

Ghajn Tuffieha

Partial Local Plan Reviews

**Partial Review of the
2006 North West Local Plan policy NWGT 1 and of the
December 2008 Hal Ferh Development Brief
Approved**



January 2021

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1.0 Introduction

- 1.1 The proposed revisions in this Partial Review take forward Government's request to amend policy NWGT 1 of the North West Local Plan of 2006 and the December 2008 Hal Ferh Development Brief.
- 1.2 The Local Plan and Development Brief Revision is required to address Government's concerns that the exclusion of Class 1 (Use Classes Order, 2014) permanent residential development on the site of Hal Ferh is too restrictive.
- 1.3 The objectives of the Review of the 2006 North West Local Plan policy NWGT 1 and of the December 2008 Hal Ferh Development Brief are:

To include Class 1 (Use Classes Order, 2014) permanent residential development in the list of acceptable land-uses on the site provided that:

- (a) the primary land-use in terms of gross developable floorspace (GDF) remains tourism accommodation but the brief shall also establish a balanced allowance for residential use;
 - (b) no increase in the total GDF shall be allowed;
 - (c) the development brief shall include planning parameters for residential use, to be developed in a comprehensive manner as part of the tourist complex;
 - (d) all other provisions of policy NWGT 1 and the development brief shall remain unchanged without prejudice to the development already permitted in development permissions issued prior to the coming into force of the revised policy provisions.
- 1.4 The Objectives were published on the 8th May 2020 and representations from the public were invited until the 1st June 2020. The first stage consultation generated a total of 16 submissions, including submissions from the following entities: Malta Streets Sports Association, Din l-Art Helwa, Corinthia Group, The Energy and Water Agency, Mellieha Local Council, Malta Chamber of Planners, Environment and Resources Authority (ERA), Kummissjoni Interdjocesana Ambjent which were taken into account in the drafting of the revised policies. The issues mentioned in the submissions relate to:

Objections to the principle of residential use of the site

The review runs against the Grant for Perpetual Emphyteusis, signed on the 23rd December 2009 which stated that: "the development shall be used solely for tourist accommodation and shall not be used for permanent residential occupation or any other use". The area is a strategic site for tourism development and the inclusion of residential development within the revised development brief, is changing the goal posts of the original development brief. This would not be considered as 'fair'

by those who had participated during the call for submission of proposals by interested third parties. Residential use will result in an increase in demands for further ancillary facilities.

SPED

The proposed review is in breach of SPED Thematic Objective 1 which seeks to limit the land take up within the Rural Area by guiding the location of the bulk of new jobs and homes within the Urban Area, safeguarding prime tourism sites and that socio-economic development should ensure that rural areas are not exploited by uses which are not legitimate or necessary.

Submission by Corinthia Group

A submission by Corinthia Group explained the concept for the development of the Hal-Ferh area to provide top-tier Mediterranean style hotel with related amenities, a number of stand-alone hotel-run vacation rental bungalows, a high-end rural spa retreat, an appropriate food and beverage offer and a hotel-branded & serviced residential component. It allows future resident families to enjoy full access to five-star hotel services from the comfort of their own homes. These services include concierge services, food and beverage / banqueting, housekeeping, sport, leisure and event organising, au pair services, rental services as well as other aspects such as gardening and preventive and remedial maintenance services, amongst others. Additionally, the proposal shall substantially reduce the resident and visitor population on the site, and thus the project's impact on the locality.

Roads, parking and infrastructure

There is the need for adequate provision of public car parking. Any required road widening should be provided from the developers site and no agricultural land should be taken up for this purpose. Accesses to agricultural land need to be safeguarded and adequate areas be allowed for a bus station and coach parking.

Conservation and Sustainability

The continued conservation and protection of surrounding good quality agricultural land should be a requirement, the holistic redevelopment of the site should seek to restore the connectivity of the watercourse that passes through the site and that the environmental provisions in current Policy NWGT1 of the North West Local Plan (2006) and in the Hal Ferh Development Brief (2008) and the sustainability measures listed in Appendix E of the Hal Ferh Development Brief (2008) are still relevant and thus should be retained and ameliorated.

Rainwater within the catchment should not be drained outside the boundaries of the development but is either harvested for use as second class water or forms of sustainable urban drainage systems (SUDS) are employed to ensure that

rainwater falling within the area is allowed to recharge the underlying aquifers. The development should not be a source of light pollution and building heights should not be allowed to increase.

Submission Requirements

Proposed projects may also require different types of environmental assessments or other related screenings, as may be relevant. There was also a request for the carrying out of a Traffic Impact Assessment prior to the formulation of the plan since the change will affect existing public roads. Another submission requested the Authority to employ a social impact process.

- 1.5 The draft revised 2006 North West Local Plan policy NWGT 1 and the revisions to the December 2008 Hal Ferh Development Brief were published on the 4th of November 2020 and representations from the public were invited till the 15th of December 2020. The second stage consultation generated a total of 15 submissions, including submissions from the following entities: Mellieha Local Council, Malta Chamber of Planners, the Environment and Resources Authority (ERA) and Moviment Graffiti, which were taken into account in the determination of whether further revisions to the draft policies are required. The issues mentioned in the submissions reiterated most of the concerns raised during the first stage consultation and relate to:

Objections to the principle of residential use of the site

The objection to the principle of the inclusion of permanent residential use expressed during the first stage were reiterated by private individuals and NGOs on the basis that the site was sacrificed for tourism development for the benefit of the economy and so its use should not be changed for the benefit of the developer. Concern was also expressed that this is the first step towards the total release of the site for residential development. Suggestions were made that the site should be developed as an underground carpark and as a recreational park/green lung at ground level.

Design

The design of the site should retain the existing military camp and mature trees and should include green open spaces. Roads and carparks should not be considered as open spaces. The built massing of the new project should respect the guideline in the development brief.

Roads, parking and infrastructure

There is the need for adequate provision of public car parking. Any required road widening should be provided from the developers site and no agricultural land

should be taken up for this purpose. Accesses to agricultural land need to be safeguarded and adequate areas be allowed for a bus station and coach parking.

Submission Requirements

Proposed projects may also require different types of environmental assessments or other related screenings, as may be relevant. Another submission requested the Authority to employ a social impact process.

- 1.6 The revised 2006 North West Local Plan policy NWGT 1 and the revisions to the December 2008 Hal Ferh Development Brief are included in the following paragraphs. All other parts of the North West Local Plan and the December 2008 Hal Ferh development brief are to remain unchanged by this 2021 Revision. No changes to the public consultation draft are proposed.

2.0 The SPED Policy Framework

- 2.1 The Vision of the Strategic Plan for the Environment and Development (SPED) lists tourism as a core development sector with potential for economic growth and makes emphasis on the need for diverse compatible activities in the Rural Area. The sequential approach to the location of development described in paragraph 3.1 states that this sequential approach is being adopted in order to ensure that land take up in the Rural Area is considered as a last resort and where it is essential for the achievement of sustainable development.
- 2.2 **Thematic Objective 1** seeks the management of land resources sustainably to ensure that socio-economic development needs are met and policies **TO1.2** - safeguarding prime tourism sites, **TO1.5** – achieving a wider mix of compatible uses, and **TO1.10** – ensuring that Rural Areas are not exploited by uses which are not legitimate or necessary, are policy tools to achieve this objective.
- 2.3 **Rural Objective 3** states that development in the Rural Area which is justified to be located in the Rural Area in approved Government policies, plans or programmes, should be located away from protected areas and areas of high landscape sensitivity, preferably on previously developed land or existing buildings while ensuring the improvement of the quality of the rural environment.

3.0 Existing Subsidiary Policy Framework

- 3.1 The approved 2006 North West Local Plan site specific policy NWGT 1 provides the most relevant policy context for the site of Hal Ferh. This policy identifies the site as part of a larger 120 ha site for a concept proposal of a golf course, as guided by the conclusions of the assessment of its potential for such development in April 2005.
- 3.2 Further assessments highlighted that negative environmental impacts would arise from the golf course scheme and the project was not pursued further. Therefore, the policy provisions for an alternative proposal on a smaller site came into effect. These provisions set out broad guidelines on land use, building conservation and design, site layout, access and landscaping. The land uses were limited to the primary land uses which fall within tourism accommodation, camping and horse-riding facilities and to supporting amenities to the main use such as retail, catering, storage, administration etc.
- 3.3 A development brief was approved for the Hal Ferh Complex in 2008 to implement the provisions of policy NWGT 1. The Development Brief covered an area of 8.5ha which included the redundant Hal-Ferh tourist complex and its immediate surrounding areas in Ghajn Tuffieha. In line with the requirements of Policy NWGT 1, the Brief limited the land uses to quality tourism and recreation uses with preference to a high quality, family-oriented tourism development which includes accommodation and supporting facilities. The Brief also encouraged the retention and rehabilitation of the former military buildings, organised the site into four zones and allocated a public carpark on zone 4. Three important development parameters established by the Development Brief were a capping on the area covered by buildings to 16,700sqm, a total gross floorspace of 25,000sqm and a maximum building height for new buildings of either 1 floor (4.75m) or 2 floors (8.5m).
- 3.4 A development permission was granted in February 2013 under PA4906/10 which became executable in October 2018, to demolish the existing Hal Ferh complex and re-construct a new tourist complex, amendments to the current road network and a new car park. This permission was renewed in August 2019 under PA3134/19 which became executable in February 2020. It needs to be remarked that the approved Master Plan (Figure 1 below) does not include the retention of the former military barracks and the public carpark was located outside the site boundary delineated by the Brief.
- 3.5 The approved project was described by the Authority as a high quality low-lying and low-density tourist resort that complements the sensitive surrounding landscape. The proposed vacation resort will include a total of 228 units (1/2/3 bed) with ancillary facilities including restaurant, small convenience shop, pools and bars, spa and underground parking facilities totalling to 293 parking spaces. The

reception, restaurant and suites will be accommodated within a dynamic flowing “ribbon building” undulating along the site of the existing Hal Ferh Tourist Complex with landscaping on its accessible ‘walkway’ roof and at the interface with the public roads. Within the “ribbon building” is an extensive area of landscaping in which a number of smaller private pavilions, the spa and pool facilities are located.



Figure 1. Approved Master Plan

4.0 Amendments to Policy NWGT 1

- 4.1 Revisions to policy NWGT 1 are necessary to implement Government's objective to include Class 1 (Use Classes Order, 2014) permanent residential development in the list of acceptable land-uses on the site provided that the primary land-use in terms of gross developable floorspace (GDF) remains tourism accommodation and that all other provisions of policy NWGT 1 shall remain unchanged without prejudice to the development already permitted in development permissions issued prior to the coming into force of the revised policy provisions.
- 4.2 Revisions are highlighted in red text and underlined. The revised text of policy NWGT 1 shall read as follows:

NWGT 1 Site for Golf Course

The site shown on Map 57 is being indicated as a search area for the development of a golf course with ancillary built development to accommodate supporting amenities. PA will utilise the environmental impact assessment (EIA) process to determine the best layout and design for the course and the built development within the site if the environmental impacts can be adequately mitigated.

Should Government not continue to pursue the golf course proposal, PA will favourably consider the development or complete redevelopment of the smaller area, or parts of it, on the west of the site indicated on Map 57 subject to the preparation of a Development Brief provided that:

- (i) the prior approval of the Malta Tourism Authority is obtained;
- (ii) the primary land uses fall within tourism accommodation, camping and horse-riding facilities with supporting amenities to the main use such as retail, catering, storage, administration etc., and separate, high quality, residential accommodation developed comprehensively as part of the tourist complex provided that the primary land-use in terms of gross developable floorspace (GDF) remains tourism accommodation;
- (iii) any features or structures of historical or architectural merit are conserved and integrated in the development without prejudice to any development already permitted in development permissions issued prior to the coming into force of this criterion;
- (iv) new buildings are designed (height, form, massing, materials and colours) to respect and integrate well with the rural context and the contours of the site;

(v) the site layout provides appropriate open spaces between buildings to break the bulk of the built development. **The Authority may consider alternative site layouts which it deems still achieve high quality design objectives;**

(vi) adequate access and onsite parking is provided;

(vii) a landscaping scheme, a planting schedule and maintenance programme, in line with the PA Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands, indicating the details of the hard and soft landscaped areas is submitted and approved.

