

DEVELOPMENT CONTROL WITHIN

URBAN CONSERVATION AREAS

DESIGN GUIDANCE

JULY 1995

1. Introduction

Definitions

2. Problem Areas Within the UCAs

Built Environment

Traffic

Social and Cultural Attitudes

3. Applications

Application Forms and Submission Requirements

Method Statement

Assessment

Part A Buildings

Demolition of Property within UCAs and Development of Gap Sites

Alterations to Facades for the Provision of Garages

Alterations to Shopfronts

The Construction of Additional Storeys

Minor Alterations to Facades

- Alterations to Facade Elements

- Alterations to Timber Balconies

- Alteration to Open Balconies

- Alteration: to Facades through the Fixing of Advertisements and Signage

Part B Spaces Between Buildings

Development of Gardens and Backyards

Trees and Other Landscaping

- Trees

- Protection of Existing Trees

- Planting New Trees

- Other Landscaping

- Maintenance

Street Furniture

- Street Furniture Design

- Street Furniture Location

- Maintenance of Street Furniture

Street Surfacing

- Maintenance

Street Name Signs

Plaques and Monuments

Traffic Management Schemes

Telecommunications Equipment

Public Utilities

Views

Access

Part C Uses Within Urban Conservation Areas

APPENDICES

A Guidelines for Grading Buildings

B Policy and Legislation

1. INTRODUCTION

The implementation of the Structure Plan will encourage greater rationalisation in the use of land and discourage urban sprawl. Overtime this should lead to an increase in demand for the rehabilitation of dwelling units in Urban Conservation Areas (UCAs). Although this trend is a highly positive one, in practical terms it presents some immediate problems arising from pressures for demolition and extensive alterations to properties within the urban fabric of local traditional settlements. These guidelines attempt to deal with these pressures. They are published by the Planning Authority as part of its campaign to promote urban conservation among property owners, and to give guidance to architects and developers in the formulation of development proposals affecting property within UCAs.

The control and management of pressures for change within UCAs should aim to provide the right balance between a static system of restraints, that ensures the conservation of the inner urban fabric, and a dynamic system of stimuli that encourages sensitive and compatible urban renewal in line with the needs of modern society. The main goal of any urban conservation strategy should be to ensure that the evolution of traditional settlements is compatible with maintenance of the historical continuum. Evolutionary changes such as the reuse and adaptation of historical buildings, the provision of social and community facilities, and the betterment of centuries old traditional festivals, are not only desirable but necessary to sustain livability within the village and town context. So long as change is generated from within and is compatible with the historical continuum, then the evolutionary process is a healthy and progressive one. If the historical context is perceived as being unduly restrictive, the concept of change may develop regressive and with negative implications. This may result in traditional craftsmanship skills, building materials and building forms being dispensed with, to the detriment of the historic environment.

The objective of this publication is to provide guidelines for architects, developers and others on the renewal of UCAs to ensure that evolutionary changes occurring within such areas are in harmony with their historical context. These guidelines will be used by the Planning Authority in assessing applications within UCAs, to encourage a coherent approach towards the control of development within them. Practising architects are advised to follow these guidelines in their submissions.

The first part of this document identifies existing problem areas within UCAs, after which development guidelines on such areas are presented both for individual buildings and spaces between buildings.

The following list outlines the major problems within the UCAs, which can be categorised under three major areas as follows:

DEFINITIONS

For the purposes of these guidelines the following definitions shall apply:

Urban Conservation Area (UCA)

(Specified in Structure Plan Policy UC01)

An area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance.

Scheduled Property also referred to as Listed Building

(Specified under Section 46 of the Development Planning Act 1992) An area, building or remains of geological, archaeological, historical, antiquarian or artistic importance, or an area of natural beauty, ecological or scientific value. A Scheduled Property is protected for its conservation value and given a level of protection.

Building

Any structure or erection and any part of a building, but does not include plant or machinery comprised in a building.

Street furniture

Street furniture shall include any of the following structures when located within the streetscene: seats, litter bins, bus shelters, bollards, railings, raised planters, street lighting, information signs, traffic signs and clocks.

Tree

A tree is defined as a perennial plant with a woody trunk which has a diameter at any point greater than 17cm, except if the primary use is for agricultural purposes.

Landscape

In UCAs landscape constitutes the setting of buildings which enhances the attractiveness of those buildings and the area as a whole. This will include hard landscaping (surfacing and man-made structures) and soft landscaping (the use of planting and other organic matters). Landscaping will include the following: trees, plants, paving and street furniture.

2. PROBLEM AREAS WITHIN THE UCAs

BUILT ENVIRONMENT

Buildings

1. The demolition of buildings within the inner urban fabric, and infilling of gap sites;
2. The extensive alterations of facades for the provision of garages and shopfronts;
3. The construction of additional floors;
4. Alterations to facade elements and proportions;
5. Alterations to timber balconies;
6. Alterations to open balconies;
7. Alterations of facades through the fixing of advertisements and signage;
8. The use of inappropriate, non-traditional building materials;
9. The deterioration of design standards - lack of a contextual approach;
10. Problems of dampness, stone deterioration and lack of adequate natural lighting, etc., related to old buildings;
11. Internal alterations to historic buildings.

Urban Fabric

12. The deterioration in the quality of the streetscape;
13. The development of back gardens and yards into garage clusters;
14. Indiscriminate street widening, expansion of village squares and destruction of alleys;
15. Loss of open space;

Land Use

16. Vacant, underutilised and dilapidated buildings;
17. Inappropriate and incompatible land uses within historic cores;

TRAFFIC

18. Traffic circulation problems in narrow streets;
19. Traffic generation within inner core;
20. Vehicular/ pedestrian conflict;
21. Lack of off street parking;

SOCIAL AND CULTURAL ATTITUDES

22. Units within the historic core are usually too small to satisfy current consumer expectations;
23. The lack of modern (sanitary) facilities and services;
24. The lack of effective development control enforcement in past years, and effective deterrents and punishments for illegal demolitions and alterations;
25. Popular misconceptions that new development is somehow preferable to rehabilitation of older housing stock.

These guidelines are primarily concerned with issues 1-9 and 11-20. Other issues have been addressed at Structure Plan level, whilst some are sociocultural in nature and are beyond the scope of these guidelines.

