

Mellieha

Planning Control Applications

PC Number: PC 0046/13

Proposal: Partial Review of the Ta' Masrija Planning Policy (2006).The objectives set out in this exercise are to enable:

a) the adoption of a master-plan by MEPA for the site indicating the road alignments, land uses and building heights within the framework of the 2006 policy;

b) to eliminate the need for comprehensive planning by the land owners provided development follows MEPA master-plan.

c) to prohibit the adoption of the FAR for the site.

Location: Site at Ta' Masrija, Mellieha.

Architect: MEPA

Applicant: MEPA

Date of Endorsement: 9th September, 2015.

Conditions: N/A

PLANNING POLICY

FOR

TA' MASRIJA

MELLIEHA

APPROVED

(PC 46/13)

SEPTEMBER

2015

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1 Introduction

- 1.1 In January 2006, MEPA published the approved Planning Policy for *Ta' Masrija*, Mellieha. This document contained a planning policy to guide the future development of the area. The policy required the submission of a comprehensive scheme for each of the allocated land parcels and a utilities plan for the whole site, by not later than two years from the publishing of the policy. The policy made provision for the submission of piecemeal planning and development of the indicated sites subject to the submission of a comprehensive utilities plan. The policy also included a provision that should the land owners fail to submit to MEPA a valid application for the comprehensive planning within the stipulated time frame would result in MEPA adopting an alternative scheme within the policy framework set out by the same policy.
- 1.2 During the same year and 2007, MEPA received a comprehensive utilities plan and another three applications for the planning and development of the three main sites within the boundary of the policy. However, the process failed to produce an agreement between the various site owners on the utilities plan and thus the whole process was stalled. In 2014, the failure to reach an agreement on a comprehensive plan has lead Government to instruct MEPA to start the process for the revision of the Planning Policy for *Ta` Masrija*.

2 Objectives

- 2.1 The published objectives for the revisions are:
- The adaptation of a master-plan by MEPA for the site indicating the road alignments, land uses and building heights within the framework of the 2006 policy;
 - To eliminate the need for comprehensive planning by the land owners provide development follows MEPA master-plan;
 - To prohibit the adaptation of the FAR for the site.

3 Public Consultation

Public Consultation on Objectives

- 3.1 This review is being followed by MEPA through the provisions of Article 58 of the Environment and Development Planning Act (2010), to revise the Planning Policy for *Ta' Masrija*, Mellieha (2006). This policy document is proposing a new policy that supersedes Policy NWML 1 – Regeneration of Derelict Land at *Ta' Masrija* in the North West Local Plan (2006), together with a revision of the *Ta' Masrija* policy establishing the development parameters including zoning and height limitation.

- 3.2 The objectives were subject to a two week statutory public consultation held between the 6th of January and the 20th of January 2014. The public consultation exercise generated eight submissions. A summary of the submissions received together with MEPA responses is included as an appendix to this document (refer to Appendix 1).
- 3.3 Four of the submissions received were from the three major land owners of the area, who individually submitted their proposals for their respective sites. Owners welcomed the elimination of the need for a comprehensive master plan.
- 3.4 Three submissions were received from private individuals and another submission was received from the Mellieha Local Council. These submissions welcomed the prohibition of the adoption of the floor area ratio and proposed that the building height should reflect the height limitation of the areas surrounding the site. Other issue identified was the limiting of commercial uses so that these uses do not attract patrons from other localities to this area and that no part of the site should be indicated for industrial development.
- 3.5 Additionally, a series of meetings were held with the land owners in order to ensure that the scheme being proposed by MEPA is agreed to by all land owners.

Second Stage Public Consultation

- 3.6 A six week public consultation was held between the 29th January 2015 to the 6th April 2015. Six submissions were received during the public consultation period and a late submission. A summary of the submissions received together with MEPA responses are included as an appendix to this document (Appendix 2).

4 Site Description

- 4.1 This policy is seeking the regeneration of a large site with an area of around 25,000m² located on the southern perimeter of the main urban settlement of Mellieha, facing dramatic views of undulating landscape to the south. Currently, the site lies derelict and is a scar on both the urban and rural environment. It has three predominant characteristics – a large disused, hard stone quarry to the west, another disused older quarry to the east and a rock outcrop separating the two. The larger quarry ceased operations around 1996. Significant changes in levels in excess of 20m, and its exposed position would make any development of the site highly visible from long distance views.
- 4.2 Some abandoned structures related to the previous land-use (mineral extraction) are still located on the site. New buildings for residential use, covered by development permission, are also located on the highest part of the site. The site is bounded by the Mellieha by-pass (arterial road) on its southern perimeter and by local roads (Triq Ta' Masrija, and road linking Triq Ta' Masrija with Triq I-izbark tal-

Francizi) on its two other sides. The western boundary abuts land allocated for residential development. Some of the local access roads, although formed still need to be constructed. Significant development is occurring in the immediate surroundings of the site for residential purposes and building heights vary from two to three floors.

5 Site History

5.1 The 1988 Temporary Provisions Scheme (TPS) for Mellieha included the site within the development boundary and divided it into two large blocks zoned for terraced houses with a height limitation of two floors plus semi-basement along *Triq Ta' Masrija*, and an elongated block zoned for villas with a site coverage limitation of 40% along the Mellieha By-Pass. Following the adoption of the height relaxation policy in 1993, the areas with a height limitation of two floors was increased to three floors without the provision of a semi-basement. This scheme also indicated two roads passing through the site – one linking *Triq l-Izbark tal-Francizi* with *Triq il-Mithna l-Qadima* and another street cutting across the site linking *Triq Ta' Masrija* at a higher level with the new road described above. This second road has a gradient of 1 in 6. This scheme does not take into account the location of the two quarries, does not maximise the potential of the site and could also result in a visually obtrusive development. Thus, there was a need to re-examine the development framework for the site and put forward a new policy, which avoids the adverse impacts induced by the TPS, is detailed enough to introduce certainty in the development process but is not overly prescriptive or rigid to inhibit innovation.

5.2 In 2006, MEPA approved the Planning Policy for *Ta' Masrija*. The Policy had divided the area in 5 different sites; A, B, C, C1 and D in accordance with the land ownership. The policy included an indicative layout. The only binding road was that fronting site C1, which site was also excluded from the requirement of the comprehensive utilities plan. The land uses proposed were as follows:

- 76,000m² of gross residential floor space and 3,270m² of public amenity and play space distributed proportionally between sites A, B, C and D.
- A neighbourhood centre with:
 - 750m² of gross retail floor space subdivided into at least 11 separate retail outlets and one outlet is food and drink of up to 250m² floor space;
 - 200m² gross office floor space subdivided into at least 2 separate units;
 - The gross food and drink floor space does not exceed 75m²; and
 - A day nursery/kindergarten facility for around 30 children;
- Underground communal car parks, to accommodate a minimum of one car per dwelling and a visitor's car park accommodating not less than 25 cars.
- Public amenity and play space not less than 3,270m².

5.3 The gross floor space subdivisions per site were as follows:

	Site A	Site B	Site C	Site D
Residential	3,700	43,000	7,900	22,000
Open Public Play	1,600	680	350	640

Space				
Neighbourhood Centre	Nil	1,025	Nil	Nil
Pedestrian Area	Nil	1,260	Nil	Nil

- 5.4 The proposed building height was not to exceed 3 floors plus 6 courses semi basement above the level of any proposed route bordering the individual blocks. Terracing of blocks having frontage between two streets were required to fit within the overall three dimensional massing concept. Higher building heights were only allowed through the application of the FAR.
- 5.5 The policy also required a landscaping scheme.
- 5.6 Additionally the policy required a detailed design of the necessary infrastructure to be submitted for sites A, B, C and D through a single development application. No compliance certificate for phased development was to be issued prior to the completion of all the works for utilities' services and public roads up to formation levels.
- 5.7 The 2006 policy required a one-time lump sum monetary contribution shared in proportion to land holdings for the purpose of implementing highway improvements, pedestrian areas, shared surfaces and landscaping of play areas.
- 5.8 The policy allowed for a two year time limit for the completion of a comprehensive utilities' plan. Such process was initiated by land owners with the area, however the process failed to produce an agreed outcome. The policy specified that failure to produce the said plan within the stipulated time frame would result in MEPA preparing and adopting an alternative scheme within the policy framework set out by the Planning Policy for *Ta' Masrija*. Therefore the aim of this document is to propose a plan for this area in accordance with the published objectives set by the Government.

6 Transportation Issues and Requirements

TEN-T Network

- 6.1 Part of the site fronts the Mellieha Bypass, which forms part of the TEN-T network. This road has been identified for upgrading as part of the on-going programme of TEN-T network upgrades.
- 6.2 Given that this is an arterial road, responsibility for it falls under Transport Malta; in fact, as part of the network upgrading programme, this section of road has been re-designed in order to upgrade to an appropriate level for its designation.
- 6.3 Given the importance of this road in the national network, there should be no direct access to/from it from any proposed development (reference is also made to existing Structure Plan policy RDS5); A service road is being introduced as part of the re-design of the Mellieha Bypass along this section; therefore, all access to/from the development that fronts the bypass should be from the service road, with no direct access to the arterial road.

Access

- 6.4 In view of the TEN-T network as discussed above, the main vehicular access would be through the junction *Triq Il-Kbira/Triq Il-Fortizza*, particularly for vehicles approaching from the south. A secondary junction is Mellieha Bypass/*Triq Il-Mithna L-Qadima*, although this would primarily serve vehicles approaching from the north.
- 6.5 Access to the inner areas of this part of Mellieha should therefore be limited to these two junctions, with no new openings on the Mellieha Bypass.

Traffic Issues

- 6.6 A Traffic Impact Statement (TIS) was carried out for the original proposal for this site; the TIS considered a number of junctions around the site and its immediate surroundings, with the critical junctions being Junction 1 (Mellieha Bypass/*Triq Il-Mithna L-Qadima*) and Junction 2 (*Triq Il-Kbira/Triq Il-Fortizza*); although no major capacity issues were identified in the TIS, the junction analysis showed that Junction 3 (*Telgha Ta' Selmun/Mellieha Bypass/Triq Il-Kbira/Triq Selmun*) is operating very close to its limit with minimal spare capacity; it should be noted that the TIS was based on 462 apartments, 704 parking spaces, 1,025m² neighbourhood centre and a 1,500m² club.
- 6.7 Any development proposals that include more land uses/floor-space etc. will have a higher traffic impact, which will affect the traffic management and operation in this area. Therefore appropriate mitigation measures should be taken into consideration in order to minimise the impact from this development.

Contributions

- 6.8 In view of the above, the promoters of any development proposals for this site will be required to make a financial contribution towards the upgrading of the Mellieha Bypass and its critical junctions.
- 6.9 As per standard procedure, the amount of this contribution will be dependent on the scale of the proposed development (the percentage of the overall site) and will be based on an estimate for works, as provided by Transport Malta.

7 Reviewed Policies

7.1 In order to assist in the perusal of the Partial Local Plan Review amendments, the proposed changes follow the same order as presented in the North West Local Plan (2006). The Planning Policy for *Ta' Masrija*, Mellieha (2006) is being superseded through this policy document.

7.2 Changes in List of Maps

7.2.1 Deletion from List of Maps of the North West Local Plan (Maps).

26	Mellieha <i>Ta' Masrija</i> Policy (Reference is to be deleted)
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7.3 Changes in Area Policies Section and Maps

7.3.1 Amendments to Policy NWML 1 of the North West Local Plan (2006)

NWML 1	Regeneration of Derelict Land at <i>Ta' Masrija</i>
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Development proposals on the site indicated on Map 25 must be in line with PC46/13 and any future amendments.
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The Local Plan (2006) allocated this 2.5ha site for a residential neighbourhood with. Due to the extensive amendments both to the Temporary Provisions Scheme and the draft Local Plan, MEPA approved a separate Planning Policy for <i>Ta' Masrija-Mellieha</i> (2006) which has been subsequently revised by PC 46/13.
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7.3.2 Amendments to North West Local Plan (2006) - Map 25

Reference on Mellieha West Policy Map (Map 25) "Refer to Map 26" is being replaced with "Refer to Map 2 – Policy Map, Map 3 - Height Limitation Map and Drawings 1 to 5 in PC 46/13".

7.3.3 North West Local Plan (2006) – Map 26

North West Local Plan (2006) Map 26 – Planning Policy for <i>Ta' Masrija Mellieha</i> is being superseded by Map 2 - Policy Map, Map 3 - Height Limitation Map and Drawings 1 to 5 in this policy document (PC 46/13).
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7.3.4 New Area Policy

NW-MASR-1	Regeneration of Derelict Land at <i>Ta' Masrija</i>
<p>MEPA may favourably consider proposals for development which comply with the below provisions and in line with the provisions shown on Policy Map 2, Height Limitation Map 3, Section Drawings A-A, B-B, C-C and D-D and the Schematic Elevation on <i>Triq Wettinger</i> for residential development. Planning applications for development fronting roads marked A-B, B-C and A-D can only be considered following the determination and compliance to planning applications for the development and establishment for each stretch of road, to establish the road levels and utilities as required by the relevant service providers and regulatory authorities.</p> <p>Zoning: The site area covered by this policy is zoned as a Residential Area (as shown on Map 2) and the applicable land uses are established by the North West Local Plan (2006) policy NWUS 3 except for the row of the proposed semi-detached villa development fronting the new road extension of <i>Triq I-Izbark tal-Francizi</i> and <i>Triq Louis Wettinger</i>, which area is zoned as a Residential Priority Area, for which policies NWUS 4 and NWML 3 of the North West Local Plan (2006) apply.</p> <p>Building Height Limitations: Any development proposal may not exceed the building height limitation and respective building profiles for the areas as shown on Map 3, Section Drawings A-A, B-B, C-C, D-D and the Schematic Elevation on <i>Triq Wettinger</i>. No additional structures (incl. penthouses) are allowed over and above the heights indicated. Subject to the above, the rest of the provisions of Policy NWUS 5 and Policy and Design Guidance 2007 or any subsequent review shall apply. Site shall not be subject to Floor Area Ratio planning considerations.</p> <p>Design: MEPA may favourably consider holistic change which will adopt a new design layout to achieve an improved design product and the location of the private open space may not necessarily be constrained by the provisions of Map 3. This can be achieved through the submission of a separate planning control application, which needs to cover a minimum plot area of 1200sqm.</p> <p>Public Open Space: An area marked X, Y, Z is zoned as an area of public open space and play area, together with an area at the junction with <i>Triq il-Mithna I-Qadima</i> (as shown on Map 2).</p> <p>Planning Gain: The developer(s) should make a one-time, lump sum, monetary contribution, shared in proportion to land holdings, to a fund set up by MEPA for the purpose of implementing this policy and specified in a legal obligation with MEPA, towards the implementation of the highway improvements at the Junction of <i>Triq il-Mithna I-Qadima</i> and the <i>Mizieb</i>; the construction of any proposed pedestrian areas and shared surfaces; and the construction, and</p>	

planting of the proposed public play space.

The proposed scheme strives to create a quality, residential neighbourhood, with its distinctive character and identity, which supports the formation of a community through a mix of residential development. The creation of attractive residential environments with a genuine sense of place is a prerequisite to achieving sustainability. The quality of residential areas depends not just on the design of buildings, but on their layout and landscaping, the arrangements made for access, including for persons with special needs, and in particular, how they relate to their surroundings. There is a need to create a residential area, which serves the needs of all people who use them, not just car drivers. The layout should provide for travel by foot, cycle, and wheelchair just as much as it should cater for travel by car.

The scheme for the site aims to break down the building blocks into more manageable volumes by the introduction of new routes throughout the site; through the allocation of open spaces; by proposing terracing of blocks across the site and along sloping routes. This policy addresses the deficiencies of the junction at *Triq il-Mithna l-Qadima* with the bypass *Triq Louis Wettinger* and the *Mizieb* junction.