5.0 Amendments to the Hal Ferh Development Brief

5.1 Revisions to the Development Brief are necessary to bring the policy document in line with the revisions introduced in policy NWGT 1 relating to the inclusion of Class 1 (Use Classes Order, 2014) permanent residential development in the list of acceptable land-uses on the site, and to establish a balanced allowance for residential use and include planning parameters for residential use. It must also be ascertained that any development already permitted in development permissions issued after the approval of the 2008 Development Brief but prior to the coming into force of the 2020 revisions shall prevail over any provision in the Brief. The following paragraphs identify and describe these revisions. Revisions are highlighted in red text and underlined.

5.2 The revised paragraph 1.5 shall read as follows:

“This Development Brief describes PA’s position on development matters relating to this site. It provides information intended to be utilised by parties having a potential interest in the development of land enabling them to assess its full value. The contents of this Brief shall not prejudice any development already permitted in development permissions issued after the approval of the 2008 Development Brief but prior to the coming into force of the 2021 revisions.”

5.3 The revised paragraph 4.1 shall read as follows:

“The overall strategy is **to promote redevelopment and reuse of the land predominantly for tourism, whilst improving the area’s general environment and its heritage, as well as adding amenity and leisure facilities for visitors and the general public, within an overarching goal of sustainable development.**”

5.4 The revised paragraph 4.2 shall read as follows:

“Stemming from the requirements of the 2021 revised policy NWGT 1 in the North West Local Plan, the Brief’s objectives are:

- a. To seek the redevelopment of the site with predominantly quality tourism and recreation uses;
- b. To seek to ensure that the redevelopment of this site safeguards and complements the sensitive surrounding landscape and countryside, and that existing views are as much as possible safeguarded;
- c. To encourage a conservation programme for the rehabilitation, promotion and suitable reuse of the former military complex without prejudice to any development already permitted in development permissions issued after the approval of the 2008 Development Brief but prior to the coming into force of the 2021 revisions;

- d. To encourage new low-lying and low-density development which respects the heritage assets on the site through proper layout, massing and design;
- e. To seek the retention - wherever possible - of existing mature vegetation;
- f. To seek the provision of car-parking, efficient vehicular access and circulation to the site and the minimisation of traffic impact on the surrounding road network.

5.5 Under the heading “*Acceptable Land Uses*”, the revised paragraph 5.2 shall read as follows:

- “The acceptable secondary or supporting ancillary uses to this main use include:
- a. Separate, high quality, residential accommodation;
 - b. A small component of specialist, small, retail outlets. This may include small crafts workshops selling their products on site, e.g. lace maker, silversmith etc;
 - c. Ancillary food and drink facilities (restaurant and cafeteria);
 - d. Meeting rooms/ multi-purpose halls as ancillary to the main use of a tourism development;
 - e. Facilities for sports, (including horse riding facilities), recreation and health;
 - f. Entertainment and cultural facilities

provided that the above facilities are aimed primarily for the use of residents of the tourism development, do not include activities which are incompatible with the tourism accommodation aspect of the tourist complex, do not, on a frequent basis, attract large numbers of visitors from outside the complex and mitigation measures against any unacceptable noise disturbance to the surrounding community are integrated in the project.

5.6 Under the heading “*Special Conditions for Existing Buildings*”, a new paragraph 5.4A shall be inserted after paragraph 5.4 and shall read as follows:

“5.4A Paragraphs 5.3 and 5.4 are without prejudice to any development already permitted in development permissions issued after the approval of the 2008 Development Brief but prior to the coming into force of the 2021 revisions.”

5.7 Under the heading “*Height Limitation for New Buildings*”, a new paragraph 5.6A shall be inserted after paragraph 5.6 and shall read as follows:

“5.6A Paragraphs 5.5 and 5.6 are without prejudice to any development already permitted in development permissions issued after the approval of the 2008 Development Brief but prior to the coming into force of the 2021 revisions.”

5.8 Under the heading “*Site Layout, Plot Ratio and Design*”, the revised paragraph 5.12 shall read as follows:

“More details regarding the site layout within the individual zones can be found in the next sub-section. The Authority may consider alternative site layouts and designs which it deems still achieve high quality design objectives.”

- 5.9 Under the heading “*Developable Footprint and Floor Areas*”, a new paragraph 5.14A shall be inserted after paragraph 5.14 and shall read as follows:

“5.14A. The residential component of the comprehensive scheme shall consist of not more than 9,000sqm of gross developable floorspace (GDF) and shall occupy not more than 30,600sqm of land area which can be allocated in not more than 25 detached luxury dwelling units. These planning parameters have been introduced to establish a balanced allowance for residential use as directed by Government objectives. The layout, plot sizes and built site coverage, network of pedestrian walkways and vehicular access, and architectural design of the residential enclave shall be visually and functionally integrated with the other land uses and building typologies on the site to achieve a holistic masterplan. Gates, walls, fences and other barriers beyond what is minimally required for property delineation will be strongly discouraged by the Authority.”

- 5.10 Under the heading “*Cultural Heritage Conservation Requirements*”, a new paragraph 5.16A shall be inserted after paragraph 5.16 and shall read as follows:

“5.16A Paragraphs 5.15 and 5.16 are without prejudice to any development already permitted in development permissions issued after the approval of the 2008 Development Brief but prior to the coming into force of the 2021 revisions.”

- 5.11 Under the heading “*Transport, Improvements, Access and Parking*”, the revised paragraph 5.21 should read as follows:

“Parking spaces for the development should be provided within the site, according to the parking requirements listed in Appendix C. Parking spaces for residents of the complex and employees should be dispersed in small clusters in zones 1, 2 and 3. The car park in zone 4 should be primarily allocated for visitors and the general public without prejudice to any development already permitted in development permissions issued after the approval of the 2008 Development Brief but prior to the coming into force of the 2021 revisions. It is recommended that the developer restricts vehicular access to zones 1, 2 and 3, so that there would be no overspill of parked cars from visitors to the existing hotel and the beach. Road level car parking facilities should be appropriately landscaped especially for car parks that are located near the periphery of the site, in order to screen these parking areas from the surrounding countryside. Underground parking facilities may also be considered in order to retain more open space for pedestrian access, recreation and landscaping at ground level.”

- 5.12 The heading “*General Requirements*” shall be replaced by “*Requirements for Development Application*”, and paragraphs 6.1, 6.2, 6.3 and 6.4 shall be replaced by the following:

“6.1 The assessment of proposals will be carried out as follows:

It is envisaged that a full development permit for the whole site to amend the permission granted under PA4906/13, as renewed by PA3134/19, shall be issued. The following requirements set the framework for the determination of the application:

- Submissions are to comply with the provisions of Schedule 1 and any other relevant provisions within the Development Planning (Procedure for Applications and their Determination) Regulations, 2016 - LN 162/16.
- A concise written general statement giving a clear description of the development concept, including a comprehensive schedule of land use/space provisions (in square metres), the mix of uses, construction and operation employment levels by category, together with a description of each facility of the project.
- At least five photomontages to be taken from different points on higher ground in the vicinity of the site, such as the Ghajn Tuffieha car park and Manikata. The exact points are to be determined in consultation with PA.
- A Project Description Statement (for Guidelines refer to **Appendix D**). This would enable the screening of the project in accordance with the Environmental Impact Assessment Regulations of 2017 (LN 412/17).
- A Traffic Impact Statement (TIS) or an update of any previous study may be required in accordance with the relevant terms of reference provided by PA.
- An Environmental Management Plan (EMP) detailing proposals for energy saving and efficiency. The EMP is to include efficient use of resources including energy and water, environmentally sensitive construction methods and waste management.
- A tourism policy compliance certificate by MTA.
- Any permission shall be granted subject to the satisfactory completion, within six months of the issue of the development permission, of a public deed under the terms of Section 79 of the Development Planning Act to ensure the compliance with the any condition. An additional obligation towards any appropriate PA fund aimed at financing environmental projects in the community will also be required.

The following details are required as regards the operational and management aspects of the proposed project:

- An Environmental Management Plan (EMP) detailing proposals for the treatment of sewage, waste, water and for energy saving proposals. The EMP is to demonstrate how the actual design of the buildings shall follow sustainable energy conservation principles and shall highlight the measures to be taken in the development to ensure the attainment of the above requirements.

- The predicted requirements of water, electricity, communications and sewerage systems and the likely impact on the existing networks. The location of proposed site utilities layout including connection to the existing public networks (Scale 1:1000), and proof of negotiations with the relevant utilities' organizations.
- Details on emergency arrangements for all land uses covered by the Brief.
- Any additional information required by the competent authorities, concerning any other aspects covered by the development.

6.0 Way Forward

- 6.1 During the meeting of the 27th October 2020, the Executive Council endorsed the 2021 Partial Review of the 2006 North West Local Plan policy NWGT 1 and of the December 2008 Hal Ferh Development Brief for a public consultation period of 6 weeks.
- 6.2 Following the closure of the public consultation and review of the submissions received, the Planning Directorate did not recommend any changes to the public consultation draft of the policy. Furthermore, the SEA pre-screening process concluded that no SEA Screening of the proposed partial review is required. SEA pre-screening documents are included in appendices C and D of this report.
- 6.3 The 2020 Partial Review of the 2006 North West Local Plan policy NWGT 1 and of the December 2008 Hal Ferh Development Brief included in this report were approved by the Executive Council during the meeting held on the 12th of January 2021 and referred to the Minister for his final endorsement.
- 6.4 The Minister endorsed The 2020 Partial Review of the 2006 North West Local Plan policy NWGT 1 and of the December 2008 Hal Ferh Development Brief included in this report on the 21st January 2021.

Appendix A

North West Local Plan and Hal Ferh Development Brief (Revisions 2020)

**Public Submissions on Objectives
(Phase 1)**

May 2020

Reference	Name/Company	Date	Comments Received	Remarks
HFPR 0001	flavioskyestatesm@alta@gmail.com	11/05/2020	Shocked by the scenes of every single piece of land being taken by the private entities, fuel me with disgust towards what's going on in the construction business on this tiny island. On this project which apparently belongs to private entities, I saw that the bus stop has been bricked up literally by the owners of the plot. Not to mention they will leave no parking for people attending the beach. I will take the opportunity to also condemn two other "Projects " one in Bidnija Valley which I have no idea how such a Farmhouse can be built in an ODZ Valley and the other in Burmarrad Valley which looks like a newly built farm house. I hope my message will go through and action against such abuse will be taken.	Comments have been noted but they are not directly related to this public consultation exercise.
HFPR 0002	Mr. Romano Cassar	13/05/2020	Please refer to subject "public consultation", as described here: https://www.pa.org.mt/en/consultation-details/partial-review-of-the-north-west-local-plan-and-the-hal-ferh-development-brief . The brief states "The review seeks to amend policy NWGT 1 of the North West Local Plan and the Hal Ferh Development Brief. The purpose of this review is to include permanent residential Development in the list of acceptable land-uses on the site." However, there is no reason given for this proposed change. I cannot think of any reason that would benefit the general public. And,	The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.

			designating prime areas in ODZ, and near the coast, for tourism development might have made sense in the 1960s, and possibly early 1970s. But not later than that, and definitely not in the current times. The only reason for this change appears to be to increase the profits of the landowner. This proposal, in my opinion, should not even have been considered, let alone put up for public consultation.	
HFPR 0003	Dr. Joseph Calleja	16/05/2020	<p>I write with reference to the Public Consultation for the regeneration area of 'Hal Ferh' as an interest private individual who often frequents the area and enjoys the natural surroundings Ghajn Tuffieha. Firstly, besides insisting that the gross developable floor space (GDF) remains as currently is, the height limitations of buildings should likewise remain the same.</p> <p>Moreover, the applicant/developer should be requested to preserve as much as possible the natural surroundings as well as contribute towards it by replenishing the area (by for example planting numerous trees and other landscaping). This development should add value to the natural surroundings and should be planned in a way that the development merges seamlessly with nature. Moreover, in my opinion the visual impact of the development should be kept at a minimum to preserve the natural surroundings area.</p> <p>Thank you and I trust that you will give due consideration to my observations.</p>	The proposal will not be changing the building height limitations and the provisions of the development permission in relation to preservation and replenishment of the natural surroundings shall continue to apply.