3. APPLICATIONS

APPLICATION FORMS AND SUBMISSION REQUIREMENTS

- Applications on buildings within UCAs should be made on Form B11 and the information required should be provided as indicated in circular PA 1/93
- In addition to the normal requirements, the following additional information is required for applications within UCAs:
 1. When an application involves the demolition of a building within a UCA two streetscape elevations (scale 1:100) are required, one indicating the relationship of the existing building with adjacent buildings, and another showing the new construction in the context of the streetscape;
 2. When an application involves the opening of a garage or construction of a garage cluster, a block plan (scale 1:500) is required, indicating the site in relation to the street network and the street width adjacent to the site access. Proper elevations are to be submitted of the entrance to the garage cluster along the street alignment, including drawings of the adjacent facades on either side of the main site entrance;
 3. Elevations (scale 1:50) should show in detail all materials and colour schemes proposed. Any signage and/or advertisements proposed on commercial premises are to be included in the elevations. In particularly sensitive cases 1:20 detailed drawings will be required;
 4. When an application involves construction in a backyard/garden or courtyard, photographs showing all sides of the backyard/garden or courtyard are required.

METHOD STATEMENT

In accordance with Section 46(4) of the Development Planning Act any restoration works on scheduled property should be covered by a development permit. For such works on any scheduled property and for any other works on Grade 1 scheduled property, the Planning Authority requires specific information, which is to be submitted with the development permit application in the form of a Method Statement

The Method Statement should always include:

1. A brief history of the building on which works are proposed;
2. A condition survey of the property preferably accompanied by photographs;
3. Identification of features of special architectural interest;
4. Proposed works, including:
 - A. Cleaning methods to be used;
 - B. Extent of materials to be replaced;
 - C. Type of mix to be used in pointing;
 - D. Any chemical treatment to be used (including specifications)
 - E. Size and type of stone;
 - F. The way services are intended to be installed;
 - G. Other matters as required;
5. A detailed programme of works implementation.

The Method Statement should be accompanied by detailed plans indicating areas to be cleaned, areas of masonry to be replaced and areas on which chemical treatment is to be used. This information could be also supplied on detailed photographs, however these should be accompanied by a plan of the building indicating location of photographed sections of the building. Instant photographs are not acceptable. Detailed service plans are also required on Grade 1 scheduled property

The Planning Authority reserves the right to send a copy of the information submitted with the application, including reports, to the National Archives, as a means of documenting the works carried out on historic buildings.

ASSESSMENT

Prior to formal submission of an application, the applicant's architect is strongly encouraged to consult the Planning Directorate on the nature of the proposed works. It is particularly essential to establish the grade of any Listed Building which may be affected by development, where this is already established, prior to submission of an application.

PART A BUILDINGS

DEMOLITION OF PROPERTY WITHIN UCAs AND DEVELOPMENT OF GAP SITES

1. No demolition of buildings listed as Grade 1 is to be permitted. In relation to Grade 2 Listed Buildings Policy UCO 7 provides that:

Permission to demolish such buildings will not normally be given, Alterations to the interior will be allowed if proposed to be carried out sensitively and causing the least detriment to the character and architectural homogeneity of the building.

No internal alterations affecting features of architectural or historical interest - e.g. spiral stairs, mouldings, barrel vaults, stone carving etc. - will be allowed.
2. In relation to Grade 3 Listed Buildings, Policy UCO7 provides that; "Demolition may be permitted provided the replacement building is in harmony with its surroundings. However, in general, Policy UCO9 states that:

In the interim period pending the completion of Local Plans there will be a presumption against demolition of buildings in Urban Conservation Areas even if the building is in a bad state of repair, unless the development is of a sufficiently high quality to be used as an example of good practice in urban renewal.

Permits for demolition and new construction will always be issued simultaneously and are only valid for a two year period. However, construction must commence within the first year of validity period.
3. In considering an application which involves demolition, special attention will be paid to:
 - A. The state of repair of the existing building, including dampness, deterioration of stone and structural safety;
 - B. The internal condition of buildings, in particular: sanitation, room size, levels of natural lighting, and other internal structural condition;
 - C. The existing use of the building or its most recent use, if vacant;
 - D. The context of the building, including any important features of the streetscape, adjacent building heights, adjacent uses, etc.;
 - E. Any external features on facade described in Appendix A;
 - F. Any internal features such as barrel vaults, arches, etc.
 - G. Any other significant elements.
(the above are not in order of priority)
4. If demolition is to be permitted, or the proposal is for developing a gap site, the proposed street elevation will be judged in relation to any existing buildings and the surrounding environment. If the proposed elevation is not in context with the old urban fabric, the applicant will be requested to submit fresh elevations. The Planning Directorate will indicate possible restrictions and/or features to be included in the design, such as:
 - A. Building height and alignment;
 - B. Proportion of openings;
 - C. Architectural and stylistic features;
 - D. Materials to be used.
5. In any new development no setbacks will be allowed except in circumstances outlined in paragraph 10 and existing street alignments must be respected. Garage openings at a setback from original street alignments, whether at ground level or below, will not normally be permitted. However, there may be cases where a basement garage with at least seven courses above street level and a short ramp behind the garage door on the original street alignment will be permitted, provided that:
 - A. The garage door is on the street alignment
 - B. The overall height of the proposed building conforms with the height limitations outlined in paragraph 11 (A).
 - C. The main door to the dwelling unit is not reached by an exposed flight of steps (i.e. only two to three steps are allowed on the street elevation)
6. If proposals do not comply with these conditions they will normally be refused. Where it is Impracticable to change elevations or where changes would fundamentally alter the nature of the proposal, the application will be refused.