Appendix 1 – Public Consultation Submissions on Published Objectives

Ref	Respondent	Date	Summary of Comments Received
MPR/1/01	Charles Downing	08/01/2014	<p>Mr. Downing welcomes anything that limits building heights and density of units. There are numerous empty and unfinished apartment blocks in Mellieha and elsewhere.</p> <p>The new development should comply with the energy conservation regulations.</p>
MPR/1/02	Perit Carmel Cacopardo o.b.o. clients	14/01/2014	<p>The prohibition of the application of the Floor Area Ratio is welcomed. The proposed building heights should be compatible with the commitments in the adjacent areas as well as respect the site contours.</p> <p>The determined building height should not through shadowing impede the use of solar energy in existing build up area.</p> <p>Excessive commercial development which would encourage patrons from other localities to visit the site should not be promoted in order to avoid and reduce excessive traffic generation.</p> <p>No part of the site should be reserved for industrial use, semi-industrial use or light industry.</p>
MPR/1/03	Perit Philip Micallef o.b.o. Marianne Caruana et all. owners of site D	17/01/2014	<p>The proposed road alignment is to be in such a manner that the site referred to in submission can be easily phased and sub-divided from a construction and land-ownership point of view. A proposed scheme has been included. This scheme has already been submitted for the consideration of the authority in the outline application PA 1302/06.</p> <p>There is no objection to the elimination of the comprehensive planning in so far as the site configuration / master plan adopted by MEPA on the indicated site is as per proposed attached.</p> <p>It is proposed that the height limitation is to be 14m (3 floors + semi basement as per Policy 2.1 DC2006) taken from the highest road level of the site. The height limitation within the site is to be so to allow for the overall development of 22,000m². of residential floor space as Per MAP 5 of the existing Policy.</p> <p>The proposed master plan here in has three major components:</p> <ol style="list-style-type: none"> 1. the extension of the existing semi-detached development along Triq Louis Wettinger. Hence from a distance, the front line development will read as an extension to the existing string of dwellings. 2. the construction of terraced development with frontages along the extended portion of Triq L-Izbark tal-Francizi and Triq Ir- Rattan. This section of the site is located directly above bedrock and can be developed without any particular

			<p>difficulty.</p> <p>3. Comprises the construction of terraced development with frontages on <i>Triq Il-Masrija</i> and <i>Triq Ir-Rihan</i>. This component of the project is sited directly over the existing quarry and a comprehensive / unified development of this section of the site is required in lieu of the physical difficulty created on site in view of the existing quarry.</p> <p>The proposed road network shall be entirely on the client's site and is generally in line with the road network proposed in the 1988 TPS, wherein the proposed site layout is merely an extension of what exists on the periphery of the site.</p> <p>This proposal will ensure that the least of inconvenience is caused to the surrounding residences since the proposal in its essence is a continuation of the same existing scheme which has worked for the rest of the area.</p>
MPR/1/04	Perit Joseph Attard o.b.o. Mellieha Local Council	20/01/2014	<p>The LC agrees that the master plan for the area is adopted by MEPA in order to establish road alignments, land uses and building heights;</p> <p>The LC is in favour of the elimination for the need of a comprehensive planning by the land owners provided development follows MEPA's master plan;</p> <p>The LC favorably considers the prohibition of the adoption of the Floor Area Ratio (FAR) for this particular sensitive site, in view that the village's skyline would be negatively affected in terms of long distance views;</p> <p>The LC is of the idea that a financial planning gain is imposed on the respective developers, which planning gain would be eventually handed over to the LC for the regeneration and improvements of urban areas within the Mellieha locality</p>
MPR/1/05	Perit Stephen Farrugia o.b.o. Golden Head Ltd owners of site B	20/01/2014	<p>The issuing of new planning objectives for the site in question is welcomed primarily due to the fact that the current development brief and its planning parameters have not managed to produce positive results in spite of the current development planning applications on the site.</p> <p>Objective 1 It is felt that with the MEPA approval of PA 4649/09 and 4554/06 and with specific reference to the alignment of the spine road, there does not exist the need to work on a new master plan as this has already been decided and to a certain extent prejudiced by this decision. If anything any new master plan should only be adopted on each individual site independently. In this regard, apart from road alignments and land uses, the buildings heights should only be set as not higher than three floors plus semi-basement from the upper street (<i>Triq il-Masrija</i>) only.</p> <p>Objective 2 The elimination of the need for comprehensive planning of the consolidated site is deemed to be paramount to the success of any future development on the site and this in context of the</p>

			<p>comment on objective1 above. However comprehensive planning should still be considered on Site B, but the layout should not be imposed by MEPA but left to be designed ad hoc.</p> <p>Objective 3 The prohibition of FAR on the site is deemed acceptable if the total habitable floor space is not decreased as per <i>Ta'Masrija</i> Planning Policy (2006) and neither should it be capped.</p>
MPR/1/06	Denise Cauchi	20/01/2014	<p>Consultation and information meetings should be held with all residents on how the development will and may affect the area.</p> <p>The height of the building should be of the same height of all other properties found in the same area.</p> <p>Design of building should reflect the Maltese house building character and not the usual block of apartments which are currently in fashion.</p> <p>MEPA should consider before authorising more development of this large scale better road infrastructure.</p>
MPR/1/07	Perit Godwin Vella obo Ballut Blocks Services Ltd	17/01/2014	<p>There are no objections in principle to the phase 1 objectives and request to be informed and included in any discussions regarding the adaptation of a master plan. There should be consultation with all owners should there be changes to the road alignment that was agreed in previous proposed mater plan.</p>
MPR/1/08	Avv. Joanne Vella Cuschieri obo Marianne Caruana et all owners of site D	17/01/2013	<p>The clients hope that they are given the same opportunities as the other owners of the policy area with regards discussions on the policy and their ownership rights. Over the past process, the clients felt that they were treated differently from other owners and thus had to resolute subpoena.</p> <p>Further to the submission by Perit Philip Micallef owners of the site D would like to add the following. <u>The adoption of a master plan by MEPA.....</u> The owners of this parcel of land want a master plan that enables the subdivision of the property and its development with ease and any unnecessary complications. The topography and the limitations the site presents since part of it is a quarry need to be taken into consideration. Owners have already submitted an outline application bearing number PA1302/06, of how the site can be developed and subdivided between the owners. Copy of the plan attached.</p> <p><u>Roads</u> Triq I-Izbark tal-Francizi should be extended on Site D. this proposal is in line with the road network proposed in the 1988 TPS and was still propose until January 2006. The proposed road will be entirely on the clients' site and an extension of what exists on the periphery of the site.</p> <p><u>Land Uses and Building Height</u></p>

			<p>The building height indicated in PA1302/06 should apply. The height limitation is to be 14m (3 floors + semi basement as per Policy 2.1 DC2006) taken from the highest road level of the site. It is also being proposed that the lower part of the site is to be developed as detached and semi detached villas in line with the adjacent development on the periphery of the site. The development of villas can be considered as an improvement on the existing proposal.</p> <p><u>Toeliminatetheneedforcomprehensiveplanning.....</u> There is no objection to the requirement that the site is planned comprehensively as long as all the owners of the policy area are treated equally and no constraints are placed on any parcel of the site to the deterrent of other owners. Further all pending planning applications should be processed simultaneously.</p> <p><u>ToprohibittheadoptionoftheuseoftheFARforthesite</u> The clients have no objection towards this proposal as they are not requesting anything that over and above that allowed in the 1988 TPS. All other policies including development between two streets should still apply. The same building height should be applicable to all the policy area without any exceptions on any part of the site.</p> <p>The applicants request that they be updated with any progress and are included any discussion meeting related to this policy</p>
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Appendix 2 – Public Consultation Submissions on Published 1st Draft Policy

Subject	Respondent/ Date	Summary of Issues	Reference Number	Way Forward
Exclusion of certain business categories and industrial uses, and identification of the responsible body for the upkeep of soft areas.	Carmel Debono <i>obo</i> Mellieha Local Council 26/02/2015	<p>The respondent raised the following issues which did not emerge clearly from the published document:</p> <ul style="list-style-type: none"> (i) Businesses that are likely to attract customers from other areas are to be prohibited, in order to eliminate traffic congestion and bad neighbourliness; (ii) Garages used for industrial purposes are to be prohibited; and (iii) The responsibility for the upkeep of the soft areas between the building blocks should be determined. 	MPR-2-01	Issues to be dealt with when assessing PA applications.
Inclusion of dwellings at Triq Ghajn Rihan within Ta' Masrija masterplan.	Mr. Keith Micallef 27/02/2015	<p>The respondent requested an explanation for the inclusion of a number of dwellings located at Triq ir-Rihan within Ta' Masrija Masterplan. It was noted that this inclusion conflicts with the site description, which states the following:</p> <p><i>A large disused hard stone quarry to the west, another disused old quarry to the east and a rock outcrop separating the two quarries.</i></p>	MPR-2-02	The public consultation is for the revision of the Planning Policy for Ta' Masrija, Mellieha (2006). The policy boundary in the 2006 planning policy included Triq ir-Rihan, and the boundary needs to reflect the boundary of the policy being revised. Additionally, the revised policy is proposing new road alignments, which link Triq ir-Rihan to the rest of the area.
To confirm site qualification for an additional floor.	Catherine Galea A&CE <i>obo</i> Mr. Ray Cassar 03/03/2015	The respondent requested confirmation that the site located at Triq ir-Rihan, subject to development permit PA 1647/11, qualifies for an additional floor, as per Map 3 and Section D-D of the public consultation draft planning policy for Ta' Masrija, Mellieha.	MPR-2-03	If scheme is approved as it is proposed in the draft policy, the site covered by PA 1647/11 will be subject to a height limitation of four (4) floors.

Recommended revisions to draft policy.	Stephen Farrugia A&CE 25/03/2015	<p>The respondent recommended a number of revisions to the draft policy, which include the following:</p> <ul style="list-style-type: none"> (i) Revision of Map 3 to earmark the area marked as 'pavement', next to the 'Public Open Space' designation, as a developable zone up to the street frontage. Façade treatment should be allowed to prevent blank side walls; (ii) A reworded policy should allow the possibility, in the case of single ownership, to resort to the normal practice of reducing the dimensions of the backyard common airspace to 75% of that normally required by sanitary regulations; and (iii) Policy should be reworded to allow for a minimum area where the private open space can be juxtaposed according to different design criteria. 	MPR-2-04	<ul style="list-style-type: none"> (i) The area marked as 'pavement', next to the designated 'Public Open Space', will not create a blank wall since this was intended to provide for vehicular access to the block behind the 'Public Open Space'; (ii) The reduction of the backyard to 75% of what is normally required by sanitary regulations will be dealt with during the processing of PA applications; (iii) The following text is to be included to the policy: <i>MEPA may favourably consider holistic change which will adopt a new design layout to achieve an improved design product and the location of the private open space may not necessarily be constrained by the provisions of Map 3. This can be achieved through the submission of a separate planning control application, which needs to cover a minimum plot area of 1200sqm.</i>
To revise height limitations.	Carmel Cacopardo A&CE obo clients residing at Ta' Masrija area 06/04/2015	<p>The respondent noted that residents of Ta' Masrija area welcome the proposed zoning of the site. However, the height limitations are excessive and not compatible with the existing development in the area, which is characterized by a height of two or three floors.</p> <p>The respondent added that the proposed heights</p>	MPR-2-05	The proposed height limitations will not exceed the 3 floors, semi-basement and penthouse from Triq il-Masrija .

		<p>would result in impacts such as pressures of traffic generation and services on the existing infrastructure, and excessive shadowing on existing properties.</p> <p>It was recommended to reduce the intensity of the proposed development primarily through the reduction in the permissible height.</p>		
Light pollution concerns	Mr. Steve Micklewright <i>obo</i> Birdlife Malta 06/04/2015	<p>BirdLife Malta noted that the development would raise light pollution concerns, particularly regarding its impact on seabird colonies, other fauna, humans, environment and wasted energy. The organisation stated that it is essential to adopt necessary policies to prevent further sprawl of light pollution, and recommended the following measures to reduce its impact on seabird colonies, the environment and economy:</p> <ul style="list-style-type: none"> (i) Full cut-off lighting; (ii) Light restrictions; (iii) Using different types and wavelengths of light; (iv) Timed lighting; (v) Alternative road lighting; (vi) Planning systems; (vii) Blanket prohibition on globe lights; and (viii) Light shields. 	MPR-2-06	The potential for energy saving and mitigation measures against light pollution should be taken into account at the design stage when assessing PA applications, in line with Energy and Infrastructure policies. A condition may be imposed at full development stage to include a number of mitigation measures against light pollution in particular.
Proposed change in layout plan	William Lewis A&CE <i>obo</i> Mr. John Bonavia 09/04/2015	<p>The respondent requested the following amendments to the layout plan as proposed in the draft policy:</p> <ul style="list-style-type: none"> (i) To remove the extension of <i>Triq l-Isbark tal-Francizi</i>, as indicated on plan PC46/13/39C, and in turn extend the service road along <i>Triq Louis Wettinger</i> (as originally proposed by TM at doc. 24A) – see doc. 50A; 	MPR-2-07 (late submission)	

		(ii) In view of the above amendments to the road layout, sectional drawing PC46/13/39G would have to be eliminated and replaced by a revised section reflecting the new layout – see doc. 50B.		
--	--	--	--	--

REVIEW OF THE 2006 TA' MASRIJA
PLANNING POLICY - MELLIEHA

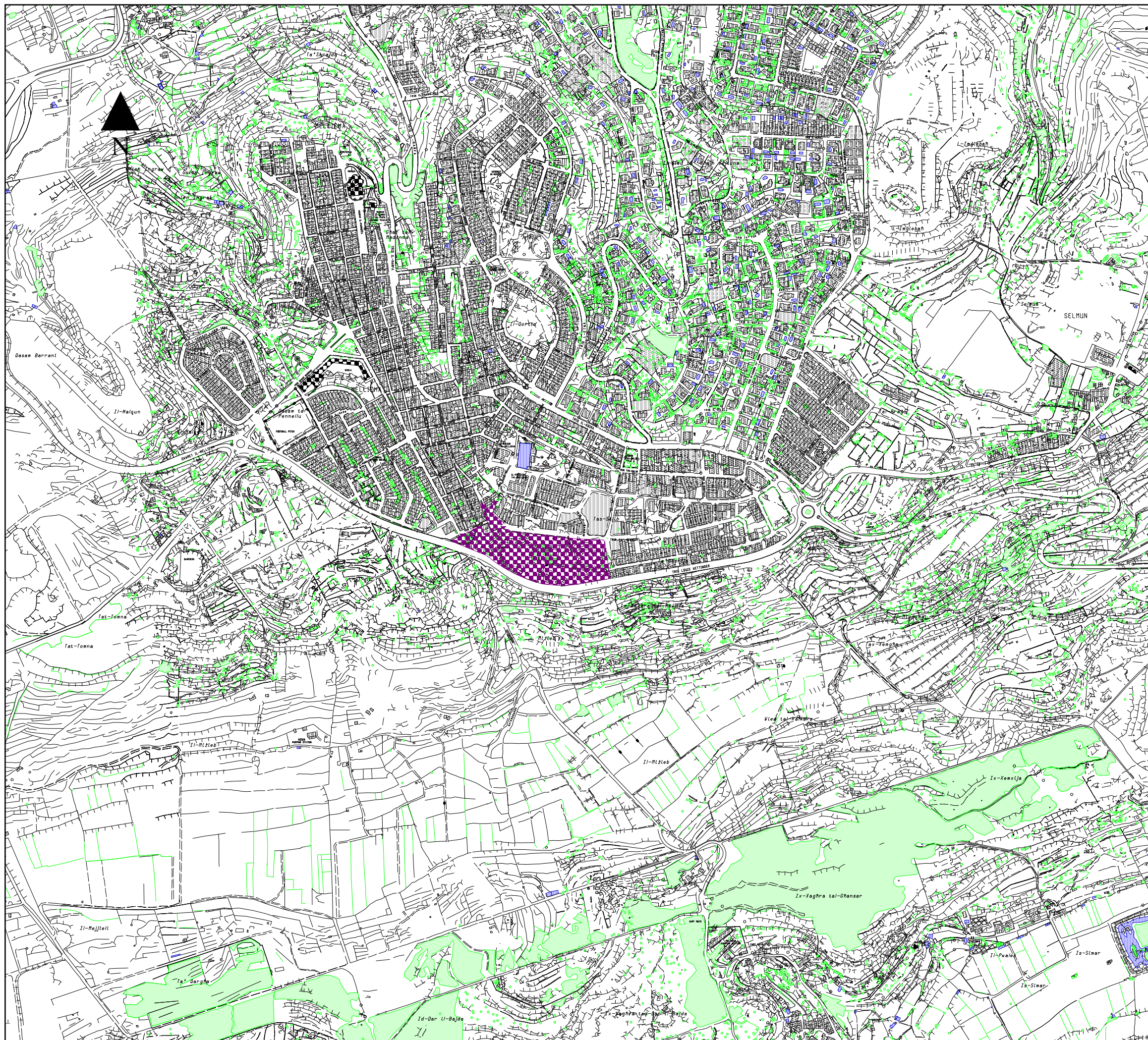


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Malta Environment & Planning Authority

