

Approved

DPC meeting 01/17

24th January 2017

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 1st Meeting of 2017 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 24th January 2017 at 9.30 am.

Present:

Mr P Origo (Chairman)
(Town Planner)

The Hon Dr. J Cortes (MEHEC)
(Minister for the Education, Heritage, Environment & Climate Change)

The Hon S Linares (MCMYS)
(Minister for Culture, the Media, Youth and Sports)

Mr H Montado
(Chief Technical Officer)

Mr G Matto (GM)
(Technical Services Department)

Mr I Balestrino (IB)
(Gibraltar Heritage Trust)

Mr C Russo (CR)
(Land Property Services)

Mrs J Howitt (JH)
(Environmental Safety Group)

Mr K Bensusan (KB)
(Gibraltar Ornithological & Natural History Society)

Mr C Viagas

Mr M Cooper (MC)
(Rep Commander British Forces, Gibraltar)

In Attendance:

Mr P Naughton-Rumbo (DTP)
(Deputy Town Planner)

Mrs. Miriam Brittenden
(Minute Secretary)

Apologies:

The Hon Dr. J Garcia (DCM)
(Deputy Chief Minister)

Approval of Minutes

863/16 – Approval of Minutes of the 11th meeting of 2016 held on 22nd November 2016

The Commission decided to defer the approval of the Minutes of the 12th DPC meeting of 2016 held on 16th December 2016 to the end of the meeting, to allow The Hon S Linares (MCMYS) to be present as he had advised that he would be arriving late.

Matters Arising

1/17 – BA12946 - 56 City Mill Lane - Proposed demolition

DTP reported to the Commission on this Application which had been considered in the last meeting. The demolition of two buildings at the rear of the site had been approved previously pending the approval of the demolition of a third building, fronting City Mill Lane. This demolition was left pending the outcome of a site visit.

He commented that the Town Planner had met on site with the Applicant's agent who had agreed to retain the front building along City Mill Lane that wasn't in any state of collapsing and for which no demolition court order had been issued. A demolition permit would therefore be issued for the two buildings at the rear of the site and a fence/wall would be erected around the site boundary to screen off from the Theatre Park.

MEHEC was concerned about the possible visual impact of the fence on the Theatre Royal Park. The Chairman addressed this issue saying that a condition the permit would require the Applicant to submit details of the fence/wall within a specific time limit.

IB also required an archeological watching brief which would be carried out by the Ministry for Heritage before and after demolition.

**2/17 – BA/13329 - 15 Europa Pass Battery Europa Road - Proposed internal alterations.
Consideration of revised plans to construct basement area on open land below dwelling.**

DTP reported to the Commission that this Application had been discussed in Feb 2016 and the Applicant had subsequently submitted revised plans. The two new elements consisted of the following proposals:

- To make use of a void below the dwelling, by creating an internal access and construct full height glazed frontage on the west façade with a glass balustrade.
- To regularise the installation of a flu located within an inner light well.

DTP stated that the flue was barely visible and that any visual impact was minimal. There were no objections to this.

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DTP stated that units 1 to 14 in the Europa Pass Battery have a fortification wall beneath the dwellings and some have already been granted permission to use the voids, on the basis that the enclosed areas were behind the Fortification Wall, which meant that there was minimal visual impact. However, in the case of units 15 & 16, the Fortification Wall runs under the building but further back. Therefore, in this case the void was actually in front of the wall and enclosing the void would have a visual impact.

He added that in terms of the comments received, LPS had no objections, Technical Services, Ministry of Housing and DoE had no objections, other than the standard conditions on dust and energy requirements of the building.

DTP stated that from the Planning perspective they had concerns over the visual impact of the proposal, due to the fact that the new façade would be built up to the front plane of the building and would be visually prominent and overbearing, particularly when viewed from the South from Europa Road.

The Commission concurred with the comments raised and the application was refused.

3/17 - F/14614/16 - 3 Cheshire House, Buena Vista Estate - Proposed swimming pool and installation of glass balustrading on boundary wall.

DTP briefed the Commission on this Application, which proposed the construction of a small 6x3m swimming pool on an existing hard surfaced terrace area. He added that they would require the demolition of an existing modern boundary wall and it would be reinstated after the works were carried out and to construct a glass balustrade along the existing wall to provide protection.

He stated that the department had received other Applications in the past with similar proposals to erect glass balustrades along the perimeter wall. The Commission had approved the proposals on condition that the railings be erected on the wall and the glass balustrade could be located behind this if so desired. He added that other than the standard comments received; the MoH indicated the need for an archeological watching brief.

