

Approved
DPC meeting 14/14
22/10/14

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 14th Meeting of 2014 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 22nd October 2014 at 10.00 am.

Present:

Mr H Montado (Chairman Ag)
(Chief Technical Officer)

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

The Hon Dr J Cortes (MEH)
(Minister for Environment & Health)

Mr G Matto (GM)
(Technical Services Department)

Mr R Labrador (RL)
(Gibraltar Heritage Trust)

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

Mr J Collado (JC)
(Land Property Services Ltd)

Mrs J Howitt (JH)
(Environmental Safety Group)

Mr C Viagas (CV)
(Heritage & Cultural Agency)

Mr W Gavito
(Rep Commander British Forces, Gibraltar)

In Attendance: Mr P Naughton-Rumbo (DTP)
(Deputy Town Planner)

Miss K Lima
(Minute Secretary)

Apologies: Mr P Origo (Chairman)
(Town Planner)

Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

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Mr J Mason
(Rep Commander British Forces, Gibraltar)

Approval of Minutes

641/14 - Approval of Minutes of the 13th meeting of 2014 held on 26th September 2014

The Commission approved the Minutes of the 13th meeting held on 26th September 2014.

HM informed the Commission that legal advice has been obtained with regards to the voting system and that it has been confirmed that the Chairman has a vote in the same way as other members and that in the event of an equality of votes he has an additional casting vote. It had been suggested however, that the Chairman may wish to cast his vote at the same time as other members rather than awaiting the outcome of the vote before casting his vote. From now on this will be the voting policy adopted by the Commission.

Matters Arising

642/14 – BA13080 – 10a Gardiners Road – Application to construct single storey extension

DTP provided the photomontages submitted by the applicant. DTP said that from a planning perspective they would recommend approval as the extension will have minimal impact on the streetscape.

The Commission approved this application.

643/14 – BA13155 – Ex St Joseph’s School, Witham’s Road – Proposed refurbishment and new construction

DTP advised that this application was deferred at a previous meeting due to concerns about encroachment into the courtyard, loss of the internal staircase of the school building, the imposing elevations created due to the car parking levels and the amount of hard surfacing proposed.

The Commission welcomed Mr John O’Reilly (architect) and Mr Simon Vaughn (applicant).

Mr O’Reilly informed the Commission that they have revised their application and have met with various departments for their feedback. He said that the old school house will be reinstated to its original condition and original features repaired. He also said that no glass features will be used. Mr O’Reilly confirmed that they are committed to restoring the building. Mr O’Reilly also said that two internal ramps and car lifts have been removed from the car park design and that there will only be two levels of car parking. He said that the height has been reduced to minimise the impact from the car park building. He also advised that they will be using external timber cladding and render and that the car park will be stepped back and landscaping introduced to further minimise impact. Mr O’Reilly also told the Commission that all trees have been labelled on site and that if it is necessary to remove any trees, they are committed to replacing these with mature trees. He said that a boulevard of mature trees has also been incorporated on the St Joseph’s Road side. Mr O’Reilly said that they believe that the revisions are an improvement to their design.

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KB asked how many existing trees will be lost. Mr Vaughn said that with regards to the two main trees which KB was concerned about during the site visit, one is being retained and the other will be relocated as it is causing problems with a retaining wall. Mr Vaughn said that they would like to move this tree before commencing construction works.

KB said that he has advised against relocating the Nettle Tree and that he would recommend that a new one is planted instead.

JH asked whether they have looked into the issue of the air monitoring station. Mr Vaughn said that the monitoring station is not on their land and that the Department of Environment is not keen on relocating it.

MEH clarified that the issue with the monitoring station is the need to maintain continuity of air quality statistics and that therefore it would be difficult to relocate it. He also expressed concern that the works will create dust and that this could mean that Gibraltar will fail the EU air quality level monitoring. MEH said that this matter has to be discussed further by the developer and the Department of Environment.

DCM asked Mr O'Reilly to confirm their intention for the improvements to the cemetery. Mr O'Reilly said that they intend to continue to work with the Heritage Trust to refurbish the cemetery and to provide pedestrian access through it.

RL confirmed that the Heritage Trust has held meetings with the developer and John Isola who is the owner of the adjacent property and is interested in being involved in the project.

The Commission did not have any further questions and thanked Messrs O'Reilly and Vaughn.

MEH said that he might be swayed to accept the revised proposal because of the significant planning gain in the improvement of the cemetery.

RL said that the old garage on Witham's Road could be used for access if permission is granted by HMGOG as Landlord.

DCM said that it would be beneficial if the cemetery would be done before commencing the development. He said that in the past developments have sometimes been done and the element of public gain has not been completed. The Chairman said that this could be made a condition of the permit.

DTP suggested having a condition whereby the development cannot be occupied until the cemetery works have been completed.

DTP referred to comments submitted by the Government Archeologist who states that there should be a desk based assessment of the site and trail trenching would be required. With regards to the design of the development, DTP said that he has stated that some of the buildings are against the 1920 cityscape of the adjacent properties and dwarfs them.

