

## Review of the Height Limitation Adjustment Policy for Existing Hotels– Public Consultation

May 2014

### Submissions

Subject	Respondent/ Date	Summary of Comments Received	Reference Number	Response
<p>Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Hotel Operator.</p>	<p><u>1.Mr Anthony Schembri - Porto del Sol Guesthouse dated 05 May 2014</u></p>	<p>PA 02586/09</p> <p>On the 12th November, 2012, I sent an email regarding public consultations for extra floors for tourist accommodation. I suggested that small hotels and guesthouses should also benefit from this scheme.</p> <p>Once again, MEPA is doing this exercise regarding the extra floors for tourist accommodation and included three-star hotels to benefit from the scheme. At the moment I have a family-run comfort class guesthouse with 15 rooms which is equivalent to a three-star hotel, and I too would like to benefit from the scheme of added floors, as this is a stand-alone site in Xemxija. I think that the scheme should</p>	<p>HLAPHR-1-003</p>	<p>This policy would apply to hotels as requested by Government through the objectives listed for the formulation of this policy.</p> <p>This draft policy refers to hotels as defined by the competent Authority for tourism (guesthouses, hostels and tourism furnished premises are excluded). Other forms of accommodation units are subject to other incentives in line with the National Tourism Policy 2012-2016.</p>

		<p>be open to guesthouses too. Therefore, we would all be at the same playing field, fair for everybody in the tourist sector. I must point out that in Xemxija area, most of the tourist accommodation has closed down including the likes of Xemxija Bay Hotel, Pandora Hotel, Villa Cettina, Blu Mar Hotel, and the Mistra Village complex. Tourist accommodation in this area should be encouraged to sustain the 14 odd restaurants in the area. I have an application PA02586/09: change of use from Manager's living quarters to four additional guestrooms. As I have two washrooms not covered by a permit, which we use as a laundry room and staffroom, built 20 years ago, the permit has been refused. Seeing now that tourist accommodation is being considered to be given extra two floors, I would like to be able to benefit from the scheme as well as be able to regularize my position regarding this permit. The Malta Tourism Authority has approved added accommodation on condition that I will be granted the MEPA permit.</p> <p>While I thank you in advance for your help on this matter, I can be contacted on the following numbers should you require to discuss this further : 99429913/21573970.</p>		
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<p>Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Zminijietna</p>	<p><u>2. Mr David Pisani, Secretary representing Zminijietna dated 5th May 2014</u></p>	<p>Żminijietna proposals: Additional floors should be subject to studies.</p> <p>In reaction to the new proposals concerning <i>Hotel-Height Adjustment Policies</i>, Żminijietna - Voice of the Left while it agrees in principle with the upgrading of the tourism sector, this should be sustainable and environmentally-conscious.</p> <p>In the past decades, Malta was characterised by uncontrolled development rather than sustainability. This led to the closure of hotels, which were subsequently converted into apartments or which were left vacant. Tourism policies should not promote such unsustainability, and should not encourage speculation.</p> <p>Żminijietna appeals for a holistic national strategy which, prior to granting permission for two additional floors, should study whether this is required. Such studies should incorporate social, environmental and economic impact</p>	<p>HLAPHR-1-004</p>	<p>The aim of this draft policy as directed by Government through the objectives provided for the review of this policy is to aid existing/new hotels in maximizing their economies of scale through an increase in quality tourism accommodation. The aim of this policy is to specifically address one of the challenges experienced in the local tourism sector. This policy is part of a wider national tourism strategy which offers a number of other incentives and directives for the improvement of the local tourism as detailed in the National Tourism Policy 2012-2016.</p>
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		<p>assessments and should give due importance to concepts such as residents' rights, open spaces, water consumption and solar rights.</p> <p>If it transpires that there is need for two additional storeys, this should be allowed only in areas which are exclusively touristic, and not in areas characterised by residential zones. Besides, development applications for enlarging and building of new hotels in outside development zones should be suspended," stated Żminijietna - Voice of the Left</p>		
<p>Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Sliema Local Council</p>	<p><u>3. Mr Matthew Dimech, Executive Secretary obo Sliema Local Council dated 08 May 2014</u></p>	<p>Whilst ensuring all stakeholders that the Tas-Sliema Local Council consistently supports tourism operators in the locality, we wish to inform the Authority that the Tas-Sliema Local Council is against proceeding with this proposed policy unless the relevant planning and scientific studies are carried out by Central Government and/or MEPA in this regard.</p>	<p>HLAPHR-1-005</p>	<p>.The aim of this policy as directed by Government through the objectives provided for the review of this policy is to aid existing/new hotels in maximizing their economies of scale through an increase in quality tourism accommodation. The aim of this policy is to specifically address one of the challenges experienced in the local tourism sector. This policy is part of a bigger national tourism strategy which offers a number of other incentives and</p>