DTP commented that the proposal would have a minor visual impact, the pool plant would be located within the pool structure and would recommend approval of the scheme, subject to the condition that the glass balustrade is fixed to the ground or the inside of the wall as opposed to the top of the wall.

He also added that there was a second aspect for the Commission to consider which related to the residents of Cheshire House who had written to the Commission requesting them to reconsider the issue of the glass balustrade and the railings on the parapet wall.

DTP reported that a site meeting had been arranged for Members and that the general feeling of those present was that the impact would not be excessive and accepted that the railings were not original to this development and recommended the approval of the proposed glass balustrades.

The Commission concurred with the comments made and approved the Application.

The Commission also agreed to amend the condition on the previous permits to allow for the glass balustrades, without the need of railings.

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4/17 - F/14615/16 - Flat 3 at 1st and 2nd Floors, Armstrong Buildings, Main Scud Hill Block, 3 Scud Hill and 1 to 3 South Sheds Place - Proposed first floor extension providing new utility room to apartment and proposed second floor extension providing new bathroom to apartment.

DTP briefed the Commission on this Application where the Applicant was proposing to construct a flat roofed, two storey extension on the first and second floors at the rear of the building. The extensions would be built on an existing patio to provide bathrooms and a utility room.

He added that the Application also included the installation of two new windows on the second floor facing into the rear garden area and replace a number of windows on the rear of the building. Another aspect of the proposal was to enclose an existing terrace on the northern elevation, to be covered with a glass curtain system with a retractable glass roof. The height of the proposed extension would not exceed the height of the existing building.

DTP stated that other than the standard consultee comments the MoH had indicated the need of an archeological watching brief in relation of the foundation of the extensions. He added that the department had also received a letter from the owner of the adjacent property confirming he had no objections to the proposed enclosure of the terrace. He recommended the approval of the scheme.

The Commission approved this Application unanimously.

5/17 - F/14646/16 - 19 Willis's Road - Proposed conversion of part-stores into residential accommodation, new bin store for public use and small extension to the front.

DTP commented that this was a full Planning Application for the refurbishment of an area which was being used as stores. The proposal was to refurbish a storage area and convert the first floor into a residential apartment. He stated that the building in question was in a dilapidated state and was in need of restoration, he added that the Applicant had put forward the following proposals:

- On the ground floor they proposed to refurbish the area to create storage uses retaining the existing access. Provide a new door opening giving access to the relocated public bin store and create a porch to access the apartment above.
- On the first floor they proposed to create an extension over part of the open yard.
- They proposed internal alterations to create a three bedroom apartment.
- To reopen three currently blocked up windows. (These windows overlooked an adjacent property, but there were no objections as both buildings were in the same ownership.)
- To construct a terrace over the remainder of the yard.

DTP stated that the Application was subject to Section 19, Public Participation, and no comments had been received. The Application received consultee comments and other than the standard conditions the proposal had obtained clearance from the cleansing superintendent with regards to the relocation of the bin stores within the yard.

From the Town Planning perspective, the department felt that the proposals were sympathetic to the character of the area and welcomed the refurbishment of the building which included the use of traditional shutters and window. However, he recommended that it was not necessary to have

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a porch leading to the public highway and it would lead to an encroachment to the public highway. An alternative would be to recess the door from the frontage. It was likely that in any event the installation of bollards would be required to prevent parking cars directly in front of the entrance.

DTP also commented that the proposed relocated bin store included a new access directly onto the road. He suggested that to avoid loss of on-street parking the access to the bin store could be relocated to the interior of the yard and that the applicant should be asked to consider this.

JH asked the Commission to ensure that no gates are placed at the entrance to the yard and to ensure that an alternative bin store is provided whilst the works are carried out.

The Commission concurred with the comments made and approved the Application subject to the recommendations made.

6/17 - F/14648/16 - 23 Governor's Street - Proposed redevelopment/refurbishment of the upper floors of the existing building, converting the existing dwelling into 12 apartments, constructing a small extension on the roof terrace, installation of a new passenger lift and the creation of stores at ground floor level.

DTP stated that this Application was for the redevelopment and refurbishment of the upper floors of an existing building and convert this into 12 apartments, 9 x studio flats and 3 x 1-bedroom apartments. They also proposed to construct a small extension on the roof and install a new passenger lift within the building.

(Apologies - The Hon S Linares (MCMYS) arrived at 10.10am)

DTP stated that there had been various representations and counter representations and an objector had asked to address the Commission. He added that the proposal was to create a storage area, install a lift on the ground floor, internal alterations on the first and second floors to provide the new apartments and create new window openings on the New Passage Façade.