ALTERATIONS TO FACADES FOR THE PROVISION OF GARAGES

7. No alterations to facades of Grade 1 Listed Buildings will be permitted, as provided by Policy UCO7. Alterations to facades of Grade 2 Listed Buildings will not normally be permitted. Exceptions may be made if a very high standard of design is achieved. The provision of domestic garages in Grade 3 Listed Buildings may be allowed if the following conditions are met:
 - A. The building is not on a village square or on a street of appreciable scenic value; or on a street already or proposed to be pedestrianised;
 - B. The building is not on an alley or on a street of width less than 4.1 m (excluding footway);
 - C. If the building is on an intersection of two or more streets, a garage door would only be permitted if the opening is at a distance of more than 4m from the nearest corner;

- D. The garage opening is less than 2.4m (8ft) wide and not more than 8 courses high. Arched openings higher than 8 courses having a fanlight will be favourably considered if ground floor height allows;
 - E. The garage door is to be made of timber treated and painted in a natural colour;
 - F. The proposed opening does not disrupt the symmetry of the facade, or affect any panelling, cornice or any other architectural features.
- 8 All applications proposing more than two garages on the same property on the same street frontage, will require special justification.

ALTERATIONS TO SHOPFRONTS

9. A number of general design principles apply to most Forms of shopfront proposal;
- A. Approval will not normally be given where original architectural features worthy of preservation are to be removed or concealed.
 - B. New openings will not normally be allowed in
 - C. Grade 1 and Grade 2 Listed Buildings. Exceptions may be made in Valletta provided a very high standard of design is achieved .
 - D. The character, scale, proportions and detailing of the building above and below, and properties adjacent must be respected.
 - E. Where a retail unit is proposed which includes more than one individual building or facade, shopfronts should be individually designed for each facade with some form of separation between fascia boards etc.
 - F. The use of traditional building materials will be preferred. Imaginative high quality contemporary design will be acceptable as long as it respects the style and architectural characteristics of the building and area in which it is to be situated.

For more details refer to the Policy and Design Guidance - SHOPFRONTS (May 1994), published by the Planning Authority and for sites in Valletta refer to the Valletta Rehabilitation Project shop design guidelines.

THE CONSTRUCTION OF ADDITIONAL STOREYS

10. Applications for additional floors on Grade 1 buildings will be refused. For Grade 2 Listed Buildings, additional floors may be permitted. However there might be cases where an additional floor will aesthetically disrupt the existing elevation. In such cases, where practicable a setback may be imposed, otherwise additional floors will be refused. All applications must comply with the relevant height limitations and policies of the Planning Authority as well as other Guidelines outlined in this document.
11. Requests for additional floors on Grade 3 Listed Buildings will be favourably considered if:
- A. The completed buildings. After additions, does not disrupt the scale and rhythm of the streetscape. For example, an additional storey on a two storey building where two storey buildings predominate will not normally be permitted. However, such a proposal will normally be favourably considered if the majority of buildings already exceed two storeys.
 - B. The design of any additional floor should respect that of adjacent buildings, particularly the continuity of such architectural elements as cornices, string courses and parapet walls. The levels of doors and windows in the additional floor should correspond to the levels of similar openings of adjacent buildings;
 - C. Traditional materials, such as timber, should be used for window and door openings, and balconies.

MINOR ALTERATIONS TO FACADES

Alterations to facade elements

- 12 Alterations to facade elements, such as the conversion of persjana doors into windows; modifications to door and/or window proportions; and any alterations to cornices, string courses, mouldings, niches, and other facade elements are not permitted on Grade 1 and Grade 2 Listed Buildings. Changes to facade elements and proportions of Grade 3 Listed Buildings will only be favourably considered if they are in context with the historic built environment and are intended to improve the original facade.
- The following principles should be adopted:
- A. Openings must be in proportion with the whole facade;
 - B. Openings should be greater in height than in width;
 - C. Traditional building materials such as timber or similar suitable alternatives must be used.

Alterations to timber balconies

13. Timber balconies of Grade 1 and Grade 2 Listed Buildings may be restored and should not be altered. If, in the opinion of the Planning Authority a balcony is confirmed to be so dilapidated that it cannot reasonably be maintained, a replacement will be permitted, provided that it conforms with the original design and fully respects the proportions, scale, colour and materials (normally painted timber) of the original.
14. Replacement of timber balconies of Grade 3 Listed Buildings will only be permitted if the following two conditions are satisfied:
- A. The balcony is not one in a series of similar timber balconies on adjacent buildings; and
 - B. The balcony is not capable of being properly maintained or repaired.

- 15 Balcony replacements should be similarly proportioned to the original design and, preferably, will be painted in traditional colours and constructed in timber. If aluminium is to be used, it must not be bronze or silver and must be sensitively designed to incorporate the design of the original balcony and/or surrounding balconies.
- 16 All submissions which include the replacement or alterations to balconies should include detailed drawings and sections.

Alterations to open balconies

- 17 Open balconies made of stone or wrought iron on Grade 1 and Grade 2 Listed Buildings should be retained in their original state. Permission will not be granted for the enclosure of open balconies nor for the replacement of parts or whole of the original utilising non-traditional building materials such as aluminium, plastic or concrete, since this would change the original facade of the building.
- 18 Requests for the enclosure and/or replacement of open balconies on Grade 3 listed Buildings will only be favourably considered if:
 - A. The balcony is not one in a series of similar balconies on adjacent buildings;
 - B. The balcony is not capable of being properly maintained or repaired;
 - C. Any replacement balcony is made of timber, or similar suitable alternative.

Alterations to facades through the fixing of advertisements and signage

- 19 Billboards will not normally be allowed in UCAs. Smaller sizes of advertising panels may be acceptable in predominantly shopping or business districts 3 within UCAs, but particular attention to a high standard of detail and design will be required. Illuminated billboards will not normally be acceptable and will be strictly controlled. Further guidance is given in the document Policy and Design Guidance - Billboards and Signs (May 1994).
- 20 Separate guidance has been produced for fascia and other signs on shops as outlined in paragraph 9. In other cases the display and illumination of advertisements and signage will only be allowed in specific circumstances and these are outlined in the document Policy and Design Guidance - Billboards and Signs (May 1994).