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DTP pointed out that the architectural style and general massing issues had previously been fully discussed by the Commission. He said that from a planning perspective he would recommend approval of the revised scheme

JH said that the old school building is being dwarfed by the new blocks but welcomed the fact that they are preserving it. RL concurred.

MEH said that the developer should incorporate the Department of Environment's comments on renewable energy, rainwater harvesting, swift and bat nests.

The Commission took a vote on this application with the following result:

7 in favour

0 against

3 abstentions

The Commission approved this application.

644/14 – BA13157 – 8 Ellerton Ramp, Buena Vista Estate – Proposed swimming pool and store room and associated works

DTP advised that this application involves the excavation of the garden area to construct a swimming pool and storeroom. He said that at a previous meeting it had been agreed that a pool at ground level would be acceptable but the storeroom was refused and revised plans for the pool were requested. DTP also said that legal action against the applicant for commencing works prior to obtaining approval has been commenced.

The Commission deferred this application pending revised plans.

645/14 – BA13160 – 7B Engineer Road – Proposed demolition of existing dwelling and construction of one new dwelling

DTP said that at a previous meeting the Commission's main concern was visual impact, massing and height. He said that the applicant has made changes to the design and that details were circulated to members prior to the meeting. DTP advised that they have removed most of the third storey and that the only remaining structure is the structure providing access to the roof. DTP said that they have addressed concerns on massing and that there would not be any planning objections to the revised design.

GM thought that the previous design was a more majestic and unified design.

MEH considered that the applicant has responded to the Commission's concerns.

The Commission approved this application.

646/14 – BA13165 – 10 Naval Hospital Road – Proposed alterations/extension

This application was carried forward pending the submission of revised plans.

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647/14 – BA13171 – 5,6,8 West Place of Arms – Proposed internal and external alterations to restaurant/bar including removal of kiosk and planters and construction of bar counter and storage building

DTP said that at a previous meeting the Commission was concerned about the reconstruction of the conservatory if it will be attached to the wall and confirmed that the revised design is for a free standing conservatory structure. DTP also said that the boundary wall will be opened up and gates installed, to create a more open area. The proposed store building in front of the walls had now been removed from the scheme. DTP recommended approval of the revised design.

RL said that the Heritage Trust prefers a railing instead of a boundary wall.

The Chairman thought that the proposed design is an improvement to what exists at present.

JH asked whether trees and plants will be lost. KB said that according to the plan vegetation is lost in order to open up the entrance.

MEH said that existing planting obstructs the view of the wall. He said that if the area is cleaned and maintained it would improve the overall look. KB suggested that the height of the planters could be reduced.

JH said that the final look should fit in with the heritage aspect of the area and be aesthetically pleasing.

The Commission approved this application.

648/14 – BA13196 – 44a/b Town Range – Proposed residential development

DTP told the Commission that the applicant has submitted a revised design. The Commission welcomed Mr Bill Smith and Mr Jimmy Garbarino.

Mr Smith told the Commission that they have reduced the area of the development by 500m². He said that the development will be 8 storeys high and will have 38 apartments comprising of 2, 3 and 4 bedrooms and 38 parking spaces. Mr Smith said that they will be preserving the existing building facades and that the new build will be set back from the existing façade. Mr Smith also said that the impact has been reduced by creating a flat façade.

Mr Garbarino told the Commission that at a previous meeting the Commission raised concerns on the height of the building. He said that they are aware that the Development Plan sets the maximum height allowed at 5 storeys within the town area; however, he said that they are aware that this restriction has been relaxed at times. Mr Garbarino said that by setting back the development they will be reducing the impact on surrounding locations. He said that the new building will not detract from the original buildings. Mr Garbarino advised that their revised proposal represents the minimum apartments required in order to make their scheme viable. He said that there are other buildings which are similar in scale within the area and that it is often necessary to compromise in order to encourage urban renewal.

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MEH highlighted that this would be an ideal location for solar panels. Mr Smith confirmed that they are looking into this.

The Commission did not have any questions and thanked Messrs Smith and Garbarino.

DCM said that he visited the site and that it is in need of redevelopment. He said that he personally loves the design and feels that it successfully blends the old and new, improving the streetscape. He said that if this development does not go ahead, the buildings will be left in danger of collapse. DCM supports this application. JC concurred with DCM and commended the architects for blending the old and the new.

RL said that the Heritage Trust's only concern is the proposed height, but said that they feel that the revised design is a considerable improvement and are happy with the merge between the old and the new.

GM said that he commends the architect for the revisions made to their design but said that he continues to have concerns with the volume of the building. He said that Leanse Place set a precedent and that new developments want to follow the same height. GM also said that he would consider developments within the town centre in terms of density rather than the 5 storey limit.

DTP clarified that the Development Plan policy states that buildings within the town area which are more than 5 storeys would be considered 'tall buildings' for the purposes of the Development Plan and therefore a specific policy applies. He said that if a building will be higher than 5 storeys, justification would have to be provided.

DTP said that the architect has addressed concerns raised by the Commission but that there are still some concerns on the height. However, he said that the existing buildings have been empty for around 20 years and that the site is in need of regeneration.