The existing roof including the existing two dormer windows would be removed and a new floor created with a mono pitch roof over and three new dormers with timber sash windows incorporated on the Governor's Street side. A flat roof terrace would be constructed at this level on the rear of the building facing on to New Passage and including new railings.

He added that given the location of the building there was no parking provision as it would not be possible to provide this on site. He stated that the Commission would need to waive the normal car parking requirements in order to approve this proposal.

The objector, Mr. M Belilo, representing Mrs. C Bravo the occupier of the adjacent property, addressed the Commission with his representations. Mr. Belilo stated that having had various interchanges with the Applicant, his client wished to express their concern to the Commission regarding the boundary wall between the two properties which was not clear whether it was a party wall or not.

He stated that his client had serious concerns over the stability of the boundary wall particularly when the foundations for the proposed lift shaft are laid and the potential effects to the existing

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chimney flu. He also added that the proposed roof joint would have to be appropriately waterproofed.

Mr. Belilo further stated that his clients only had a month to negotiate their points of concern with the developer and asked the Commission to defer this Application to ensure that his client has had enough time to meet with the developer to discuss their concerns.

CV interjected that the objections stated, such as the possible affects to the boundary wall when constructing the lift shaft, roof waterproofing and the chimney flu were relating to Building Control Regulations and the issue with the boundary wall ownership would have to be taken up with their respective lawyers.

The Chairman agreed with CV's comments and stated that the concerns raised are land and landlord issues. He added that the Commission can only take decisions relating on town planning considerations and not legal land concerns.

He also recommended that if the Commission was to approve the proposal despite there being any legal ownership issues affecting the development, the Applicant could change the scheme to suit these legal requirements and the Commission would have to reconsider the plans submitted at a subsequent date.

The Commission had no more questions for the Objector.

The Applicant's agent Mr. S. Martinez from Arc Design was asked to address the Commission and present his counter representations.

Mr. Martinez stated that the roof was sloped and set back to prevent the blockage of adjacent windows and the lift shaft had been set back from the boundary wall. He stated that if the boundary wall was confirmed to be a party wall, the lift would be placed as near to the wall as possible to address any possible maintenance issues that may arise in the future. He also stated that they would follow Building Control Regulations required so as not to affect the existing chimney flu.

IB asked whether the proposed dormers could be changed to skylights, rather than the proposed dormer windows.

The Chairman interjected informing that there are other dormer windows in the adjacent buildings.

DTP stated that there were no significant comments to report other than the standard conditions and they felt that this proposal, on a Planning perspective, was a welcome regeneration of an old long time vacant building. The proposed design was sympathetic to the character of the area and provided additional residential accommodation.

He commented that in relation to the dormer windows issue, their view was that there are other dormers on the adjacent properties and the visual impact at roof level would be minimal. He recommended the approval to the proposals with the conditions of carrying out an archeological watching brief, the integration of swift and bats nest into the design and that all windows and shutters are of timber materials.

IB suggested that the new dormers should be set back to minimise the visual impact.

MEHEC stated that nests would need to be integrated and the design approved by the DoE.

The Commission concurred with these comments and approved this Application subject to the recommendations accepted by the Commission.

7/17 - O/14651/16 - 2 Hospital Ramp - Proposed construction of four town houses and storage facilities.

DTP commented that this was an Outline Planning Application and that two previous schemes for this site had been considered and refused by the Commission in March 2016 and October 2016, on the grounds that the proposals were contrary to the Development Plan policy. The Applicant had been advised to completely revise the scheme.

DTP stated that various meetings had been held with the applicants since the previous schemes had been refused.

He stated that following the two previous outline applications the Applicant had submitted a new proposal which was to construct 4 town houses instead of the previous proposal of 9 apartments and provide storage facilities within the air raid shelter. They proposed a decrease in density and had reduced the floor space from 1050 m² to 720 m².

DTP briefed the Commission on the new proposals, which were as follows:

- The conversion of the WWII ARP shelter into stores;
- On the ground floor on the current proposal was much more open and allowed more permeability and views through the site, as they propose to have parking areas and not the entire footprint would be built up. They also proposed landscaping on the boundaries and a number of trees would be planted on the southern boundary.
- On the first and second floors the new building layout proposed had a more staggered form on both the eastern and western side and was setback on the north, south and west boundaries, which helped reduce the impact to the surrounding streets in the area.
- The third floor would be set back at the northern most side of the building.
- The development would be horizontally and vertically staggered and would resemble the scale and colours of the existing houses surrounding the site.
- The façade would include features such as terraces, large glazed openings and balconies to maximize the natural light and views.
- The top floor would be constructed with a lightweight construction and would be set back from the building line.
- On the east elevation the features were more traditional in style to blend in with the streetscape.

