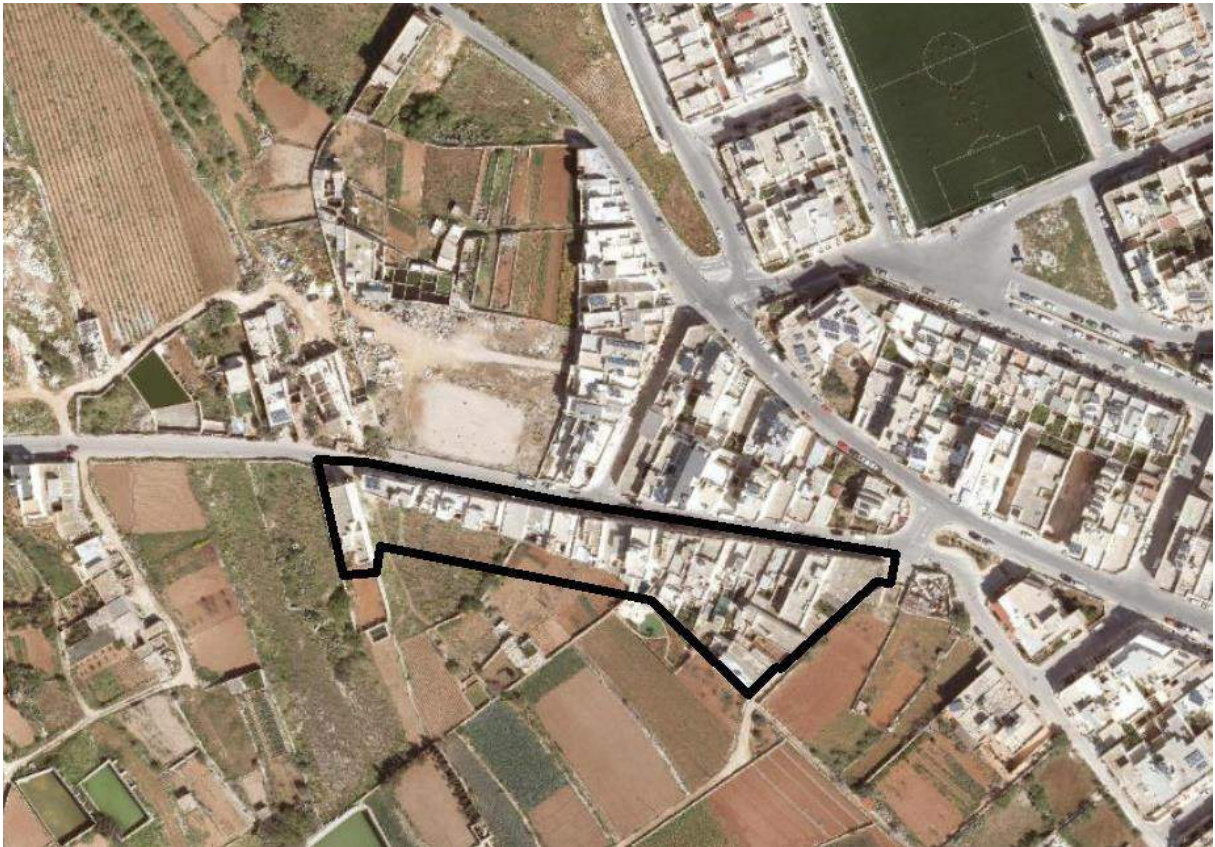


Figure 1: Dingli – Ta` Kalc Site Plan

2 Objectives

2.1 The Planning Authority is revising the height limitation for an area in Dingli known as Ta' Kalc. This area had been included in the Development Zone by the 2006 Rationalisation Exercise and was also subject to an approved planning control application (PC 85/07). The Planning Control application had established the zoning as terraced development with a building height of two floors plus three courses basement (12.30m).

2.2 A proposed objective that guides the review was issued for public consultation. The proposed objective is:

To increase the building height for the area whilst at the same time providing a transition with the ODZ.

2.3 The objective was issued for an initial Phase 1 Objectives Public Consultation exercise held between the 7th December, 2018 and the 9th January, 2019. Two submissions, details of which are found in Appendix 2: Public Consultation Responses on Objectives of this report, were received. The submissions received were from Flimkien Ghal Ambjent Ahjar Committee (FAA) and the Environment and Resources Authority (ERA).

2.4 The submissions received highlighted the following issues:

- The current building height of two floors plus three courses basement already allows for a transition between the denser 3 floors plus semi basement and the ODZ.
- At a conservative increase of 15.4m (3 floors without basement), the present transition would be lost.
- The building height in question should not be increased as it would obliterate the transition between urban and rural areas.
- This review will change planning constraints on privately owned land and an increase in the number of floors will only serve as a financial reward to private parties and not the general public.
- This exercise will allow for further speculation of land.

- The consultation process is cosmetic as it is being held over the festive period.
- The present height is already visible but can complement the surrounding countryside given its low-rise nature and built form.
- Any increase will lead to the creation of 5 storey blank walls impinging on the natural visual amenity of the environs, detracting on the integrity of this Area of High Landscape Value.
- The proposed changes are in breach of several provisions of SPED.
- Part of the site does not constitute enough depth length necessary for adequate transitional change in height. The current height limitations should be retained for these parts.
- An increase in building heights should take into consideration the rural context and rural landscape in order to minimize potential visual impacts on long distance views.
- An increase in building height will result in activity intensification which may have impacts on the current infrastructure.