DTP referred to comments made by the Government Archeologist who states that in his view the development is unsympathetic to the character of Town Range and recommends a redesign.

DTP said that setting back the new development helps the streetscape. He said that there is room for further improvement, for example the mansard approach to the upper levels and the splaying back of the stair core.

MEH said that the Commission has seen several projects in which the developers are making an effort to meet the Commission's expectations. He said that in his opinion in this instance the townscape has been cleverly protected by setting back the new development.

JC said that if Gibraltar wants to continue developing economically, vertical development has to be allowed in the future as horizontal development is restricted.

JH asked how much of the street is privately owned as she was concerned that if approved this might set a precedent for further similar developments. JC confirmed that everything on that side of the road is privately owned and that the first HMGOG building on the street is the one next to No 6.

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8 in favour

0 against

2 abstentions

The Commission approved this application.

649/14 – BA13198 – 9/7 Naval Hospital Hill – Extension of existing dwelling house at first floor level and ground floor single storey, new swimming pool and associated external works

DTP advised that a Members' site visit had been held with the architects and objectors.

DTP advised that a revised arrangement for the parking area had been submitted. He said that changes to turning circles have not yet been considered by TSD but that this could be conditioned if the Commission were minded to approve this application. Screening to the ground floor terrace had also been introduced to provide privacy. DTP also said that the possible fencing off of the boundary wall to Europa Road in the future was a concern raised by the Commission at the previous meeting and that a sketch provided by the applicant shows a proposed fence with the top part angled away from the wall to minimise impact on views from the road.

DTP referred to the objections from a person who was concerned about overlooking into his property. DTP said that the applicant has agreed to screen their terrace. DTP recommended that both the upper and lower terraces should be screened. With regards to the objection on the basis of loss of light to Straits View Terrace, DTP said that there is an 8 metre distance between the building and the extension and that this is a significant distance when considering amenity and light. Additionally, the extension at this point would be set back from the front plane.

From a planning point of view DTP said that there are concerns with the loss of an open area, loss of public view from Europa Road and concerns with the parking area. DTP said that the house already has two car parking spaces on a lower level and questioned the need to provide extra parking spaces.

DTP also said that the Department of Environment has requested that a mature eucalyptus tree which is on site should be retained. They would allow removal of the other trees. DCM said that he is also concerned about the loss of a green area to create a car port and the loss of view from Europa Road.

JH raised concerns that a green area which was previously protected will now be lost. She also said that car access from Europa Road is dangerous as the road at this point is very narrow. JH also said that a public footpath as part of a wider scheme should override the proposal for car parking or pools within this area.

MEH said that he cannot support the proposal in its present form. He said that the loss of trees and green area is significant and questioned the need to move the pool and provide extra parking

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when they already have both. MEH said that he supports the proposal for a public footpath. MEH said that it is important to ensure that the character of the south district is not lost.

RL declared an interest as he resides opposite this property. He said that the roof of the property has already been altered so he would not see the extension as a major issue. However, RL said that many tourists and locals stop at this point to enjoy the views and that these should not be impeded. He referred to permission granted for a pool in a property further up the road which resulted in the owner erecting screening for privacy. RL said that a public pavement is required because the road is very narrow. He said that even if the Commission approves this application, the Government as Landlord should insist that a pavement is necessary.

DTP advised that the Commission previously approved an application for the neighbour's property but that they were conditioned to only having decking around the pool and the rest of the lower level had to be landscaped. In this case the ground level was noted as being significantly lower than the level of Europa Road.

The Chairman confirmed that there are ongoing discussions with regards to the public pavement.

JC said that the original intention was to use part of the area leased to the applicant to provide a public footpath. However, in view that the applicant is requesting things in return for allowing the Government to use part of his leased area, the Government is considering alternatives. JC said that the pavement should take priority.

Mr Guy Stagnetto, lawyer representing the applicant, told the Commission that they should keep in mind the current state of the green area, which he said is currently a waste area. He also said that his client intends to introduce planting by the decked area. Mr Stagnetto also said that there is not a huge amount of view from Europa Road at this point as trees impede the view. He said that the proposal will actually increase the view and that the idea of a fence is purely to protect privacy but that it would not impact the view. Mr Stagnetto also told the Commission that the proposal takes into account the expansion of the road.

MEH said that he does not consider any natural area a 'waste area' and that it is the owner's responsibility to maintain the area. MEH also said that he is not convinced by Mr Stagnetto's comments and that trees do not impede views.

KB said that the existing state of the green area can be improved but questioned whether the proposal is an adequate means of improvement.

JH asked whether the footpath could be made a priority by Government. The Chairman said that he was aware TSD were looking at realigning the road to try and avoid having to encroach into third party land. He also noted that the existing retaining wall had a considerable width at its base and this would also be helpful.

RL said that the Heritage Trust does not have an issue with the extension to the building itself if it follows the same style. However, he said that the Commission should remember that there is already a pool in the lower area and that if the proposal is approved this pool will be lost.

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The Chairman advised that if the Commission is minded to approve only some of the changes, the applicant should be asked to submit a revised design.