The Commission welcomed Ms. S Armstrong and Mrs. Ruth Massias Greenburg, the Agents for the Applicant to address the Commission.

Ms. Armstrong stated to the Commission that they had transformed the design to considerably reduce the size and massing and ensure that the development was viable for their client. The

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development had been reduced by a third from the original designs proposed and have ensured that the design integrates with the surrounding landscape.

Mrs. Massias Greenburg addressed the Commission and explained that the project had three main factors in the design, ensuring that the project integrates with the surrounding landscape, the buildings accessibility and sustainability.

She added that the volume had been broken up to respond to the massing issue and adopted the colour pallet of the area. On the northern end, the building was stepped down and back on all façades. They had brought back the patio type feel of the area and proposed an open space for permeability, natural daylight and to maximize views.

She also highlighted that the roof had been designed at an angle facing the south to allow for solar panels, on the east side they had incorporated heritage features with traditional windows and shutters and wrought iron steel balconies. They had also incorporated accessibility features to the design and have allowed space to provide lifts in the future if required.

Mrs. Massias Greenburg went on to address the objectors concerns and stated that as regards to the height concerns the new proposed building would sit in line with the existing buildings in the area. She also added that the development was in line with the Old Town guide lines, which state that the staggered heights of building in the Old Town forms part of the character of the Old Town.

To address the massing concerns, she stated that they had reduced the density from 1050 m² to 720 m² and redesigned the development to include the open spaces.

She commented that they had consulted with the MoH and they had confirmed that the building had no heritage value so it was not necessary to retain the building and added that the Old Town Planning Guide specifies that buildings and structures should only be retained if they contribute to the character of the Old Town area. They concluded that the current building would not meet sustainability requirements and would not meet modern day regulations; therefore the new proposal would meet all requirements.

The lower storage area located at the historical air raid shelter beneath the development would be limited to one access as the other entrance was blocked by a Gibelec substation. They considered that the use of the Air Raid shelter would be preferable for storage facilities as it requires a low density use.

Mrs. Massias Greenburg ended the presentation by stating that they had taken a holistic look for the scheme and felt that the proposed design added to the surrounding area and to Gibraltar as a whole whilst taking heritage, sustainability and accessibility as their driving factors.

MEHEC asked whether the open space proposed on the ground floor would be open to the public, to which she confirmed that the area would be for residents use only.

JH suggested whether they could remove the top floor of the proposed development, which could address the Commission's and objector's height concerns. The Applicant stated that the top floor was an essential part of the development.

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The Chairman asked whether the development's foundations would perforate through the air raid shelter. Mrs Massias Greenburg confirmed that it would not.

There being no further questions the Commission thanked Ms Massias Greenburg and Ms S Armstrong.

Mr O Smith was welcomed to address the Commission with his objections.

Mr Smith stated that the current amended scheme was welcomed and the thrust of his objections was to the proposed height of the building. He stated that it was clear that the applicants had accommodated the main concerns from the objections raised on the two previous DPC meetings.

He stated that the design would be welcomed in the Old Town area but considered that the proposal should be rejected in relation to the height as the location was a unique site. He added that his home was adjacent to the development and although he welcomed the setback feature proposed, in his opinion, it would be an unacceptable increase of height and a significant breach of the existing skyline.

Mr Smith stated that the proposal to build on top of the existing air raid structure, which was already two to three stories high, would mean that the present proposed development would form up to a 7 storey high building. The development's height was contrary to the Planning Guide and in order to approve this Application the Applicant would need to present exceptional reasons to breach the height guide.

The Chairman interjected saying that the Commission had the discretionary right to approve the building height. To which the Objector replied that the Commission should not forgive an over ambitious commercial bid for the site, which need to propose a high density and mass and density development to be able to extract profit and the Commission should take a decision based on the Old Town Guide Act.

The Commission had Moreno further questions for Mr. Owen and thanked him for his contribution.

Mr Apap, the second objector was asked to address the Commission.

Mr Apap agreed with the comments and objections stated by Mr. Smith. He also agreed that the developer had improved the overall design regarding the sustainability, accessibility and overall design, but still considers that the building proposed was excessive in height.

He stated that the height views presented by the Applicant had been taken from a distance and views from the surrounding streets had not been presented. In his opinion, and that of neighbours in the vicinity, he considered that the proposal was too high and imposing for the area.

He commented that the only reason the Applicant had provided for the development's height was for the development to be viable and although he commended the redesign of the development, which was set back and the reduction in height, he still considered the development too high. He added that the concept is good but the development is not appropriate for this site.