HFPR 0004	Dr. John Consiglio	17/05/2020	<p>I wish to register my strong objection to the planned change of the total nature of Hal-Ferh. Changing this part of Malta into a residential area will in fact be changing the whole nature of that place. It is a sun-drenched area which is integral to the whole ambient (sea, sand, hotel, space, fatigue, etc) in short, a totality that speaks one word: summer, sun, heat, and fun! Making Hal Ferh a residential area will change the patterns of traffic, lifestyles, and essential raison d'etre of the place.</p> <p>Hal Ferh has always been a holidays place. The PA should not be, once again, an accomplice in the denaturing of yet another part of Malta.</p>	The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site and therefore the area will not be turned into residential.
HFPR 0005	Mr. Luka Fenech	21/05/2020	Object to the proposal of hal Ferh, believe it is against the general public's Interest.	The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.
HFPR 0006	Mr. Karl Naja Obo Malta Street Sport Association	29/05/2020	<p>I hope this email finds you well.</p> <p>My name is Karl Naja, president of the Malta Street Sport Association. We are an organisation that promotes physical activity and a healthy lifestyle via street sport (3v3 Basketball, Street football, BMX, Skateboarding, Scooter and more)</p> <p>Attached please find our proposal on facilities you could include in the next project of the Hal Ferh development. These facilities can cater for both local and foreign athletes, if the setup is well equipped, we can also organise training camps here in Malta which will also contribute to our tourism sector. Sports like BMX and</p>	The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site. The provisions of the development permission in relation to provision of other facilities shall continue to apply.

			<p>Skateboard are all sports that are included in the Olympics and our weather makes us a perfect location for those athletes who live in countries in the Baltics etc.</p> <p>If you require any further information, please do not hesitate to contact us.</p>	
HFPR 0007	Perit Tara Cassar o.b.o Din I-Art Helwa	30/05/2020	<p>The following is being submitted on behalf of eNGO Din I-Art Helwa.</p> <p>Response to public consultation on proposed amendments to site of Hal Ferh complex through Partial Review of the North West Local Plan and the Hal Ferh Development Brief</p> <p>The proposed introduction of ' Class 1 (Use Classes Order, 2014)' as a permissible land-use, is deemed highly objectionable.</p> <p>The introduction of residential dwellings will essentially lead to the creation of an urban settlement within this ODZ site that is detached from any town centre and where no such commitments for residential development exist. The introduction of a residential complex would bring with it increased demand for ancillary facilities generally located in town centres, and lead to the proliferation of such uses in this rural area.</p> <p>Furthermore new residential units can easily be accommodated for within scheme where provisions for such use are far from having been exhausted.</p> <p>It is evident that there is simply no justification, be it on planning or environmental grounds, for the introduction of such a contradictory use, that</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The limited number of dwellings (25 in all) is not deemed to change the character of the project or the area.</p> <p>The proposal is in line with SPED policy TO1.2 as the site will remain for tourism use, is in line with the sequential approach to development and within the provisions of spatial objective RO3.</p>

		<p>can by no means be considered a sustainable use of land.</p> <p>Given the above, the application runs counter to the following provisions of SPED;</p> <p>Thematic Objective 1: To manage the available potential space and environmental resources on land and sea sustainably to ensure that socio-economic development needs are met whilst protecting the environment and limiting land take up within the Rural Area by:</p> <ol style="list-style-type: none"> 1. Guiding the location of the bulk of new jobs and homes within the Urban Area 2. Safeguarding prime tourism sites 6.Reducing development densities of urban settlements 10. Socio-economic development should ensure that rural areas are not exploited by uses which are not legitimate necessary. <p>Given that the proposed Partial Review of the North West Local Plan is counter to SPED, the amendments are considered to be in breach of CHP 552 Article 48(1).</p> <p>For the above reasons, it is being maintained that the proposed amendments of the NWLP cannot be considered acceptable and should as such not be explored further by the competent Authority.</p>	
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HFPR 0008	Mr. Jean Pierre Schembri o.b.o Corinthia Group	30/05/2020	<p>Partial Review of the North West Local Plan and the Hal Ferh Development Brief – Phase 1</p> <p>On behalf of International Hotel Investments p.l.c. we wish to submit our views on the above captioned review as part of the Public Consultation process.</p> <p>To clarify, our input will be limited to the specific area of the locality which we currently hold title to, namely the site of the former Hal-Ferh barracks which currently holds a valid and executable building permit.</p> <p>By way of background, International Hotel Investments p.l.c. (IHI) is a Maltese registered holding company with a shareholder and bondholder base of over 18,000 individuals. Its core competences include hotels and hotel management, residential and commercial real estate and construction development & project management, amongst others.</p> <p>As part of the acquisition of the Island Hotels Group in 2015, IHI acquired title to the site at Hal-Ferh.</p> <p>This brown-field site currently lies in disuse and contains a series of one and two-storey buildings which have now become structurally unsound. Title is held by way of a perpetual emphyteusis, limiting new development to a footprint of not more than 16,700m², some 20% of the site's overall area. Half the built footprint can be developed over two floors, and the other half to a single storey. Maximum development is not to exceed 25,000m² of Gross Floor Area (GFA).</p> <p>The site currently enjoys a valid planning permit issued early in 2013 and renewed for a further</p>	Comments have been noted.
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		<p>five years in 2019 for a timeshare development comprising 216 self-catering apartments and a number of villa-style pavilions, for a total of 736 beds, set within a continuous band of terraced modules snaking around the site. The currently permitted scheme also includes swimming pools, water features, restaurants, bars and a café, ancillary retail, a spa and underground parking for some 290 cars.</p> <p>Other than tourism use, The Land Deed contemplated other uses “subject to a financial consideration being made payable to Government, reflecting the increased value of the immovables as a result of such modifications, as fixed by an architect or architects appointed by Government in its absolute discretion.”</p> <p>The Current Scenario</p> <p>Although the use that the currently approved permit allows for is hospitality, the structure and operation of the proposal in hand is not that of a hotel but of a series of 1, 2 and 3 bedroom suites and villas to be sold on a vacation ownership basis (ie. timeshare). These, along with ancillary amenities and facilities, will potentially generate a daily resident and visitor population of over 1,000 guests, which will add pressure on an already crowded seasonal destination.</p> <p>The Group believes that since the publication of the original deed, the concept of timeshare has faded in relevance globally and the currently permitted scheme, with its focus on mass-tourism and vacation ownership, is no longer a</p>	
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		<p>viable concept - nor one that should be pursued - both in terms of Corinthia's brand aspirations but also within the context of a forward-looking national tourism strategy.</p> <p>It is Corinthia's overarching intention to create a flagship luxury hotel on this site within a mixed-use concept that will allow us to accommodate a unique and market-leading resort along with the ancillary uses that will make the proposition both sustainable and operationally feasible - both in the short and longer term.</p> <p>The Concept</p> <p>With a change of use that will allow an element of the GFA to be converted to full-time residential ownership (as opposed to ownership for tourism purposes), we would propose a concept which will prioritise quality over quantity by creating a top-tier Mediterranean style hotel with related amenities, a number of stand-alone hotel-run vacation rental bungalows, a high-end rural spa retreat, an appropriate food and beverage offer and a hotel-branded & serviced residential component.</p> <p>The latter is a distinct, high-level product comprising stand-alone bungalows and garden houses that will lie within the hotel's extensive grounds and both benefit from, and contribute to, the year-round feasibility of the hospitality operation.</p> <p>The hotel-branded serviced residence aspect, particularly as proposed in this scheme, is a product that does not currently exist on the local market but is widely used abroad. It allows future resident families to enjoy full access to five-star</p>	
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		<p>hotel services from the comfort of their own homes.</p> <p>These services include concierge services, food and beverage / banqueting, housekeeping, sport, leisure and event organising, au pair services, rental services as well as other aspects such as gardening and preventive and remedial maintenance services, amongst others.</p> <p>This concept is a novel combination that works exceedingly well on a number of counts. It will create year-round operational demand for the hotel, even in a traditionally seasonal locality. It is appealing to hotel guests as it provides an immersive, home-from-home experience, and it is also very attractive to residents and rental tenants who get to enjoy the comfort and privacy of their own homes whilst benefiting from exclusive access to hotel amenities and round the clock services. This lifestyle concept is the fastest growing trend in high-level luxury hospitality the world over and globally there are now well over 400 hotel and serviced residence schemes, providing over 65,000 units worldwide. We believe that by allocating part of the permitted GFA to one and two-storey hospitality and related amenities, and part to equally low-rise hotel-serviced residences, we will create a benchmark development that will be more sustainable, economically and environmentally balanced and which will be substantially less intrusive on the immediate locality than the currently permitted large-scale timeshare offer which it will replace.</p>	
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		<p>This because the revised project mix will contain far fewer units overall which will result in a greatly reduced resident and visitor population. This will, in turn, have a direct and positive comparative impact on the locality; both within the project itself and on the neighbouring beaches and access routes.</p> <p>For the avoidance of doubt, in proposing this concept, Corinthia will not be requesting any additional volumes or any changes to the height or site-coverage restrictions imposed by the current zoning regime.</p> <p>Our aim as Corinthia is to breathe new life into the site and to create a low-rise, low-density quality Hospitality and Residential enclave that will seamlessly blend into the environment of the locality and become the benchmark for sustainable development – both in Malta and within the wider Mediterranean region.</p> <p>References</p> <p>Our project references are mixed-use branded developments featuring luxury hotels supported by low-rise independent units as found across the more upmarket destinations in the Mediterranean.</p> <p>This is also in keeping with high-end international hospitality trends which is currently witnessing an industry-wide shift towards mixed-use branded hotel and residential developments, particularly in resort locations.</p> <p>Following on from its success in Budapest and London, amongst others, the Group wishes to introduce this blend to Malta with an architectural idiom that is more Mediterranean in</p>	
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			<p>style (the best local examples of this would perhaps be Ta' Cenc or the Danish Village,) than the architecture proposed for the currently approved timeshare scheme.</p> <p>This hospitality-led mix will also provide adequate product diversification in order to minimise single sector exposure risk – a reality we have experienced only too well of late - and to create the demographic diversity necessary to foster a dynamic long-term community aspect on the site.</p> <p>The latter is particularly important as it is our intention to cultivate a living, vibrant community of guests and local and overseas mid-to-long-term residents within this scheme, as opposed to the sterile 'ghost-town' environment which often prevails in seasonal resort locality developments along the Mediterranean coast. We wish to reiterate that our alternative vision for the area will be manifestly less intrusive and densely occupied.</p>	
HFPR 0009	Dr. Michael Briguglio	30/05/2020	<p>With reference to the above, I am hereby appealing to the Planning Authority to employ a Social Impact Assessment (SIA) process. In this regard, please refer to my correspondence dated 31 May 2019 to the PA regarding SIAs. To date, I have not been informed of any policy update in this regard.</p> <p>A copy of my correspondence can be obtained from this link:</p>	SIAs are not a formal requirement for development plans.