3 Public Consultation

3.1 Following the public consultation on the Objectives, the North West Local Plan (2006) Dingli Ta' Kalc was reviewed and published for the second round of public consultation between the 23rd July 2019 and 16th September, 2019. This public consultation exercise generated 13 submissions. Eleven submissions were from private individuals, another submission was from the Environment and Resources Authority (ERA) and one submission was from the Malta Chamber of Planners. The submissions with Planning Authority responses are included as Appendix 2: Public Consultation Submissions Report Phase 2 with this report. Site specific submissions are indicated on Map B in Appendix 4.

3.2 The draft partial review document was also referred to the Environment and Development Planning Committee of the House of Representatives. The Committee reviewed the document on the 12th of August 2019 and agreed with the review as presented.

4 Site History

4.1 Policy NWRS 2 – Development of Large Settlements close to the TPS, included in the public consultation draft North West Local Plan published in 2001, had identified the area under consideration as one of these settlements. The settlements that were identified by this policy were areas whose building typology and land uses did not distinguish them from the urban settlement within the boundary. It was also recommended that these areas be included within the settlement boundary at the next Structure Plan Review as their inclusion would not substantially increase the area of land released for development since these were largely built up.

4.2 The area under consideration by this partial review was included in the Development Zone by the 2006 Rationalisation Exercise, as a site that was adopted from a draft local plan.

4.3 In the late 2007, the then MEPA started the planning process of 36 sites, including this site, that were included in the Rationalisation Exercise. The majority of these sites were already predominantly built up. The scope of the planning control applications was to establish the zoning and building height limitation. The application for this site bore the number PC 85/07.

4.4 During the MEPA board sitting of the 26th June 2009, PC85/07 was approved subject to the following conditions.

- No semi basement allowed on this site.
- Buildings fronting Triq San Pawl tal-Pitkal and Triq Wata do not have access from open culvert at the back of their property.
- Shall not be subject to Floor Area Ratio planning considerations.
- Maximum height limitation is 3 Floors + 3 courses basement (16.30m)

4.5 On the 3rd August 2009, Minister referred back PC 85/07 for reprocessing in light of a letter sent on the 8th October of the previous year. This letter had referred back another 6 MEPA zoning PC applications concerning approved rationalisation sites for reprocessing. For all these planning control applications MEPA had approved a building height of 3 floors plus semi basement (17.50m). Five of these applications had the building height changed to 2 floors plus semi basement (13.50m).

4.6 The reason given for reprocessing was that the Cabinet memo guiding the rationalization exercise required that for these sites the planning of rationalisation sites needed to respect the surrounding areas. Thus, Government advised that the building height of these sites reflects the existing building height of the surrounding areas and that there should be no increase in building height.

4.7 On the 21st January 2010, MEPA Board approved PC87/15 subject to the following conditions:

- i. Site is zoned for terraced residential development subject to conditions in Policy NWUS 3 in the NWLP
- ii. Maximum height limitation is 2 Floors + 3 courses basement (12.30m)
- iii. No semi basement allowed on this site.
- iv. Buildings fronting Triq San Pawl tal-Pitkal and Triq Wata do not have access from open culvert at the back of their property.
- v. Shall not be subject to Floor Area Ratio planning considerations.
- vi. Detailed development proposals shall be subject to legal third party rights, including those related to access through or to the site.

4.8 The Minister endorsed MEPA's approval on the 8th March 2010.

5 Recommendation

5.1 The current review is proposing a stepping down of the building heights from 17.50m to 15.40m for properties on Triq San Pawl tal-Pitkali and further decrease to 12.30m for frontages fronting on Triq il-Watta and at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable. Additionally, the green buffer of 3m is being retained. This will clarify the ambiguity which may have been created by map PC85/07/18b on the applicable zoning parameters for this stretch of land. The treatment of the elevations facing the ODZ is also required.

5.2 The proposed change in building height is being recommended subject to the following conditions:

- i. Site is zoned for terraced residential development subject to conditions in Policy NWUS 3 in the NWLP.
- ii. The maximum allowable height of buildings of 17.50m and 15.40m as shown on Map A and shall be interpreted in terms of the applicable policies, guidelines and standards in the Development Control Design Policy, Guidance and Standards, 2015 (DC15). In addition, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.
- iii. Elevations fronting the ODZ should be treated.
- iv. A 3m green buffer from the elevation fronting the ODZ is required. Additionally, boundary or dividing wall within the green buffer zone shall not exceed a height of 1.2m and shall be constructed in random rubble wall.
- v. Buildings with frontage on Triq San Pawl and Triq tal-Watta do not have access from an open culvert at the back of the property.
- vi. Site shall not be subject to the provisions in document; A Planning Policy Guide on the Use of the Applicability of the Floor Area Ratio (FAR).
- vii. Detailed development proposals shall be subject to third party rights, including those related to access through or to the site.

6 Conclusion

6.1 At the Executive Council held on the 8th October 2019, the members agreed that the partial review is retained as published without any amendments and referred for Ministerial endorsement.