Key



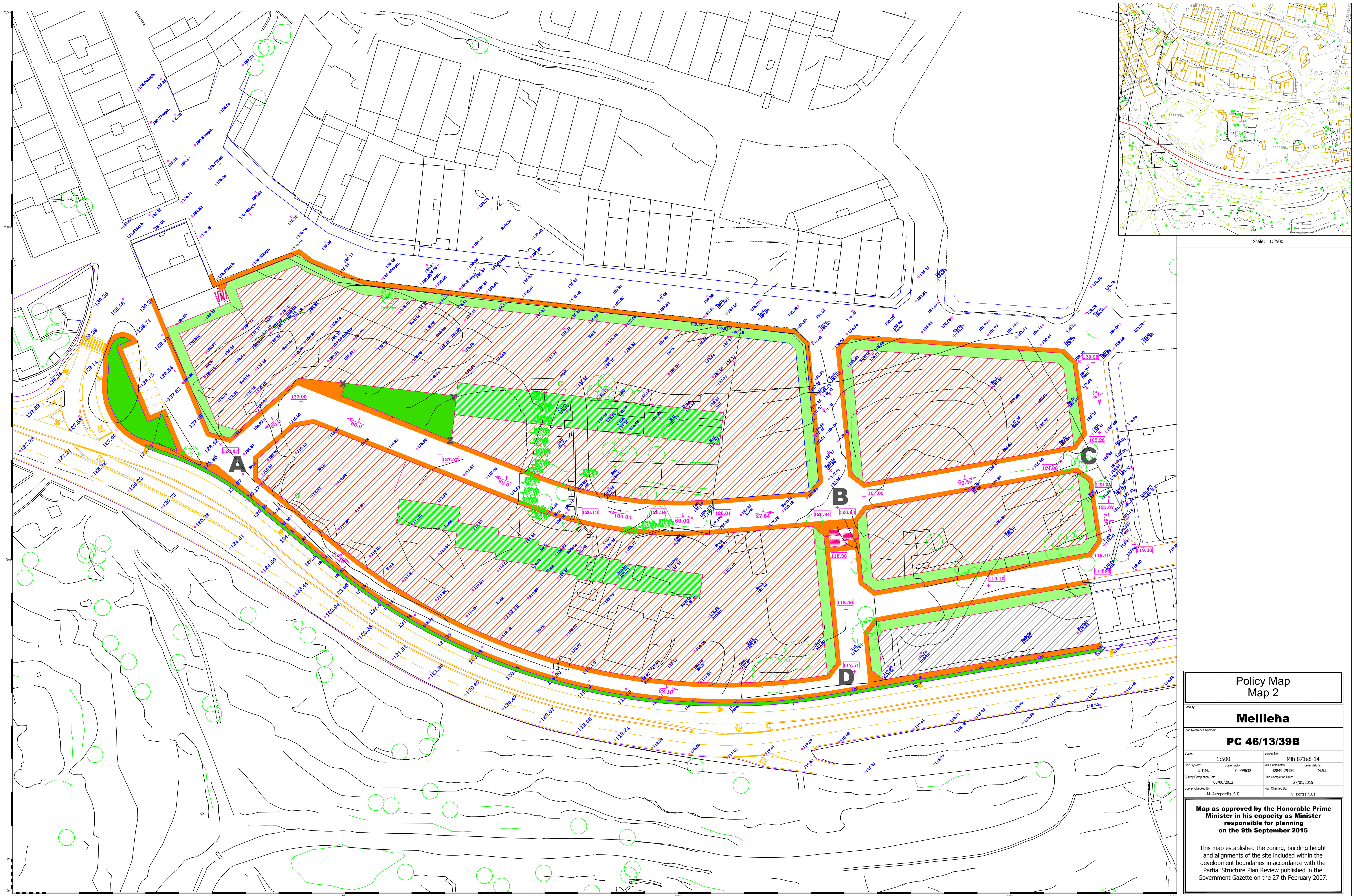
Site Location



Regional Context
PC46/13/39A

Scale :	Date :	Map:
1:8,500	August 2015	1
INDICATIVE ONLY Not to be used for direct interpretation.		

Base Maps - 1988 Survey Sheets
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Scale: 1:2500

**Policy Map
Map 2**

Mellieħa


PC 46/13/39B

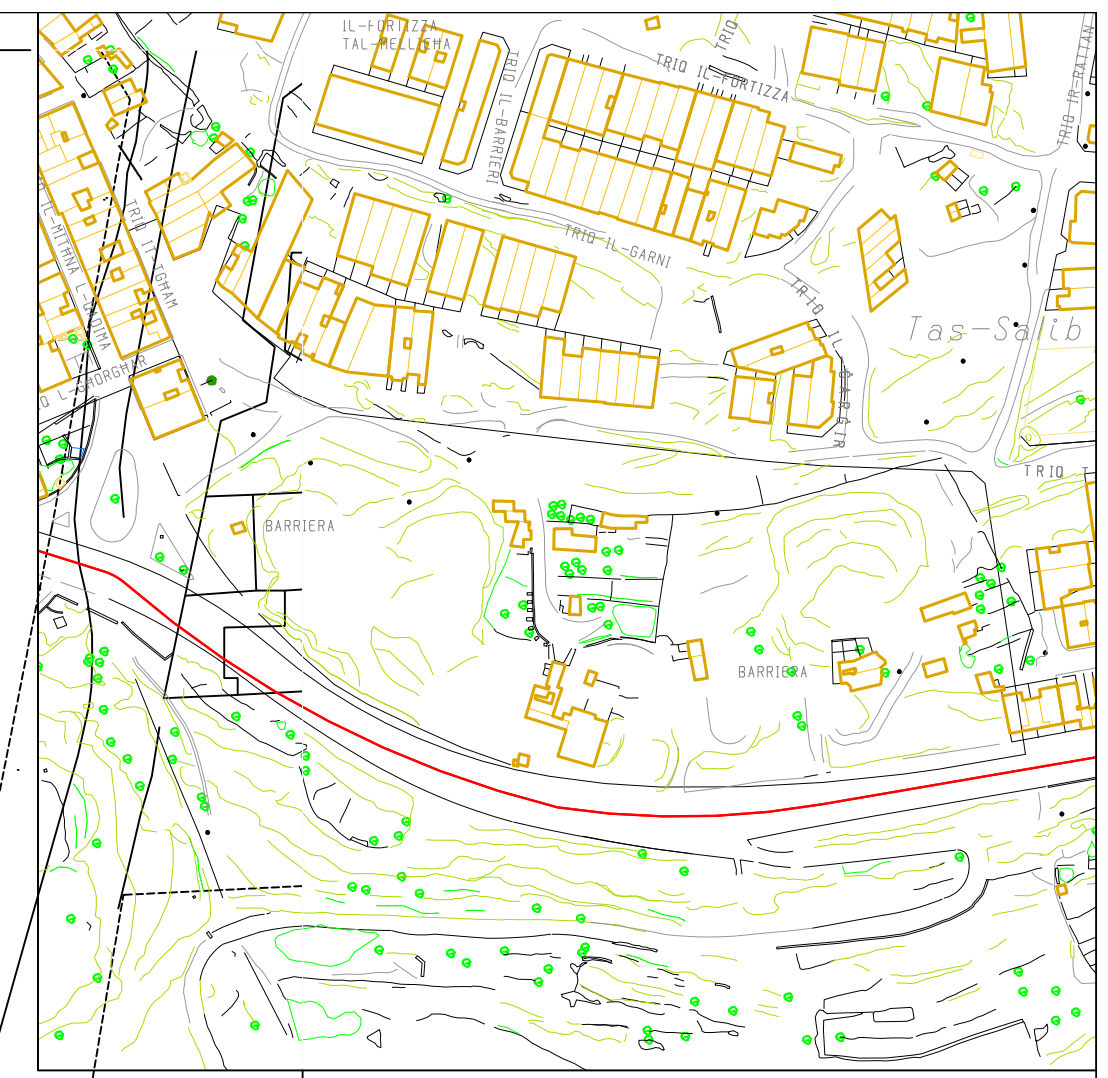
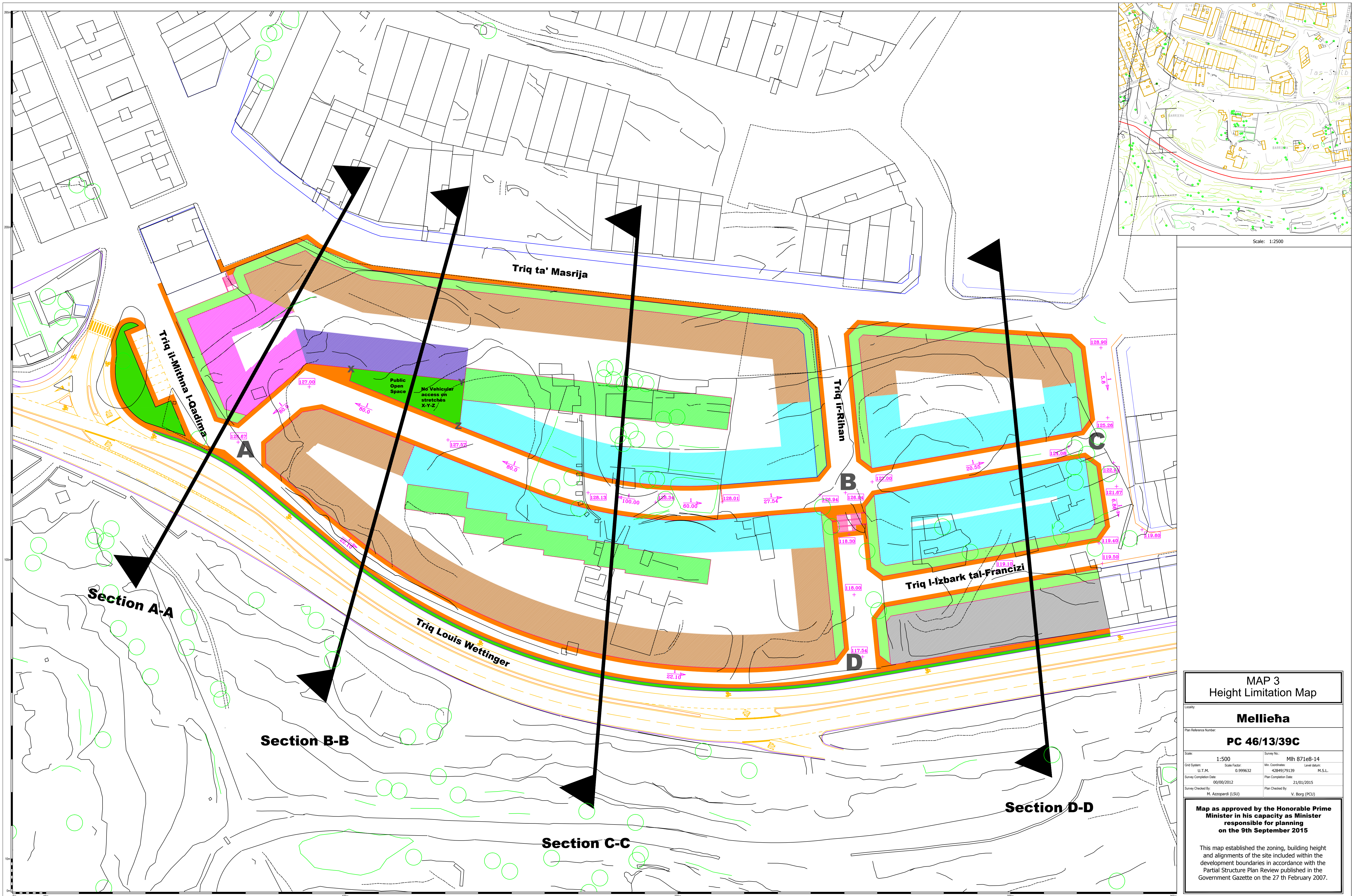
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Min. Coordinates:	42849179139	Level datum:	M.S.L.
Survey Completion Date:	00/00/2012	Plan Completion Date:	27/01/2015
Survey Checked By:	M. Azzopardi (LSU)	Plan Checked By:	V. Borg (PCU)

Map as approved by the Honorable Prime Minister in his capacity as Minister responsible for planning on the 9th September 2015