		<p>https://mikes-beat.blogspot.com/2019/05/feedback-re-social-impact-assessment.html</p> <p>Feedback re Social Impact Assessment Public Consultation</p> <p>To Planning Authority, SIA Procedures Consultation - sia@pa.org.mt</p> <p>I am pleased that my proposal to mainstream social impact assessments in PA procedures is being taken up.</p> <p>A social impact assessment reviews the social effects of development and social change, both intended and not.</p> <p>The International Association for Impact Assessment defines an SIA as the process of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions and any social change processes invoked by those interventions.</p> <p>Such changes may range from natural disasters to population growth and from policy interventions to singular development projects. Consequently, SIAs investigate the effects on people's everyday lives in terms of culture, politics, community, health, well-being, aspirations, needs, rights and responsibilities, to name a few. They provide data for policymaking, which is based on evidence. Social impacts under assessment should include all those things relevant to people's everyday life. This may include one's culture, community, political context, environment, health, well-being,</p>	
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		<p>personal and property rights as well as fears and aspirations.</p> <p>Social impact assessments can help verify the consequences and impacts of development proposals in relation to the communities involved. Hence, a basic starting point for such assessments should be the compilation of a community profile. A social impact assessment that does not understand the society in question is practically worthless.</p> <p>This can help bring about genuine processes of engagement between communities, developers and authorities as well as identify and implement mitigation measures and compensation mechanisms. As things stand in Malta, various developers do quite the opposite, often causing huge inconvenience to residents and leaving a mess behind in surrounding infrastructure.</p> <p>Various methods, both quantitative and qualitative could be used within social impact assessments. The former refers to generalisable data especially through numbers, while the latter produce in-depth data on matters.</p> <p>Research methods in SIAs may therefore include surveys of concerned populations who are asked questions on their perceptions of the change in question. Ethnographic methods may involve a deeper look into everyday practices of people, while elite interviews may verify the advice, concerns and interpretations of persons who are experts or who have experience in the respective field under analysis.</p> <p>Methods may also involve the analysis of discourse on the subject in question, for</p>	
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		<p>example by looking at what is being pronounced in the public sphere, whether by the public, civil society, political actors, the media and the like. SIAs should involve the participation of different stakeholders, ideally through mixed research methods.</p> <p>Some other factors which should be included in social impact assessments include the consideration of reasonable alternatives to development proposals as well as comparative analysis of similar development proposals and related good or bad practices.</p> <p>Analytic indicators should be provided, and the entire process should be subject to peer review by independent experts in the field.</p> <p>Social impact assessments should not be one-off exercises which are rubber-stamped by authorities without any sense of critical engagement. To the contrary, they should be ongoing processes which engage with various stakeholders and which report back so as to ensure effective policy processes. They should also use complementary research methods so as to ensure reliable and valid data.</p> <p>Recommendations and mitigation measures could therefore be in place, and these would be based on social-scientific evidence.</p> <p>It is also important that SIAs are peer-reviewed. This means that if a study is being carried out by a team of social scientists, this should be scrutinised by other independent social scientists. This could help identify shortcomings, conflicts and possible improvements to the same SIA.</p>	
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			carry out SIAs and who are sensible to the need for evidence-based policymaking.	
HFPR 0010	Mr. Julian Alexander Mamo o.b.o EWA	30/05/2020	<p>Reference is made to the Partial Review of the North West Local Plan and the Hal Ferh Development Brief – Phase 1.</p> <p>The following are comments from The Energy and Water Agency:</p> <ul style="list-style-type: none"> • Due to the large developed and landscaped area and the local importance of the underlying aquifer, it is important that rainwater within the catchment is as much as possible not drained outside the boundaries of the development but is either harvested for use as second class water or forms of sustainable urban drainage systems (SUDS) are employed to ensure that rainwater falling within the area is allowed to recharge the underlying aquifers. This is also applicable for rainwater runoff which may enter the boundary of Hal Ferh Development from other parts of the Pwales valley • Landscaping should respect the Mediterranean character of the Maltese Islands and be compatible with the surrounding environment by utilising native species of trees, shrubs and plants which do not require excess amounts of irrigation water. 	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The requirements of the development permission granted on site in relation to rainwater harvesting, and landscaping shall continue to apply.</p>

HFPR 0011	Mr. Carmel Debono o.b.o Mellieha Local Council	30/05/2020	<p>Nirreferi għall-avviż datat 11 ta' Mejju 2020 fejn saret sejha biex isiru sottomissjonijiet rigward tibdil propost fil-Policy NWGT 1 u l-Fal Ferh Development Brief dwar l-użu ta' l-art li qabel kienet użata bħala kumpless turistiku f'Għajn Tuffieħa.</p> <p>Ġie osservat li l-medda ta' art indikata taqşam triq pubblika eżistenti – Triq il-Kappella tal-Militar. Il-Kunsill jixtieq jagħmilha ċara li l-istess toroq għandhom jibqgħu, anzi jiġu mtejba sabiex jiġinu fiċ-ċirkolazzjoni tat-traffiku fiż-żona, li attwalment tbaġhti minn kongestjoni b'mod speċjali fi tmiem-il ġimgħa. Il-Kunsill jiġbed l-attenzjoni wkoll li madwar is-sit affettwat bl-iżvilupp propost jeżisti raba li bl-ebda mod m'għandu jittiehed sabiex jiġu modifikati t-toroq tal-madwar u għaldaqstant xi pjanijiet li hemm f'din id-direzzjoni għandhom jaffettwa biss l-art proprjetà ta' l-iżviluppatur tal-kumpless. Huwa importanti wkoll li kwalunke tibdil li jsir fit-toroq ta' madwar il-kumpless ma jaffettwax bl-ebda mod l-aċċessi għar-raba wżati mill-bdiewa.</p> <p>Billi l-ispażju għall-parkeġġ naqas sostanzjalment bil-bankini li saru fid-daħla tal-lukanda Golden Sands, huwa meħtieġ li jiġihalla spażju adegwat għall-venda tal-karozzi tal-linja u l-coaches. Dan il-parkeġġ wera biċ-ċar li lanqas m'huwa biżżejjed għall-vetturi tal-ħaddiema u r-residenti fl-istess lukanda, kif faċilment jidher matul x-xitwa fil-ġranet ta' fost-il ġimgħa, meta ma jkunx hemm daqstant nies li jiffrekwentaw dan ilpost. Il-problemi tal-ipparkjar f'Għajn</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The requirements of the development permission granted on site in relation to road infrastructure, parking provision, architectural design and access to agricultural land shall continue to apply.</p>
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HFPR 0012	Mr. Peter Seychell	30/05/2020	<p>By means of this email I would like to raise my objection to the Governments proposal to review the existing planning policy NWGT1 of the North West Local Plan and the Hal Ferh Development Brief.</p> <p>In the Grant for Perpetual Emphyteusis, signed on the 23rd December 2009 it was specifically stated that: “ the development shall be used solely for tourist accommodation and shall not be used for permanent residential occupation or any other use”</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The contract contains clauses that allow Government to amend the contract.</p>
HFPR 0013	Mr. Kevin Micallef	01/06/2020	<p>Rig: Partial Review of the North West Local Plan and the Hal Ferh Development Brief - Phase 1</p> <p>Nagħmel referenza għall-konsultazzjoni pubblika li l-Awtorità tal-Ippjanar nediet dwar in-North West Local Plan u l-Hal Ferh Development Brief. Permezz ta' din il-korrispondenza nixtieq noġġezzjona għar-reviżjoni tal-imsemmi Pjan Lokali u d-Development Brief għal dawn ir-raġunijiet:</p> <ol style="list-style-type: none"> 1. L-art pubblika għet konċessa għal skopijiet turistiċi u mhux għal skopijiet residenzjali. Ma jagħmilx sens li l-Awtorità tal-Ippjanar tikkunsidra jew saħansitra tapprova bidla fil-Pjan Lokali u d-Development Brief dwar Hal Ferh jekk skont l-att ta' konċessjoni din l-art partikolari għandha tintuża biss għal skopijiet turistiċi.(Artiklu 19 tal-att indikat) 2. Il-bidla ser taffettwa t-toroq pubbliċi eżistenti u m'hemmx dubju li ser toħloq žieda sostanzjali ta' traffiku. F'dan ir-rigward ma 	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The contract contains clauses that allow Government to amend the contract.</p> <p>The limited number of dwellings (25 in all) is not deemed to change the character of the project or the area.</p>

			<p>jagħmilx sens li l-bidla tiġi kkunsidrata qabel ma jsir Traffic Impact Assessment u mingħajr ma jkun hemm f'siekb dwar l-ispazju għall-parkeġġ.</p> <p>3. L-użu tal-imsemmija art għal skopijiet residenzjali ser joħloq żona residenzjali ġdida li hija mdawwra b'art agrikola. Qatt ma kien l-iskop li art pubblika li tingħata għal skopijiet turistiċi tispicċa parti minn eżercizzju ta' spekulazzjoni billi tinbidel f'żona residenzjali.</p> <p>Għaldaqstant qiegħed noġġezzjona bil-qawwa kollha għal kwalunkwe tibdil li l-Awtorit� tal-Ippjanar giet mitluba jew hi stess tixtieq tagħmel kemm fl-imsemmi Pjan Lokali kif ukoll fid-Development Brief dwar Hal Ferh.</p>	
HFPR 0014	Mr. Anthony Ellul Obo Malta Chamber of Planners	01/06/2020	<p>Please consider the comments below as the Chamber's comments re above subject.</p> <p>The Malta Chamber of Planners has reviewed the changes being proposed to the policy NWGT 1 of the North West Local Plan and the Hal Ferh Development Brief.</p> <p>The Chamber considers this site as a strategic site for tourism development and probably this had been taken into account in the development brief, primarily to redevelop this site for tourism purposes as well as to create an innovative tourism accommodation product.</p> <p>The introduction of permanent residential development would go against what the development brief sought to attain. One must remember that the development brief had been issued for a call for submission of proposals by interested third parties. These had presented submissions on the lines proposed by the brief.</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The contract contains clauses that allow Government to amend the contract.</p> <p>The limited number of dwellings (25 in all) is not deemed to change the character of the project or the area.</p> <p>The development permission granted on the site permitted the demolition of the Ghajn Tuffieha camp and this shall also apply for the revised plan.</p>