6.2 The Minister endorsed the plan on the 4th December 2019.

Appendix 1: Public Submissions received for Public Consultation on Objectives

**Partial Local Plan Review of the
North West Local Plan (2006)
Dingli – Ta` Kalc**

Public Submissions on Objectives

January 2019

Ref	Name/Company	Date	Comments Received	Remarks
			<p>The present designation of 'two floors plus three course basement' for the site as established under PC/00085/17 allows for a transition between the denser urban center towards Triq Misrah is-Sufara (at 3 floors = semi-basement) and the ODZ countryside leading to the spectacular protected coast of the Dingli Cliffs.</p> <p>A photo-survey illustrating this has been provided below, showing views along Triq San Pawl tal-Pitkal towards Dingli center and views along Triq San Pawl tal-Pitkal towards Dingli's rural area.</p>	






Ref	Name/Company	Date	Comments Received	Remarks
			<p>VIEWS TOWARDS DINGLI CENTER</p>  <p>The figure consists of four parts. At the top is an aerial map titled 'VIEWS TOWARDS DINGLI CENTER' with three green arrows pointing to locations A, B, and C. Below the map are three photographs: (A) shows a road with a yellow center line and a stone wall on the left; (B) shows a street view with a stone wall on the left and buildings on the right; (C) shows a street view with a grassy area on the left and buildings on the right.</p>	


Fig 2 – Photosurvey – Views towards Dingli Center

Ref	Name/Company	Date	Comments Received	Remarks
			<p data-bbox="768 172 1436 220">IEWS TOWARDS RURAL AREA</p>     <p data-bbox="768 1386 1436 1419">Fig 3 – Photosurvey – Views towards Rural area</p>	

Ref	Name/Company	Date	Comments Received	Remarks
			<p>Given that the surrounding building zones are designated at '3 floors plus semi- basement', increasing the current height of the <i>Ta Kalc</i> area would imply that the site and surroundings would likely be at the same height (2+1=3)</p> <p>Even at the more conservative increased height of 15.4m as established from '3 floors without basement' designation, the present transition that exists along Triq San Pawl tal-Pitkal would be completely lost.</p> <p>A visual representation explaining this has been provided – note Fig 4 below</p> <div data-bbox="785 786 1451 1153" data-label="Figure"> <p>The figure consists of two bar charts side-by-side. The left chart is titled 'SCHEMATIC OF EXISTING TRANSITION' and shows two bars. The first bar is dark green and labeled '3 FLOORS + SEMI-BASEMENT (17.5m)'. The second bar is yellow and labeled '2 FLOORS + SEMI-BASEMENT (12.3m)'. The right chart is titled 'SCHEMATIC OF PROPOSED TRANSITION' and shows two bars. The first bar is dark green and labeled '3 FLOORS + SEMI-BASEMENT (17.5m)'. The second bar is orange and labeled '3 FLOORS WITHOUT BASEMENT (15.4m)'. Both charts have a horizontal line at the bottom labeled 'ODZ/RURAL AREA (0.0m)'.</p> </div> <p><i>Fig4–Schematic comparison between existing transition and proposed transition as would result from increase in building height</i></p> <p>It is imperative that the building height in question is not increased given that</p>	

Ref	Name/Company	Date	Comments Received	Remarks
			<p>allowance of anything above that which can be considered under today's policy constraints would obliterate the transition from urban to rural having a negative impact on the character and visual amenity of the rural environs that should be safeguarded by this Authority.</p> <p>B. Furthermore, the entire scope of this exercise is deemed questionable when one notes that it pertains to changes to planning constraints entirely on privately owned land. These proposed changes will effectively enable further development through increased floor space that will be obtained through an increase in permissible height. Such an increase will only serve to act as a financial reward for those who own this land private land. It cannot be considered to benefit the general public in any way.</p> <p>FAA therefore questions why the Planning Authority has been instructed to carry out an exercise which will allow further speculation of land through an amendment to Local Plan parameters through this process and not through a Planning Control Application as is the process generally adopted, given that it is only private parties that will benefits from this change. In this way the Planning Control application process is being bypassed entirely. The consultation process is becoming ever more cosmetic with the</p>	

Ref	Name/Company	Date	Comments Received	Remarks
			<p>consultation period being held over the festive period.</p> <p>The cumulative effect of these many “partial reviews” is adding up – when it is not necessary. The fragmented and piecemeal approach being adopted is giving rise to a situation where increased density (everywhere – not just in designated zones) is escaping holistic assessment.</p> <p>C. It is only in the interest of the owners of the private land to increase the density of this development such that apartment blocks can be built and hence the value of the land increases exponentially due to increased floor space.</p> <p>D. At the present height, FAA maintains that the development is already visible but can complement the surrounding countryside given its low-rise nature and built form relating with the rural context.</p> <p>E. Any increase will lead to the creation of 5 storey blank walls impinging on the natural visual amenity of the environs, detracting on the integrity of this Area of High Landscape Value. As such, any increases to the current height are being deemed excessive and unnecessary.</p>	

Ref	Name/Company	Date	Comments Received	Remarks
			 <p data-bbox="758 483 1461 545"><i>Fig 5 - Images show high visibility of site on periphery of AHLV</i></p> <p data-bbox="821 591 1451 691">F. FAA underlines the fact that the proposed changes are in breach of several provisions of SPED, namely:</p> <ol data-bbox="869 724 1451 862" style="list-style-type: none"> 1. Breach of Rural Objective 4 regarding the importance of enhancing the positive qualities of landscape in a strategic open gap: <p data-bbox="869 878 1451 1016">Rural Objective 4: To protect and enhance the positive qualities of the landscape and the traditional components of the rural landscape by</p> <ol data-bbox="869 1049 1451 1114" style="list-style-type: none"> 2. Promoting integrated countryside management <ol data-bbox="869 1138 1451 1203" style="list-style-type: none"> 1. Carrying out a reappraisal of designated areas <ol data-bbox="869 1219 1451 1284" style="list-style-type: none"> 2. Identifying and classifying a hierarchy of landscapes to: <ol data-bbox="869 1308 1451 1422" style="list-style-type: none"> a. protect the most sensitive landscapes of cultural importance and natural beauty; b. promote rehabilitation initiatives towards 	