PART B SPACES BETWEEN BUILDINGS

DEVELOPMENT OF GARDENS AND BACKYARDS

1. The development of gardens and backyards leads to the loss of open space within UCAs. Public and private open spaces perform a number of important functions within UCAs, as outlined below:
 - A. Open space provides separation and distance between adjacent land uses in often high density areas. This helps to protect amenity (e.g. by suppressing noise) and provides fresh air and light (green lungs);
 - B. The protection of open space helps support farmland, trees, vegetation and other traditional village activities.
 - C. The relationship between built and undeveloped land defines the form of the urban settlement and is a fundamental organising force in defining the sense of place;
 - D. The hierarchy of open spaces establishes the relationship between public, semi-public and private areas;
 - E. The central courtyards are an important element in local architecture and provide light and air to most vernacular buildings within UCAs.
2. Applications to develop open spaces within the inner core of UCAs will not normally be permitted as these are likely to have unacceptable traffic generation implications and to conflict with the functions outlined in paragraph 1 above. The environment of the historic cores should be traffic free as it was never intended to accommodate the demands of the car. Streets and alleyways are public spaces, popular for sitting out and other social activities which are incompatible with high levels of traffic. In exceptional circumstances, garage developments in the village core may be considered favourably if it can be demonstrated that there are significant positive benefits in removing parked cars from unsuitable places in the vicinity. Sites on the periphery of the historic core (near to recent urban development) with better access to the main road network, will generally be subject to fewer constraints. There could be cases in which internal development is favourably considered if this is to be used for residential purposes and if such development will be planned in a manner as to leave sufficient open well landscaped spaces.
3. Applications to develop open space on the periphery of UCAs will only be favourably considered if:
 - A. The width of the street (excluding the footway) in front of any access opening is not less than 4.1 m;
 - B. Any access opening must be located within a distance greater than 4m from the nearest intersection of two or more streets;
 - C. The site is not a cultivated garden and does not include architectural elements worthy of conservation, such as wells, fountains, water troughs, etc.;
 - D. The open site does not make a valuable contribution to the overall character of the area as noted in 1.

TREES AND OTHER LANDSCAPING

Trees

4. Trees and other soft landscaping (such as shrubs, bedding plants, etc.) play an important role in breaking up the urban scene and improving the visual quality of an area. Trees also play an important role for providing shade. Therefore wherever possible existing soft landscaping should be exploited.

Protection of Existing Trees

5. The Planning Authority can take measures to protect individual or groups of trees through scheduling and if necessary issue a Tree Preservation Order (TPO) as defined in Section 48 of the Development Planning Act 1992 and Structure Plan policy RCO 33. The Authority will usually give trees within UCAs a high priority for protection, particularly if there is a perceived threat to the tree(s) or if the Authority considers that the removal of the tree(s) will be detrimental to the overall visual appearance of the UCA.
6. If a tree is scheduled the following works will only be permitted with the consent of the Planning Authority:
 - A. Cutting down or uprooting of a tree;
 - B. Topping, lopping or wilfully damaging a tree;
 - C. Carrying out any works within the canopy of a tree.
7. The Planning Authority can issue an Emergency Conservation Order as defined in Section 47 of the Development Planning Act 1992 on any tree it considers is in danger of being cut down or damaged. This order gives the same protection as scheduling for a six month period.

Planting New Trees

8. In accordance with Structure Plan Policy RCO 32 new trees should be planted to enhance landscape schemes, visually screen unattractive areas and provide shade along footways. Species which attract wild life such as birds are encouraged in suitable locations, as are native tree species (refer to structure Plan Technical Report 5.4).
9. Any soft landscaping scheme, whether part of a new development or part of UCA improvement 12 scheme, may require tree planting, as directed by the Planning Authority. Details of tree species to be used should be submitted to the Planning Authority as part of the application for a development permit.

Other Landscaping

- 10 THE PLANNING AUTHORITY SHOULD APPROVE ALL LANDSCAPE PROPOSALS IN UCAs. The Planning Authority will not normally agree to the removal for development purposes of any soft or hard landscape area within UCAs, unless an alternative landscape area is provided within the same UCA that in the opinion of the Planning Authority is of a higher standard of design than the original and which, through its relocation does not reduce the conservation value of the UCA.
11. A proposal for new development within a UCA which proposes or requires landscaping, must include a landscape scheme which is compatible with and enhances the character of the UCA, in accordance with Structure Plan Policy BEN 17. The type of landscape that will be appropriate depends upon the individual characteristics of the individual UCA. However the following are general guidelines:
- A. Careful consideration should be given to the purpose of the landscape. If it will be used in association with a recreational use the landscape scheme should normally comprise of both hard and soft landscaping. The planting should be used to break up the streetscene and provide visual interest, whilst the hard landscaping should both complement the visual attraction of the planting and serve a functional use, for example by providing a seating area or footway. Landscape may be used for other purposes, for example to provide security to a property through the use of planting. In this case the planting should contribute to the visual attractiveness of the UCA whilst still serving the purpose that it is intended: a thorny, flowering shrub may be appropriate in this instance.
 - B. Street furniture should form an integral element to any landscape scheme within a UCA, however the quantity of street furniture should be kept to the minimum necessary to serve the use for which it is intended, rather than create visual clutter.
 - C. Landscaping should enhance rather than detract from existing views. If an important vista exists within a UCA, the landscape should ensure that it does not obscure the view, for example through the selection of planting which does not grow too high or too wide.
 - D. Native plant species should normally be used (refer to Technical Report 5.4).
 - E. Paved areas should normally comprise of high quality natural materials such as stone setts or concrete (or equivalent) with the use of tarmac being avoided.
 - F. Landscaping should be used to enhance and attract people to features of architectural or historic importance. For example a seating area or planting could be used to enhance the public's appreciation of an existing statue.

Maintenance

12. All new proposals for soft landscaping schemes within a UCA should be accompanied by a maintenance schedule, outlining how the scheme will be maintained during the establishment period and following years, in accordance with Structure Plan policy BEN 17. This schedule should be approved by the Planning Authority before any work commences.

STREET FURNITURE

13. Street furniture comprises the following: seats, litter bins, bus shelters, bollards, railings, raised planters, street lighting, information signs, traffic signs, and clocks. It makes a vital contribution to the character of a UCA and can either detract from or enhance the UCA's conservation value depending on its design, location and level of maintenance. It is important to pay particular attention to street furniture in new development and in enhancement schemes.
- 14 As specified in the General Development Order 1993 (Class 4) any proposal for the erection or construction of street furniture in a UCA must be submitted to the Planning Authority. If the Authority does not give notice in writing to the developer within 28 days that the development requires the submission of an application for development in accordance with Part IV of these Development Planning Act, it should be considered as permitted development.