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

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





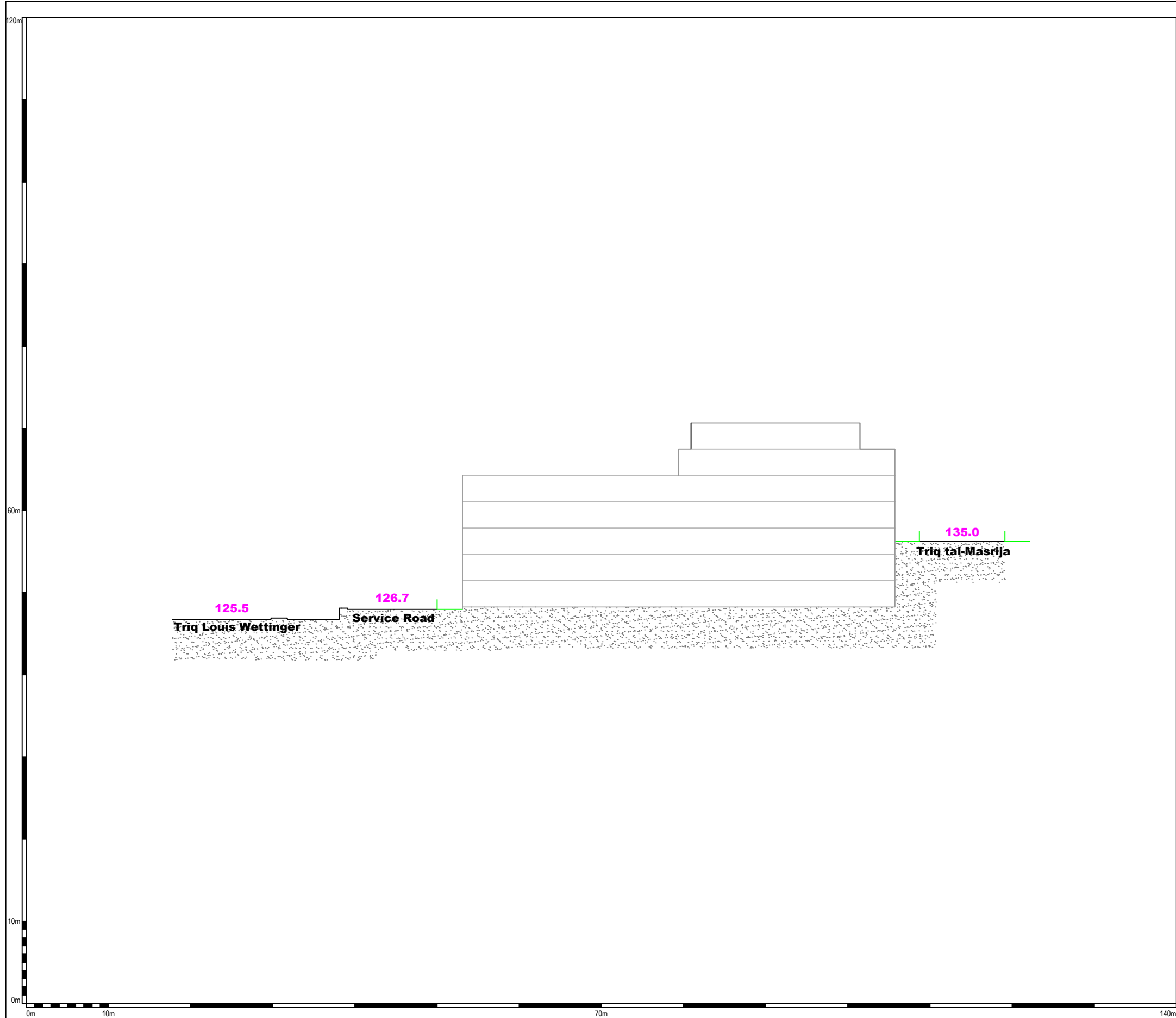
MAP 3	
Height Limitation Map	
Locality:	
Mellieħa	
Plan Reference Number:	
PC 46/13/39C	
Scale:	1:500
Survey No.:	Mh 871e8-14
Grid System:	U.T.M.
Scale Factor:	0.999632
Min. Coordinates:	42849/79139
Level datum:	M.S.L.
Survey Completion Date:	00/00/2012
Plan Completion Date:	21/01/2015
Survey Checked By:	M. Azzopardi (LSU)
Plan Checked By:	V. Borg (PCU)

Map as approved by the Honorable Prime Minister in his capacity as Minister responsible for planning on the 9th September 2015

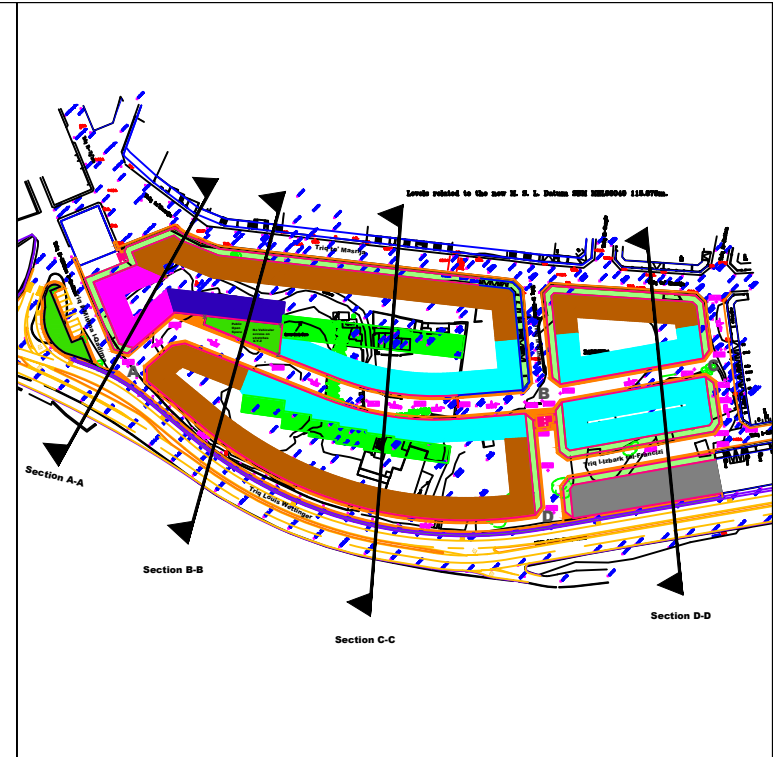
This map established the zoning, building height and alignments of the site included within the development boundaries in accordance with the Partial Structure Plan Review published in the Government Gazette on the 27th February 2007.

Height Limitation to be measured along facade.
Floors at higher levels to be recessed according to sections.

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



Legend:
 120.0 Formation Level



Not to Scale

Height Limitation Section A-A

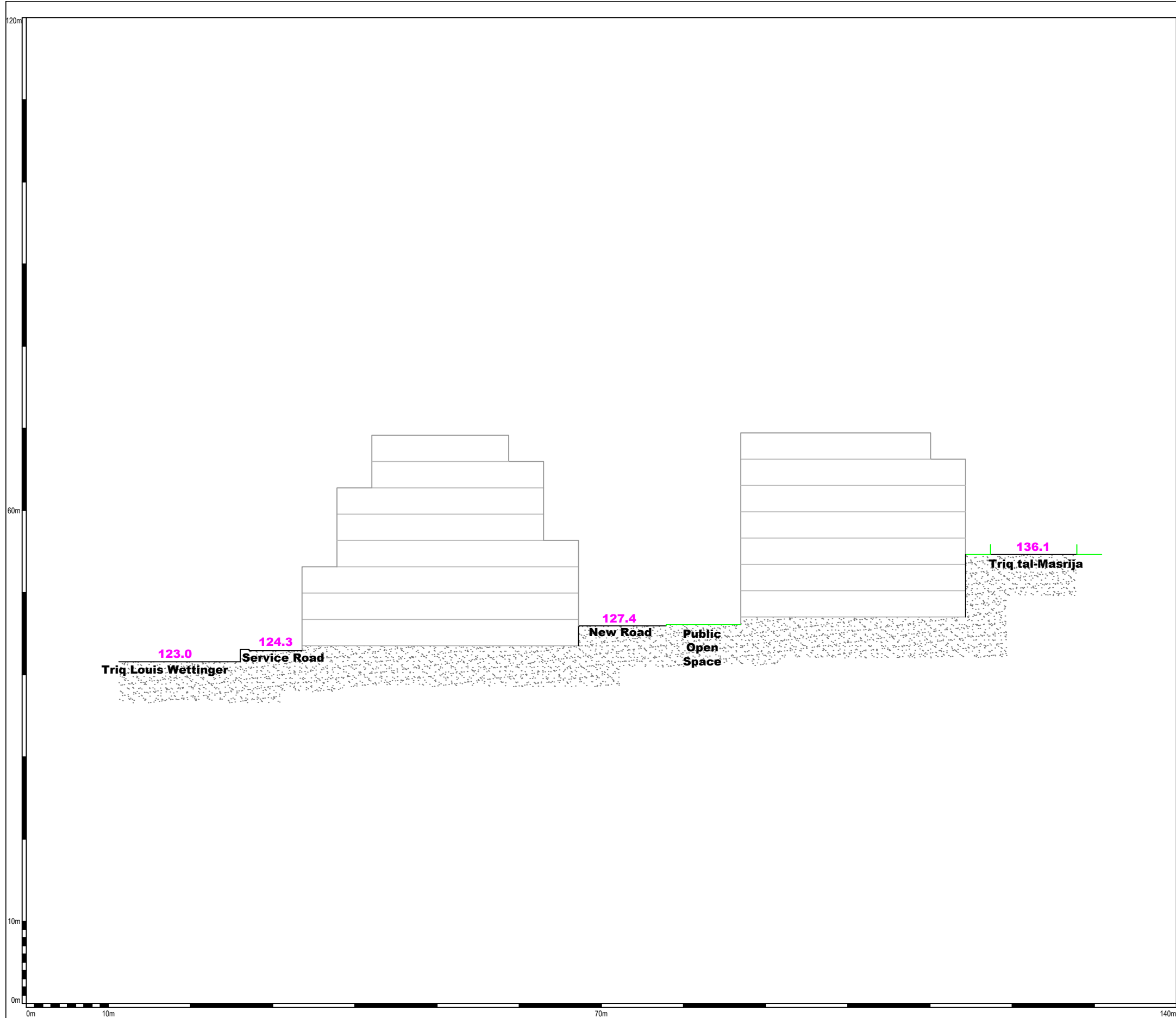
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Plan Reference Number: PC 46/13/39D	
Scale: 1:500	Survey No.: MIh 871e8-14
Plan Completion Date: 27/01/2015	Level datum: M.S.L.

Map as approved by the Honorable Prime Minister in his capacity as Minister responsible for planning on the 9th September 2015

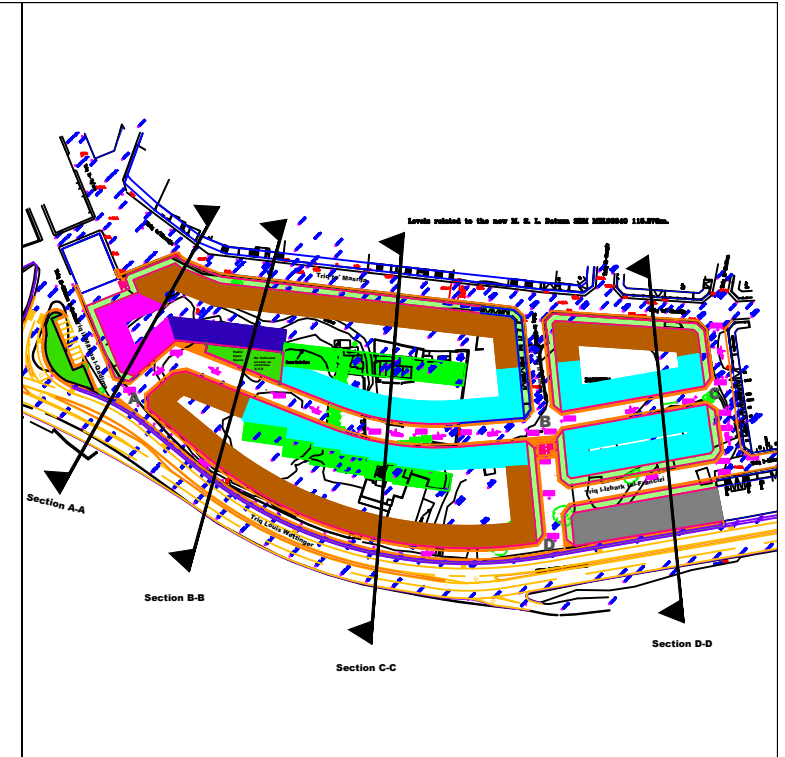
This map established the zoning, building height and alignments of the site included within the development boundaries in accordance with the Partial Structure Plan Review published in the Government Gazette on the 27 th February 2007.

Disclaimer:
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Legend:
120.0 Formation Level



Not to Scale

Height Limitation Section B-B

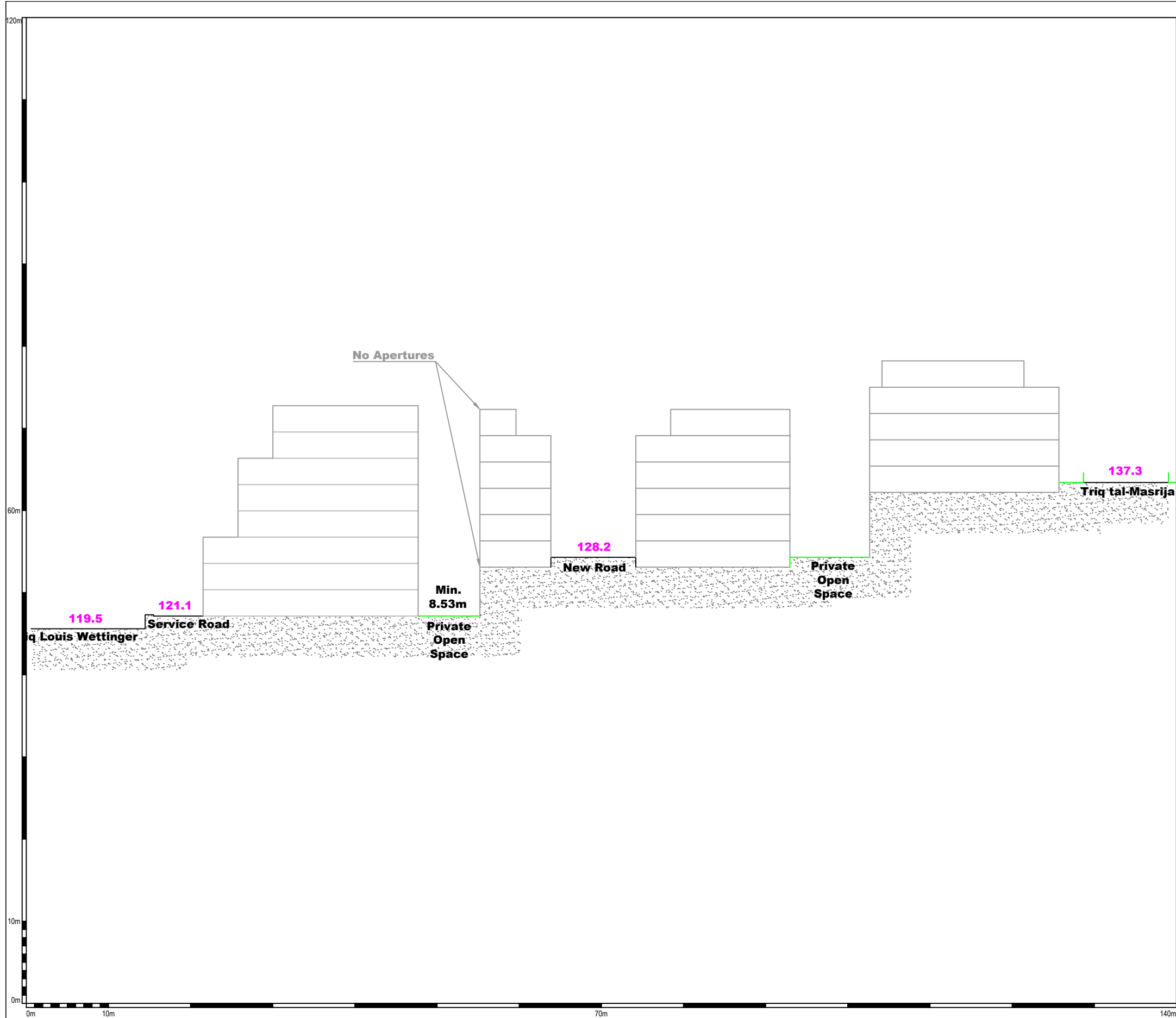
Locality: <h1 style="text-align: center;">Mellieħa</h1>	
Plan Reference Number: <h2 style="text-align: center;">PC 46/13/39E</h2>	
Scale: 1:500	Survey No.: MIh 871e8-14
Plan Completion Date: 27/01/2015	Level datum: M.S.L.