Ref	Name/Company	Date	Comments Received	Remarks
			<p>the enhancement of the degraded landscapes</p> <p>c. guide the control of location and design of development within the landscape; and</p> <p>3. Carrying out a reappraisal of strategic open gaps identified in subsidiary plans to prevent coalescence of urban development and identifying further areas for designation</p> <p>We trust the above will be noted by the competent Authority and reflect in the final approved review.</p>	
NWTk002	Ms. Gabriella Maria Dalmas obo Environment and Resources Authority (ERA)	09/01/2019	<p>The Environment and Resources Authority (ERA) welcomes the opportunity to comment on the revision of local planning policy for an area in Dingli known as Ta' Kalc, and is putting forward its comments and recommendations.</p> <p>The area in question is located within the Development Zone through the 2006 Rationalisation Exercise. ERA notes that the site was also subject to an approved planning control application that established the zoning as terraced development with a building height of 12.30m, and that the objective is now aiming to increase the building height limitation for the area whilst at the same time providing a transition with the Out of Development Zone (ODZ).</p> <p>It is noted that part of the site under consideration does not constitute enough depth length necessary for adequate transitional change in height. This could present some difficulties in the design of the back elevations of these units which overlook the ODZ. It is therefore recommended that those units which do not have enough depth adequate for transitional stepping down onto the ODZ retain the current height limitation.</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable. This will clarify the ambiguity which may have been created by map PC85/07/18b on the applicable zoning parameters for this stretch of land. The treatment of the elevations facing the ODZ is also required.</p> <p>The detailed design and construction materials are beyond the scope of this exercise and would eventually be addressed during the assessment of the development application through the application of the Development Control Design Policy Guidance and Standards (2015).</p>

Ref	Name/Company	Date	Comments Received	Remarks
			<p>Furthermore, any additional building heights should take into consideration the rural context and rural landscape in order to minimize potential visual impacts on long distance views and the rural character. The policy should include specific requirements for treatment of back elevations overlooking the ODZ side. Additionally, boundary walls at the edge-of-scheme, should be constructed in traditional random rubble (sejjiagh), avoiding ashlar walls and walls faced/clad in rubble. The height of edge-of-scheme walls should not be visually dominant in the surrounding rural landscape.</p> <p>ERA notes that any potential increase in the building height will also result in activity intensification which may have impacts on the current infrastructure and hence may result in further indirect environmental impacts. The policy should therefore also address these issues.</p> <p>In this regard, services and ancillary infrastructure (including water, electricity, sewerage, runoff management and telecommunications) should be located underground without overhead wiring, poles, above-ground pipework, etc. This should also apply for eventual replacement of existing overhead wiring and poles, with underground cabling. Furthermore, any infrastructure damaged accidentally in the course of works should be immediately repaired to the required specifications in order to prevent environmental impacts. In the event of environmental impacts, the works that caused such impacts shall cease with immediate effect, adequate and effective mitigation measures will need to be put in place to prevent further impacts on the environment, while the accident should be reported immediately to the respective competent authorities and entities.</p> <p>ERA looks forward towards additional consultations on the revision of this policy, and remains available to</p>	

Ref	Name/Company	Date	Comments Received	Remarks
			meet for further discussion or any clarification if required, through: national.affairs.era@era.org.mt	

Appendix 2: Phase 2 Public Consultation Draft Public Submissions

**Partial Local Plan Review of the
North West Local Plan (2006)
Dingli – Ta` Kalc**

Public Submissions on Phase 2

September 2019

Ref	Name/Company	Date	Comments Received	Remarks
NWTK2 001	Ms. Loredana Sammut	28/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>
NWTK2 002	Mr. Luke Spiteri	28/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>
NWTK2 003	Mr. Kyle Falzon	28/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>

NWTK2 004	Mr. Christian Sammut	28/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>
NWTK2 005	Ms. Rosianne Agius	28/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>
NWTK2 006	Mr. Ramon Falzon	28/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>

NWTK2 007	Ms. Anna Sammut	28/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>
NWTK2 008	Mr. Sandro Galea	30/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>
NWTK2 009	Ms. Mandy Zahra	30/07/19	<p>Appealing for the proposed increase in building height in Ta' Kalc area.</p> <p>Transition is already in place as is - Definetely no need to increase building height and 'improve' the transition to ODZ.</p> <p>This would ruin the rural scenery for a number of roads in the area!</p>	<p>A stepping down of the building heights from 17.50m to 15.40m and further decrease to 12.30m frontages at the back of the site facing the ODZ. Additionally, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</p>
NWTK2 010	Mr. Gabriel Aquilina obo the Environment and Resources Authority (ERA)	12/09/19	<p>Introduction</p> <p>ERA welcomes the opportunity to comment on the proposed Phase 2 of the draft public consultation policy on the Partial Review of the North West Local Plan (2006) for an area in Dingli known as Ta' Kalċ. It is to be noted that the following comments are in addition to the feedback provided by the Authority during Phase 1 of the consultation process.</p>	