Street Furniture Design

- 15 There is no one design type which is suitable for all UCAs since each UCA has its own character and a standard street furniture design might enhance one UCA whilst detracting from another. However the following general guidelines are relevant for all street furniture within UCAs:
- A. The street furniture design should be sympathetic to the character and historical legacy of the UCA, whilst serving the purpose for which it is designed. For example a specific style of street lighting is present in Mdina and this should be copied for new lighting, whilst still ensuring that the streets are adequately lit.
 - B. The colour and texture of the street furniture should be sympathetic to the character of the UCA whilst not causing a hazard to partially sighted people by being difficult to identify. For example a brightly coloured litter bin might detract from the visual continuity of a UCA, but a litter bin that blends in too well with the background (for example a green litter bin close to green vegetation) might cause a hazard to partially sighted pedestrians. A compromise might be a dark blue litter bin which is both easily identifiable, but generally would not detract from most streetscenes.
 - C. The character of a UCA would be greatly eroded if the street furniture is designed from poor quality materials and is easily damaged. Therefore all street furniture should comprise of high quality and robust materials. For example it would be inappropriate for seats to be made from light-weight plastic with

bolted attachments which could easily be damaged. A more appropriate design would comprise of a wooden or iron seat which is moulded to its support.

Street Furniture Location

- 16 The positioning of street furniture can have a pro-found impact on the character and appearance of a UCA and thought should be given to the effect its location will have on the streetscene. The following are general guidelines which should always be adhered to when locating street furniture:
- A. Street furniture should not obscure features of visual value. For example when locating an information sign care should be taken to ensure that it does not obscure or compete for attention with a feature such as a statue which would normally be visible along the path of the pedestrian flow, or it does not obscure a vista along the streetscene.
 - B. Street furniture should not normally be attached physically to a Scheduled Property. For example the wall of a Listed Building should not be used as a support for litter bins. Exceptions to this would be where an alternative site might detract from the character of the UCA. For example the traditional location for street lighting in a particular UCA might be to attach it to adjacent properties. The removal of these structures for self-standing light columns may detract from the overall appearance of the UCA.
 - C. When the erection of street furniture involves excavation, the original surfacing must be reinstated with the original materials, to the original quality, unless the Planning Authority agrees otherwise.
 - D. Street furniture should not create an obstruction to the carriageway or footway unless that is its purpose as part of an approved traffic calming scheme.
 - E. Within a seating area, a proportion of the seats should be located in a shaded position e.g. beneath a tree or within the shade of a building.

Maintenance of Street Furniture

- 17 To ensure that street furniture enhances rather than detracts from the character and appearance of the UCA it is important that the street furniture comprises of good quality material to minimize levels of maintenance. Any maintenance that is required should be undertaken to a high standard and street furniture should not be allowed to fall into a state of disrepair.

STREET SURFACING

- 18 The floorscape makes a vital contribution to the character of a UCA. An application for resurfacing streets and pavements within UCAs should be submitted in accordance with Part IV of the Development Planning Act for any street improvements as specified in Class III of the General Development Order 1993. For all development proposals the Planning Authority will encourage the use of surfacing materials which are sympathetic in texture and colour to the character of the UCA. Traditional surfaces or traditional style of surfaces should be retained or reintroduced where there is historical evidence for them. If a street is to be pedestrianised, it is important to retain the traditional relationship between footways and carriageway, including kerblines.
- 19 Public and private organisations or their contractors will be required to ensure that any reinstatement necessary after public utility works are undertaken, uses original, or in exceptional circumstances, modern materials agreed by the Planning Authority and that original standards of workmanship are met or exceeded.

Maintenance

20. To ensure that footways and carriageways enhance rather than detract from the character and appearance of UCA, they should be regularly maintained to a high standard using traditional surfaces or traditional styles wherever possible.

STREET NAME SIGNS

- 21 Street name signs can add to the attractiveness of a UCA and therefore extra thought should be given to their design than would normally be expected in other areas. Encouragement will be given for each UCA to have distinctive street name signs, which are sympathetic to the character of the UCA and will indicate to people that they have entered a UCA.

PLAQUES AND MONUMENTS

- 22 The Planning Authority will encourage the erection of wall plaques in UCAs which give information on the history of a building area. The design of such plaques should be drawn up in consultation with the Planning Authority to ensure a uniform approach is taken and should be approved by the Monuments and Plaques Committee at the Museums Department.
- 23 Monuments should be sensitively positioned to enhance the character of the UCA. The same guidelines apply for monuments as street furniture, but a development permit application must be submitted for all monuments and must be approved by the Monuments and Plaques Committee at the Museums Department.

TRAFFIC MANAGEMENT SCHEMES

- 24 Any traffic management proposals within UCAs should be approved by the Planning Authority as specified in Class III of the General Development Order 1993.

TELECOMMUNICATIONS EQUIPMENT

- 25 A proliferation of overhead wires and telecommunications equipment detracts from the attractiveness of UCAs both in terms of the building on which it is situated and the overall views through the UCA Structure Plan Policy UCO 15 states that "in Urban Conservation Areas, permission to erect telecommunications antennas and dishes will only be given if the apparatus is hidden from public view". Furthermore Structure Plan policy BEN 3 outlines the necessity to avoid visually intrusive wiring. It states "Permission for development will normally be given only if provision is made in the proposal for the installation of underground ducts to link electricity and telecommunications distribution networks to the development, the ducts to be utilised immediately if underground supplies are available or held in reserve for subsequent use if only overhead supplies are available at the time of the development".
- 26 The Planning Authority's "Policy on Satellite Dishes and Telecommunications Antennae" states that in UCAs permission will only be granted for satellite dishes at ground level at the rear of properties, or on the roof, where these are not visible from a public place. It states that permission will not be granted for dishes on the facade of buildings or where a dish would have a detrimental effect on the character or setting of a UCA. Furthermore dishes of more than 3 metres diameter or other masts or antennae will not normally be permitted in UCAs.
- 27 Reference should be made to the Planning Authority's "Policy on Satellite Dishes and Telecommunications Antennae" before a proposal is submitted to the Authority

PUBLIC UTILITIES

- 28 Wherever possible public utility operations should be co-ordinated to limit the visual damage to the UCA. For example underground ducts should be shared for electricity water and telephone cables.

