

PUBLIC CONSULTATION ON HEIGHT LIMITATION ADJUSTMENT POLICY FOR RETIREMENT HOMES

DIN I-ART HELWA COMMENTS - 5TH FEBRUARY 2016

Din I-Art Helwa (DLH) has reviewed the draft policy for retirement homes. DLH appreciates the change in demographics and the need to provide appropriate living facilities for elderly persons who can no longer care for themselves.

However, DLH believes such care should be provided within the urban context allowing such persons to still form part of a community. This is also reflected in the government's Active Aging policy. It is therefore important that Government reviews its current policy on provision of better living conditions for the elderly as a whole and not within solely the narrow perspective of retirement homes requiring further area because of over demand. The over demand, is also a result of the lack of other facilities or typologies which can care for the elderly. Important studies have shown that retaining the elderly within their homes and within their communities leads to far better quality of life than placing the elderly within anonymous residential homes.

Therefore the provision of extra beds to current homes, can also lead to the trap of creating large impersonal residential homes, with no prospect of a 'normal' life for such persons. It is important that this request for further 'bed space' is analysed in the light of what we, as a nation intend to provide as living facilities for the elderly, in the future.

Furthermore, from an urban environmental point of view, this policy can lead to whole scale destruction of parts of the urban cores of our historic villages. MEPA and government should only consider height relaxation for appropriate sites which are not within urban conservation areas, outside development zones nor sensitive hamlets or sites. DLH main concern is the protection and conservation of Urban Conservations Areas, Scheduled areas and ODZ areas.

While there is a need to increase beds in residential homes, this should not be to the detriment of the rest of the community. Building heights are established to protect townscapes, 'urban form', development density etc. Retirement homes should also respect townscapes, density, and urban form.

In 2013, DLH had warned MEPA and the government that increasing the building height limitation for hotels was a can of worms. Relaxation of heights for one lobby group would only lead to relaxation of heights for another lobby group; in this case the developers and shareholders of retirement homes. This is being requested to the detriment of the quality of our urban spaces, especially in our historic villages.

MEPA has only recently published its new development control design policy which seeks to create better design by respecting urban context and existing streetscape. Applicants for sites within Urban Conservation Areas are being encouraged to utilise the existing streetscape height and existing height commitments as a yardstick of the total height that can be developed. This was carried out to provide "*A contextual and street-based approach to design*" and "*Respecting the street as an important spatial scale*".

It is therefore contradictory that MEPA should now issue a policy which encourages and burdens the applicant to respect the street scape height whilst issuing a policy which allows 'flexibility' in maximum allowable building heights for retirement homes.

Examples of the negative effect of such a policy

Example 1: Roseville

The retirement home Roseville forms part of the historic urban core of Attard and lies along a street with historic houses of varying periods. It overlooks the baroque garden of Villa Bologna which is itself a Grade 1 listed National Monument. Allowing such a retirement home an extra two floors will ruin the quality of the urban spaces and gardens of this entire area of Attard. The residents of this area are extremely concerned and have been personally in touch with Din L-Art Helwa to voice their objections and concerns. An increase in height of Roseville would result in a high building in a series or row housing, and a volume which would be much higher than the boundary walls of Villa Bologna (the scheduled building). An additional 2 floors would make the building tower over the baroque garden having a severe negative impact. It will also ruin this part of San Anton Street, home to the facades of Villa Bologna, The President's Kitchen Garden, San Anton Palace, beautiful early 19th century Villas and townhouses and the old building of Roseville itself, which is one of Malta's finest Art Nouveau buildings.

Example 2: Mtarfa Isolation Hospital

Currently MEPA is also reviewing a proposal for the Isolation hospital in Mtarfa with Tracking number 162693. The isolation hospital is a Class 2, heritage Scheduled Building. Part of this site is located within an ODZ area and is located on a ridge overlooking Chadwick lakes. This application is one which includes all the factors that DLH would like to safeguard namely;

- a) Schedule properties
- b) Ridge
- c) ODZ

Site selection for retirement home is of utmost importance. Scheduled properties do come with their limitations and sometime this might mean that the use as a retirement is not appropriate. **The policy must be applied case by case, and cannot be a blanket policy.**

DLH Recommendations for Changes to Draft Policy:

Below are specific comments regarding the site selection which is considered of utmost importance:

5.1 Criteria for the assessment of proposals for retirement homes

(a) Location Other than in the circumstances under paragraph 4.0.4, they are not located on:

- a. Sites Outside Development Zone; DLH- Agreed*
- b. Scheduled sites or sites located within Scheduled Areas and Protected Areas; DLH- Agreed*
- c. Ridge Edge Sites; Public Consultation Document - December 2015 11 DLH- Agreed*
- d. Sites within Small Urban Settlements as identified on SPED Maps 2A and 2B, except Birzebbugia, Marsascala and Gozo; DLH- Agreed and*
- e. Sites within Residential Priority Areas (RPAs) except:*
 - i. Sites which are also located within UCAs;*
 - ii. Existing retirement homes located in RPAs which are terraced development areas;*
 - iii. Existing non-residential development proposed for a change of use to a retirement home located in RPAs which are terraced development areas. The provisions of (e) above shall prevail over other provisions in the Local Plans in terms of land use.*

DLH strongly recommends the introduction of

f. Sites located within UCA

g. Sites which are adjacent to scheduled buildings should also be considered inappropriate. A buffer zone (radius) to scheduled properties should be considered.

Furthermore, DLH is completely against the consideration of scheduled buildings as eligible and would encourage MEPA to allow no concessions of any sort under no circumstances for scheduled buildings. Loopholes of this sort will encourage the inappropriate use of scheduled sites or sites within UCA.

In addition to the policies and objectives outlined above, DLH recommends that a minimum site footprint is included in this policy. Any site which would fall short of the minimum site area should not be made use of the relaxation in height limitation (additional 2 floors).

DLH welcomes policy 5 (i) Legal agreement

Development rights acquired through development permissions granted on the basis of this policy are only applicable to retirement home development as defined by this policy. Any subsequent proposals for change of use, even partial, will not be positively considered unless any additional floors acquired through this policy are first removed. In cases of demolition and re-construction, development rights will be forfeited should the proposed use be other than that of a retirement home. To ensure compliance with these provisions, MEPA shall require the proponent to sign a tripartite legal agreement between MEPA, MFSS and the proponent.

DLH 05/02/16