		<p>The following comments are provided without prejudice to ERA's review and comments on any eventual development projects that may emerge from the revised Local Plan, when more detailed environmental assessment will be required. Depending on their nature, scale and context, proposed projects may also require different types of environmental assessments or other related screenings, including Environmental Impact Assessments (EIA).</p> <p>The Environment and Resources Authority (ERA) is putting forward its recommendations with respect to Phase 2 of the review process hereunder.</p> <p>Main environmental issues</p> <p>A substantial part of the Rationalisation site abuts and overlooks ODZ areas on both the frontages and the back of site. In this regard, it is envisaged that any future development and related interventions, including boundary walls, pavements, footpaths, land scaping, and access, as well as any supporting foundations, embankments and ancillary interventions, should be contained within the development boundary of this Rationalisation site. Considering the environmental sensitivity of the area, there should be no over spills of development, additional take-up or commitment of, or encroachment onto, adjacent land outside the boundary of the Rationalisation site.</p> <p>The text of the draft policy document is contending that future development on site will be stepped down from a height of 17.5 m to 15.4 m and a further decrease to 12.3 m so as to minimize adverse impacts of higher density development from distant rural views. It is however noted that both the policy text and policy Map A, do not clearly indicate which parts of the Rationalisation site has a building height of 12.3 m. This is due to the configuration of the site where parts of it abuts on ODZ on both the frontage and back</p>	<p>ERA is a statutory consultee and comments on the nature, scale and context of proposed projects are taken into consideration in the development application stage.</p> <p>The proposed development is contained within the rationalisation site that was included within the development zone in 2006. No over spills are proposed beyond the area under consideration as per Rationalisation Exercise in 2006. Furthermore, a 3 metre green strip is required to be provided.</p> <p>The 12.3m height applies only at the back of the site and this has now been clarified in the text of paragraph 5.1. Additionally, Provisions in the Development Control Design Policy, Guidance and Standards, 2015 (DC15) will guide the stepping down in building heights being proposed.</p>
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		<p>elevation. It is therefore not clear where the 12.3 m height limitation applies. Moreover, the use of different terminology such as “frontages at the back of the site facing ODZ”, and “building facades facing the ODZ” might be interpreted differently. For clarification purposes, the policy should specify where the building frontages of properties are. The part of the site indicated as having a building height of 15.4 m on Map A has various sides facing ODZ and therefore, it is unclear how development will be stepped down.</p> <p>Furthermore, ERA is also concerned that any planned front elevations overlooking the Ta' Kalç ODZ area might result in further pressures for the construction of a new access point. In order to minimise possibilities of interpretation problems, and to mitigate such impacts, ERA is recommending that:</p> <ul style="list-style-type: none"> • only development facing the existing built-up area at Triq San Pawl tal-Pitkali, and which is indicated as having a building height of 17.5 m in Map A, should have a maximum building height of 17.5 m; • the area overlooking Ta' Kalç/Triq il-Wata ODZ area, and which is indicated as having a building height of 17.50m in Map A, should have a maximum building height of 15.40m or less; • sites facing Triq San Pawl tal-Pitkali and which are indicated as having a building height of 15.4 m on Map A, should be stepped down to a maximum building height of 12.3 m for sites overlooking Ta' Kalç ODZ area, provided that a 3 m setback is applicable. Should these sites not have enough depth to implement the suitable 3 m setback from the Ta' Kalç ODZ area, then a maximum building height of 12.3 m should be designated for the whole site. <p>• In this regard, Map A is to be revised accordingly.</p>	<p>Elevations facing the ODZ will need to be treated and no access from the boundary wall within the green buffer to the ODZ is being contemplated.</p> <p>The 12.3m height applies only at the back of the site and this has now been clarified in the text of paragraph 5.1.</p> <p>Comment noted. No access from the boundary wall to the ODZ is being proposed.</p>
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			<p>The draft policy proposes the introduction of a “3 m green buffer from the elevation fronting the ODZ”. It is however noted that no further details or intended specifications were provided. ERA recommends that the proposed 3 m green buffer is to be dedicated to soft landscaping, commensurate with the scale, height and configuration of the proposed development at this whole site. It must be also ensured that no form of access is allowed at any of this part of the site.</p> <p>Other Environmental Considerations - Recommendations for future development applications</p> <p>The following is a list of detailed environmental parameters that should be implemented vis à-vis future development projects on this site:</p> <ul style="list-style-type: none"> • Edge-of-scheme development, including new/altered roads, should follow the natural topography and natural characteristics of the site and immediate context such that the need for dominant or otherwise visually intrusive structures (embankments, exposed foundations or other similar substructure; boundary walls or parapets; etc.) is minimized at source. • Roads/pavements should incorporate facilities whereby all services and ancillary infrastructure (including water, electricity, sewerage, runoff management and telecommunications) are located underground without overhead wiring, poles, above-ground pipework, etc. This should also include provision for eventual replacement of existing overhead wiring and poles, with underground cabling, especially at/near the edge of the site boundary. The installation of overhead wiring, poles, and other visually intrusive interventions, especially at the urban-rural interface and in the surrounding rural area, should be avoided at source. 	<p>No new roads are being proposed.</p> <p>Comments noted.</p>
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		<ul style="list-style-type: none"> • Urban runoff (e.g. from car parks, yards, etc.) should not be discharged directly/unmitigated onto any surrounding lands, including fields and valleys. The use of sustainable urban drainage systems is recommended in order to collect and treat local surface water, attenuate water runoff and mitigate risks of localised flooding. • Any required infrastructure (e.g. substations, booster stations, sewer connections, pumping stations, waste management areas/facilities, runoff-collection reservoirs, interceptors, etc.) are to be factored into the advance planning of the scheme and located within the site boundary, such that direct or indirect pressures for take-up of additional ODZ land for the installation or retrofitting of such facilities is avoided at source. • The development shall not be a source of light pollution. To this effect, the following specifications shall be adhered to: <ul style="list-style-type: none"> (i) lighting shall be strictly limited to within the developed part of the site and/or the area to be illuminated. The height and orientation of luminaires shall be designed in a manner that does not cause illumination beyond the developed site; (ii) there shall be no lighting of ancillary access roads, tracks and paths or other lighting beyond the site boundary; (iii) the exterior lighting fittings and their supports shall be installed on the inner side of any peripheral landscaping, so as to be screened from the surrounding environment by means of the landscaping itself; (iv) all exterior lighting installed on site shall be fully-shielded and full cut-off, horizontally aligned and 	
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			<p>downward-pointing. No luminaire globes, uplighters and/or high-level floodlighting are allowed;</p> <p>(v) all exterior lighting shall be of low-intensity 'warm light' colour with a correlated colour temperature (CCT) not exceeding 3000K;</p> <p>(vi) any development at the edge of the Urban Area, or adjacent to protected sites should not be a source of light pollution towards the rural/marine/protected environment. Street or other outdoor lighting (if any) shall be low-key, downward-pointing, and of a full cut-off type. No luminaire globes, up-lighters or high-level floodlighting should be allowed. No illumination of any ODZ land near/adjacent to the site should be allowed</p> <p>(vii) intruder-triggered or motion-sensor lighting shall be installed so as to avoid continuous nocturnal lighting;</p> <p>(viii) all architectural, façade and decorative lighting should be switched off at 11p.m.</p> <p>Conclusion ERA looks forward to contribute further, if required, to the Partial review of the North West Local Plan – Site at 'Ta' Kalc', and remains available for any clarification , or further consultations via: era.policyconsultation@era.org.mt</p>	
NWTK2 011	MR. Anthony Ellul obo Malta Chamber of Planners	13/09/19	<p>Comments by the Malta Chamber of Planners re Partial Review of the North West Local Plan – Dingli ta' Kalc area.</p> <p>The Malta Chamber of Planners are submitting the following comments with regard to the Partial Review of the North West Local Plan concerning the area Ta' Kalc in Dingli. The Chamber notes that the main objective for this review is to increase the building height limitation in this area which was subject to PC application PC 85/07.</p>	<p>Comment noted. The stepping down of heights on the ODZ side is being followed to allow for a transition of heights.</p>