		<p>The proposed change is now changing the goal posts and this would not be considered as 'fair' by those who had made submissions.</p> <p>If the proposed project did not turn out feasible for the chosen applicant, then government had to proceed in a different manner and possibly re-issue the call and not simply change the proposed uses by introducing permanent residential development.</p> <p>This approach recalls a similar example years ago with regard to the White Rocks area. This project was initially a totally tourism development but following years of failure to materialise selected applicants put pressure to introduce permanent residential development.</p> <p>Such an approach diminishes any future credibility in the drafting of development briefs since applicants may submit their submissions knowing that with some pressure by the selected bidder the parameters of the brief can be changed.</p> <p>In addition to the above the brief had also included the restoration of the Ghajn Tuffieha camp, but which in the interim is being allowed to deteriorate further.</p> <p>The Chamber is categorically against the introduction of residential development in the amendment of the policy and brief for Hal Ferh.</p> <p>Please acknowledge receipt of this email</p>	
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HFPR 0015	Mr. Stefano Miceli o.b.o. ERA	01/06/2020	<p>1. Introduction</p> <p>The Environment and Resources Authority (ERA) welcomes the opportunity to comment on the proposed objectives for the site of the redundant Ħal Ferħ tourist complex and its immediate surrounding areas in Għajn Tuffieħa. These comments are provided without prejudice to ERA's review and comments on the emerging draft Local Plan and Development Brief revisions and eventually at project stage 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) or other screenings, as may be relevant. ERA is putting forward its recommendations with respect to the proposed Development Brief Objectives for consideration in the Phase 1 public consultation stage.</p> <p>2. Main environmental issues</p> <p>ERA notes that the site under consideration is partly adjacent to the Rdumijiet ta' Malta: IrRamla taċ-Ċirkewwa sal-Ponta ta' Bengħisa (MT0000024) Special Area of Conservation (SAC) of international importance (i.e. Natura 2000 site) on the west side, close to the same SAC on the south side and also close to an Area of High Landscape Value. Furthermore, the site is surrounded by the predominantly flat rural land of the Pwales valley. ERA considers that the environmental provisions in current Policy</p>	The provisions of the development permission granted on the site in relation to environmental issues which emerged through the EIA process shall continue to apply.
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		<p>NWGT1 of the North West Local Plan (2006) and in the Hal Ferh Development Brief (2008) are still relevant to the site and its context, and it is recommended that such criteria are retained and ameliorated or better compensated for in the emerging revised policy. Extracts from the current policy and brief are attached in Appendix 1 and 2 respectively.</p> <p>One of the secondary roads that passes obliquely through the site follows a buried watercourse, which is actually an integral part of a much larger valley (Il-Wied ta' Għajn Tuffieħa) that flows down from Mġarr toward the sandy beach at Ir-Ramla tal-Mixquqa (i.e. Golden Bay). Indeed, the upper and lower segments of the valley (the upstream part near the Roman Baths, and the valley mouth immediately behind the sand dunes) are clearly visible as dominant elements in the rural/coastal landscape, however their connectivity is currently interrupted. ERA suggests that the holistic redevelopment of the site should if possible, allow to restore the connectivity of the watercourse that passes through the site. to ERA's satisfaction.</p> <p>The proposed objectives of the Local Plan and Development Brief review includes a new addition of acceptable use to the area, namely Class 1 permanent residential development. ERA envisages that any proposals for permanent residential development should take into account the site constraints and the context</p>	
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		<p>of the wider surrounding area, in terms of the possible increased environmental impacts arising from this use.</p> <p>ERA is aware that there is currently an approved development application (PA 3134/19 - renewal of PA 04906/10) encompassing the whole site. This application seeks to “demolish existing Hal Ferh complex and reconstruction of new tourist complex, amendments to the current road network and a new car park”. The comments in this document are being provided in addition to comments provided as part of the evaluation process of this development planning application by ERA or its predecessors, and the Environmental Impact Statement which had been developed then. These included detailed comments on air and noise pollution arising out of the expected increase in traffic flows.</p> <p>3. Other Comments The Recommended Sustainability Measures listed in Appendix E of the Hal Ferh Development Brief (2008) should be retained. Furthermore, the following strategic environmental issues should be taken into consideration in the revision of the Local Plan policy and Development Brief for the site: - All future development and related interventions, including the entire width and extent of roads, pavements, parking areas/spaces, access, traffic management infrastructure, vehicle manoeuvring areas, bus stops, landscaping, formal open spaces,</p>	
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		<p>boundary walls and ancillary interventions, should be strictly confined within the existing boundary of the Site. There should be no overflows of development, additional take-up or commitment of, or encroachment onto, adjacent fields or other rural land. It should also be ensured that the development does not displace any existing facilities, structures or infrastructure that would then need to be relocated to other ODZ land. If there are any such facilities or structures, these should be retained within the site.</p> <ul style="list-style-type: none"> - Any required infrastructure (e.g. substations, booster stations, sewer connections, pumping stations, waste management areas/facilities, etc.) should be factored into the advance planning of the site 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. - Roads and 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. The installation of overhead wiring, poles, and other visually intrusive interventions should be prohibited. With respect to geology, the area may contain a sequence of quaternary deposits. If excavation is proposed, a geological report would have to be produced to minimise any possible adverse effects and also 	
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		<p>in view of possible palaeontological value of excavated material. Furthermore, noting that the soil at the site is probably rich, it is recommended that any excavations are in line with the Fertile Soil (Preservation) Act (Cap. 236).</p> <ul style="list-style-type: none"> - Due to its sensitive location, it should be ensured that the drainage systems, (including sewerage, and storm water pipes) and other related infrastructure, in the area of influence, is adequate to serve the additional demand of any proposed development, to prevent risks of sewer overflows, particularly during/after heavy rainfall. - Unmitigated urban runoff (e.g. from car parks) should not be discharged directly onto surrounding fields or valleys. The use of sustainable urban drainage systems is recommended in order to collect and treat local surface water, attenuate water runoff and minimise risks of localised flooding. - Any development should not be a source of light pollution. This site is close to the Special Protection Area (SPA) Żona fil-Baħar fil-Lbiċ (MT0000111) designated for the protection of seabirds which are prone to disorientation from light pollution. To this effect, development proposals at this site should be required to adhere to the following specifications: <ul style="list-style-type: none"> o lighting shall be strictly limited to within the developed part of the site, and its height and orientation shall be designed in a manner that does not cause illumination beyond the developed site; 	
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		<ul style="list-style-type: none"> o there shall be no lighting of ancillary access roads, tracks and paths or other lighting beyond the site boundary; o 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 landscaping itself; o all exterior lighting installed on site shall be horizontally aligned, downward pointing, fully-shielded and full cut-off. No luminaire globes, uplighters and/or high-level floodlighting are allowed; o all exterior lighting shall be of low-intensity 'warm light' colour with a temperature not exceeding 3000K; and o intruder-triggered or motion-sensor lighting, shall be installed so as to avoid continuous nocturnal lighting. <p>- Boundary walls at/near the perimeter of the site should be constructed in traditional random rubble (sejjiegħ), avoiding ashlar walls and walls clad in rubble. Raising of boundary walls at/near the perimeter of the site, beyond their current height, should not be allowed.</p> <p>- Any development should make provisions for the allocation of sufficient space for the implementation.</p>	
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<p>HFPR 0016</p>	<p>Ms. Marie Therese Camenzuli o.b.o. Kummissjoni Ambjent Interdjocesana ambjent@maltadi ocesese.org</p>	<p>1/06/2020</p>	<p>Review of Policy NWGT 1 of the North West Local Plan and the Hal Ferh Development Brief</p> <p>The Kummissjoni Interdjocesana Ambjent (KA) strongly objects to the request by the Government to the Planning Authority, to change the North West Local Plan and the Hal Ferh Development Brief to include “permanent residential development in the list of acceptable land-uses on the site”.</p> <p>The KA would like to submit its objection to such a move, and state that it is in total disagreement, with the Government’s consideration of a change in the use of a site earmarked for tourism purposes, lying outside the development zone, so that it can accommodate permanent residential uses.</p> <p>If such a site, located in one of the most pristine areas of the Maltese Islands, cannot finance itself by being redeveloped to attract special-interest tourists, then one wonders what site in Malta is able to do so.</p> <p>The practice of changing the use of Government-owned property originally intended for tourism purposes, into other uses, such as offices, is nothing new in our islands. Is Government really intent on safeguarding the tourism infrastructure that the country possesses, or is it choosing to yield to the demands made by commercial entities that hold</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The limited number of dwellings (25 in all) is not deemed to change the character of the project or the area.</p> <p>The requirements of the development permissions granted on site shall continue to apply.</p>
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		<p>emphyteutical title to land that ultimately belongs to all the people of this country?</p> <p>Such a request by Government to the Planning Authority runs counter to all claims that development zones are not being extended. These zones may not be having their lines extended, but they are actually being leapt over by the provisions in certain policies, including the current Rural Policy and Design Guidance, and development plans which allow residential development in open countryside.</p> <p>The KA therefore insists that Government should reconsider the objective of the review that it has communicated to the Planning Authority. The KA feels that any tourist redevelopment on this site, and for that matter, any development of any kind anywhere in Malta, should serve as an example of how intelligent planning should be carried out in a post-pandemic era so that the Maltese built and natural heritage would be safeguarded.</p> <p>Monday 1st June 2020</p>	
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APPENDIX B

**North West Local Plan and Hal Ferh Development Brief
(Revisions 2020)**

**Public Submissions on Draft Policy and
Development Brief (Phase 2)
November 2020**

Ref	Respondent	Date	Summary of Comments Received	PA Response
NW-HF/20/01	Pier Massa	04/11/20	<p>I am writing this not to voice my strong objection to the consideration of residential units at the Hal-Ferh. This is simply not an acceptable land use for that area and will only open the door to further abuses.</p> <p>Please ensure that this viewpoint is fully considered in your deliberations.</p>	The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.
NW-HF/20/02	Mr Joseph Mallia	05/11/20	<p>The authority should refrain from approving residential units within Hotels and holiday complexes that occupy the prime coastal sites on the islands. Hotels and holiday complexes should not be changed into residential units. Prime coastal areas have been ruined for the sake of the tourist economy and therefore developers should not be allowed to ride on the hotel business to include residential units on these sites.</p> <p>I trust that common sense will prevail during the hearing of this application.</p>	The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.
NW-HF/20/03	Perit Sergio De Gabriele	06/11/20	<p>I would like to express my objection towards the proposed conversion of the area in question to receive permanent residential development.</p> <p>The area should be retained for low rise touristic development with emphasis on sustainability or be converted once again into a natural landscapes park of which are very scarce on this island.</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>Building heights and sustainability requirements shall remain unchanged from those stipulated in the original plans.</p>

NW-HF/20/05	Dr Michael Briguglio	06/11/20	<p>I am hereby reiterating my request with respect to Phase 1 of the same Development Brief (ref. my correspondence dated 30 May 2020). Thus I am requesting that the Planning Authority employs a Social Impact Assessment (SIA) process. In this regard, please refer to my correspondence dated 31 May 2019 to the PA regarding SIAs. To date, I have not been informed of any policy update in this regard.</p> <p>A copy of my correspondence can be obtained from this link: https://mikes-beat.blogspot.com/2019/05/feedback-re-social-impact-assessment.html</p>	SIAs are not a formal requirement for development plans.
NW-HF/20/04	Dr Julian Christopher Zarb	07/11/20	<p>Having been involved directly with the draft report of 2008, it is disappointing to read of this amendment that steers away from the original idea for an eco-village for quality tourists. The development is in a delicate and sensitive area and any plans for further residential dwellings will add to the environmental, social and infrastructural pollution of the area (not forgetting the light pollution in this area). We need to ensure that such plans add quality to the host and visitor lifestyle. We must remember all planning must follow a continuous and consistent consultation with all stakeholders including the local community. Three key words to reflect on here - Think, plan and develop. We forget the first two words simply because there is a threat to any financial gain for a few unethical businesspeople and politicians.</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The new project is still required to embrace the sustainability requirements.</p> <p>The replacement of a portion of the approved independents units for tourism use with 25 detached luxury dwellings is not envisaged to add to the environmental, social and infrastructural pollution of the area.</p>

NW-HF/20/06	Ms Christine Attard	09/11/20	<p>This is PUBLIC LAND which was to be used for tourism purposes ONLY.</p> <p>If it's used is to be changed, then you MUST go to Parliament and there we see our politicians' actions.</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The formulation and adoption process of planning policies is governed by the Development Planning Act (Cap 552) which requires the submission of the draft plan to the Parliamentary Standing Committee on Environment and Development. This Committee approved the proposed revisions.</p>
NW-HF/20/07	Mr Morgan Johnson	11/11/20	<p>My concerns over the above development are: - As it is public land it should not be handed over or sold off to the private sector. Considering much of Malta's public spaces are being over-developed as it is, without much consideration for the Maltese public. The area of land is currently used for parking by visitors to the area to enjoy the beauty that Ghajn Tuffieha has to offer. This would no doubt end after the development</p> <p>Hopefully these and many other comments I have seen will be taken into consideration. Rather than you just paying lip-service to this process as so many accusations infer.</p>	<p>The land was transferred to the private sector in 2009.</p> <p>Public parking provision is a requirement of the approved development project which shall remain in force.</p>
NW-HF/20/08	Mr Adrian Bajada	23/11/20	<p>I agree this site needs to be sanctioned. It has been abandoned and is an eyesore. Let's just hope we won't regret this... I hope common sense will prevail and the environment won't be ruined further.</p>	<p>Development permission for the development of the site has already been granted.</p>