The Commission took a vote on this application with the following result:

0 in favour

9 against

1 abstention

The Commission refused this application.

650/14 – BA13213 – 3 Johnstone’s Passage – Proposed conversion of one residential premise into two separate premises

DTP said that the main concern at the previous meeting was the proximity of the extension to the building at the rear of the property. He said that he met with the successful tenderer for the rear property who confirmed that he intends to refurbish the building for residential use. DTP said that he has been unable to discuss this with the applicant but that he would recommend that they adjust the design.

This matter was carried forward.

651/14 – BA13241 – 317 Main Street – Proposed renovation to include extension to the rear and new doorway to Main Street

DTP reminded the Commission that at the previous meeting no concerns were raised about the proposal for a rear extension or the proposed use which would be ground floor office and upper floors residential. He said that the Commission was concerned about the proposal to convert a window into a door as it was suggested that this would interfere with the symmetry of the existing building. DTP said that the Heritage Trust has confirmed that they would prefer the symmetry to be maintained. He said that the applicant has provided a revised design which is to convert the middle window into a door instead of the side window.

The Commission welcomed Mr Isaac Levy on behalf of the applicant.

Mr Levy told the Commission that the building is in a state of disrepair. He said that the ground floor is not suitable for residential use but that it was felt that a shop front would change the heritage character of the building; hence the proposal for office use. Mr Levy said that his client is proposing a new door because a shared entrance would be incompatible due to safety and privacy requirements for the residential premises. He said that the doorway has been designed sensitively in terms of heritage. Mr Levy also referred to the Development Plan which he said does not have a specific policy with regards to openings and that it just states that it should be sympathetic to the character of the building. He said that the proposal is in accordance with the Development Plan and that it is sympathetic to the streetscape. He said that there are other examples of this in the town area.

DTP stated that shared entrances to buildings accommodating commercial and residential uses are a common feature in the town area. Mr Levy replied that these situations were not ideal.

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DCM said that he has personally experienced a shared entrance for residential and office users and that it is not compatible as they each have different interests.

The Commission did not have any further questions and thanked Mr Levy.

JC said that he preferred the original proposal. KB agreed.

GM thought that the proposed new door does away with the existing architectural aesthetics of the building. He thought that a central doorway with a lobby within would be a compromise solution.

RL said that it is a shame to remove original features as this building has a wonderful façade. He said that security should not be an issue as they could have a shared entrance which opens into a lobby with two separate doors inside.

JC said that he is familiar with the property and that a lobby would significantly affect the floor space.

The Chairman said that he does not have an issue with the proposal for a second doorway.

CV highlighted that less than 6 months ago the Commission considered an application to convert a window into a door which had been done without permission and that it was approved.

RL said that on this occasion the Commission could refuse the proposal on the basis that the building is in a prime location and is in a good state.

The Commission took a vote on this application with the following result:

8 in favour

2 against

0 abstentions

The Commission approved this application as per the original design.

Major Developments

652/14 – BA10830 – Lucas Imossi Motors Site, Waterport Circle – Proposed 18 storey building comprising ground floor commercial and residential

DTP advised that the applicant has permission for an 18 storey residential building but is requesting the Commission to reconsider some of the planning conditions and requesting approval of amendments made to the proposal.

The Commission welcomed Mr Kevin Heaver (architect).

Mr Heaver told the Commission that in the approved plan there were two large duplex penthouses with gardens. He said that the resulting cut out in the building line was considered an architectural weakness in the façade. This had been removed in the revised scheme by building over the garden area. Mr Heaver also said that they would like the Commission to reconsider the

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condition which requires that they use opaque glazing on the balconies. He said that the balconies are an important feature of Ocean Village and that the balconies in the new development should blend in with those of the other Ocean Village buildings. He said that in their opinion opaque glazing will be detrimental to the aesthetics of the building and that clothes drying on balconies have not been an issue within the existing buildings; Mr Heaver provided photos to prove this.

DCM highlighted that he was not familiar with this proposal since it was considered under the previous administration.

Mr Heaver also told the Commission that the developer has been approached by the RGP who is interested in setting up a police substation on the lower level of the building. He said that they would welcome this initiative and therefore, request that the Commission allows the use of the ground floor to be varied. He also said that the building line may vary slightly in order to accommodate the station and car parking at the rear.

Mr Heaver also asked the Commission to reconsider the condition that requires the provision of 2 parking spaces per apartment. He said that the condition for the other Ocean Village buildings was 1.2 spaces per apartment which is more in line with demand. Mr Heaver also said that overproviding parking spaces would bring traffic congestion into the development and that in some cities in the UK they are actually encouraging no provision of parking spaces in new developments. Mr Heaver also thought that it is onerous to insist that a homeowner takes on a parking space if they do not need one. He said that the developer is asking the Commission to change the condition so that parking is not strictly allocated per apartment and that those spaces that are not required can be rented to others who need them.

Mr Heaver added that one other change to the design is that balconies have been extended by 25cm to allow the use of sun loungers on balconies. He said that the balconies on the other buildings have proved to be too narrow.