		<p>This area was included in scheme as part of the Rationalisation exercise in 2006 and therefore should remain as a buffer between the ODZ and the rest of this area in Dingli. Such areas had to remain a transition between ODZ and the development zone. The proposed changes would alter this approach and is now seemingly being used for purely speculative reasons. In most cases having the development at the periphery higher than the development it is transitioning from goes against the original text and spirit of the policy thrust that initially earmarked these areas for development.</p> <p>Increasing the height from 12.3 m to 17.5 and 15.4 would result in more than 3 floors when applying the height in metres as per DC 2015. This would even result in buildings 5 storeys high. This will create a significant visual impact when viewed from the ODZ side. The rationalisation sites have been kept in their majority at 2 floors to create this transition between the ODZ and the development zone. The proposed changes will remove this relation and create a negative impact on the landscape fronting the ODZ.</p> <p>This area should have remained a rural settlement Category 1, thus retaining its 2 floor character. If this is removed, as is being proposed, the character of this area will be completely changed and disrupted.</p> <p>The document states - <i>In addition, for heights of the building facades facing the ODZ a height of 12.30m with a setback of not less than 3 m from the alignment is applicable.</i> - However, the map does not indicate</p>	<p>The area was rezoned as a Rationalisation site in 2006 considering the committed development in the area and the vicinity to the scheme.</p> <p>Policy NWRS 2 – Development of Large Settlements close to the TPS, included in the public consultation draft North West Local Plan published in 2001, had identified the area under consideration as one of these settlements. The settlements that were identified by this policy were areas whose building typology and land uses did not distinguish them from the urban settlement within the boundary. It was also recommended that these areas be included within the settlement boundary at the next Structure Plan Review as their inclusion would not substantially increase the area of land released for development since these were largely built up. Most Category 1 rural settlements within the NWLP area are afforded a building height of 3 floors, some of which with basement and others with semi-basement.</p> <p>The 12.3m height applies only at the back of the site and this has now been clarified in the text of paragraph 5.1. Additionally, provisions in the Development Control Design Policy, Guidance and Standards,</p>
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		<p>which are these. The building heights on the map are 15.4 m and 17.5 m. This needs clarification.</p> <p>The Chamber is very weary of the approach the Planning Authority is taking whereby through partial local plan reviews, rather than going through a holistic approach to review the local plans, planning parameters in the local plans are being amended in a piecemeal manner.</p> <p>If the Cabinet criteria, requiring rationalisation sites to respect their site context, remained the same, then it is unclear why Government is again proposing such increase in building heights. This would result in further intensification of urban development at the edge of scheme and adverse visual impact.</p> <p>The 3m green buffer should be devoted to soft landscaping ONLY. This should not be a pedestrian passage way and no vehicles are to be allowed access. The layout approved in PC 85/07 did not indicate a passage way facing ODZ. The proposal now is indicating a 3m green buffer. If this is intended to be a passage for pedestrians, then it would mean that the sites facing ODZ which had no access are now being provided with an access and hence can be developed.</p> <p>No semi basements are to be allowed. The building height proposed of 17.5 m in DC 2015 relates to a building height of three floors and semi basement. Semi basements should not be allowed as they will disrupt the streetscape.</p>	<p>2015 (DC15) will guide the stepping down in building heights being proposed.</p> <p>Comment noted. No access from the boundary wall to the ODZ is being proposed.</p> <p>A semi-basement is permitted in all the urban area of Dingli afforded a building height of 3 floors plus semi-basement and thus 17.50m.</p> <p>Paragraph 5.1 has been amended to clarify this concern.</p>
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			A particular area of the rationalisation site has two frontages facing ODZ. How will this be interpreted in the light of the proposed policy provisions?	
NWTK2 012	Mr. Carm Galea	16/09/19	Kindly note that the area marked in red is my property and according to the deed dated the 11th November 2002 in the records of Notary Romina Bartolo it is subject to the right of passage in favour of others and I undertake to keep it clear for the other owners to pass. This what I am saying is that this area is left as a passage as it is today. (Copy of deed attached)	Detailed development proposals shall be subject to third party rights, including those related to access through or to the site.
NWTK2 013	Ms. Melanie Micallef	16/09/19	Kindly note that I am the owner of the property at Tal-Kalc limits of Dingli which I have acquired in virtue of a deed dated the 26th January 2017 in the records of Notary Robert Micallef. The part marked in blue is the access to my property. I have no objection to the proposal but would like that the passage mentioned in the deed dated 26th January 2017 remains a passage. (Copy of deed attached)	Detailed development proposals shall be subject to third party rights, including those related to access through or to the site.