				directives for the improvement of the local tourism as detailed in the National Tourism Policy 2012-2016
Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Architect	<u>4. Perit Victor Bigeni dated 11 May 2014</u>	<p>I would like to add the following three comments to the Height Limitation Policy for existing Hotels (HLAPH):</p> <p>a) For the sake of clarity the HLAPH document should clearly state that it also applies for new hotel sites i.e. one need not apply for an initial permit and then reapply for the extra floors at a later date. The extra floors should be integrated from conception to ensure a design of higher quality and consistency, whilst doing away with</p> <p>b) The proposal to grant two-extra floors to all 3/4/5 star hotels is quite commendable as this will eliminate discrimination between hotels/sites. Needless to say that the design of these extra two floors should be carefully executed so as to enhance the overall urban quality, henceforth it is earnestly hoped to achieve such result one must not be constrained by setback restrictions as if to hide the extension. This must be left at the discretion of the architect.</p>	HLAPHR-1-006	<p>This policy would not apply to urban conservation areas as requested by Government through the objectives listed for the formulation of this policy in order to protect historic areas from the negative impacts which may result from higher buildings.</p> <p>This draft policy refers to hotels as defined by the competent Authority for tourism (guesthouses, hostels and tourism furnished premises are excluded). Other forms of accommodation units are subject to other incentives in line with the National Tourism Policy 2012-2016.</p> <p>This policy takes into account the concerns regarding new hotels and is being amended accordingly</p>

		<p>It must be noted that when previous grants for extra floors were carried out, such setbacks were not entrenched</p> <p>c)According to the proposed HLAPH policy, any hotel within the boundaries of a UCA will not benefit from the new policy. It is to be reminded that according to the Policy and Design Guidance (2007), in particular policy 10.4 states that any 2 story house in the urban conservation area can build additional habitable space (i.e. minimum of 2.75m internal height) of a gross area of 36sqm at roof level as long as it is set back 4.5m from the street alignment, and 1.5m from the back of the building.</p> <p>It is strongly felt that this policy should also apply to hotels and guesthouses within the UCA. Whilst the 36sqm requirement should be removed to allow for greater articulation, the setbacks should still be rigidly upheld so as to retain cohesiveness of skyline with neighbouring properties.</p> <p>After 7 years since Policy 10.4 of DC07 has been introduced nobody has any qualms with its provisions and today it is a</p>		
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		standard procedure. Likewise such a provision introduced to hotels and guesthouses should meet similar approval by the public, whilst at the same help the industry.		
Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Mellieha Local Council.	<u>5. Mr Carmel Debono, Executive Secretary, Mellieha Local Council dated 10 May 2014</u>	Reference is made to correspondence below. Kindly note that the Mellieha Local Council has discussed the revision of existing hotel height limitation vis-à-vis the problems of viability some hotel operators may be facing. Notwithstanding such difficulties, the Council has observed that applications for floor increases involving our locality have always been controversial, due to bad neighbourliness brought about by traffic congestion, lack of parking space, and the claustrophobic effect that is normally created. The provision of underground parking space, has little or no effect, as patrons of such establishments either hardly seek to use such facilities, or else are precluded from doing so by their operations. In order to prevent such situations, the Council suggests that a status quo is to be maintained, both within the UCA	HLAPHR-1-007	With regards to parking provision, this policy requests on site parking provision according to the prevailing parking requirements. However, in instances where this may not be possible, MEPA in conjunction with Transport Malta should either deem that the traffic and parking capacity of the area can take the additional traffic load or the proponent indicates alternatives which may include transport related compensatory measures which are deemed by the said agencies to successfully address these concerns.  The policy already excludes hotels within UCAs and includes other safeguards in