Map as approved by the Honorable Prime Minister in his capacity as Minister responsible for planning on the 9th September 2015

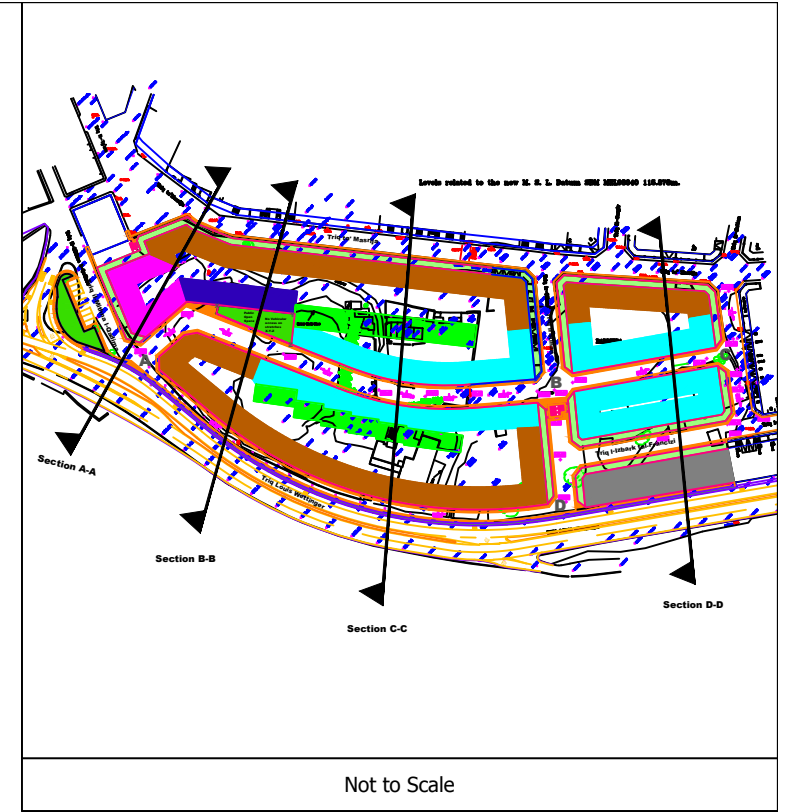
This map established the zoning, building height and alignments of the site included within the development boundaries in accordance with the Partial Structure Plan Review published in the Government Gazette on the 27 th February 2007.

Disclaimer:
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Legend:
 120.0 Formation Level



Not to Scale

Height Limitation Section C-C

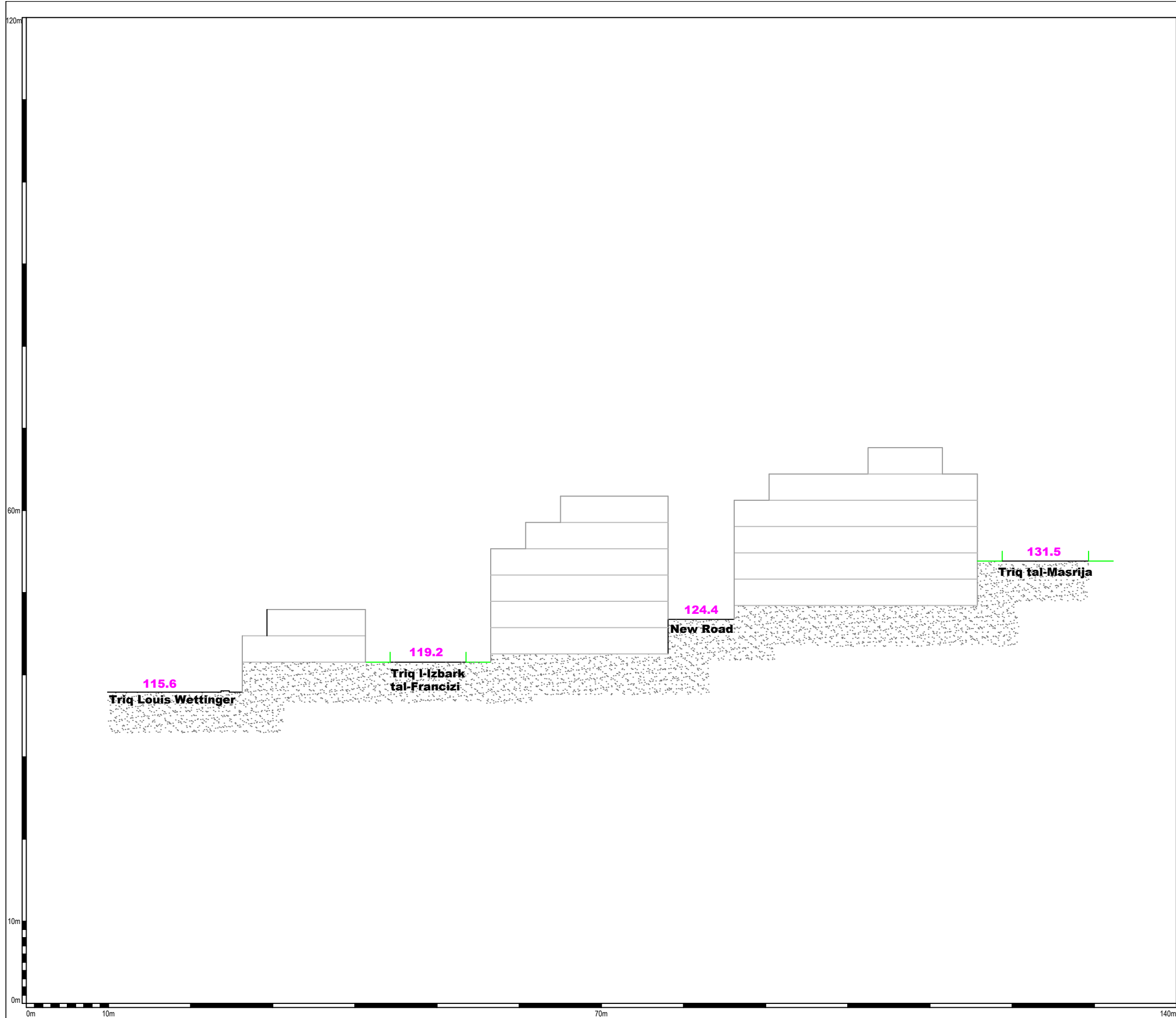
Locality: Mellieħa	
Plan Reference Number: PC 46/13/39F	
Scale: 1:500	Survey No.: MIh 871e8-14
Plan Completion Date: 27/01/2015	Level datum: M.S.L.

Map as approved by the Honorable Prime Minister in his capacity as Minister responsible for planning on the 9th September 2015

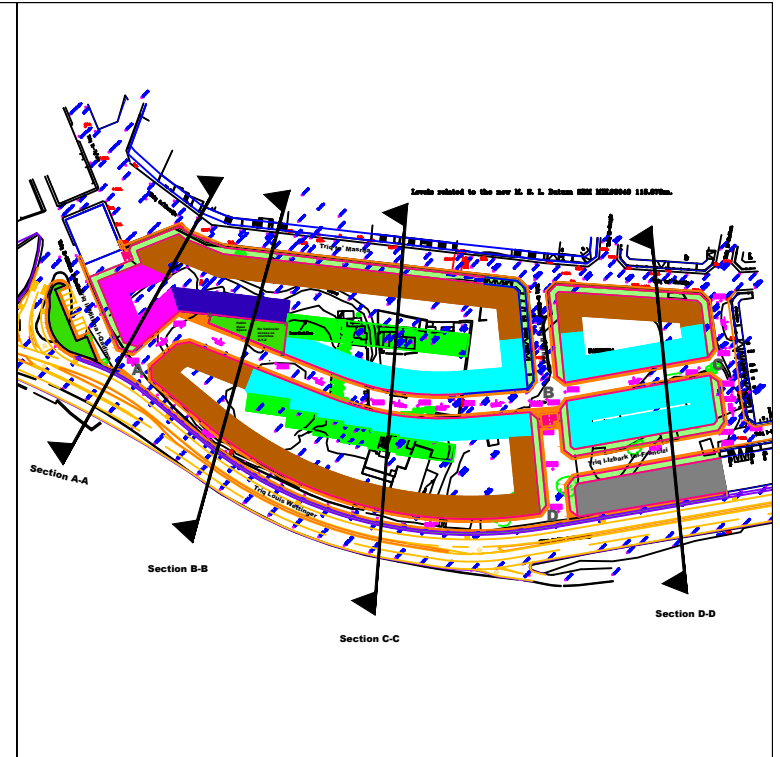
This map established the zoning, building height and alignments of the site included within the development boundaries in accordance with the Partial Structure Plan Review published in the Government Gazette on the 27th February 2007.

Disclaimer:
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Legend:
 120.0 Formation Level



Not to Scale

Height Limitation Section D-D

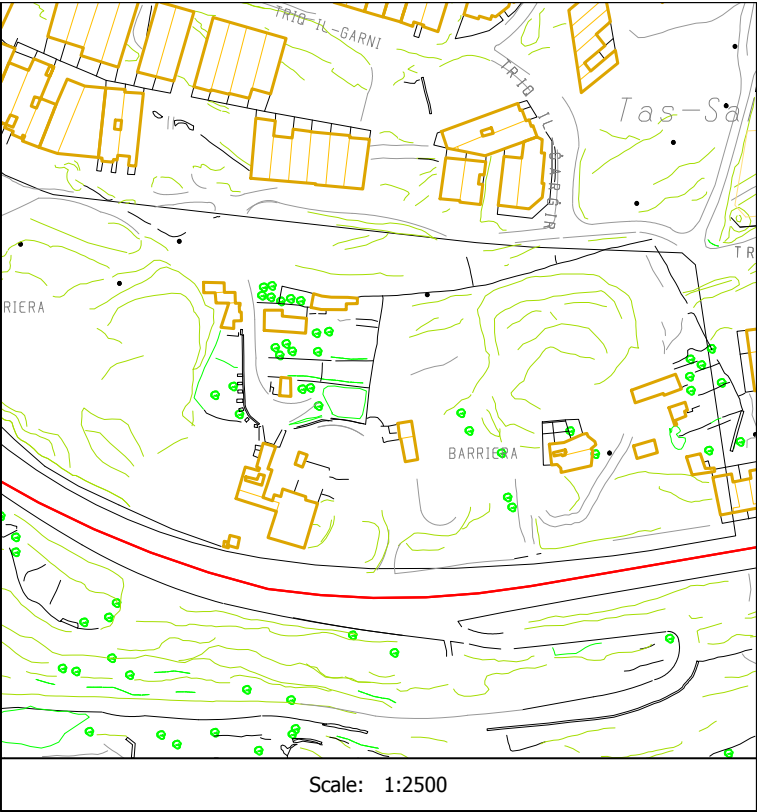
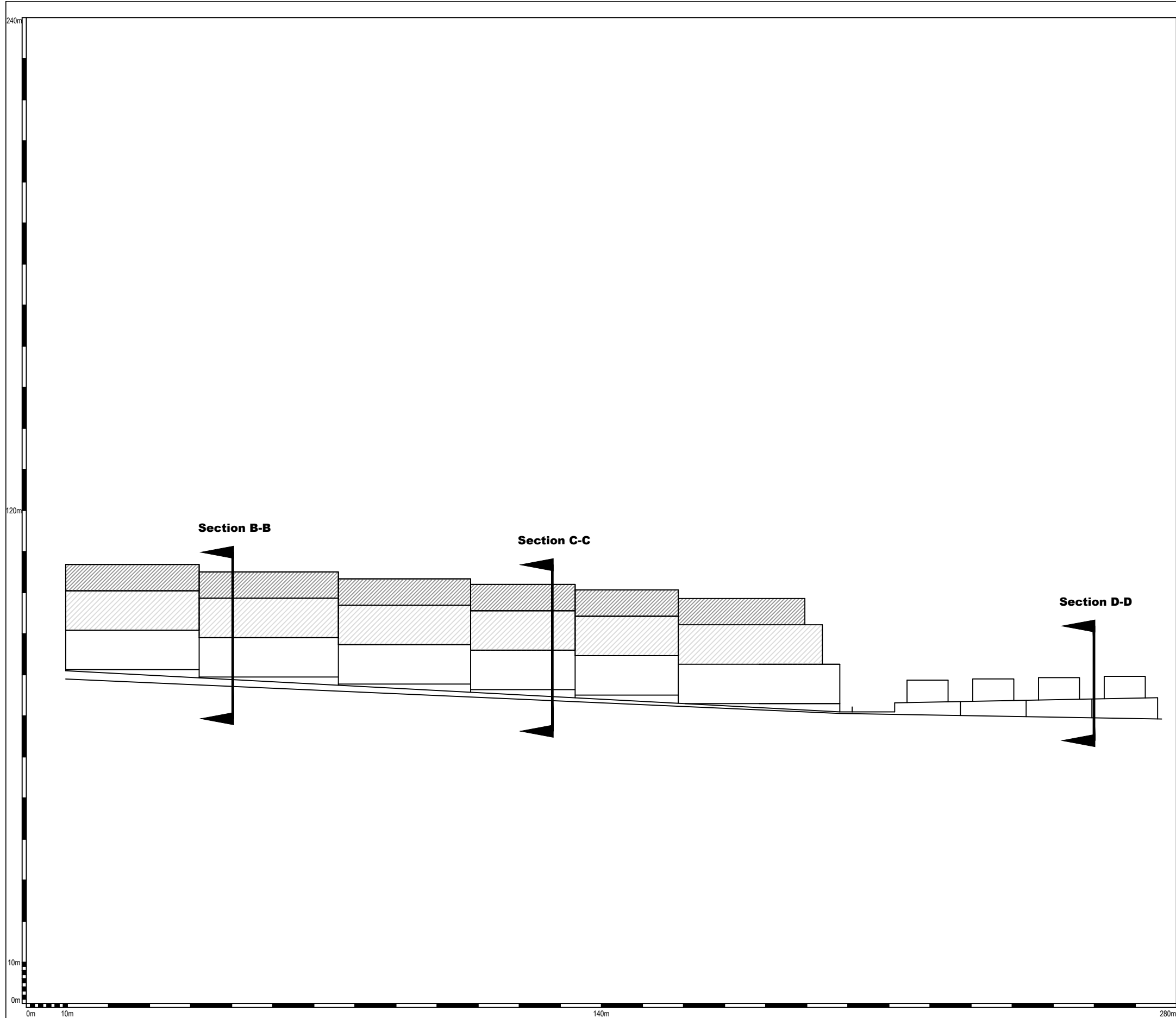
Locality: Mellieħa	
Plan Reference Number: PC 46/13/39G	
Scale: 1:500	Survey No.: MIh 871e8-14
Plan Completion Date: 27/01/2015	Level datum: M.S.L.

Map as approved by the Honorable Prime Minister in his capacity as Minister responsible for planning on the 9th September 2015

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

Disclaimer:
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**Schematic Elevation
on Triq Wettinger**

Locality:
Mellieħa

Plan Reference Number:
PC 46/13/39H

Scale: 1:1000	Survey No.: MIh 871e8-14
Plan Completion Date: 27/01/2015	Level datum: M.S.L.

Map as approved by the Honorable Prime Minister in his capacity as Minister responsible for planning on the 9th September 2015

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

Legend:

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



PC Number: PC 0041/07

Proposal: To amend the zoning and development parameters in policies NWML4 and NWML12 of the North West Local Plan.

Location: Site at Triq Is-Sliem, Triq Il-Ghaqda and Triq Il-Hena, Santa Maria Estate, Mellieha.

Architect: MEPA

Applicant: MEPA

Date of Endorsement: 25th February, 2009.

Conditions:

NWML 4 Residential Zoning in the Residential Priority Area

The areas indicated on Map 27 are to be zoned for residential uses only with the buildings being constructed as detailed below: -

HOS Villas - sites should have maximum site coverage of 40%, a height limitation of 2 floors and a side curtilage of 3.0m. Any additional conditions imposed by the Housing Authority regarding building design also apply;

Tal-Qortin Villas - sites should have maximum site coverage of 40%, a height limitation of 2 floors, a minimum side curtilage of 3m and garages within the side curtilage or within the building line. The use of basements in these areas for separate dwelling units will not be permitted;

Tal-Qortin Terraced Houses - sites can be developed for a mix of residential units (terraced houses, maisonettes, or flats provided the total floorspace of each unit is not less than 100m². Height of buildings is not to exceed three floors plus three courses basement. Commercial uses within this area will not be permitted.