NW-HF/20/09	Mr Ray Mifsud	23/11/20	<p>In the view of the proposed plans of Hal Ferh it is your duty to think about what we are going to leave as heritage to our children and grandchildren and so on and so forth....</p> <p>The proposed area is in one of the nicest valley. This should be left a natural valley we have in Malta. Other valleys have been ruined years ago like Xlendi Bay. By building across the valley and blocking the harbour view and inland valley. Same as in St Julians Valley Tigulio building..Xemxija Pwales and Ghadira valleys were saved from being exploited by the 2 nature reserves...i don't need to mention other places...i think I made my point....once u build it's there to stay...</p> <p>I suggest that Hal Ferh complex should be demolished and build a huge underground car park and over the car park will brought back to its natural state and made as recreational park.... All cars should be parked in the underground parking.. All the area up to Ghajn Tuffiha bay, Golden bay and behind the Radisson hotel area which is already a reserve should be made pedestrian to enjoy and relax and have some quality time..</p> <p>THIS will be a heritage that we can leave for our future generation...</p> <p>Ps this is thinking outside the "construction" circle....</p> <p>Sirs hope that this suggestion will be given attention and realise what we are doing to our beautiful island.</p>	<p>The site was designated for development in the 2006 North West Local Plan and the 2008 Hal Ferh development Brief and is covered by development permission.</p>
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<p>NW-HF/20/10</p>	<p>Ms Karen Tanti obo Moviment Graffitti</p>	<p>02/12/20</p>	<p>Input to the Partial Review of the North West Local Plan and the 2008 Ħal-Ferħ Development Brief – Phase 2</p> <p>In response to the Partial Review of the North West Local Plan and the Ħal-Ferħ Development Brief, Moviment Graffitti would like to reiterate that the land in question is public land which was sacrificed on the condition that it be used solely for touristic purposes for the benefit of the local economy.</p> <p>The emphyteutic grant specifically excluded permanent residential use, and now we see that the proposal for 25 residential villas is being put forward. The original permit conditions demanded that the approved development would be strictly used for tourist accommodation and for no other use, and further insisted that the proposed development “shall be used for tourist accommodation and shall not be used for permanent residential occupation”. The application to extend the validity of the permit was approved in 2019 with the same conditions. Thus, any use of this land for residential use is absolutely unacceptable.</p> <p>Additionally, Moviment Graffitti would like to comment on some of the other proposals in the Ħal-Ferħ development brief below:</p> <p>"The acceptable secondary supporting ancillary uses to this main use include:</p> <ul style="list-style-type: none"> a. Separate, high quality, residential accommodation; b. A small component of specialist, small, retail outlets. This may include small crafts workshops selling their products on site, e.g. lace maker, silversmith etc; 	<p>The contract contains clauses that allow Government to amend the contract.</p> <p>Conditions in development permissions may be amended if they are no longer deemed fit for purpose subject to compliance with the procedures set out by law.</p>
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			<p>c. Ancillary food and drink facilities (restaurant and cafeteria); d. Meeting rooms / multi-purpose halls as ancillary to the main use of a tourism development; e. Facilities for sports, (including horse riding facilities), recreation and health; f. Entertainment and cultural facilities"</p> <ul style="list-style-type: none"> • Since the Hal-Ferh complex was always meant to be limited to touristic developments, a change of use for the site is not deemed appropriate. A permit given in 2013 to International Hotel Investments (IHI), part of the Corinthia Group, included a specific clause stating that the development "shall be used solely for tourist accommodation and shall not be used for permanent residential occupation or any other use". <p>The area should be converted into a mini-green lung instead of constructing another set of luxury villas or intensive touristic development – especially since economies will struggle to get back on their feet post-COVID-19. The argument of enhancing the final tourism product to attract a particular customer was used to create projects and volumes that were detrimental to the community. Hoteliers should fit into the vision created and set in policies instead of the other way round.</p>	<p>The site was designated for development in the 2006 North West Local Plan and the 2008 Hal Ferh development Brief and is covered by a valid development permission.</p>
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			<p>The development brief also states that "the above facilities are aimed primarily for the use of residents of the tourism development, do not include activities which are incompatible with the tourism accommodation aspect of the tourist complex, do not, on a frequent basis, attract large numbers of visitors from outside the complex and mitigation measures against any unacceptable noise disturbance to the surrounding community are integrated in the project." This is because it "would adversely affect the historic and the essentially rural character of the area and lead to further urbanisation which is not in line with Structure Plan policies."</p> <p>If this is the case, then any ancillary food and drink facilities, as well as meeting rooms and multi-purpose rooms should not be allowed, since these facilities are likely to attract large numbers, as well as detracting from the essentially rural character of the area, as well as leading to further urbanisation which is highly undesirable.</p> <p>The brief states that the overall strategy for the area is "to improve the area's general environment and its heritage." We do not see how the construction of luxury villas, ancillary facilities, retail outlets and meeting rooms improve the general environment and its heritage. These</p>	<p>These provisions formed part of the 2008 Development Brief and their removal/amendment did not form part of this partial review.</p> <p>This partial review is limited to the inclusion of 25 permanent residential luxury dwellings to replace the approved independent units for tourism use. This is not deemed to have an increased</p>
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			<p>additions will only increase traffic to the area, which is certainly not in line with the rural character of the area.</p> <p><i>"The military building complexes consist mainly of these former military barracks and ancillary buildings. These buildings are the only example of this type of architecture in this part of Malta. Even though the former military buildings are currently not scheduled, they are deemed to have historical merit and their retention and rehabilitation is strongly encouraged."</i></p> <ul style="list-style-type: none"> • The military building complexes should be retained and rehabilitated and be part of any proposed design. As stated in the brief, they are the only example of this type of architecture, and thus have historical and cultural merit. <p>"Areas for open space can accommodate open air sports, leisure, recreation and entertainment facilities (ie. these should not include roofed over buildings and structures), as well as carriageways, pedestrian areas and car parks."</p> <ul style="list-style-type: none"> • Moviment Graffiti highly encourages the creation of open space, however, including carriageways and car parks as 'open space' is not acceptable. Any open space should not include areas which are dominated by vehicles, but should accommodate sports, leisure, recreation and some 	<p>impact on the rural character of the area than that of the approved development.</p> <p>The demolition of the military building complex has already been approved under the development permission granted in February 2013 and renewed in August 2019.</p> <p>The development brief and the approved permission imposed a maximum site coverage of 20%. This shall not be changed.</p>
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			<p>entertainment facilities. Visitors should have space to move around freely and not be restricted by soft landscaping features for instance.</p> <p>"A significant proportion of these mature trees on site are native species and may be worthy of retention as well as being protected by law."</p> <ul style="list-style-type: none">• Any mature, native trees are worthy of retention and should be given the necessary protection by law and be incorporated into the overall design.	<p>This requirement shall remain applicable to the new project.</p>
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NW-HF/20/11	<p>Onor Joe Mizzi MP</p> <p>President tal-Kumitat Permanenti dwar l-Ambjent u l-Ippjanar ta' l-Izvilupp</p> <p>(email received through MECP)</p>	03/12/20	<p>Qed ngħaddilek għall-attenzjoni tiegħek, kopja tad-dokumenti mqiegħda fuq il-Mejda tal-Kamra fis-seduta ta' nhar it-Tlieta, l-1 ta' Diċembru 2020, mill-Onor. Joe Mizzi, President tal-Kumitat Permanenti dwar l-Ambjent u l-Ippjanar, rigward il-partial review u d-development brief imsemmija.</p> <p>Mr Speaker Nixtieq nirraporta li l-Kumitat Permanenti dwar l-Ambjent u l-Ippjanar ta' l-Izvilupp iltaqa' lbierah, 30 ta' Novembru, 2020, fejn iddiskuta u qabel, ghalkemm mhux b'mod unanimu, mal-“Partial Review of the 2006 North West Local Plan Policy NWGT1” u mad-“December 2008 Hal-Ferh Development Brief” kif imressqa quddiemu.</p> <p>Qiegħed inpoggi kopja tad-dokumentazzjoni rilevanti fuq il-Mejda tal-Kamra</p>	The approval by the Standing Committee has been noted.
NW-HF/20/12	Mr Stefano Miceli obo ERA	07/12/20	<p>ERA Feedback on the Partial Review of the North West Local Plan and the Hal Ferh Development Brief Phase 2</p> <p>1. Introduction The Environment and Resources Authority (ERA) welcomes the opportunity to comment on the draft development brief for the Hal Ferh tourist complex and its immediate surrounding areas in Għajn Tuffieħa. The comments provided below are being provided further to the comments provided by ERA during Phase 1, including those concerning restoration of the watercourse and the general</p>	<p>The provisions of the development permission granted on the site in relation to environmental issues which emerged through the EIA process shall continue to apply.</p> <p>The provisions of the 2008 Development Brief which do not prejudice the development permission shall also remain applicable.</p>

		<p>environmental recommendations, which are being reiterated.</p> <p>These comments are provided without prejudice to ERA's review and comments at project stage 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), Appropriate Assessment (AA), and/or other assessments as may be relevant.</p> <p>2. Main environmental issues</p> <p>ERA welcomes the Planning Authority's commitment that the provisions of the development permission granted for PA/04906/10 in relation to environmental issues which emerged through the EIA process shall continue to apply. The Authority also welcomes the retention of the environmental provisions in Policy NWGT1 of the North West Local Plan (2006) and from the Hal Ferh Development Brief (2008), including those related to building design, landscaping and access. It is recommended that, these environmental provisions are implemented as part of any future projects on site as much as possible.</p> <p>It is important that the proposed design of buildings and space takes into account the surrounding rural context and the rural landscape, in order to minimise potential visual impacts on long distance views, the rural character and other popular scenic areas. In this regard, it is recommended that building heights at the periphery and design of units in general, are retained as</p>	
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			<p>much as possible as per the criteria on Map 6, wherein buildings at the periphery of the site are to be limited to one floor, and buildings within areas 1 and 2 are preferably small individual units rather than larger massive blocks.</p> <p>Any development should make provisions for the allocation of sufficient space for the implementation of adequate and suitable multifunctional green infrastructure, soft landscaping and green spaces within the site. Greening of the area, including soft landscaping, should seek to contribute to the enhancement and improvement of local biodiversity. Soft landscaping should only make use of indigenous and/or archaeophytic species noting that the site is in a rural context and adjacent to a protected area. Existing mature non-invasive vegetation should be retained wherever it is possible. The use of invasive alien species is prohibited under the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44), the Control of Invasive Alien Species of European Union Concern Regulations (S.L. 549.119) and the Trees and Woodlands Protection Regulations (S.L. 549.123). Existing invasive alien species present on site should be removed in line with the Guidelines on managing non-native plant invaders & restoring native plant communities in terrestrial settings in the Maltese Islands (2013).</p> <p>With reference to light pollution, it is recommended that measures concerning its mitigation should be included in the Environmental Management Plan (EMP) as one of the requirements for the determination of the new</p>	
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			<p>Development Application listed in revised paragraph 6.1.</p> <p>3. Conclusion ERA looks forward towards additional consultations and remains available for any clarification, or further consultations via: era.policy@era.org.mt</p>	
NW-HF/20/13	Mr Danny Rosso	09/12/20	<p>The development of permanent residential units will transform one of the very few remaining natural sea and country open areas into a city - the place will become another Qawra or Bugibba - a real pity.</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site. Other development parameters limiting the site coverage, height of buildings, inclusion of landscaping, integration within its rural context and mitigation of impacts shall remain applicable. The development is not envisaged to be like Qawra or Bugibba.</p>
NW-HF/20/14	Mr Carmel Debono obo Mellieha Local Council	14/12/20	<p>Reference is made to call for consultations issued on the 4th November 2020 concerning proposed amendments to the above-mentioned document. The Mellieha Local Council has no further comments besides those included in our letter of the 30th May 2020, hereto attached for ease of reference.</p> <p>Ref: P/5/1/Vol IV</p> <p>30 ta' Meju 2020</p> <p>Direttur ta' l-Ippjanar</p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The requirements of the development permission granted on site in relation to road infrastructure, parking provision, architectural design and access to agricultural land shall continue to apply.</p>