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In conclusion he asked the Commission to refuse this Application based on grounds that the development proposed had not been sufficiently reduced in height or mass.

MEHEC asked Mr. Apap whether he would prefer to see a reduction in height at the expense of the loss of open views Mr Apap stated that the open view would be obstructed by the staircase, lift shaft and cars and in his opinion this is not an open area and furthermore the area was for private use only.

There being no more questions for Mr Apap the Commission thanked Mr Apap.

DTP reported to the Commission that other than the representations and counter representations made the Commission had received a total of 8 letters of objections to the proposal based in summary on the grounds of objections by both Mr Apap and Smith. He reported on the departmental feedbacks which were as follows:

The Heritage Trust welcomed the changes to the reduction in the massing by using setbacks and staggered forms to break up the massing design. Their only concern relates to the inclusion of a mansard style roof on the most northerly unit, the form of which does not fit in with the Upper Town. They confirmed that there are no objections to the use of the Air Raid Shelter for storage provided that the original format and layout of the shelter are respected in the conversion.

The MOH confirmed that they considered that the revised proposals comprise a very modern yet contemporary design which would fit in well with the adjacent area. They welcomed the revised design although they requested further clarification on how the storage facility would be used and recommended the condition of retaining the format and layout of the heritage air raid shelter.

TSD confirmed that they had no architectural objections to the proposed development and welcomed the revised design. They did state that they required the submission of details of sight lines for the proposed vehicular access.

The Traffic Commission advised that they would not recommend approval of the vehicle arrangement of reversing onto Hospital Ramp from the new car park within the development and suggested that the car parking arrangements would need to be redesigned to enable the vehicles to face outwards onto Hospital Ramp.

DTP stated that from the Planning perspective, they welcomed the changes proposed by the Applicant and particularly welcomed the changes in respect of the density of the development, massing and scale of the development to reduce the impact on surrounding buildings.

He stated that the question on whether the height was excessive would be a matter on which the Commission would need to make a decision. He added that references had been made to the policy on Tall Buildings and the need to provide exceptional justifications and that the Commission needed to consider all the information before it and decide if it had sufficient information to satisfy the requirement of this policy.

He also clarified that reference had been made to the 2009 Old Town Plan being law and that this is not the case. It is policy and acts as a guide to the Commission in making decisions. However, whilst it is only a guide the Commission should not deviate from it without good reason for doing so.

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He recommended that the Commission should focus on what was being presented today and what they consider acceptable and added that the contemporary concept proposed was considered to complement the area, the staggered form, set backs and the third floor glazing had significantly reduced the visual impact from the surrounding areas.

He stated that and in terms of the car parking requirements, although the regulations would require two spaces per dwelling, in this case, they were providing one space per house. He recommended that the Commission should relax the regulation, considering the sustainable and accessibly concept proposed and given its location within the Old Town.

DTP added that they find the use of the Air Raid shelter acceptable subject to the storage being limited to domestic use only as commercial storage use would be likely to lead to access and congestion problems. There would also be a need to provide, a loading and unloading bay. He also commented that the applicant would need to consider alternative means of escape in case of an emergency. Other than these comments he recommended approval of the Outline Application.

The Chairman stated that the proposal was an improvement from the originally proposed block structure and added that this development was part of the Urban Renewal of the Upper Town area. The proposed scheme meets the Old Town criteria, was introducing sustainability and accessibility and would recommend approval.

CV congratulated the Architects of for the proposed scheme and commented that to address the height concerns, he suggested that if the parking requirements were relaxed and recommended the removal of the ground floor to reduce the height, although this would remove the case for accessibility. He added that he was inclined to support the proposed scheme. However, he considered that Government should consider the relocation of the electricity sub-station which may then allow for the re-opening of the exit from the ARP shelter at the northern end.

The Commission took a vote on this Application, with the following results:

In favour:	6
Against:	0
Abstain:	5

The Outline Application was approved with conditions including integration of swift and bat nest and the incorporation of appropriate provision for refuse storage.

There was a 20 minutes interval

HM gave his apologies and left the meeting.

8/17 - F/14662/16 - 1A Engineer Road - Proposed construction of 2 x four storey houses and roof terrace with swimming pool, toilets and pergola.

DTP briefed the Commission on this full Planning Application which follows from an Outline Application approved on 25 July 2016 which was for the demolition of a part one and part two

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storey house and the construction of two 5-bedroom town houses.

He reported that the full application generally follows the previous approved scheme but that they were now proposing two four bedroom houses and also a small extension of the built up area to the rear of the development. The Applicant also proposed the inclusion of pergolas at roof level and the inclusion of two swimming pools, 1 per house, toilets and services room. He also stated that the Applicant had provided landscaping details and will be retaining the WW2 bunker located within their property.