Appendix 3: Consultation with the Environment and the Development Planning Committee






12/08/19	Following consultation with the Environment and Development Planning Committee on the 12 th August, 2019, the Standing Committee discussed the Partial Review and agreed with the review as presented.
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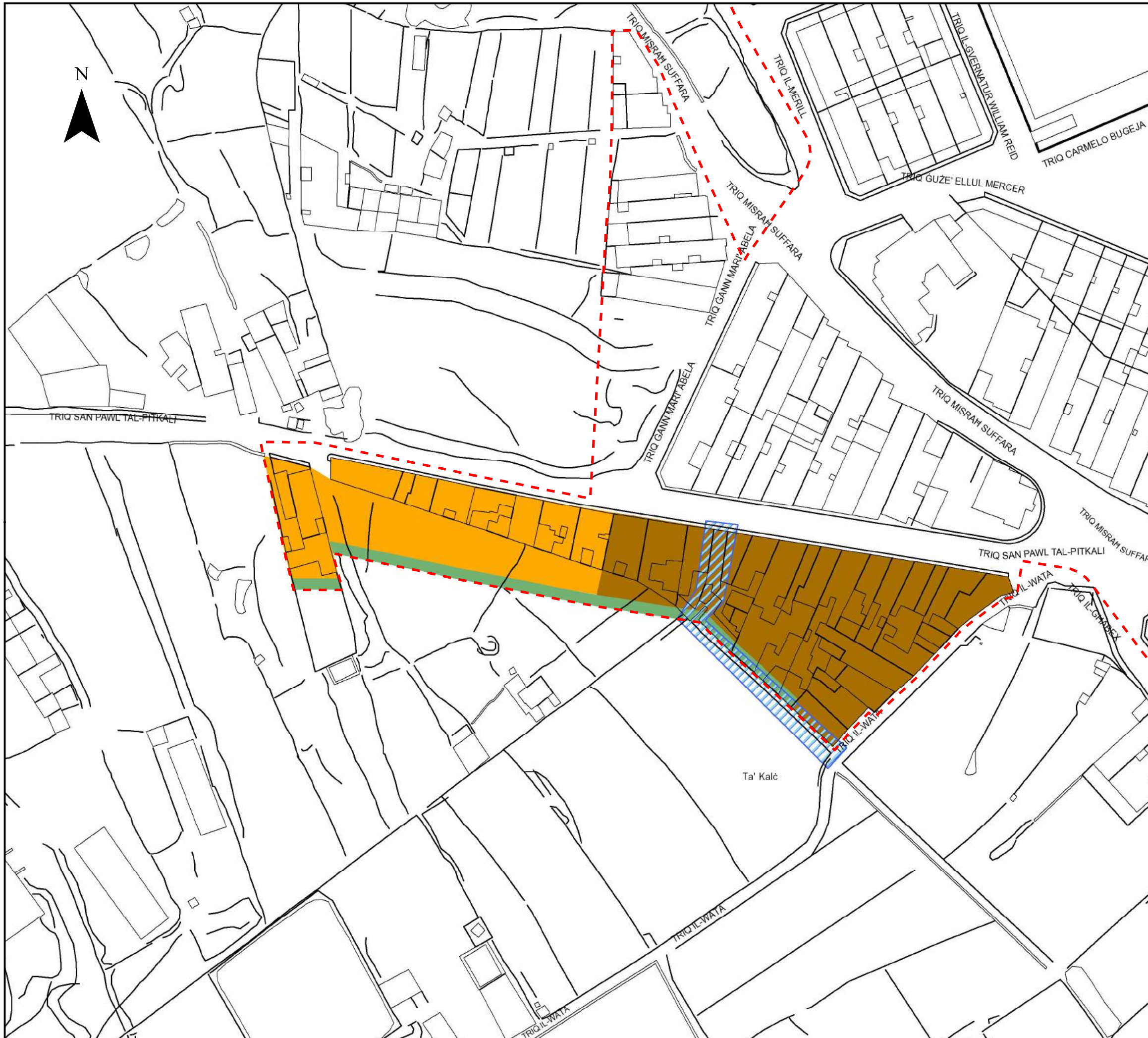
Appendix 4: Maps