		<p>(Fhal Ferh Development Brief) Plan Making and Policy Development Unit, PO Box 200, Marsa MRS 1000,</p> <p>Sinjur,</p> <p>Il-Pjan Lokali tal-Majjistral u l-Fhal Ferh Development Brief</p> <p>Nirreferi għall-avviż datat 11 ta' Mejju 2020 fejn saret sejha biex isiru sottomissjonijiet rigward tibdil propost fil-Policy NWGT 1 u l-Fhal Ferh Development Brief dwar l-użu ta' l-art li qabel kienet użata bħala kumpless turistiku f'Għajn Tuffieħa.</p> <p>Ġie osservat li l-medda ta' art indikata taqsam triq pubblika eżistenti – Triq il-Kappella tal-Militar. Il-Kunsill jixtieq jagħmilha ċara li l-istess toroq għandhom jibqgħu, anzi jiġu mtejba sabiex jgħinu fiċ-ċirkolazzjoni tattraffiku fiż-żona, li attwalment tbaġħti minn kongestjoni b'mod speċjali fi tmiem-il ġimgħa. Il-Kunsill jiġbed l-attenzjoni wkoll li madwar is-sit affettwat bl-iżvilupp propost jeżisti raba li bl-ebda mod m'għandu jittiehed sabiex jiġu modifikati t-toroq tal-madwar u għaldaqstant xi pjanijiet li hemm f'din id-direzzjoni għandhom jaffettwa biss l-art proprjetà ta' l-iżviluppatur tal-kumpless. Huwa importanti wkoll li kwalunke tibdil li jsir fit-toroq ta' madwar il-kumpless ma jaffettwax bl-ebda mod l-aċċessi għar-raba wżati mill-bdiewa.</p> <p>Billi l-ispażju għall-parkeġġ naqas sostanzjalment bil-bankini li saru fid-daħla tal-lukanda Golden Sands, huwa meħtieġ li jiġihalla spażju adegwat għall-venda tal-karozzi tal-linja u l-coaches. Dan il-parkeġġ wera biċ-ċar</p>	
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		<p>li lanqas m'huwa biżżejjed għall-vetturi tal-ħaddiema u r-residenti fl-istess lukanda, kif faċilment jidher matul x-xitwa fil-ġranet ta' fost-il ġimgħa, meta ma jkunx hemm daqstant nies li jiffrekwentaw dan ilpost. Il-problemi tal-ipparkjar f'Għajn Tuffieħa naqsu xi ftit riċentement bl-introduzzjoni ta' sistema ċirkolari ta' one-way fi Triq il-Kappella tal-Militar u fi Triq in-Naħħalija. B'dan il-mod sar possibbli li Triq in-Naħħalija tiegħu pparkjar fuq naħa waħda. Il-problema ta' nuqqas ta' spażju għall-ipparkjar għandha possibilment tiġi ndirizzata fis-sit in kwistjoni, biex ma jiġix ripetut l-istess żball li sar fir-rigward tallukanda Golden Sands. Huwa mportanti li jiġi massimizzat l-użu ta' faċilitajiet eżistenti fis-sit allokat lillAssoċjazzjoni tal-iScouts, li sal-lum mhumiex aċċessibbli għall-pubbliku matul is-sena kollha.</p> <p>L-aspett rurali tal-inħawi għandu jibqa' imħares kemm mil-latt ta' konservazzjoni ta' art agrikola, kif ukoll mil-lat estetiku, billi l-bini jinżamm f'livell ta' sular jew tnejn. Billi persentaġġ żgħir mill-art ser tiġi mibnija, wieħed jassumi li ħafna mid-dwal ser ikunu fuq barra, u għaldaqstant għandha tingħata attenzjoni dwar it-tip ta' dwal li għandhom jiġu addotti sabiex ikun evitat tniġġis f'dan is-sens. Forsi mudell li wieħed jista' jimxi fuqu, f'diversi aspetti, huwa l-każ tal-Mellieħa Holiday Centre fl-istess lokalità.</p> <p>Il-Kunsill jittama li l-fatturi ndikati jittieħdu in kosiderazzjoni fir-reviżjoni tad-dokumenti in kwistjoni, filwaqt li jistenna illi jiġi kkonsultat direttament, kemm-il-darba jkun jeħtieġ jelabora fuq l-aspetti trattati f'din l-ittra.</p>	
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<p>NW-HF/20/15</p>	<p>Mr Anthony Ellul obo Malta Chamber of Planners</p>	<p>15/12/20</p>	<p>The Malta Chamber of Planners reiterate the comments it has made in the previous consultation submission and oppose the introduction of the residential element in the policy.</p> <p>Residential development is not ancillary to the tourism use and despite statements that tourism will be the predominant use it is now clear that once the residential use is introduced this does not preclude that this use predominates in future. The site was safe guarded for a tourism use and a specific tourism product. With the proposed changes this is now being compromised.</p> <p>The following change is proposed in the Development Brief:</p> <p><i>“5.14A. The residential component of the comprehensive scheme shall consist of not more than 9,000sqm of gross developable floorspace (GDF) and shall occupy not more than 30,600sqm of land area which can be allocated in not more than 25 detached luxury dwelling units. These planning parameters have been introduced to establish a balanced allowance for residential use as directed by Government objectives. The layout, plot sizes and built site coverage, network of pedestrian walkways and vehicular access, and architectural design of the residential enclave shall be visually and functionally integrated with the other land uses and building typologies on the site to achieve a holistic masterplan. Gates, walls, fences and other barriers beyond what is minimally required for property delineation will be strongly discouraged by the Authority.”</i></p>	<p>The proposal seeks to introduce a better mix of uses whilst ensuring that tourism remains the main use of the site.</p> <p>The fact that residential uses were originally prohibited does not preclude their inclusion at a later stage. The 2009 deed for the land transfer laid out the legal mechanism to adopt such changes when required. Similarly, the Development Planning Act sets out the procedure to be followed when Government deems that revisions to plans and policies are necessary.</p> <p>The inclusion of residential units at this stage does not infer that any further increase in dwelling units in the future will be automatically accepted.</p>
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SEA PRE-SCREENING DOCUMENT

Responsible Authority:	Planning Authority
Title of the plan:	<p>Partial Plan Review of the North West Local Plan (2006) policy NWGT1 – Addition of permanent residential uses to the list of acceptable uses at Hal Ferh.</p> <p>This SEA pre-screening document needs to be read with the SEA pre-screening document for the partial Review of the Hal Ferh Development Brief (2008) – Addition of permanent residential uses to the list of acceptable uses at Hal Ferh without increasing the allowable built footprint or gross foospace.</p>
Brief summary of the plan: (including the area or location to which the plan related)	<p>Background to the Partial Review</p> <p>The North West Local Plan policy NWGT1 – Site for Golf Course, adopted in 2006, provided policy guidance on the future development of the redundant Hal Ferh Tourist Complex. It stipulated that should a golf course not be developed on the wider area, the development of Hal Ferh could be considered separately provided the main use remained for tourism accommodation, camping and horse riding with retail, catering, storage and administration being supporting uses. The policy also provided guidance on the conservation of structures of historical or architectural merit, design guidance for new buildings, and provision of open space, car-parking and landscaping. A development brief was also required.</p> <p>In December 2019, Government directed the PA to amend policy NWGT 1 of the North West Local Plan of 2006 and the December 2008 Hal Ferh Development Brief with the following objectives:</p> <p>To include Class 1 (Use Classes Order, 2014) permanent residential development in the list of acceptable land-uses on the site provided that:</p> <ul style="list-style-type: none"> (a) the primary land-use in terms of gross developable floorspace (GDF) remains tourism accommodation but the brief shall also establish a balanced allowance for residential use; (b) no increase in the total GDF shall be allowed; (c) the development brief shall include planning parameters for residential use, to be developed in a comprehensive manner as part of the tourist complex; (d) all other provisions of policy NWGT 1 and the development brief shall remain unchanged without prejudice to the development already permitted in development permissions issued prior to the coming into force of the revised policy provisions.

Development Permissions Granted

A development permission was granted in February 2013 under PA4906/10 to demolish the existing Hal Ferh complex and re-construct a new tourist complex, amendments to the current road network and a new car park. This permission was renewed in August 2019 under PA3134/19. The approved Master Plan does not include the retention of the former military barracks and the public carpark was located outside the site boundary delineated by the Brief.

The proposed vacation resort will include a total of 228 units (1/2/3 bed) with ancillary facilities including restaurant, small convenience shop, pools and bars, spa and underground parking facilities totalling to 293 parking spaces. The reception, restaurant and suites will be accommodated within a dynamic flowing “ribbon building” undulating along the site of the existing Hal Ferh Tourist Complex with landscaping on its accessible ‘walkway’ roof and at the interface with the public roads.

An Environmental Impact Assessment (EIA) was carried out prior to the issue of the original development permission.

Site Description

The site, having an area of 84,900sqm, is located in a coastal rural area, in close proximity to the sandy beaches of Golden Bay and Ghajn Tuffieha Bay. A cultivated agricultural area, the Golden Bay carpark, the Golden Sands Hotel and the Scouts’ Association camp site are on the west of the site. Cultivated agricultural land is located to the east and garrigue, abandoned military buildings and disturbed land is located to the north.

The site itself is surrounded by a boundary wall and mostly taken up by the disused holiday complex, which includes a number of military barracks dated from 1916 and from 1939 and a degraded open space which is used as an informal parking area.

The site is reached through Ghajn Tuffieha Road which links Ghajn Tuffieha Bay with St. Paul’s Bay and is also linked with Manikata further north. Traffic and parking problems increase considerably during the summer period.

Protective Designations and Environmental Significance

The site is adjacent to areas of significant national and international importance (N2000) which include coastal cliffs, sand dune, clay slopes and promontory and the marine area.

The surrounding area includes the Grade 1 scheduled military entrenchment, megaliths and defensive wall from the Bronze Age though still untraced, tombs, cart ruts, quarrying and silos.

The surrounding landscape is scheduled as AHLV.

	<p>Summary of Revisions</p> <p>Policy NWGT 1 shall be amended to include permanent residential development in the list of acceptable land uses provided that the residential enclave will be developed comprehensively as part of the tourism complex which is to remain as the predominant land use. The policy shall also be amended to include provisions which give precedence to the approved development project over the requirement to conserve and integrate structures of historical significance and the site layout.</p> <p>Consequently, the Development Brief shall also be amended to introduce the residential use and ensure that the development brief does not prejudice decisions already made through the grant of development permission.</p> <p>No increase in development density is being proposed as both built footprint and GDF shall remain as originally approved and building heights shall also remain unchanged.</p>	
<p>Brief summary of why it has been determined that the plan is/is not likely to have a range of effects:</p>	<p>The circumstances of this partial local plan are unique as they are proposing to amend policy provisions which have already been assessed for their environmental impact through the EIA process, following the submission and approval of a development application.</p> <p>The development permission complied with the Local Plan requirements related to land uses but departures from the provisions for retention of the historic fabric and to the site layout were allowed. The environmental impacts of these departures were also assessed through the EIA process.</p> <p>Therefore, the environmental effects that needed to be determined through this pre-screening process were those which are likely to occur through the inclusion of residential development as part of the mix of uses, provided the predominant land-use remains for tourism, and taking into account the legal commitments created through the approval of the development project under PA4906/10. Furthermore, the partial review of the local plan is also being carried out in conjunction with a partial review of the detailed development brief which further specifies the number, scale and design of the envisaged residential enclave. Pre-screening document for the partial review of the development brief refers.</p> <p>The implications of accommodating residential uses on the site are associated with:</p> <ol style="list-style-type: none"> (1) the potential incompatibility with strategic policy guidance in SPED concerning residential uses in the Rural Area; and (2) the risk of residential uses transforming the context of the area, paving the way for a gradual expansion of the residential settlement and the consequent demands for additional ancillary uses to service the residents, particularly in terms of utilities and transport infrastructure. 	