The Chairman asked whether the change of use of the ground floor to a police station will change the footprint of the building. Mr Heaver said that the footprint will change on the left side of the building and that an area designated for retail and office will be lost. He said that there will be a reduction of office space from 936m² to 827m².

JH highlighted that due to the recreational use of Ocean Village, parking is an issue and that parking should be provided. Mr Heaver said that additional parking will be provided prior to construction. He said that a management plan will be implemented to maximise parking use within Ocean Village.

There were no further questions and the Commission thanked Mr Heaver.

DTP referred the Commission to the letter sent by the applicant asking the Commission to reconsider certain conditions.

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With regards to the condition on air safety requirements, the Commission approved a change to the condition that they are to provide details prior to the commencement of works rather than within four months of the date of the permit as originally worded.

It was agreed that a 1:1 ratio should be provided for studio apartments but that occupiers will not be forced to take on a car parking space if they do not require one. However, any spaces not required would be 'pooled' for use by other occupiers/users of Ocean Village or for public use. The Commission also approved the change to the condition for larger apartments so that 1.2 car parking spaces have to be provided per apartment. The same condition on 'pooling' would be applied. With regards to the requirement for plans identifying the exact location of parking spaces to be submitted, the Commission approved the request for permission to allow the total quantity of spaces to be quantified and details submitted at a later stage.

Reference the opaque glazing condition for balconies, DTP said that the condition was imposed as members at the time when the application was considered, felt that clothes drying on balconies with glass balustrading is unsightly. DTP advised that there are no planning objections to the amendment of this condition to allow for tinted glazing subject to a sample being provided demonstrating that it provides an adequate screening. The Commission agreed to amend the condition for opaque glazing.

The Commission also approved the increase in balcony sizes; the minor adjustment to building line and the possible incorporation of a police substation at ground level subject to approval of full details.

JH said that she would support a substation for the RGP but highlighted that a full blown police station would present other issues within this residential area such as traffic and noise from sirens. She said that this should be considered carefully in terms of function.

DTP said that the plans provided for the police station are as per UK requirements but that it is not certain whether it is intended for this to be more of a base than a full police station. The Commission agreed that they would not have an in principle objection to the police substation but that full details should be provided.

MEH said that given that approval for this application was granted years ago, the developer should be encouraged to consider energy efficiency measures and renewables.

With regards to the changes to the penthouse levels, DTP said that the changes will have an impact on the massing of the building and that from a planning perspective the original design would be favoured. The Chairman said that he would prefer the design with the top floor set back as originally proposed. The Commission took a vote on this change with the following result:

3 in favour

3 against

4 abstentions

The Chairman cast the deciding vote and voted against removing the set back to the top floors. The request to change the design of the penthouse levels was refused.

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653/14 – BA13273 – Detached Mole – Proposed floating oil storage vessel, steel barges to separate the storage vessel from the detached mole, a piping network on the detached mole and bunkering loading locations

DTP advised that the Commission would not be discussing the details of the application at this stage and that only the aspects to be considered by the EIA would be presented. DTP said that the Town Planner's Scoping Opinion was circulated to members prior to the meeting. He said that the scoping report was considered acceptable but that the Town Planner has recommended that the following issues should be included in the assessment;

1. commutative impact of possible LNG storage requirements
2. air quality assessment during the operational stage
3. noise and vibration assessment
4. prevention of major accidents and risk assessment
5. transboundary effects would need to be considered for topic assessed
6. details on alternative sites, alternative technologies and strategic alternatives.

DTP also said that JH circulated comments made by the ESG which were not received on time. He thought that their comments have been addressed by the Town Planner's recommendations. DTP advised that quite a few objections to this application have been received.

The Commission was in agreement with the Town Planner's scoping report.

Other Developments

654/14 – Ref 1198/048/14 – Watergate House – Proposed signage to south and west elevations and advertising panel

DTP said that this application was referred by the Subcommittee as they were not in agreement with the proposed signage which they felt was out of character. DTP also said that the Development Plan policy does not allow signage above ground floor level. He also said that this building is occupied by other entities who might also want signage – this could lead to a proliferation of signage

The Commission refused the application as submitted. It was considered that perhaps a smaller sign would be acceptable but a new application would have to be submitted.

655/14 – BA13133 – 28 Parliament Lane – Proposed awning

DTP told the Commission that this application was referred by the Subcommittee as the type of awning proposed is not in keeping with the character of the area.

The Commission refused this application.

656/14 – BA13170 – Mount Pleasant, South Barrack Road – Proposed new platform to store air-con units

DTP said that the proposal is for the construction of a steel platform for the air-conditioning units used by the data centre. DTP said that these would not be visible externally and that the location has been determined following a meeting with the Town Planning Department.

The Commission approved this application.

657/14 – BA13202 – Dutch Magazine, Rosia Road – Proposed extension to ablutions and new canteen

DTP said that the proposal is to create an additional storey in an L-shaped form. He said that the main issue is that Gibdock has objected to the proposal as they intend to access the property from land which is leased to Gibdock and this would create security concerns. DTP told the Commission that the applicant has submitted counter-representations in which he claims that this would be a land matter between the affected parties and says that if Government have given them the area, they should provide the courtesy of access. DTP referred members to the copies of correspondence previously circulated to members.