		<p>as well as beyond it. As the situation stands at Mellieha, MEPA should encourage the development of boutique hotels, either through the renovation of existing buildings, or through new development. This approach would promote commercial activity with minimum impact on the neighbourhood, as such upmarket hospitality is geared on the quality of the services rendered, rather than quantity. The Council would like to express its appreciation for the opportunity to express its views on this matter.</p>		<p>relation to context, historic environment, built form and skyline, architectural design and infrastructure.</p>
<p>Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Sliema Local Council.</p>	<p><u>6. Mr Matthew Dimech obo Sliema Local Council dated 12 May 2014</u></p>	<p>Further to our initial comments on the policy, we wish to put forward these further points:  1) In May 2013 Government approved the Height Limitation Adjustment Policy. In September 2013 the Objectives were published for consultation, while presently a public consultation is taking place regarding the policy criteria. A genuine consultation process should take place in the reverse order – a draft policy with draft objectives and criteria is put forward for a public consultation, subsequently</p>	<p>HLAPHR-1-008</p>	<p>With reference to point one it is important to note that the objectives issued in September 2013 is for the revision of the Height Limitation Adjustment Policy approved in May 13. The preparation of this policy has followed the procedure set out in the Environment and Development Planning Act.</p> <p>The goal of this policy review of the Height Limitation</p>