The Vision of the Strategic Plan for the Environment and Development (SPED) lists tourism as a core development sector with potential for economic growth and makes emphasis on the need for diverse compatible activities in the Rural Area. The sequential approach to the location of development described in paragraph 3.1 of the SPED states that this sequential approach is being adopted in order to ensure that land take up in the Rural Area is considered as a last resort and where it is essential for the achievement of sustainable development. Thematic Objective 1 requires the sustainable use of resources to accommodate socio-economic development needs. It safeguards prime tourism sites, encourages mixed use development and prohibits the exploitation of the Rural Area by illegitimate uses. Spatial Objective RO3 recognises that certain categories of development may be required in the Rural Area and encourages a plan-led process for designating land for development in the Rural Area which should be located away from protected areas and areas of high landscape sensitivity, preferably located on previously developed land or existing buildings while ensuring the improvement of the quality of the rural environment.

The proposed revision is not deemed to run counter to the SPED provisions as the controls introduced to limit the scale and type of residential development ensure that this prime tourism site retains its strategic core economic function, albeit on a different branding, marketing and operational model. The site constitutes previously developed land, covered by development permissions and the revision will not increase the land coverage by development hence retaining the current proportion of open space and landscaped areas.

The vacation resort permitted through PA4906/10 consists of a total of 228 one, two or three bedroomed self-catering units and was aimed at the time-share tourism market which is more similar in character to a residential settlement than a traditional hotel development such as the Golden Sands Hotel located a few metres away from this site.

The mixed-use tourism complex is planned to include supporting amenities which should significantly reduce the need to travel by the residents at the residential enclave for daily routine shopping and or recreation/entertainment although commuting and trips to school are difficult to avoid. However, when considering that a maximum of 25 families shall reside at the enclave [as specified in the partial review of the development brief] and the reduction in the intensity of the tourism use, it is deemed that, in balance, the proposed revision shall not result in an increase in the significance of the environmental effects on the designated and environmentally sensitive areas than those that shall result from the implementation of the development already approved and assessed under PA4906/10.

Finally, any future development application which seeks to amend the permitted development to include the dwelling units proposed in this revision shall also be screened for environmental impacts and updates to the EIA can be requested at the detailed design stage.

Conclusion
The pre-screening exercise has concluded that no SEA Screening is required for the partial review of the NWLP (2006).

Contact details: Joseph Scalpello.

Date of opinion: 16th December 2020.

SEA PRE-SCREENING DOCUMENT

Responsible Authority:	Planning Authority
Title of the plan:	Partial Plan Review of the Hal Ferh Development Brief (2008) – Addition of permanent residential uses to the list of acceptable uses at Hal Ferh without increasing the allowable built footprint or gross foorspace
Brief summary of the plan: (including the area or location to which the plan related)	<p>Background to the Partial Review</p> <p>The development brief was adopted in December 2008 in fulfilment of the requirements of Policy NWGT1, following Government decision not to promote the development of the golf course any further. The Development Brief covered an area of 8.5ha which included the redundant Hal-Ferh tourist complex and its immediate surrounding areas in Ghajn Tuffieha. In line with the requirements of Policy NWGT 1, the Brief limited the land uses to quality tourism and recreation uses with preference to a high quality, family-oriented tourism development which includes accommodation and supporting facilities. The Brief also encouraged the retention and rehabilitation of the former military buildings, organised the site into four zones and allocated a public carpark on zone 4. Three important development parameters established by the Development Brief were a capping on the area covered by buildings to 16,700sqm (approximately 20% of the site area), a total gross floorspace of 25,000sqm and a maximum building height for new buildings of either 1 floor (4.75m) or 2 floors (8.5m).</p> <p>In December 2019, Government directed the PA to amend policy NWGT 1 of the North West Local Plan of 2006 and the December 2008 Hal Ferh Development Brief with the following objectives:</p> <p>To include Class 1 (Use Classes Order, 2014) permanent residential development in the list of acceptable land-uses on the site provided that:</p> <ul style="list-style-type: none"> (a) the primary land-use in terms of gross developable floorspace (GDF) remains tourism accommodation but the brief shall also establish a balanced allowance for residential use; (b) no increase in the total GDF shall be allowed; (c) the development brief shall include planning parameters for residential use, to be developed in a comprehensive manner as part of the tourist complex; (d) all other provisions of policy NWGT 1 and the development brief shall remain unchanged without prejudice to the development already permitted in development permissions issued prior to the coming into force of the revised policy provisions.

Development Permissions Granted

A development permission was granted in February 2013 under PA4906/10 to demolish the existing Hal Ferh complex and re-construct a new tourist complex, amendments to the current road network and a new car park. This permission was renewed in August 2019 under PA3134/19. The approved Master Plan does not include the retention of the former military barracks and the public carpark was located outside the site boundary delineated by the Brief.

The proposed vacation resort will include a total of 228 units (1/2/3 bed) with ancillary facilities including restaurant, small convenience shop, pools and bars, spa and underground parking facilities totalling to 293 parking spaces. The reception, restaurant and suites will be accommodated within a dynamic flowing “ribbon building” undulating along the site of the existing Hal Ferh Tourist Complex with landscaping on its accessible ‘walkway’ roof and at the interface with the public roads.

An Environmental Impact Assessment (EIA) was carried out prior to the issue of the original development permission.

Site Description

The site, having an area of 84,900sqm, is located in a coastal rural area, in close proximity to the sandy beaches of Golden Bay and Ghajn Tuffieha Bay. A cultivated agricultural area, the Golden Bay carpark, the Golden Sands Hotel and the Scouts’ Association camp site are on the west of the site. Cultivated agricultural land is located to the east and garrigue, abandoned military buildings and disturbed land is located to the north.

The site itself is surrounded by a boundary wall and mostly taken up by the disused holiday complex, which includes a number of military barracks dated from 1916 and from 1939 and a degraded open space which is used as an informal parking area.

The site is reached through Ghajn Tuffieha Road which links Ghajn Tuffieha Bay with St. Paul’s Bay and is also linked with Manikata further north. Traffic and parking problems increase considerably during the summer period.

Protective Designations and Environmental Significance

The site is adjacent to areas of significant national and international importance (N2000) which include coastal cliffs, sand dune, clay slopes and promontory and the marine area.

The surrounding area includes the Grade 1 scheduled military entrenchment, megaliths and defensive wall from the Bronze Age though still untraced, tombs, cart ruts, quarrying and silos.

The surrounding landscape is scheduled as AHLV.

	<p>Summary of Revisions</p> <p>Policy NWGT 1 shall be amended to include permanent residential development in the list of acceptable land uses provided that the residential enclave will be developed comprehensively as part of the tourism complex which is to remain as the predominant land use. The policy shall also be amended to include provisions which give precedence to the approved development project over the requirement to conserve and integrate structures of historical significance and the site layout. The pre-screening document for this partial review refers.</p> <p>Consequently, the Development Brief shall also be amended to introduce the residential use and ensure that the development brief does not prejudice decisions already made through the grant of development permission.</p> <p>Government direction to achieve a balanced development, no increase in GDF and introduce planning parameters for the residential development shall be implemented by the capping of the total number of dwellings to 25 provided they must be detached, independent units, the proportion of the site area for residential use should not exceed 36% and the gross floorspace for residential use should also not exceed 36%. These percentages translate into 9,000sqm of residential GDF from a total allowable GDF of 25,000 sqm and a land area of 30,600sqm from a total site area of 84,900sqm.</p> <p>Although Government objectives only directed that the residential should not be the predominant use in terms of GDF, the proposed revisions to the development brief ensure that the residential land use shall also not be the predominant use in terms of land area while the residential built footprint shall not exceed 54% of the total allowable footprint of 16, 700sqm.</p> <p>No increase in development density is being proposed as both built footprint and GDF shall remain as originally approved and building heights shall also remain unchanged.</p>	
<p>Brief summary of why it has been determined that the plan is/is not likely to have a range of effects:</p>	<p>The circumstances of this partial development brief review are unique as they are proposing to amend policy provisions which have already been assessed for their environmental impact through the EIA process, following the submission and approval of a development application.</p> <p>The development permission complied with the Local Plan and the Development Brief requirements related to land uses and development density (site coverage, GDF and building heights) but departures from the provisions for retention of the historic fabric, the site layout and the location of a surface public carpark were allowed. The environmental impacts of these departures were also assessed through the EIA process.</p> <p>Therefore, the environmental effects that needed to be determined through this pre-screening process were those which are likely to occur through the replacement of 9,000 sqm of tourism development with 9,000 sqm of residential development up to a</p>	

maximum of 25 dwellings, with further limitations on the land take-up for residential use to 36%.

The implications of accommodating residential uses on the site are associated with:

(1) the potential incompatibility of strategic policy guidance in SPED concerning residential uses and the use of the Rural Area; and

(2) the risk of residential uses transforming the context of the area, paving the way for a gradual expansion of the residential settlement and the consequent demands for additional ancillary uses to service the residents, particularly in terms of utilities and transport infrastructure.

The Vision of the Strategic Plan for the Environment and Development (SPED) lists tourism as a core development sector with potential for economic growth and makes emphasis on the need for diverse compatible activities in the Rural Area. The sequential approach to the location of development described in paragraph 3.1 of the SPED states that this sequential approach is being adopted in order to ensure that land take up in the Rural Area is considered as a last resort and where it is essential for the achievement of sustainable development. Thematic Objective 1 requires the sustainable use of resources to accommodate socio-economic development needs. It safeguards prime tourism sites, encourages mixed use development and prohibits the exploitation of the Rural Area by illegitimate uses. Spatial Objective RO3 recognises that certain categories of development may be required in the Rural Area and encourages a plan-led process for designating land for development in the Rural Area which should be located away from protected areas and areas of high landscape sensitivity, preferably located on previously developed land or existing buildings while ensuring the improvement of the quality of the rural environment.

The proposed revision is not deemed to run counter to the SPED provisions as the controls introduced to limit the scale and type of residential development ensure that this prime tourism site retains its strategic core economic function, albeit on a different branding, marketing and operational model. The site constitutes previously developed land, covered by development permissions and the revision will not increase the land coverage by development hence retaining the current proportion of open space and landscaped areas.

The vacation resort permitted through PA4906/10 consists of a total of 228 one, two or three bedroomed self-catering units and was aimed at the time-share tourism market which is more similar in character to a residential settlement than a traditional hotel development such as the Golden Sands Hotel located a few metres away from this site.

The mixed-use tourism complex is planned to include supporting amenities which should significantly reduce the need to travel by the residents at the residential enclave for daily routine shopping and or recreation/entertainment although commuting and trips to school are difficult to avoid. However, when considering that a maximum of 25 families shall reside at the enclave and the reduction in the intensity of the tourism use, it is

deemed that, in balance, the proposed revision shall not result in an increase in the effects on the designated and environmentally sensitive areas than those that shall result from the implementation of the development already approved and assessed under PA4906/10.

Finally, any future development application which seeks to amend the permitted development to include the 25 detached dwelling units proposed in this revision shall also be screened for environmental impacts and updates to the EIA can be requested at the detailed design stage.

Conclusion

The pre-screening exercise has concluded that no SEA Screening is required for the partial review of the Hal Ferh Development Brief (2008).

Contact details:

Joseph Scalpello.

Date of opinion:

16th December 2020.