VIEWS

- 29 Views into, out of and within a UCA form an essential element to the conservation value of a UCA. Structure Plan policy UCO 10 states that developments will not be permitted which adversely affect views in or from the UCAs or which detract from the traditional urban skyline". Listed below are examples of the type of development which would not be permitted in accordance with this policy:
- A. A development which exceeds the height of surrounding properties.
 - B. A development that obscures a feature of historical importance, whether this is within or outside a UCA.
 - C. A development which interrupts a streetscene: for example a shop sign that projects into the street.
 - D. A development which detracts from the balanced visual composition of the streetscape e.g. a new development whose windows are not in proportion to existing developments.
 - E. A development which would obstruct a panoramic view from or to a UCA

ACCESS

- 30 All streetscene proposals within UCAs should consider the needs of all users, regardless of any disability in accordance with the document Access For All. (June 95) The use of dropped kerbs at crossing points should be an essential element of all footway proposals, tactile warnings should be given to partially sighted people of hazards or access points and ramps should be used to enable better access into public buildings. However it may be necessary to compromise the need for access to ensure that the historic character of the area is given paramount attention and that measures to assist people with disabilities do not detract the value of the UCA. For example ramps should be sensitively located so as not to detract from the architectural value of a building and it would not be appropriate to remove original stone setts to enable better access.

PART C

USES WITHIN URBAN CONSERVATION AREAS

1. Traditionally a wide range of activities have been undertaken within the historic cores of towns and villages. Communications were not as developed as today and most of the communities' needs had to be met locally. Traditional uses included the keeping of livestock, small scale farming, small shops including grocers, bakers and household goods, as well as wine bars and cafes, not to mention the various types of street hawkers few of which survived up to the present time. This variety of uses contributed much to the character and vitality of these areas as places to live. Over time new uses have been developed and these are not always as compatible or small scale as the uses which have traditionally been accommodated. Particular problems have been associated with garage industries such as panel beaters and sprayers, and with large livestock units.
2. In order to encourage the rehabilitation and re-use of UCAs and to reduce the number of disused and under-used buildings it will be desirable to support as wide a range of uses within historic areas as possible. However these must be compatible with the overriding objective that they help preserve and enhance the character and appearance of the area in which they are situated (UC01). Residential use is likely to remain the predominant use within UCAs and the Planning Authority will encourage and support projects which rehabilitate older properties for residential use. This may involve either sub-division of larger and older properties to form small units of accommodation, provision of modern facilities, renovation and renewal, or some combination of these. In some cases it may be appropriate to relax normal planning standards (e.g. in relation to parking) in order to encourage rehabilitation of older properties.
3. Apart from residential use, it is difficult to generalise about which uses will be acceptable within UCAs since, for example, what is acceptable within a traditional fishing village may not be so in other locations. Moreover in places like Mdina or some villages in Gozo which rely for much of their special character and charm, on their peace and quite, a more restrictive approach would be justified than in other more commercial areas. Even within the same UCA, the character and suitability of uses will vary depending on location. The key factor in assessing the suitability of new uses will be to ensure that the use would not adversely affect existing or planned adjacent uses by reason of:
 - A. visual intrusion;
 - B. noise or vibration;
 - C. atmospheric pollution;
 - D. unusually high traffic generation;
 - E. unsociable opening hours;
 - F. any other factor which would constitute bad neighbourliness or disturb the character of the historic area.
4. Notwithstanding the difficulties of generalisation, it is likely that the following uses would be acceptable uses within UCAs, provided there is no conflict with the factors cited in 3 above:
 - A. small scale offices (e.g. architects, lawyers, etc.);
 - B. other professional services (e.g. doctors' clinics, dentists' clinics, beauty parlours, etc.);
 - C. local shops (e.g. grocers, pharmacists, household goods but excluding specialist retail such as jewellers, boutiques, etc.);
 - D. bars/small scale restaurants (proposals in Mdina and Cittadella will be subject to particular scrutiny);
 - E. small scale "craft" industries (e.g. potters, artists, filigree, etc.);
 - F. social/community facilities.

APPENDICES

GUIDELINES FOR GRADING BUILDINGS

- The Development Planning Act (Act No. 1 of 1992) gives power to the Planning Authority to prepare, and from time to time review, a list of areas, buildings, structures and remains of geological, palaeontological, archaeological, architectural, historical, antiquarian or artistic importance, which are to be scheduled for conservation, (Section 46 Paragraph 1). Paragraph 3 prohibits the demolition, alteration or extension of any scheduled property, except with the permission of the Planning Authority granted on an application made to it and giving such details as the Authority may require, (Section 46 Paragraphs 3 & 4). Any works carried out without necessary permits will be subject to enhanced enforcement penalties as indicated in Section 46 Paragraph 7.
- Policy UCO 7 sets up a grading structure for Listed Buildings within Urban Conservation Areas, which is required by the Development Planning Act as indicated above. The Grading structure varies from Grade 1 to Grade 3 and their designation is explained briefly below.
- The number of Grade 1 buildings naturally varies from one town to another. While their number is understandably considerable in such places as Valletta, Mdina and the Three Cities, in most other towns and villages it is often only the parish church, chapels and perhaps a few other buildings, which would be entitled to such a degree of protection. Such buildings could include palaces and/or buildings which have important historic value or outstanding architectural importance. Free standing monuments and statues should also fall under such protection. Buildings having special architectural features such as the 'fat' moulding around windows and/or doorways also merit such degree of protection. In addition there are other examples of buildings which merit protection even though they are located outside built-up areas
- The number of Grade 2 Listed Buildings in Maltese towns and villages is quite large. Most buildings in the 1946 Museum List of Scheduled Monuments fall under this category Other buildings having interesting facades and architectural features that are worth preserving deserve such grading. Among the details to be noted are:
 - A. Panelling on facades;
 - B. Traditional symmetric facades;
 - C. Detailing on main entrance or central bay such as:
 - continuous corbelled supports;
 - use of columns or pilasters;
 - use of special mouldings such as baroque moulding.
 - D. Surrounds of windows and/or doorways
 - use of decorative mouldings;
 - triangular, rectangular and segmental pediments;
 - richly ornate lintels.
 - E. Other details:
 - stone carving;
 - design of balcony (both timber or masonry);
 - decorated wrought iron balconies;
 - detailing of corbels and particular forms of corbelled supports such as the fan corbel;
 - giant pilasters;
 - roundels;
 - niches and aedicules;
 - particular windows such as the muxrabija;
 - bracket corbels supporting a masonry shelf;
 - entablatures, friezes and capitals.
- Buildings which have none of the above details, but when considered as part of a whole streetscape have a visual integrity and harmony, should also fall under such grading.
- Grade 3 buildings are buildings which have no historical importance and are only of minor architectural interest on their own but which are, none the less, an asset to the urban environment. Such buildings may be demolished and replaced by new ones with the important proviso that the latter are not out of harmony with the surroundings and would have to have architectural merit.
- By the aid of this listing exercise it is possible through Local Plans to identify streets of scenic value within Urban Conservation Areas, that is streets which
 - A. have a considerable number of Grade 1 and Grade 2 buildings;
 - B. have a rhythmical effect composed by the location of doorways, window openings, balconies, or any other architectural features;
 - C. compose an interesting serial vision;
 - D. form part of a traditional processional route to villagers; or
 - E. streets which are traditionally the routes into the villages centres.