		<p>Government approves the Policy. The manner in which this Policy has been enacted is intrinsically flawed in the methodology adopted in devising the policy criteria.</p> <p>2) The Policy does not seem to be underpinned by any national Tourism Policy: there are no projections as to any increase in demand which justifies the need for added hotel bedroom, neither is there any study which evaluates the added supply of beds in the hotel category within the context of other forms of tourism accommodation. Tourism Policy has in the past years sought to encourage accommodation in boutique hotels which regenerate historical scheduled sites in Urban Conservation Areas. Current Tourism Policy is seeking means of promoting agritourism facilities. The Council asks whether any impact on the provision of agritourism and boutique hotels has been evaluated in determining the Height Limitation Policy, or has it simply been driven by development considerations? Will the investment poured in the agritourism and boutique hotels be lost in view of the slashing of prices in hotel accommodation created by</p>	<p>Adjustment Policy for Hotels is to set out improved planning criteria to further encourage the sustainable growth of the tourism sector in an ever increasing competitive market. This draft policy as directed by Government through the objectives provided for this review is to aid existing hotels in maximizing their economies of scale through an increase in quality tourism accommodation. The aim of this policy is to specifically address one of the challenges experienced in the local tourism sector. This policy is part of a wider national tourism strategy which offers a number of other incentives and directives for the improvement of the local tourism as detailed in the National Tourism Policy 2012-2016.</p> <p>This policy will contain a number of safeguards to ensure that any increase in height through this policy will not negatively affect the quality</p>
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		<p>the risk of an oversupply of hotel accommodation?</p> <p>3) In addition to point 2 has there been any assessment of the current trends in accommodation, particularly in the context of the low cost traveller who is likely to book their travels online? Online booking sites, such as Airbnb and other sites offering couch surfing are resulting in more travellers seeking alternatives to hotel accommodation, both for a more local experience, as well as to have more privacy than is offered in a hotel. Has this trend of renting room space been considered in this drive to add more hotel bedrooms which is not in synch with current trends?</p> <p>4) The Council praises the condition that design features a high quality product in keeping with the urban context and no blank walls are created. Council wishes to propose that green elements are included in such a design in order to adopt a green building approach. Having thick vegetation planted on roof tops, creepers on side walls and plants on terraces will compensate for the negative visual impact</p>	<p>of nearby skylines and streetscapes, following concerns raised in this and other submissions received.</p> <p>Furthermore this policy may consider an increase in building height over and above the number of floors permitted in the Local Plan provided that the resultant design features a high quality product in keeping with urban context and no blank walls are created as requested by Government through the objectives listed for the creation of this policy</p> <p>A construction management plan will be one of the criteria requested through the Planning Application Process.</p>
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		<p>created by further construction in an already overbuilt, clustered urban setting.</p> <p>5) A strict condition related to the criteria to be adopted for the approval of such applications is the shading effect both in relation to public spaces as well as the shading of neighbouring residences. Any shading of coastline frequented by bathers must be strictly avoided. Similarly any shading which will result in the lack of use of solar panels already installed is to be either prohibited or compensated for. It has to be made clear that if a resident's solar panels are no longer functioning in view of shading, then the resident has to be compensated. This is not a simple matter and may require the enactment of solar rights and obligations.</p> <p>6) Part of the criteria adopted needs to ensure that the overall facilities of the hotel are adequately equipped to cater for any additional floors. A tourist product which is overburdened with large numbers may be counterproductive and have a negative impact on the overall experience of tourists residing in the relative hotel eg: if there is limited elevator options, small breakfast room space or reception</p>		
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		<p>facilities etc. The overall facilities of the hotel must be at the forefront of any assessment as to the eligibility of a hotel to cater for an increase in accommodation floors.</p> <p>7) Council welcomes the condition that onsite parking should be provided according to the prevailing parking requirements. The Council however points out that sustainable traffic arrangements are not solely related to parking arrangements, but evermore so in the case of hotel guests who require coach transportation, it is the overall impact of car transportation on the surrounding streetscape which is crucial. The policy criteria must therefore include the condition that the applicant is to provide a traffic impact assessment resulting from the increase in tourists in the context of the surrounding streetscape.</p> <p>8) Last, but not least there is no mention whatsoever of any form of construction planning. As we all know construction of such high buildings will involve massive cranes, noise pollution, dust pollution and other inconveniences which will negatively</p>		
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		<p>impact other residents and tourists alike. The policy criteria is to include a condition that a construction plan with planned positioning of cranes, duration of works, noise abatement measures etc. is presented. It may also be wise to impose the closing down of the hotel while the construction takes place in order not to create a negative experience for tourists who will reside in a hotel which is in effect a construction zone.</p>		
<p>Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Malta &amp; Restaurants Association.</p>	<p><u>7. Mr Andrew Agius Muscat obo MHRA letter dated 13 May 2014</u></p>	<p>The Malta &amp; Restaurants Association supports in principle the proposed policy for the development of extra floors hotels as recently announced, though this needs to cover also new hotels for obvious reasons. These policies can give a number of hotels the opportunity to improve their efficiency and product, and ultimately improve their sustainability.</p> <p>However the MHRA must also look at the big picture in terms of the total number of hotel beds supply, as the right balance between supply and demand needs to be maintained. The MHRA appreciates that there needs to be a policy in place to allow new development to replace fatigued or</p>	<p>HLAPHR-1-009</p>	<p>The goal of this policy review of the Height Limitation Adjustment Policy for Hotels is to set out improved planning criteria to further encourage the sustainable growth of the tourism sector in an ever increasing competitive market. This policy as directed by Government through the objectives provided for this review is to aid hotels in maximizing their economies of scale through an increase in quality tourism accommodation. The aim of this policy is to specifically address one of the</p>