DTP said that TSD does not have any objections and have only raised their standards condition requirements.

DTP advised that port security is important for Gibraltar and that he would therefore, recommend that since the external entrance is not essential they should access the property through their existing premises and not externally as proposed. DTP recommended approval of the proposal except for the access from the road.

The Commission approved the application but refused access from outside the premises.

658/14 – BA13251 – WT Station, Devil’s Tower Road – Proposed renovation of station into a wine storage facility/tourist attraction

DTP advised that this proposal entails external works and the conversion of the tunnel system into a fine wine storage facility and tourist attraction. DTP said that since the application was submitted there have been changes to the exact boundaries but that these changes are relatively minor.

JC clarified that the exact boundary has not yet been determined.

DTP said that the applicant will be creating a new vehicular entrance and exit off Devil’s Tower Road . A protected walkway would provide access to the tunnels. He said that a building will be constructed which will be used to incorporate heritage interpretation and wine tasting. Walking tours of the tunnels will also be provided. DTP also said that an area for coach parking will also be provided and the area above the access walkway will be landscaped. DTP also said that studies on geotechnical issues have been carried out but that further studies are required.

DTP also advised that there have been land issues with regards to access to the EWMS facility which is located adjacent to this area. He said that discussions are ongoing and will need to be resolved between the parties and the Government.

In general, DTP said that the overall scheme is welcomed and that it is a good use for the tunnels and that the external changes will create an attractive environment fronting a road that is due to become a main entrance into Gibraltar.

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DTP said that the Department of Environment requires dust control, refuse provision and a survey of swifts and bats.

The Heritage Trust has highlighted that public access into the tunnels should be maintained. RL said that they are concerned with phase C which is secure storage of wine, as it may prevent public access to the area.

The applicant, Ms Tracy Lee, confirmed that the project will be implemented in phases and that the idea is to have walking tours except for in phase C which will be used for private fine wine storage.

CV said that the Government is already opening up different tunnel systems and that maybe not all of them are ideal for tourists. He said that in his opinion the proposed use is ideal.

JH welcomed the introduction of greenery to this area. However, she said that if the aim is to attract tourists, it must be kept in mind that waste is treated in the adjacent plot. Ms Lee confirmed that they are having discussions on this and that two solutions have been mooted.

MEH thought that it was a great proposal and that it should be ensured that all problems are overcome and the proposal goes ahead. KB agreed with MEH and said that the area used to constitute the last isthmus habitat and could perhaps be used for habitat restoration.

The Commission approved this application.

659/14 – BA13259- 1 Battery Close, 30A Rosia Road – Proposed internal refurbishment including installation of lift and loft conversion and external alterations including changes to balustrading and gables

DTP advised that the proposal involves internal refurbishment and the introduction of external glazed balustrading. He said that the loft conversion would incorporate terraces on both sides of the gable and the south side and incorporates full glazed gables. DTP advised that glazed balustrading was previously allowed on the ground level of the property.

From a planning perspective DTP recommended that the glazing of the gable on the front elevation should not be allowed but said that the glazing on the west elevation would have less of an impact.

DTP said that TSD and the Heritage Trust have objected to the fenestration as it would be out of character. He said that the Heritage Trust has suggested the use of roof lights instead.

JC said that he did not agree that there will be less of an impact from the glazing on the west elevation as this can be seen from the sea. JH agreed and said that these changes will affect the unique character of the buildings.

The Commission refused the request to install glazing in the gable but indicated that the conversion of balustrading to glazing on the lower levels may be acceptable.

The Commission refused this application.

660/14 – BA13265 – 2c Elliott’s Battery – Proposed curtain glazing to balcony with roof over

This matter was carried forward.

661/14 – BA13270 – 26 South Barrack Road – Proposed kitchen extension with terrace

DTP told the Commission that the proposal is for a single storey extension with a terrace at the rear of the property. DTP said that the Heritage Trust does not have an in principle objection to this application but have said that the windows should match the existing and be aligned with the ones on the upper level. They have also recommended that the full height glazing opening to the terrace should incorporate full height shutters.

The Commission approved this application.

662/14 – BA13272 – 27/1 Hospital Ramp – Proposed enlargement of lounge window and new PVC glassed doors

DTP said that the proposal is to convert a window into a door to provide access to the terrace. He said that this was similar to the application discussed earlier in the meeting (item 651/14) and that this building is already in less of an original state than the other.

CV said that this might be an opportunity to ask the applicant to address the UPVC windows and doors.

The Commission approved this application.

663/14 – BA13285 – F6 International Commercial Centre – Re-modelling external façade and changing windows

DTP informed the Commission that the proposal is to enlarge windows on the north elevation and alterations to square off the arched entrance. The proposal also introduces a cornice over part of the premises and new signage.