Map A – Subsidiary Plan Minor Modification – Dingli

Map B – Phase 2 Public Consultation Submissions

Legend:

-  Limit to development
-  Existing culvert to be retained. No form of access from culvert.
-  Green Buffer
-  Terraced Development (Residential) 15.40m
-  Terraced Development (Residential) 17.50m

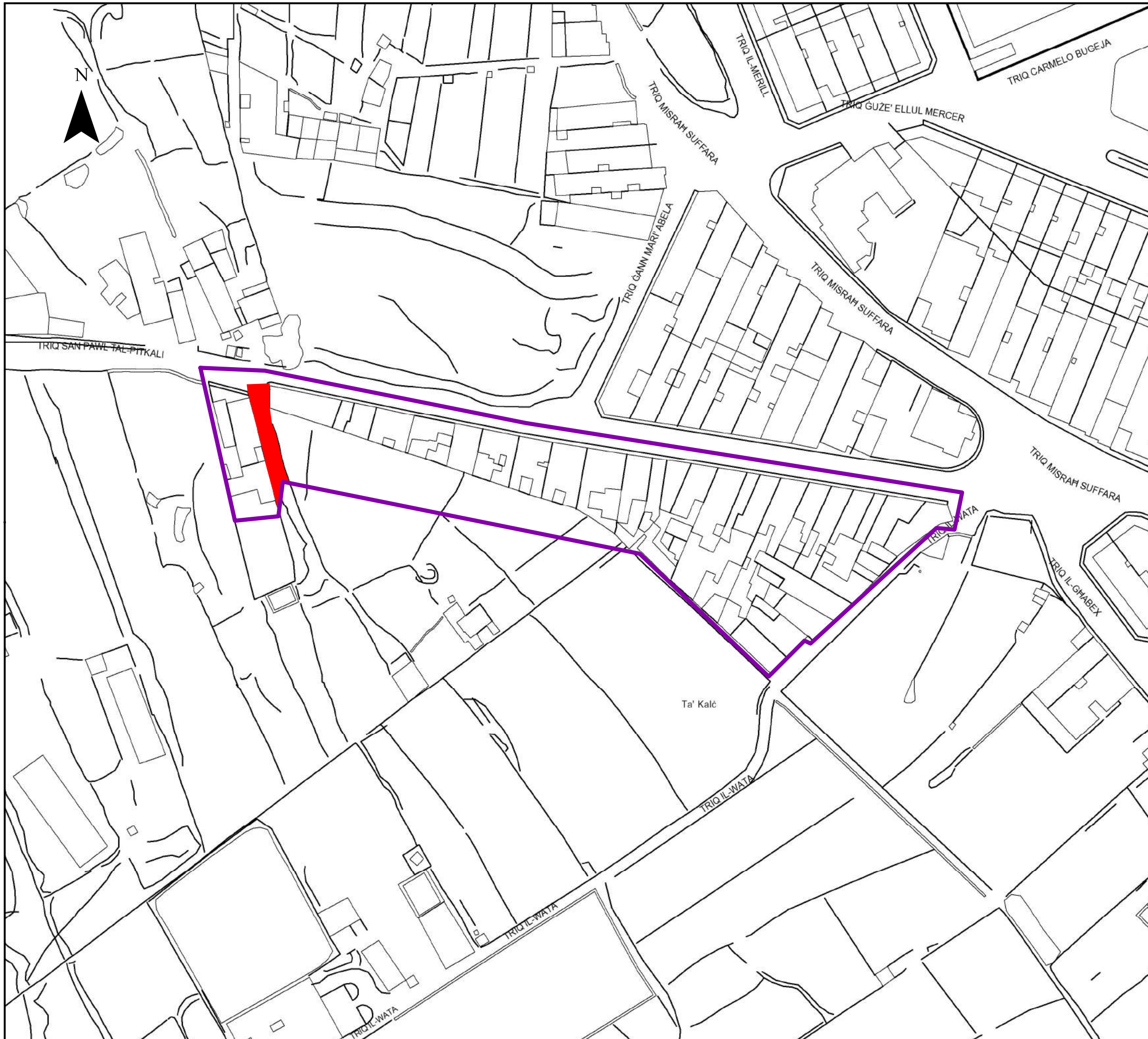


Subsidiary Plan
Minor Modification - Dingli

Scale: 1:1,000 Date: December 2019 Map:

INDICATIVE ONLY
Not to be used for measurement or direct interpretation. Maps to be used in conjunction with Policy Document.

A




PARTIAL REVIEW OF THE
NORTH WEST LOCAL PLAN
DINGLI TA' KALC



Legend:

 Minor Modification Area

Phase 2 Public Consultation Submissions

 NWTk2 012 & NWTk2 013

Phase 2
Public Consultation Submissions

Scale: 1:1,000 Date: December 2019 Map:

INDICATIVE ONLY
Not to be used for measurement or direct
interpretation. Maps to be used in conjunction
with Policy Document.

B