		<p>low standard accommodation, whilst allowing for innovative new development that can potentially serve to attract new markets.</p> <p>It is important however that we monitor the tourism carrying capacity of the Maltese islands within a framework of long term sustainability. MHRA's concerns at the moment are limited to the peak months and these pertain to the demands and pressures on the infrastructure and popular areas, like beaches and others, but also to the tolerance levels of the local community especially in certain areas. More beds will also precipitate seasonality problems, as this means that we will have more beds to fill in during the winter months. These are only but some of the issues which need to be considered in the process.</p> <p>In this regard, MHRA feels that it is crucially important that when MEPA announces this policy and any other concerning the development of new hotel accommodation, it is makes it clear that MEPA will only process an application, subject to MTA approval, which will determine the type and nature of any</p>	<p>challenges experienced in the local tourism sector. This policy is part of a wider national tourism strategy which offers a number of other incentives and directives for the improvement of the local tourism as detailed in the National Tourism Policy 2012-2016.</p> <p>This policy takes into account the concern regarding new hotels and is being amended accordingly.</p>
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		<p>proposed accommodation development, and that this is not an automatic process, as the feeling out there is that anyone can just apply and is guaranteed a permit.</p> <p>The MHRA emphasizes that all accommodation development needs to be in line with government tourism policy which has to be supported by strategic direction for growth scenario that guides industry on the optimum number and type of accommodation required that can register the best yield for the industry and indeed the economy of our islands.</p>		
<p>Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from public.</p>	<p><u>8.Perit David Zahra dated 27 May 2014</u></p>	<p>We would like MEPA to consider extending the possibility of additional floors, over and above the additional two floors, as included in the 'Allowable Building Heights', since the two main objectives, set out in the policy documents(copied hereunder), can still be achieved in a non-detached site, depending on context and design -</p> <p>1. high quality product in keeping with the urban context and no blank walls are created</p>	<p>HLAPHR-1-010</p>	<p>. This policy would apply to hotels as requested by Government through the objectives listed for the formulation of this policy.</p> <p>This policy refers to hotels as defined by the competent Authority for tourism (guesthouses, hostels and tourism furnished premises are excluded). Other forms of accommodation units are</p>

		<p>2. the resultant design constitutes a landmark building having unique aesthetic characteristics within the urban context. The principle we would like MEPA to consider is that in order to achieve sustainability, the smaller hotels require more expansion possibilities, to have enough rooms to render the business viable.</p>		<p>subject to other incentives in line with the National Tourism Policy 2012-2016.</p>
<p>Comments and Recommendations for the review of the Height Limitation Adjustment Policy for Existing Hotels from Birzebbuga Local Council.</p>	<p><u>9.Perit Carmel Cacopardo obo Birzebbuga Local Council dated 28 May 2014</u></p>	<p>I write on behalf of the Birzebbuga Local Council with reference to the Height Limitation Adjustment Policy for existing hotels. It is noted that, subject to conditions, it would be permissible for existing hotels to be extended by a height exceeding two floors that permitted by the Local Plan. It is further noted that one of the conditions proposed by the proposed policy is that applicable sites have to be surrounded by existing or planned roads. Having perused the draft submitted for public consultation I note that the proposed policy does not consider the shadowing which such a concession would cause on neighbouring tenements, in particular on residential property. This shadowing would result in a reduced</p>	<p>HLAPHR-1-011</p>	<p>This policy will contain a number of safeguards to ensure that any increase in height through this policy will not negatively affect the quality of nearby skylines and streetscape ( including shadowing ) following concerns raised in this and other submissions received.</p>



		<p>ability to capture solar energy. In addition it would also conflict with current policy relative to the generation of alternative energy from renewable sources. It would also as a result impede the attainment of EU targets relative to carbon neutrality of buildings.</p> <p>It may be argued that the condition that site has to be surrounded by existing or planned roads could signify that no neighbouring properties can be impacted, it is suggested that this is not necessarily so.</p> <p>In view of the above it is suggested that the draft policy submitted for public consultation is amended such that the concession proposed is also made conditional the issue of shadowing as described above.</p>		
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