He added that the Applicant had also proposed a slight extension to the rear of the building and had also introduced glass block panels instead of windows on the north and south facades to address privacy issues.

DTP said that comments from the consultees had been received. The DoE commented that the sustainability report had been approved and other than the standard recommendations they recommended bat and swift boxes and birds generally to be provided within the site. The TSD had approved the Geo Technical report and that the recommendations from this should be included as conditions. DTP commented that it had now been established that to achieve the necessary turning circles there would be a loss of two on street public car parking spaces to facilitate the provision of four off street private car parking spaces.

The MOD had confirmed that they have no objections to the application and that the water pipe they have running through the site had been capped off.

The Traffic Commission had not raised objections but that vehicles should be required to reverse into the garage so they could exit in a forward direction.

DTP reported the application had been subject to public participation and that no comments had been received.

DTP recommended the approval of the scheme subject to the recommendations made.

IB requested an archeological watching brief and asked the Commission to ensure that the WW2 bunker is retained.

JH commented that the proposal did not include a green roof or roof garden and recommended that it is included in the conditions of permit.

The Commission concurred with the comments made and the Application was subsequently approved unanimously with conditions including those relating to the geotechnical report, bird boxes, and the introduction of landscaping to the roof areas.

9/17 - O/14664/16 - Byron House, 15f Town Range - Proposed consolidation of purchased adjoining land into property through a ground floor extension that will incorporate previously existing ground and basement levels below.

DTP briefed the Commission on this Application which was a proposal to integrate a separate void, located within their terraced area and incorporate it into the development. The proposals included the part demolition of the walls surrounding the void, the creation of a basement at the

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lower level and the construction of a conservatory at the terrace level. To convert an existing window within the main building into a doorway, allowing internal access through the existing property to the conservatory.

He stated that the consultee's responses included that from the TSD stating that they objected to the proposal on architectural grounds as they did not consider it to be in-keeping with the existing architectural features of the development. LPS and the MoH had no objections.

DTP stated the site was part of a larger historical building complex sensitively refurbished and displaying traditional design elements and features. These buildings form part of a larger group of colonial military buildings along Town Range. The new conservatory was contemporary in character incorporating a flat roof. It was felt that there would be some dilution of the symmetry of the existing building but it was recognized that it was not visible from public viewpoints. However, consideration had to be given to how it would affect the integrity of the building and the area.

He asked the Commission to take a decision on the proposed plans and recommended that the Applicant could be asked to reconsider the design of the conservatory and propose a design that was more sympathetic to the character of the building.

IB asked that the historic walls be assessed to determine if they were of heritage value.

The Commission decided to defer this Application so that the Applicant can provide alternative design for the Conservatory more in keeping with the development's features and character and to allow for an assessment of the heritage value of the walls to be undertaken...

10/17 - F/14669/16 - North End, Casemates House - Proposed extension of existing boundary wall and installation of fence.

DTP stated that this Application proposed to extend the existing boundary wall and relocate a fence, in line with the front façade of the northern end within Casemates House's footprint. The plot lies within Casemates House private property and was not on Public Highway.

The main reason for this Application was to protect the access to their entrance as they are finding difficulty to access the property due to the fact that the adjacent bar/restaurant had been on occasions encroaching onto the entrance area.

DTP stated that the proposed new entrance relocation was within their lease boundary. He added that if permitted, the new entrance would overlap with the current table and chairs license area for the Lord Nelson bar and that the licensed area would need to be reduced to allow appropriate access.

He added that the recommendations received by the consultees included that of LPS, who stated that the proposal was within their leased area and subsequently they had no objections to the proposal although they noted there would be a need to adjust the table and chairs license. TSD had no objections and also commented on the tables and chairs issue.

DTP recommended that the Application is approved and that the table and chairs license would need to be revised to allow free movement to the units and stairs.

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MCMYS commented that the proposal could also conflict with access to the stairs that give access to the Northern Defenses in the long run. He proposed that the tables and chairs area should have to be reduced to avoid congestion in the area.

The Chairman added that tables and chairs licences are managed by the Government and they can amend The Lord Nelson's Bar license accordingly.

The Commission concurred with comments and approved this Application subject to a review of The Lord Nelson's tables and chairs licence.

11/17 - A/14633/16 - Various locations - Proposed mobile vehicle with three LED screens to advertise local businesses.

This Application was deferred pending the Traffic Commission's comments.

Minor Works- not within scope of delegated powers

(All applications within this section are recommended for approval unless otherwise stated).

12/17 - BA12552 - 18 Cemetery Road - Proposed construction of new warehouse building and associated external works.