POLICY AND LEGISLATION**Structure Plan for the Maltese Islands (1991)****POLICY UCO 1**

designates Urban Conservation Areas in the following locations:

- Valletta and Floriana;
- The Three Cities; Mdina;
- The Cittadella and its environs (Gozo);
- The central area of Sliema;
- The central area of Hamrun; and
- Village Cores.

POLICY UCO 2

provisionally defines the boundaries of historic cores as those contained in the Temporary Planning Schemes (under S.8 of the Building Permits (Temporary Provisions) Act 1988). Boundaries will be revised through the relevant Local Plans and additional areas added when and as necessary.

POLICY UCO 4

requires all buildings in Urban Conservation Areas (and therefore, Village Core Areas) to be treated as "listed" as Buildings of Architectural and Historical Interest, as an interim measure, pending more detailed policies. There is a general presumption against the demolition of any building of Architectural or Historical Interest (i.e. for the time being, all buildings in Historic Cores - POLICY UCO 2 above).

POLICY UCO 5

seeks the removal of accretions to Listed Buildings, the restoration of original structures and finishes, and the relocation of inappropriate uses.

POLICY UCO 6

sets out the basic objective within Urban Conservation as being "to preserve and enhance all buildings, spaces, townscape and landscape which are of Architectural or Historic Interest, and generally to safeguard areas of high environmental quality and improve areas of low quality".

POLICY UCO 7

provides for the grading of Listed Buildings into Grades 1, 2 and 3, and states that Grade 1 buildings shall be preserved in their entirety. Demolition or alterations which impair the setting or change the external or internal appearance ... will not be allowed". For Grade 2 buildings, "permission to demolish such buildings will not normally be given. Alterations to the interior will be allowed if proposed to be carried out sensitively..". For Grade 3 buildings, "Demolition may be permitted provided the replacement building is in harmony with its surroundings".

Guidelines regarding the grading system are given in Appendix A of this document.

POLICY LIC0 8

requires development proposed for gap sites or to replace an existing building to meet various criteria set out in other policies and guidelines in the Structure Plan - which are further developed in these Design Guidelines.

POLICY UCO 9

makes it clear that, until the completion of Local Plans, there is a presumption against the demolition of buildings even if they are in a bad state of repair. Consent will only be given where the proposed "development is of a sufficiently high quality to be used as an example of good practice in urban renewal", and there is an enforceable agreement to ensure that, after demolition, the replacement building is completed within a specified period.

POLICY UCO 10

safeguards views of or from Urban Conservation Areas.

POLICY UCO 11

allows for the possibility of the conversion of Listed Buildings where this would preserve the building.

POLICY UCO 12

emphasises the importance of the enhancement of Urban Conservation Areas through improvements to public spaces, street furniture, and to finding new uses for vacant and underused buildings. The means of doing this through a Land Tribunal and Trust is proposed.

POLICY UCO 14

emphasises the need to control vehicular traffic and increase safety for pedestrians in Urban Conservation Areas. "There will be a general presumption against the opening up of new access roads and the widening of existing streets and alleys ..."

POLICY UCO 15

requires telecommunications antennae and dishes to be hidden from public view. Refer also to the "Policy on Satellite Dishes and Telecommunications Antennae".

POLICY UCO 16 and UCO 17

develop the theme of achieving urban conservation objectives through raising public awareness and interest and by the establishment of a Heritage Trust. Paragraphs 15.15 -15.18 in the Explanatory Memorandum expand on these policies.

The Explanatory Memorandum elaborates further on the above mentioned policies.

Other related Structure Plan Policies**SET 1:**

Development, including rehabilitation and re-development within existing built-up areas will be encouraged unless it infringes Policies BEN 1, 2, and 3.

BEN 1:

Development which would constitute bad neighbourliness would not normally be permitted, or which has a detrimental impact because of; visual intrusion, noise, vibration, atmospheric pollution, unusually high traffic generation and unusual opening times.

BEN 2:

Development will be assessed on its conformity with guidelines. Good urban design will be a requirement of permitted development including compatibility with the visual integrity of the area, natural heritage and adjacent uses.

BEN 6:

Control of development, in terms of the Development Planning Act includes the control of advertisements; so a development permit is required to erect or display advertisements. Design proposals for advertisements are not permitted if they infringe the design guidelines issued by the Authority.

BEN 7:

Any development requires a permit. This includes development by Government departments and other public agencies. In order to speed up the process of development control procedures, pre-application consultations will be encouraged.

BEN 8:

The distinction is made between an outline permit and a full permit. An outline permit gives approval in principle to the proposed development but specifies reserved matters which need to be included in a full permit application. This PUT 25: type of permit would not give the right for actually commencing development. On the other hand a full development is required before any development can commence.