Tal-Qortin Comprehensive Schemes - the development of this area should not increase the existing residential densities and should not have an adverse impact on the existing residential character. No further extensions to existing buildings beyond their footprint will be allowed. The height of buildings on the site shall conform to the building heights on the Building Heights Map 29. The currently vacant land at the centre of the site, as shown on Map 27, can be developed into residential units on a maximum height of two floors provided that 260sqm are allocated and built as public open space as part of the development and the built site coverage for the remaining part of the site does not exceed 30%. MEPA will impose a bond to ensure that the public open space is actually implemented.

Santa Maria Estate Villa Sites for detached or semi detached dwellings (Refer to Maps 27 and 27a) – the zoning of these properties is changed from bungalow to villa with the following land use and design parameters:

- detached or semi detached dwelling type;
- maximum site coverage of 40%;

- residential densities are not to exceed 40 dwellings per hectare;
- minimum site curtilage of 3.0m;
- maximum height limitation of 2 floors with only two habitable floors provided the height of buildings does not exceed:
 - 60.20m above mean sea level on site C;
 - 69.60m above mean sea level on site D;
 - 64.35m above mean sea level on site E; and
 - 58.50m above mean sea level on site F
 and no stairwells/hoods, washrooms or liferooms are constructed above this height ;
- garages to be within the building line; and
- an area for soft landscaping of 30% of the site area is allocated within the site.

The provisions of paragraph 2.8 of Development Control Policy and Design Guidance of 2007 shall also apply. In the case of conflict between the provisions of this policy and paragraph 2.8 of Development Control Policy and Design Guidance 2007, the provisions of this policy shall prevail.

The bungalow sites within Santa Maria Estate and Tal-Qortin are to be developed in accordance with the Development Control Policy and Design Guidance 2005. The use of basements in these areas for separate dwelling units will not be permitted.

The construction of bungalows on sites larger than 1 tumolo will not normally be allowed. Consideration to develop bungalows on sites smaller than 1 tumolo will only be given if the site is a residual plot constrained by other plots built according to permission or public roads.

17.1.15 Given the mixed zonings within the Residential Priority Area it is important that the acceptable land-uses and the design of buildings is clearly specified in order to allow the proper control of developments within these areas. The villa site within the Home Ownership Scheme is wedged between terraced developments but the semi-detached character should still be retained.

17.1.16 The villa and terraced house zonings at tal-Qortin are not in line with the character of the area and should not be allowed to expand. Hence conditions are being imposed which restrict the use of basements for habitation and the location of commercial uses and impose a minimum floorspace requirement for dwellings in the terraced house area.

17.1.17 The centrally located site within Tal-Qortin has been developed under a series of relatively recent development permissions which have departed from the normal layout, design and character for Santa Maria Estate. A central open space (circa 2,600 sqm) was required to be a communal open space as part of specific development permissions but this open space was never implemented. Under a later development application, the Development Control Commission had accepted the partial development of this vacant site. This Local Plan policy will ensure that an element of usable, public open space is finally included in the scheme for the enjoyment of the surrounding residents and the development permitted on the remaining part of the site does not prejudice the residential amenity of the neighbourhood of Tal-Qortin.

17.1.18 It was also felt necessary to restrict the use of basements for separate habitation in Santa Maria Estate in order to prohibit the increase in residential densities which will have a deleterious impact on the character and amenity for the area through additional traffic generation and

increased intensity of activity. Two properties to the extreme west of the Estate have been rezoned from bungalows to villa sites to create a transition zone between the high density development at Tas-Sellum and the rest of the bungalow area.

NWML 12

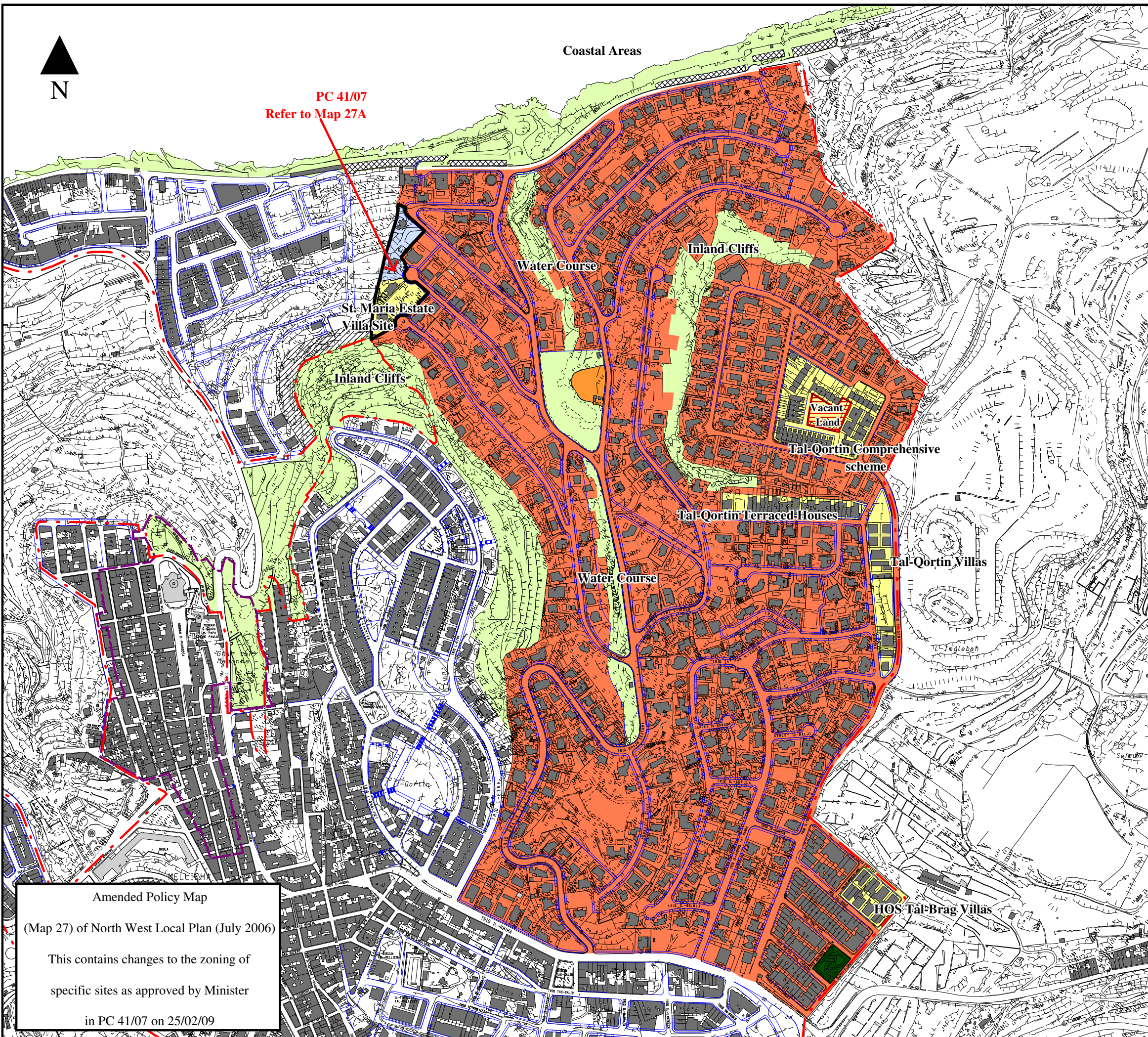
Residential Scheme in the Residential Priority Area

MEPA will favourably consider development applications on the site indicated on Map 27 as Residential Scheme in the Residential Priority Area (subdivided into sites A and B on Map 27a) provided that:

- i. the proposals include only Class 1 (Use Classes Order, 1994) residential uses;**
- ii. car-parking provision should not exceed two car spaces per dwelling. Garages should be located within the footprint of the residential blocks;**
- iii. the residential density should not exceed 40 dwellings per hectare;**
- iv. the built up footprint (site coverage) should not exceed 40% organised on at least two detached blocks, with one block on each subdivided site A and B. The provisions of criterion (vii) shall be applied in determining the detachment of the block on site B from the existing neighbouring dwelling marked H on Map 27a;**
- v. the height of the detached blocks should not exceed:**
 - 43.25m above mean sea level for the subdivided site marked A on Map 27a**
 - 54.93m above mean sea level for the subdivided site marked B on Map 27a, and no stairwells/hoods, washrooms or liftrooms are constructed above this height;**
- vi. the buildings are designed to create a terracing down effect in the west to east direction across the site and respect the contours of the site in the south to north direction. MEPA will afford particular attention to the design of the cross sections of the buildings to ensure a satisfactory integration in terms of in bulk and volume is obtained between the two areas adjoining this site and minimise overlooking;**
- vii. a minimum site curtilage of 3.0m is left free of structures except along the perimeter of the basement levels of the existing neighbouring dwelling on the east of the site (marked H on Map 27a) where the structures can be built along the party wall and up to the height of the roof level of the existing basements of dwelling on site H. Any structures above the existing roof levels of the existing basements of dwelling on site H must be setback a minimum of 3.0m away from the party walls;**
- viii. a landscaping scheme indicating areas for hard and soft landscaping is submitted to the satisfaction of MEPA.**

17.1.33 Following the commencement of works on the site at the eastern fringe of Tas-Sellum under development permissions PA 3575/00 and PA 2650/04 (site of policy NWML 13), it became evident that the change in character between the multi storey development and the one storey bungalow area was too abrupt and that a row of bungalow sites had been adversely affected by the new

scheme. This policy, together with policy NWML 4, is aimed at achieving a more gradual change in densities, building heights, layout and design between the two areas. Site specific criteria have been prepared for the 0.4ha site, currently partly occupied by two dwellings and partly vacant, which introduce a higher residential density (40 dwellings per hectare), higher site coverage and an increased building height and a new site layout together with safeguards against overlooking, overdevelopment and visual impact to ensure that a ripple effect does not occur onto a wider area of bungalows.













NORTH WEST LOCAL PLAN



L-Awtorita' ta' Malta Dwar l-Ambjent u l-Ippjanar

Malta Environment & Planning Authority

Key

-  NWUS 1
Limit to Development Boundary
-  Proposed Exclusion of Land
(Refer to Map EX 1)
-  NWCO 1
Urban Conservation Area
-  NWUS 4
Residential Priority Area
-  NWUS 6
Urban Open Space
-  NWML 4
Residential Zoning in the Residential
Priority Area
-  Vacant Land in Tal-Qortin
Comprehensive Scheme
-  NWML 9
Site for Social Club
-  NWML 11
Protected Areas
-  Existing Beachrooms
-  NWML 12
Transition Zone in the Residential
Priority Area

North West Local Plan

Mellicha East Policy Map

Scale : **1:6000** Date : **April 2009** Map : **27**
INDICATIVE ONLY
 Not to be used for measurement or direct interpretation.
 Maps to be used in conjunction with Policy Document.

Base Maps - 1994 Survey Sheets
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Amended Policy Map
 (Map 27) of North West Local Plan (July 2006)
 This contains changes to the zoning of
 specific sites as approved by Minister
 in PC 41/07 on 25/02/09










NORTH WEST LOCAL PLAN



L-Awtorita` ta' Malta Dwar l-Ambjent u l-Ippjanar

Malta Environment & Planning Authority

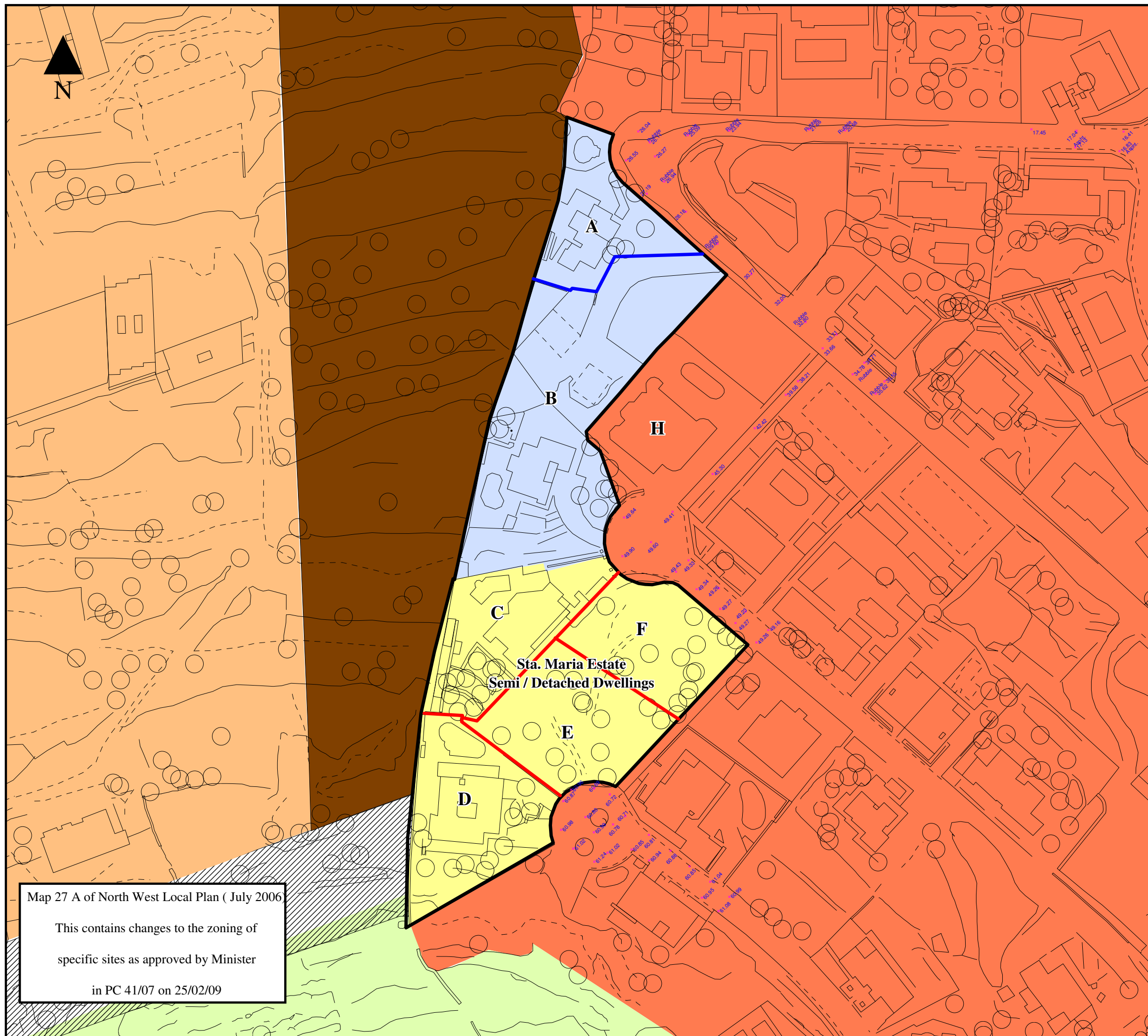
Key

-  Site
-  NWUS 1
Limit to Development Boundary
-  Proposed Exclusion of Land
(Refer to Map EX 1)
-  NWUS 3
Residential Area
-  NWUS 4
Residential Priority Area
-  NWML 4
Residential Zoning in the Residential
Priority Area
-  NWML 11
Protected Areas
-  NWML 12
Residential Scheme in the Residential
Priority Area
-  NWML 13
Residential Scheme

Proposed Zoning

Scale : 1:1000	Date : February 2009	Map : 27A
INDICATIVE ONLY		
Not to be used for measurement or direct interpretation. Maps to be used in conjunction with Policy Document.		