13/17 - F/14645/16 - 4/1 Devil's Gap - Proposed extension and construction of new swimming pool and ancillary areas.

MEHEC asked to be briefed on this Planning Application as this proposal lies within the Upper Rock Nature Reserve. DTP commented that this application was seeking permission for a small, single storey rear extension to the existing bungalow and the conversion of the existing lower terrace into a swimming pool and Jacuzzi and the conversion of the upper level to terrace and ancillary area to the pool.

He stated that the proposal was in line with the policy relating to extensions in the Nature Reserve and was 26m² in volume and the extension would be lower than the highest point of the existing dwelling. He also added that the existing lower and upper terraces could be considered brownfield comprising various walls, fences and hard surfacing and was not in a natural state.

DTP also added that the terraced area had various constructions in the past and looked dilapidated. He stated that the proposal complied with the Extensions, Alterations or Improvements to Dwellings within the Nature Reserve Policy and had little visual impact.

He also added that TSD required a standard condition to ensure the stability of the slopes.

DTP reported that the proposal complied with the policy for the area, the extension was sympathetic, and there was little visual impact. However, the site is located within the Nature Reserve which is a sensitive area and that the proposed scheme would result in a significant area of hard surfacing.

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He recommended approval subject to allowing a strip of hard surfacing around the pool only with the remainder of the land to have a permeable surface allowing for growth of vegetation through the surface which would facilitate sustainable drainage and have some ecological value. Conditions would also be included for the provision of swift/bat nest.

MEHEC proposed that a condition be included to require the planting of a number of trees within the grounds.

IB asked that an archeological watching brief be included in the conditions.

The Commission approved this Application with the conditions which had been suggested.

14/17 - F/14656/16 - 47 Prince Edward's Road - Proposed alterations to existing entrance lobby.

15/17 - D/14670/16 - 1A Engineer Road - Proposed demolition of existing two storey dwelling.

Applications granted permission by subcommittee under delegated powers (For Information Only)

The Commission noted the following Applications and agreed with the approval granted by the Sub-committee.

16/17 - BA13212 - 10 Main Street - Consideration of revised plans for proposed internal alterations to provide enlarged sales area and installation of new access ramp in Cooperage Lane entrance.

17/17 - BA13741 - Whitewater House, Humphrey's Bungalows, Engineer Road - Consideration of minor elevational changes to approved scheme.

18/17 - F/13852/15G - New Police Barracks Housing Block, Willis's Road - Consideration of revised elevational treatment to the walkways that join the lifts to stair cores.

19/17 - F/14321/16 - 5 Castle Street - Consideration of as built plans for shopfront.

20/17 - F/13914/16G - Batteries Adjacent To Europa Advance Road - Consideration of revised plans for the extension of the approved top viewing platform.

21/17 - F/14356/16 - 8 Shorthorn Farm Estate Europa Road - Consideration of colour scheme and garage roof material.

22/17 - F/14395/16 - 13 Mountview Terrace, 24 Europa Road - Proposed extension of an existing bedroom into the terrace area.

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23/17 - F/14468/16 - 286 Main Street - Consideration of revised plans for the incorporation of the air conditioning units within the façade.

24/17 - F/14472/16 - Retail Unit, Mons Calpe Mews - Consideration of proposed signage for approved retail unit.

25/17 - F/14566/16 - Waterport Place, Europort Avenue - Proposed replacement of the existing standby generator with a new larger standby generator and replacement of a section of the existing generator enclosure with new insulated acoustic panels.

26/17 - F/14567/16 - Café 54, Victoria Stadium - Proposed installation of canopies.

27/17 - F/14596/16 - Unit 3, 3 Scud Hill - Retrospective application for the change of use of storage room to baby room for nursery.

28/17 - F/14603/16 - 315 Sand Dune House Beach View Terraces - Proposed internal alterations.

29/17 - F/14626/16 - 19 Aloe House, Waterport Terraces - Proposed replacement of existing balcony doors with sliding doors.

30/17 - F/14638/16 - 614 Seashell House, Beach View Terraces - Proposed internal alterations.

31/17 - F/14639/16 - 315/316 World Trade Center, 6 Bayside Road -- Proposed internal fit-out of office units.

32/17 - F/14642/16 - 1224 Seashell House Beach View Terraces - Proposed installation of glass curtains.

33/17 - F/14650/16 - 306 Viking Lodge, Mons Calpe Mews - Proposed internal alterations.

34/17 - F/14653/16 - 8 King Street - Proposed fit-out of unit as a phone and telecommunications shop.