DTP advised that enlarging the windows and installing a cornice would set this apart from the rest of the elevation. DTP also said that the proposed signage is considered too large. He recommended that the Commission refuse the application and recommend that the applicant discusses their proposal with the Town Planners for guidance. DTP said that there are no strong planning objections to the loss of the arch.

MEH said that he was not certain whether the proposed changes would be detrimental or whether they would improve a façade which most people do not like.

JH said that a sign which was proposed for the building opposite this one was not approved and that it should not be approved here either. She said that perhaps a small sign over the entrance would be acceptable. DTP said that signs on the side façade of these premises have been allowed in the past to attract people from Casemates.

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CV said that he agreed with MEH in that this is a building which most members of the Commission do not like and yet the Commission seems to want to preserve it. He said that perhaps this is a good opportunity to change it.

DTP disagreed with CV as he said that what most people object to is the scale of the building. He said that there is other fenestration on this façade and that symmetry will be affected.

The Commission took a vote on this application with the following result:

3 in favour

3 against

4 abstentions

The Chairman cast his deciding vote and voted against the proposal since a change in windows would affect uniformity.

This application was refused by the Commission.

664/14 – BA13290 – St Bernard’s Hospital, Harbour Views Road – Proposed escalators to side of main entrance - HMGOG Project

BA13291 – St Bernard’s Hospital, Harbour Views Road – Proposed disabled lift to the western side of the main entrance & associated works - HMGOG Project

DTP said that from a planning point of view the escalator to one side of the main stairs will disrupt the existing symmetry. He suggested that one possible solution might be to incorporate the escalator into the centre of the staircase.

MEH declared an interest as the Minister for Health. He said that the escalator is required as at present access to the hospital is not appropriate for wheelchair users or people on crutches.

The architect confirmed that it was considered that if the escalator is placed in the middle of the stairs there would be congestion at the top from people and vehicles and that it would be dangerous for those trying to alight. He said that they would be able to provide a small landing on the side which would be the safest option.

DTP also said that a lift has been proposed for installation on the opposite side of the main staircase. He said that from a planning perspective this will also affect symmetry.

GM suggested only installing one lift in the centre of the staircase. It was considered that this would have too much of an impact.

CV suggested that there could be 2 escalators with 2 lifts on either side or only 2 lifts on either side.

The Commission did not have an objection to the proposal but considered that the aesthetics of the building should be considered carefully. The Commission preferred the idea of having 2 lifts on either side and no escalator.

Minor and other works – not within scope of delegated powers

665/14 – BA12509 – 2& 3 Kavannah’s Court – Proposed demolition of existing derelict dwellings and construction of a 1 storey car park with additional residential apartments above (maximum 3 storey high residential blocks)

The Commission approved this application.

666/14 – BA12711 – Loquat House, 4 South Pavilion Road – Proposed external alterations

The Commission approved this application.

667/14 – BA12907 – Unit 3, Cotchfoe House – Proposed alterations to interior and alterations to façade

The Commission approved this application.

668/14 – BA13193 – King’s Bastion, Outer terrace – Proposed canopies to outdoor terraces

The Commission approved this application subject to the side plans being transparent.

669/14 – BA13247 – Vault 4, Chatham Counterguard – Proposed internal refurbishment works to convert into cafeteria/bar/restaurant

The Commission approved this application.

670/14 – BA13255 – Unit 4 Watergardens, Waterport Road – Proposed refurbishment and conversion of shop to take-away outlet

The Commission approved this application.

671/14 – BA13258 – 14 Mount Road – Demolition of existing dwelling and construction of new single dwelling

The Commission approved this application subject to a condition requiring a tree survey and approval for any works to trees.

672/14 – BA13263 – 3 Woodford Cottage, Europa Road – Proposed new terrace & other works to residence

The Commission approved this application.

673/14 – BA13275 – Harbour Views Road, Europlaza – Proposed installation of two fences with a fan setup across the width of the revetment behind Europlaza Estate

The Commission approved this application.

674/14 – BA13280 – Europa Flats – Proposed conversion and refurbishment of existing MOD Block as University administration offices – HMGOG Project

DTP advised that this application has been withdrawn.

675/14 – BA13284 – Ex-Naval Ground Pitch No. 1 – Demolition of two storey temporary steel and timber structure – HMGOG Project

The Commission did not have an issue with this application.

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676/14 – BA13288 – Western Beach – Proposed construction of small boatshed – HMGOG Project

The Commission did not have an issue with this application.

677/14 – BA13292 – Gun Wharf – Proposed relocation of two plaques to American War Memorial – HMGOG Project

DTP said that three options in terms of the location for the plaques have been suggested. The Committee recommended option one and for the plaques to be placed on a structure instead of being drilled into the wall.

678/14 – BA13293 – Ocean Village – Proposed project to increase the diversity of wildlife within Ocean Village to encourage native birds and insects

DTP said that the proposal is to extend planted areas to introduce traditional planting and biodiversity, and encourage more bird life in the area.

The Commission approved this application.

679/14 – BA13302 – Ex Technical Services Building, Mons Calpe Road – Proposed demolition of building – HMGOG Project

The Commission approved this application.