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Map 27 A of North West Local Plan (July 2006)

This contains changes to the zoning of
specific sites as approved by Minister
in PC 41/07 on 25/02/09

Partial Local Plan Reviews

**PLANNING POLICY
FOR
SELMUN PALACE HOTEL SITE
MELLIEHA**

APPROVED

July 2015

Table of Contents

- 1.0 Introduction
- 2.0 Site Location
- 3.0 Policy Context
- 4.0 Planning Policy for Selmun Palace Hotel, Mellieħa
- 5.0 Way Forward

List of Maps

- Map 1 - Regional Context
- Map 2 - Site Boundary
- Map 3 - Existing Situation
- Map 4 - Environmental Constraints
- Map 5 – Policy Proposals

Appendix A

Public submissions on Revisions with MEPA Responses

MALTA ENVIRONMENT AND PLANNING AUTHORITY

P.O. Box 200, Marsa GP01, Malta

Tel: (356) 2290 0000

Website: <http://www.mepa.org.mt>

1.0 Introduction

- 1.1 This report contains the policy intended to guide the future development of the specific site shown on Maps 1 and 2, covering the buildings and grounds of the Selmun Palace Hotel in Selmun, Mellieħa.
- 1.2 This policy has been prepared following a request by Government, received in April 2015. The request indicated, that in line with Government policy to facilitate the growth of the tourism industry and to promote a quality tourism product, the need to provide a specific planning and development policy framework for the site currently occupied by the Selmun Palace Hotel in Mellieħa, had been identified.
- 1.3 Government's request also specified, that the required planning and development policy was to be guided by the following objectives:
- (a) To identify the range and mix of acceptable land uses within the site provided that a top quality tourism related facility shall occupy the bulk of the development;
 - (b) To favourably consider the rehabilitation or total redevelopment of the existing building, provided that the new building does not exceed the existing built footprint of the present building (excluding the scheduled palace) and it does not exceed the overall height of the existing buildings. The construction of a new wing, will only be favourably considered if proposed on the location indicated by Government, and only provided that the proposal would not compromise objectives (a), (c) and (d) and does not exceed the overall height of the existing building;
 - (c) To make proposals for the layout of the site in terms of location of new built development provided it remains within the curtilage of the site depicted in the attached site plan;
 - (d) To ensure that any new proposal:
 - (i) does not adversely affect the Grade 1 building and its setting;
 - (ii) does not harm any areas of ecological value;
 - (iii) has a very high design quality.
- 1.4 These objectives were published for consultation on the 24th of April 2015 and representations were invited from the public until the 8th of May 2015. Five submissions were received by the closing date of the public consultation exercise. Two additional submissions were received beyond the closing date – one from the Mellieħa Local Council and one from the Light Pollution Awareness Group. These submissions were taken into account in the drafting of this policy.
- 1.5 The policy was published for consultation on the 11th of May 2015 and a period of six weeks, up to the 22nd of June 2015, was allowed for the submission of representations from the public. Two submissions were received by the closing date of this second stage consultation and a description of these submissions together with the relevant MEPA response is included as Appendix A with this report.

2.0 Site Location

- 2.1 The site, of around 2.9ha, is located on elevated ground within a short walking distance of approximately 1Km to the east of the urban settlement of Mellieħa, in a wider rural and coastal area. The 18th century Tower and, more recently the hotel building, have been a dominant feature in the surrounding karstic landscape. Map 1 places the site in its regional context and shows its relationship to the urban areas, the coast and its main access routes. Map 2 shows the detailed site boundary, which is affected by this policy. A more detailed description of the site is also included as part of the justification for the policy.

3.0 Policy Context

- 3.1 The 2006 North West Local Plan policy framework for tourism was considered as being the most relevant to guide the drafting of this policy, since the site is located within the North West Local Plan boundary and is also primarily related to tourism. Policy NWTO 2 has in fact a direct bearing on the future use of the site since as a policy it guides the rehabilitation or redevelopment of existing tourist accommodation in rural and coastal areas. The Local Plan policy seeks the upgrading of existing tourist accommodation facilities outside the development zone but, under normal circumstances, does not encourage significant intensification.
- 3.2 The site of the Selmun Palace Hotel can be considered as a prime tourism site due to its unique location. That said, however, in view of changing tourism market requirements and standards, the building had become outdated and substandard, eventually leading to the closure of the facility. Attempts to attract new investors to the site have not proved successful and it has now become urgent to inject new life in order to avoid its falling into disrepair with the consequent unwelcome detriment to its important historic and cultural context.
- 3.3 In view of the above, Government has deemed it is justified and indeed necessary to allow consideration of a relatively small extension within the environmental limits, that can also be accepted within rural and cultural conservation objectives.

4.0 Planning Policy for Selmun Palace Hotel Site, Mellieħa

MEPA will favourably consider the rehabilitation of the existing buildings and/or further re/development, strictly within the site illustrated on Map 2 into a top quality tourism related facility, through the submission and approval of one development application that includes a comprehensive scheme for the whole site and provided, that all the following criteria are complied with.

(i) Layout

The design of the site layout shall broadly retain the position and orientation of the existing hotel building in relation to the open spaces within the site, the main access to the site, the Grade 1 scheduled Selmun Palace and the wider landscape, and this in line with the provisions of Map 5. The relocation and consolidation of the outbuildings may be considered, provided that they are not worthy of protection and do not adversely affect the setting of the scheduled building.

Interventions on the existing site layout through the construction of a new wing will only be considered favourably if the new wing is located within the area indicated on Map 5. A complete redesign of the existing layout will only be considered in the exceptional circumstances where the end product is of such high quality that it merits consideration outside the provisions of this criterion. The other provisions of this policy, particularly the safeguarding of the green buffer, the setting of the scheduled building and the landscaped area with open air amenities as shown on Map 5, shall still need to be followed by the design of the scheme for both situations and would need to be supported by a proper visual and landscape assessment.

(ii) Mix of Uses and Footprint of Development

The following mix of uses may form part of the scheme:

- (a) A range of tourism accommodation facilities, including but not limited to, boutique tourism accommodation, palazzino, hotel and other type of tourism related facilities, which may be deemed appropriate for this site by the Malta Tourism Authority and this as the main use;
- (b) Assembly and leisure, and food and drink establishments, as ancillary uses.

Provided that all proposed uses do not in aggregate exceed the footprint of the existing buildings (excluding the scheduled palace).

The footprint of the new wing indicated under (i) above, shall strictly follow the area indicated in Map 5 and shall also only accommodate the range of uses indicated under (a) and (b) of this criterion.

The footprint of a scheme proposing the complete redesign of the site layout which may be considered in exceptional circumstances under (i), shall not exceed the footprint of the existing buildings (excluding the scheduled palace) together with the footprint of the new wing as shown on Map 5.

(iii) Scale

Any development proposal within the site shown on Map 2, shall never exceed the overall height of the existing main building (excluding the scheduled palace) and no departures whatsoever from this criterion shall be considered.

(iv) Appearance

The elevations, texture, colour and materials of buildings shall seek to break the monolithic appearance of the existing building by the creative use of architectural elements, setbacks and projections, (not beyond the roofline of the existing building) which in turn create varying planes, which can then be extenuated by different colour schemes or materials. In all cases, they shall contribute to the attractiveness of the appearance and character of the site and its surroundings. Particular attention shall be given to the design and treatment of perimeter boundary walls.

(v) Landscaping

A landscaping scheme, in line with the MEPA Guidelines on Trees, Shrubs and Plants for Planting & Landscaping in the Maltese Islands, indicating the details of the hard and soft landscaped areas, and a planting schedule and maintenance programme should be submitted and approved. The scheme should aim to retain as many of the existing trees within their current location, or within the overall site, as much as possible, unless they are deemed to be creating harm to the ecology of the site, or to the existing scheduled palace. Hard landscaped areas should be kept to the bare minimum.

(vi) Access and parking

Adequate vehicular access and parking facilities, including for service vehicles and coaches, shall be provided and these shall be located as distant as possible from the scheduled palace in order to ensure that the view of this building is obscured as least as possible by large vehicles parked in its vicinity.

Car parking provision in accordance with established standards shall be provided within the site boundary. The substitution of on-site car parking provision with a monetary payment may only be considered when the achievement of the established standard is deemed to cause unacceptable damage to the environmental and/or cultural value of the site and its surroundings.

(vii) Utilities' Services

Detailed designs of the necessary infrastructure such as:

- power supply network;
- water supply network; ,
- sewers (foul and storm-water, including reservoirs) network;
- telecommunications; and
- external illumination

shall be submitted for the whole site, as part of the single development application, and will be approved only following consultation with the relevant utility providers. Trenching works in conjunction with the provision of services should avoid ecologically sensitive areas. The placing of services on the roof should be avoided as much as possible and where inevitable, these are to be adequately screened from view. Particular attention shall be paid to the design and location of both the services and their screening in view of the sensitive location of the site. External illumination shall not be a source of light pollution.

(viii) Environmental Sustainability

The scheme shall adopt environmental sustainability features such as conservation of energy and water, renewable energy generation and reduction of waste, and shall seek to minimize impacts on hydrology, ecology (particularly the ecologically sensitive areas), biodiversity (especially mature trees) and cultural heritage (especially any building of architectural merit and the landscape). Installations for renewable energy generation from wind are unlikely to be favourably considered in this sensitive landscape.

(ix) Planning Gain

The developer shall ensure the proper restoration and rehabilitation of the Grade 1 Scheduled Palace and shall provide the necessary guarantees as required by the Authority to achieve this objective.

The developer(s) shall also make a one-time, lump sum, monetary contribution in an amount as established by the Authority, to a fund administered by the said Authority, aimed at the enhancement of public access and enjoyment of the countryside or for the purpose of other community projects in the locality.

The site owes its unique attraction to the distinctive qualities of the locality and its name is shared by the small hamlet of Selmun and the historic Selmun Palace located within the site boundary.

Selmun forms part of the Mellieħa Ridge landscape character area and is described as a rather undeveloped area, except for the settlement of Mellieħa, dominated mostly by garrigue and abandoned, terraced agricultural land.

The Selmun Palace, designed by Maltese architect Dumink Cachia and built in 1780, is situated in the midst of the stunning countryside and coastal cliffs of Mellieħa and is very similar to the Verdala Palace in Buskett. This Baroque-styled building was not built for the protection of the Maltese countryside area and shores, but as a summer residence for the wealthy nobles of the time. This palace also had a chapel dedicated to Our Lady of Ransom, in which there was a painting by Antoine de Favray showing Caterina de Vitale kneeling down in front of Our Lady. Some time ago, another chapel was built only about 300 metres away from its original location and also dedicated to Our Lady of Ransom. The painting of Antoine de Favray was taken from the chapel in the Selmun Palace and then placed in the new chapel, where it still is today.

The current hotel building was constructed between the late 1970s and early 1980s and closed its doors for visitors around three years ago. Various attempts to sell the hotel have been made since without success.

This policy seeks to implement Government's objectives to facilitate the growth of the tourism industry and promote a quality tourism product without unduly damaging the cultural and natural environment for this specific site. It sets out the development criteria which shall be adopted by the Authority when assessing any eventual development application which may be submitted on the site. The most important elements of this policy are the requirement that the site remains for tourism use, it is planned and developed comprehensively and the development density shall be strictly limited to the areas and volumes established by the policy.

5.0 Way Forward

5.1 The MEPA Board discussed the Planning Policy for Selmun Palace Hotel Site, Mellieña, during its meeting of the 25th of June 2015 and decided to approve this document and forward it to the responsible Minister for his final endorsement.

Appendix A

PLANNING POLICY FOR SELMUN PALACE HOTEL SITE

MELLIEHA

Public Submissions

Ref	Respondent	Date	Summary of Comments Received	MEPA Response
PPSP/15/1	Max Mifsud	25-5-2015	<p>My observations for the public consultation regarding the Selmun Palace hotel site planning policy are as follows:</p> <p>Site-Specific</p> <p>Mention has been made of the possibility of building an additional wing. If the hotel is truly going to be of at least 5-star rating, you need less rooms, not more. 5-star tourists generally do not like large resorts. On the contrary, it would be better to have less rooms than the current configuration and, ideally, instead of rooms, one should have a fair number of low-rise independent bungalows which are more sought after and which can provide better income for the developer. This observation depends on whether government wants this hotel to cater for true 5-star tourism or mass tourism of which the country already gets too much.</p> <p>Mature trees should be retained and built-up areas reduced to the bare minimum. Again, this is imperative to attract 5-star tourists.</p> <p>Mention has been made of using different colours on the hotel. This is not in keeping with the surrounding area and it is preferable to have the same Maltese natural limestone used on the outside walls (as is the current situation).</p>	<p>The addition of a new wing was deemed necessary to increase the development potential of the site, thus making it more attractive for investors, without creating unacceptable adverse impacts on the immediate surroundings and on the landscape. This does not necessarily mean that more rooms will be added as space requirements may be higher. The policy does not rule out the design option of low-rise bungalow development.</p> <p>This is a requirement of the policy.</p> <p>This point is debatable as introducing colour may in fact enhance the appearance of the building. However, the overriding requirement that the design shall contribute to the attractiveness of the appearance and</p>

			<p>Being positioned on high ground, the hotel is seen from a wide range of places. Therefore the lighting used needs to bear this in mind and it must also be borne in mind that lighting also affects the fauna of the area.</p> <p>Area-specific</p> <p>5 star tourists require that the surrounding area is also, as far as possible, 5 star. Therefore, the only road leading to the hotel needs upgrading as it is littered with potholes/uneven, and the water mains in the area need upgrading too since it seems that the area is served only with one water main that was built by the British when Fort Campbell was built. In 2015, it appears the Selmun residents are still using this same obsolete water main.</p> <p>In the summer months especially, the sheer amount of rubbish discarded illegally in the area and especially in the Fort Campbell area due to BBQs and other activities is truly overwhelming. It may be worth having a rubbish collection plan in place as this is a sure turn-off for the targeted 5-star tourists.</p> <p>The fund to improve the surrounding area should be used to rehabilitate – as far as possible – Fort Campbell as well as the road leading to it. Fort Campbell is a danger and</p>	<p>character of the site and its surroundings remains.</p> <p>A specific requirement has been added to ensure that light pollution is minimised.</p> <p>Agreed. There may be scope to utilise planning gain fund for the upgrading of the surroundings and/or the infrastructure.</p> <p>Agreed. This service may also be part of a negotiated agreement between the eventual developer and the Authority.</p> <p>Agreed. This may also be part of a negotiated agreement between the eventual developer</p>
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			<p>totally abandoned with rubbish strewn all over the place. It is a pity that such a fort is left to fall into this state of disrepair whereas in other countries such historic buildings are kept in pristine condition. The road leading to Fort Campbell from the hotel should ideally be paved with lava stones or the like and used only by pedestrians and cyclists, with special permits for vehicles of field owners in the area. All other vehicles should not be allowed into the area.</p> <p>Traffic in the only road to the hotel will increase significantly – both during construction (trucks, cranes, heavy machinery, etc) and eventual operation (buses, mini-buses, taxis, workers cars, etc). A traffic impact assessment should be required of the developers as a condition of permit. Larger and more frequent sleeping policemen will have to be deployed since the only road is used by very many pedestrians on a daily basis and their installation will mitigate the risk of accident to such pedestrians by speeding taxis, mini-buses, cars, etc. The current speed limit of 35 km/h is not observed since the only two "sleeping policemen" are low and do not provide sufficient deterrent for speeding cars. It is unfortunately a daily occurrence to have cars speed past at 80/100 km/h on a 35km/h road.</p> <p>The public bus stops, of which there are two in the area will need upgrading to provide some shelter (from both rain and sun) as</p>	<p>and the Authority.</p> <p>Traffic Impact Assessment rules and procedures shall be followed in the processing of any future development application. Such studies may also include proposals for traffic management and/or improvement of public transport facilities.</p>
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			these will be used far more frequently (especially by tourists) once the hotel re-opens.	
PPSP/15/2	Carlo Stivala Director Palace Homes Ltd	22-6-2015	<p>The site location is one of peace and tranquillity and provides arguably some of the best views in Malta. The aim is to maximise the benefits of these features for the enjoyment of all concerned.</p> <p>Layout</p> <p>The existing hotel building needs to be pulled down and the site cleared and replace with high quality individual residential units of 1 and 2 bed bungalows and maisonettes in a village atmosphere providing retirement homes for international high net worth pensioners.</p> <p>To reduce the visual impact of the existing building it is proposed to build low buildings but spread outwards, integrated in a landscaped setting rendering them invisible from outside the site.</p> <p>Mix of uses and footprint of development</p> <p>The proposal is aimed at the international tourist pensioners. A minimum number of units have to be created for the project to work on a sound commercial business foundation and therefore other facilities such as car-parking and utilities will need to be placed underground.</p>	This submission describes a specific proposal for the site which would need to be assessed through the submission of a development application and within the context of this policy which will be in force.