35/17 - F/14654/16 - Flat 1, 9(A) Gardiner's Road - Retrospective application for minor amendments to maisonette premises.

36/17 - F/14657/16 - 104 Seagull Lodge, Mons Calpe Mews - Proposed internal alterations.

37/17 - F/14658/16 - The Skull, 27 Cannon Lane - Retrospective application for the installation of awnings and air conditioning units.

38/17 - F/14665/16 - The Caleta Hotel, Sir Herbert Miles Road - Proposed demolition of the balconies on the south elevation of the hotel and replacement of balcony doors for windows.

39/17 - F/14667/16 - Unit 13, Governor's Cottage - Proposed minor external alterations to store/ workshop premises.

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40/17 - F/14671/16 - Unit 6D Cornwall's Centre - Proposed fit-out of vacant commercial premises into bakery/wholesale and associated signage.

41/17 - F/14673/16 - 16 Gibraltar Heights, Bishop Rapallo's Ramp - Proposed change of 9 windows in apartment to match existing design.

42/17 - F/14674/16 - 111 Seashell House, Beach View Terraces - Proposed internal alterations.

43/17 - F/14675/16 - 22C Elliott's Battery, Elliott's Close - Proposed replacement of existing windows to kitchen, dining room, and entrance lobby and installation of new attic window.

44/17 - F/14679/16 - Rotunda Bureau De Change, Winston Churchill Avenue - Proposed minor external and internal alterations to provide two additional tills.

45/17 - F/14680/16 - 904 Majestic Ocean Plaza, Ocean Village - Proposed installation of glass curtains.

46/17 - F/14682/16 - 16 Gardiner's View, Europa Road - Proposed internal alterations.

47/17 - F/14684/16 - 528 World Trade Center, 6 Bayside Road - Proposed internal alterations.

48/17 - F/14686/16 - 11 Ebony Lodge, Montagu Gardens - Proposed internal alterations.

49/17 - A/14647/16 - Bruno's, 3 Tradewinds Boardwalk - Retrospective application for the installation of LED sign.

50/17 - A/14649/16 - Rosa Blu, 17 Convent Place - Proposed installation of fascia sign.

51/17 - A/14690/16G - Winston Churchill Avenue/ Queensway/Waterport Roadway - Proposed installation of lamp post banners to advertise World Pool Masters XXIV competition.

52/17 - N/14613/16G - Recreational Rooms Magazine, South Barracks - Removal of wild fig tree in order to avoid damage to historic building.

This naturally seeded Wild Fig is growing in a narrow space between two buildings, one of which is historic. The tree will continue to grow, potentially prejudicing the buildings and it is, therefore, recommended that the tree should be removed to avoid damage to a historic building. It is not recommended to replace the tree, as the tree seeded naturally and this is not considered to be a suitable site for a tree.

53/17 - Approval of Minutes of the 12th meeting of 2016 held on 16th December 2016.

The Minutes were approved subject to the change in attendance of DCM and KB.

54/17 - Any other business

Approved

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MEHEC raised the issue of artificial grass being used on some sites. He requested that the Commission should not accept artificial grass being used to meet any requirements for landscaping. It must be natural grass only.

JH commented on the recent tool added to the Geoportal which interprets the new airfield safeguarding requirements. She stated that the new requirements were supposed to be presented to the Commission but this had not happened. She also said it would be useful if there were to be a presentation on the requirements and how to utilize the tool.

It was agreed that the Director of Civil Aviation would be asked to make a presentation to the Members.

JH asked the Planners about the application BA13399 - Lathbury Barracks Industrial Park, Windmill Hill Road- Proposed construction of a warehouse, and whether there was an update on this proposal.

The Chairman stated that the warehouse would go back to the originally approved design and the condition the DoE would have to liaise with the Application on the usage of the warehouse was included.

JH also asked for clarification on the Surrey House project, which entailed the removal of various trees within the area. DTP stated that a Tree Survey had been carried out by the applicants as part of the application. Following further discussion it was agreed that the DoE should undertake tree assessment before allowing any removal of trees.

55/17 F/14186/16-11 Bomb House Lane - Proposed shed

DTP reported that when this item was presented at the last meeting a drawing had been shown which showed the shed set back from the adjacent building and with a roof which had a fall to the east. The Commission had approved the application. However, DTP advised Members that in actual fact the day before the meeting a further amended drawing had been submitted (which we were not aware of the time). DTP explained that this drawing showed the building set back further than the previous drawing and with a roof which had a fall to the south (away from adjacent buildings). This was actually an improvement on what had already been approved. The Commission reaffirmed approval of the application based on the new drawing.

56/17 - Next Meeting

The next meeting will be held on 22nd February 2017.