BEN 17:

Attention will be given for detailing of landscape proposals in development permits including measures for maintenance.

BEN 18:

Local plan will also cater for Policy BEN 17.

BEN 19:

Notwithstanding the second major Structure Plan goal to use land efficiently, open spaces within urban areas will be protected and enhanced.

PUT 2:

The interdepartmental working group will consider the feasibility and optimal form of common services reservations, rights of way, and common service ducts in all urban areas.

HOU 1:

Development and redevelopment of existing committed and planned built-up areas will be encouraged, so as to increase the amount of housing stock, albeit within constraints set out by Policy SET 7.

HOU 2:

Within Urban Conservation Areas, existing numbers of housing units will be retained and vacant or under utilised dwellings used. Ancillary facilities will also be necessary to create an improved urban environment.

HOU 3:

The Local Plans to be prepared for all built-up areas will be more specific as regards densities, heights, design etc. Until the Local Plans are drawn up, Structure Plan policies and guidelines will be applied.

SOC 20:

Full support will be given for housing for the elderly and disabled. The accommodation will be suitable for all needs from fit active elderly to those requiring extensive medical help and must be conveniently located in relation to health centres, social centres, shops and public transport. The adaptation and reservation of existing housing units, the conversion of existing hotels and non-housing buildings for use by the elderly and the disabled will be favourably considered.

TRA 4:

Different parking principles will be applied in different areas for new developments. In Valletta and the Village Cores only a minimum standard will be required to discourage the use of cars in these sensitive historic areas.

RDS 7:

Priority is given to the needs of pedestrians in Urban Conservation Areas and other areas exhibiting environmental problems due to traffic.

PUT 23

This policy puts the onus on Enemalta to install only underground electricity distribution systems in areas of existing and new urban development.

PUT 25

The Planning Authority will require Telemalta to install only underground telecommunications systems in areas of new development. The Planning Authority will also seek to establish in conjunction with Telemalta a programme of progressive under grounding of all existing overhead cables and apparatus in built-up areas.

DEVELOPMENT PLANNING ACT 1992**General Development Order 1993**

The following Section relates directly to permitted development of work within UCAs.

The development outlined below is normally permitted development, with certain exceptions including those which are related to UCAs as outlined,

CLASS 1 - Alterations to existing dwellings and development within the curtilage of dwellings

The following is normally permitted development:

The erection of a washroom or other structure on the roof of a dwelling .

However this is not permitted development if it is located on a scheduled property.

CLASS 2 - Minor Operations

The following is normally permitted development:

- A. The painting of the exterior of any building or work.
- B. The alteration or replacement of windows, doors, balconies, galleriji and similar parts of any building, carried out in the same style, design and materials as existing.
- C. The installation of air-conditioning units on the exterior of a building.

There are a number of exceptions to this provision, when such development is not permitted development and this includes if any of the above is within a UCA. In the case of painting it is not permitted development if the painting involves the whole or a substantial part of a building and involves also a change in colour from the colour in which the building is then painted. In the case of painting and installing air-conditioning the development will become permitted if the developer notifies the Authority of the operation in writing with a plan showing the location of the building and the Authority does not, within 21 days of the receipt of such notice, give notice in writing to the developer that the development requires the submission of an application for development in accordance with Part IV of the act.

CLASS 3 - The formation, laying out, alteration or improvements of roads

The following is normally permitted development:

- A. The formation or laying out of roads as indicated in a temporary provisions scheme.
- B. The widening, improvement or maintenance of an existing road within the highway boundary, unless such widening would result in the creation of an extra lane or lanes.
- C. The improvement or alteration of junctions unless such improvement or alteration involves the improvement or alteration of a grade separated junction, or a significant alteration to the direction of traffic flow.
- D. The embellishment or enhancement of roundabouts unless it includes or involves the erection or display of a sign or advertisement.

There are a number of exceptions to this provision, when such development is not permitted development.

The exceptions related to UCAs are outlined below:

- if it involves the formation laying out or widening of a road, or the improvement of a junction within a UCA.
- if it is located in or within 50 metres of any scheduled property or tree.

CLASS 4 - Minor Infrastructure Development

The following is normally permitted development:

- A. The erection or construction, and the maintenance, alteration or other improvement, of lamp standards, public seats, refuse bins or baskets, bollards, barriers and similar works or structures.
- B. The installation of posting boxes or self-services machines.

There are a number of exceptions to this provision, when such development is not permitted development. With regard to UCAs such development is not permitted development if:

- it involves or includes any erection or construction in an Urban Conservation Area or in or adjoining scheduled property, unless the developer has notified the Planning Authority in writing and given to the Authority a written description of the proposed development, together with a plan showing the location and details of the development and the Authority does not, within 28 days of the receipt of such notice, give notice in writing to the developer that the development requires the submission of an application for development in accordance with Part IV of the Act.

CLASS 12 - Temporary Structures

The following is normally permitted development:

Operations consisting in the placing on land of a building, moveable structure, works, plant or machinery required temporarily in connection with and for the duration of operations being, or to be, carried out on, in, under or over that land or on land immediately adjoining that land.

However this is not permitted development if it is located in, or on, scheduled property.

CLASS 13 - Temporary Uses

The following is normally permitted development

The use of land for any purpose for not more than 14 days in any calendar year.

However this is not permitted development if it is located in or on scheduled property.

CLASS 15 - Lighting of Buildings and Works

The following is normally permitted development:

The external lighting of buildings and structures carried out by a Government department or agency.

However this is not permitted development if it involves the external lighting of buildings or structures in a UCA or in or adjoining scheduled property, unless the developer has notified the Planning Authority in writing and given to the Authority a written description of the proposed development, together with a plan showing the location and details of the development and the Authority does not, within 28 days of the receipt of such notice, give notice in writing to the developer that the development requires the submission of an application for development in accordance with Part IV of the Act.

CLASS 16 - Mineral Exploration

The following is normally permitted development:

Development on any land for a period not exceeding 28 days and consisting of:

- A. the drilling of boreholes
- B. the carrying out of seismic surveys, for the purpose of mineral exploration.

However this is not permitted development if it is an operation to be carried out within 50 metres of a UCA or a scheduled property.