			<p>Appearance</p> <p>Every effort and available architectural skill and resources will be employed to create an attractive site blending the buildings into the existing natural features. Embellishment of the perimeter road and walls leading up to and beyond the site will be included in the project.</p> <p>Landscaping</p> <p>A landscaping consultant will be engaged to advise on the preservation of existing trees, shrubs and plants as well as plan for additional planting.</p> <p>Access and parking</p> <p>Adequate parking for residents and employees will be provided underground.</p> <p>Utilities Services</p> <p>All utilities will be hidden in basement areas wherever possible and practical. All buildings will be energy efficient, renewable energy generation installations will be included and water and waste will be recycled.</p> <p>Environmental Sustainability</p> <p>The site will be developed using the latest technology to promote ecological and</p>	
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			<p>environmental sustainability.</p> <p>Planning Gain</p> <p>The Palace will be maintained at a high standard and used to accommodate facilities for the residents and other public events.</p> <p>This proposal will attract high net worth medical and retirement tourism, additional visiting friends and family tourists, provide employment for locals and will not disturb the local community.</p>	
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L-Awtorita' ta' Malta Dwar l-Ambjent u l-Ippjanar
Malta Environment & Planning Authority

Key

 Site Boundary



IL-PALAZZ
TA' SELMUN

Ix-Xaghra Ta' Selmun

SITE LOCATION

Scale : 1:1000 Date : May 2015



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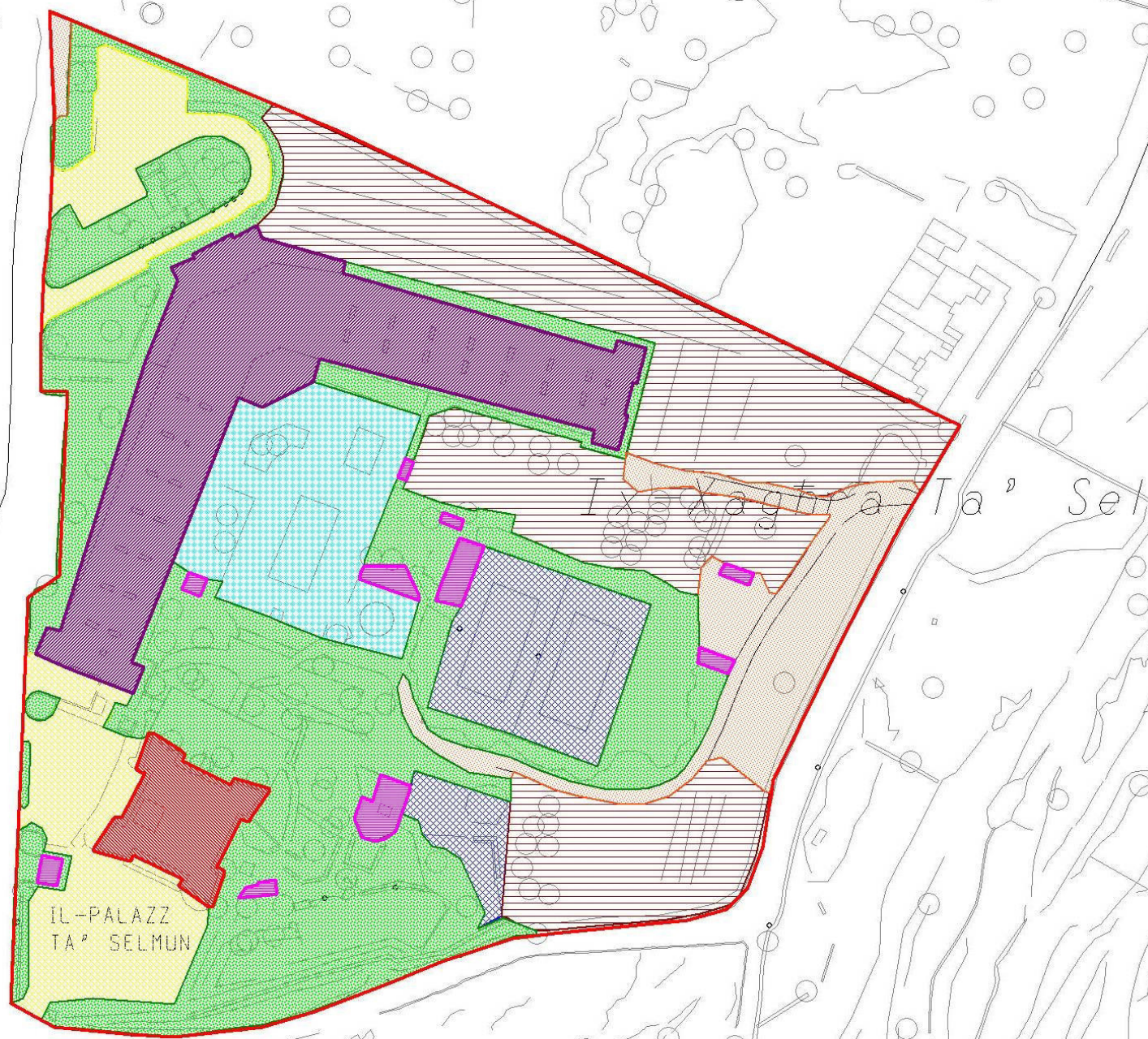
INDICATIVE ONLY
Not to be used for measurement or direct interpretation.
Maps to be used in conjunction with Policy Document.
For the detailed interpretation of alignments kindly contact
the Planning Directorate's Planning Control Unit.

2



Key

-  Site Boundary
-  Car Park
-  Cultivated Field
-  Disturbed Area
-  Landscaped Area
-  Main Hotel Building
-  Outbuilding
-  Pool & Deck Area
-  Scheduled Tower
-  Sports Facility



EXISTING LAND USES

Scale : 1:1000 Date : May 2015

Map:

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3



Key

Site Boundary

Scheduled Sites

Scheduled Building (Grade 1)

Area of High Landscape Value (AHLV) and Special Area of Conservation (SAC)

Area of Environmental Importance (AEI) - Level 3 (Buffer Zone) and Special Area of Conservation (SAC)

Proposed Scheduling

Area of Environmental Importance (AEI) - Level 2

Area of Environmental Importance (AEI) - Level 3 (Buffer Zone)

ENVIRONMENTAL CONSTRAINTS

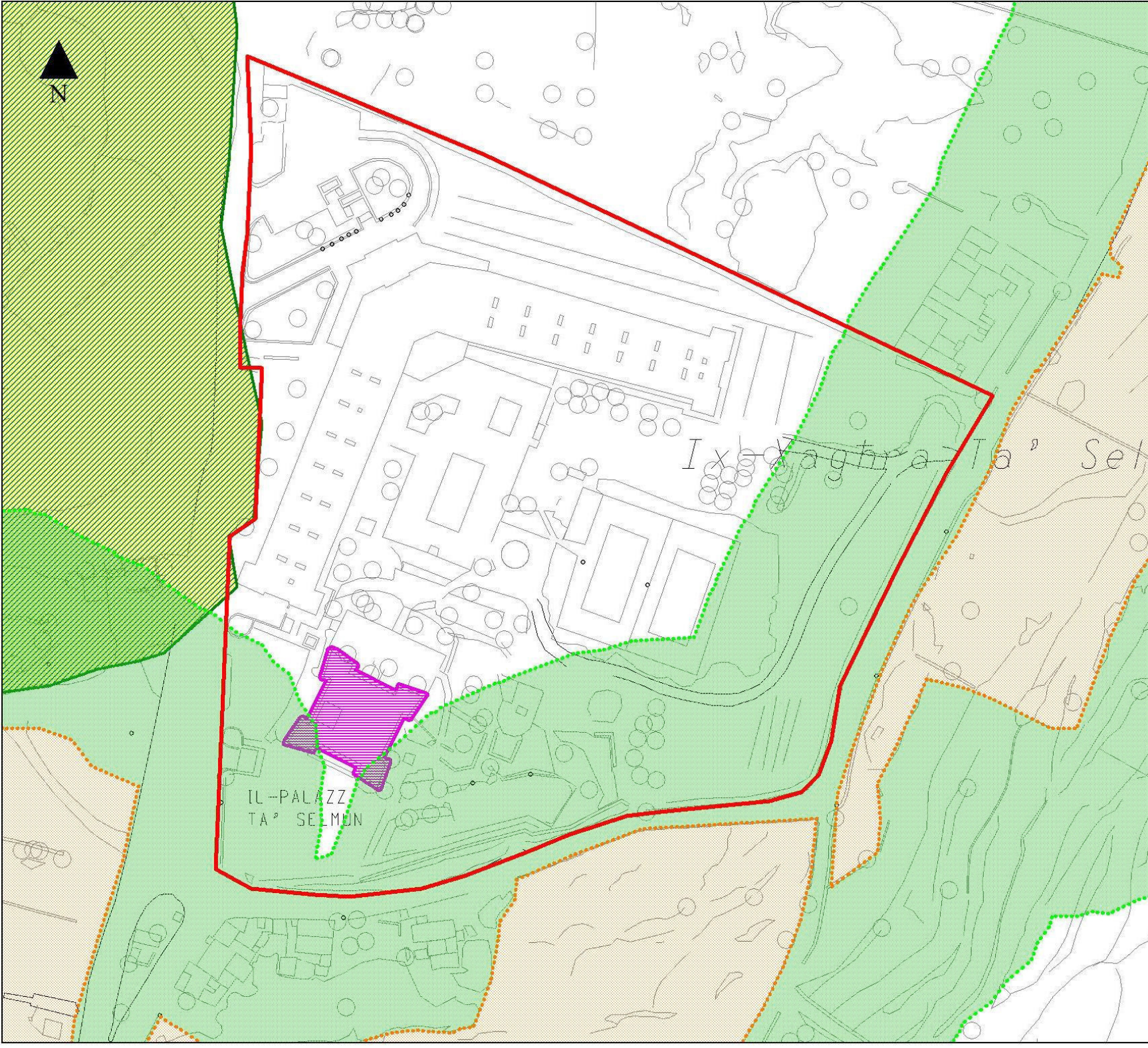
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Date : May 2015

Map:

INDICATIVE ONLY
Not to be used for measurement or direct interpretation.
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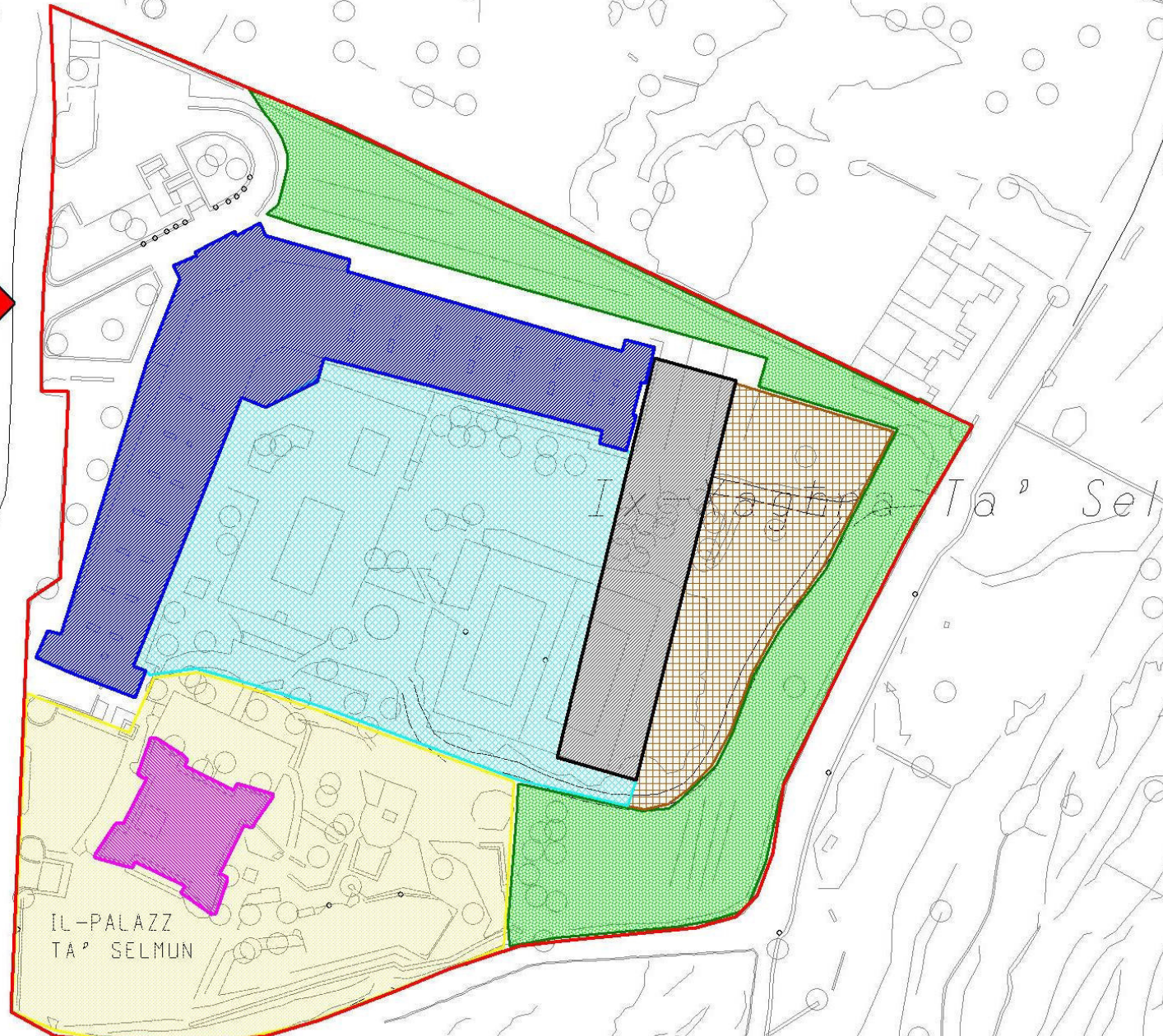
4





Key

-  Site Boundary
-  Height + Footprint to be retained
-  Location for New Wing
-  Grade 1 Tower to be rehabilitated
-  Green Buffer
-  Open Air Amenities
-  Landscaped Area with Open Air Amenities
-  Setting of Scheduled Building to be safeguarded
-  Main Entrance to Site



POLICY PROPOSALS

Scale : 1:1000 Date : May 2015

Map:

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