Applications granted permission by sub-committee under delegated powers (For information only)

680/14 – Ref 1198/006/13 – Queensway (Bus shelter) – Application for new advertising

The Commission noted the approval granted by the sub-committee.

681/14 – Ref 1198/006/14 – Willis' Road (Bus Shelter) – Proposed advertising

The Commission noted the approval granted by the sub-committee.

682/14 – Ref 1198/040/14 – Piazza, Main Street & Winston Churchill Avenue – Proposed banners

The Commission noted the approval granted by the sub-committee.

683/14 – Ref 1198/041/14 – South Barrack Road & Rosia Road – Application to install banners on street lights

The Commission noted the approval granted by the sub-committee.

684/14 – Ref 1198/042/14 – Duke of Edinburgh's International Award, 35B North Mole Road – Organisation signs

The Commission noted the approval granted by the sub-committee.

685/14 – Ref 1198/044/14 – Main Street & Winston Churchill Avenue Bridge – Proposed banners

The Commission noted the approval granted by the sub-committee.

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686/14 – Ref 1198/046/14 – Oasis Eatery, 5 Governor’s Parade – Sandwich Boards – Approval of board at Governor’s Parade but not Bishop Rapallo’s Ramp

The Commission noted the approval granted by the sub-committee.

687/14 – Ref 1198/047/14 – Aragon Bar, 15 Bell Lane – Sandwich Board

The Commission noted the approval granted by the sub-committee.

688/14 – Ref 1198/049/14 – Anglo Hispano, 5/7 Main Street – Fascia sign and dibond side panels

The Commission noted the approval granted by the sub-committee.

689/14 – Ref 1198/051/14 – Diabetes Gibraltar, Main Street – Banner for duration of November at Post Office

The Commission noted the approval granted by the sub-committee.

690/14 – Ref 1198/052/14 – Prostate Cancer Movember Campaign – Banner at Post Office

The Commission noted the approval granted by the sub-committee.

691/14 – BA12169 – 39 Marina Views – Application to create small partitioned room to screen air-cons

The Commission noted the approval granted by the sub-committee.

692/14 – BA12298 – 9 Line Wall Road – Proposed alterations and refurbishment – revisions to basement

The Commission noted the approval granted by the sub-committee.

693/14 – BA12711 – Loquat House, 4 South Pavilion Road – Application to widen the existing entrance to the parking bay and other alterations

The Commission noted the approval granted by the sub-committee.

694/14 – BA13103 – Former Kiki Village, Ocean Village Promenade – Conversion of existing unit to form two commercial units

The Commission noted the approval granted by the sub-committee.

695/14 – BA13218 – 105 Mayflower Both Worlds – Proposed refurbishment and alterations

The Commission noted the approval granted by the sub-committee.

696/14 – BA13235 – Suite 1, Tisa House, 143 Main Street – Proposed office fit out

The Commission noted the approval granted by the sub-committee.

697/14 – BA13246 – Unit 2 Europa Pass Battery – Proposed internal alterations

The Commission noted the approval granted by the sub-committee.

698/14 – BA13248 – Orchid House, The Cliftons, Europa Road – Proposed installation of parking barriers

The Commission noted the approval granted by the sub-committee.

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699/14 – BA13252 – Unit 1Y&Z Casemates Square – Proposed refurbishment and internal fit-out of bar/restaurant/takeaway (internal works only)

The Commission noted the approval granted by the sub-committee.

700/14 – BA13256 – Unit 5, Europa Pass Battery – Proposed alterations and refurbishment to property

The Commission noted the approval granted by the sub-committee.

701/14 – BA13260 – 119 Main Street – Proposed internal refurbishment and new shop front

The Commission noted the approval granted by the sub-committee.

702/14 – BA13267 – 37 Limonium House, West View Park – Installation of glass curtains

The Commission noted the approval granted by the sub-committee.

703/14 – BA13268 – 262 Main Street – Proposed internal fit-out of existing shop to become beauty treatment salon

The Commission noted the approval granted by the sub-committee.

704/14 – BA13269 – Penthouse 4, 2D Cormorant Wharf – Internal alterations and formation of new window and door openings

The Commission noted the approval granted by the sub-committee.

705/14 – BA13271 – 7 Grafton House, Ordinance Wharf – Proposed fitting out of curtain wall glazing to terrace

The Commission noted the approval granted by the sub-committee.

706/14 – BA13277 – 22 Redwood Lodge, Montagu Gardens – Proposed refurbishment to achieve open plan kitchen

The Commission noted the approval granted by the sub-committee.

707/14 – Ref N/011/14 – Europa Pass Battery, Europa Road – Application to remove trees/shrubs to expose WWII – HMGOG Project

The Commission noted the approval granted by the sub-committee.

Any other business

708/14 – Jumpers Bastion

JH highlighted that the state of Jumpers Bastion at street level is shocking and that it should be maintained.

JC advised that Jumpers Bastion has been awarded via tender but that the regularisation of the premises has not yet been finalised.

It was agreed that this is not a planning matter. The Chairman agreed to take up the matter with the relevant bodies.

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The Commission agreed to next meet on Thursday 27th November 2014.