

*Approved*  
*DPC meeting 15/14*  
*27/11/14*

**THE DEVELOPMENT AND PLANNING COMMISSION**

Minutes of the 15<sup>th</sup> Meeting of 2014 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 27<sup>th</sup> November 2014 at 09.30 am.

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- Present:**
- Mr P Origo (Chairman)  
*(Town Planner)*
  
  - The Hon Dr J Garcia (DCM)  
*(Deputy Chief Minister)*
  
  - The Hon Dr J Cortes (MEH)  
*(Minister for Environment & Health)*
  
  - Mr H Montado  
*(Chief Technical Officer)*
  
  - Mr G Matto (GM)  
*(Technical Services Department)*
  
  - Mrs C Montado (CAM)  
*(Gibraltar Heritage Trust)*
  
  - Mr C Perez (CP)  
*(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 J Mason  
*(Rep Commander British Forces, Gibraltar)*
- In Attendance:**
- Mr P Naughton-Rumbo (DTP)  
*(Deputy Town Planner)*
  
  - Mr K De Los Santos (KD)  
*(Land Property Services Ltd)*
  
  - Miss K Lima  
*(Minute Secretary)*

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**Apologies:**

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

**Approval of Minutes**

**710/14 - Approval of Minutes of the 14<sup>th</sup> meeting of 2014 held on 22<sup>nd</sup> October 2014**

The Commission approved the Minutes of the 14<sup>th</sup> meeting held on 22<sup>nd</sup> October 2014 except for the following amendments in bold:

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

**Matters Arising**

**711/14 – BA12711 – Loquat House, 4 South Pavilion Road – Consideration of proposed colour scheme to paint building**

DTP advised that this application was referred by the Subcommittee as they felt that the proposed grey colour scheme was not traditional of these types of buildings. He said that they felt that the black and white colour scheme should be retained as they have carried out a survey of similar buildings and the majority are painted black and white. DTP also told the Commission that the applicant has submitted their own survey which shows that there are some similar buildings which have a different colour scheme.

The Committee welcomed Mr Darren Vickers (GC Architects) on behalf of the applicant.

Mr Vickers told the Commission that his client has carried out an extensive refurbishment to this 300 year property. He said that the reason for changing the colour to a light limestone colour is due to busy traffic on the road which results in the applicant having to paint the façade every two years as it becomes very dirty. He also said that there are houses in other areas which have been painted in pastel colours, greys and pinks.

The Committee did not have any questions and thanked Mr Vickers.

CAM said that the black and white colour scheme was adopted in the 1900s as in the 1800s military properties were often painted in blue (i.e. the Blue Barracks) or mustard as it was considered that ‘white was bad for the eyes’. However, she said that although fairly recent, the black and white colour scheme has become traditional for ex-MOD quarters.

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

7 in favour

2 against

2 abstentions

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The Committee approved the proposed grey colour scheme.

**712/14 – BA13056 – Ex Mobil Petrol Station, 16 Line Wall Road – Proposed refurbishment and change of use to drive-through take away**

DTP told the Commission that this matter was approved in principle at a previous meeting subject to agreement on the opening hours.

The Chairman said that a survey of different takeaways has been carried out and that most of them close at around 11pm. He also said that a meeting was held between, the applicant, the objector Mrs Ferrary and himself. The Chairman told the Commission that he had to say that the meeting did not end well with verbal insults directed at Mrs Ferrary by the applicant. He said that it is up to the Commission to decide whether they want to impose restrictions on the opening hours and that although this has not been done in Gibraltar to date, it is common practice by UK planning authorities and possible under the Gibraltar Town Planning Act.

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

10 in favour  
0 against  
1 abstention

The Commission imposed a condition on opening hours that would limit the opening hours to midnight.

**713/14 – BA13157 – 8 Ellerton Ramp, Buena Vista Estate – Proposed swimming pool and store room and associated works**

DTP said that the Commission was concerned with the height of a boundary wall when compared to ground level. He said that proposed railings would be 1 metre above the wall and 1.7 metres above ground level at the highest point. He also said that the pool area has been lowered slightly and planting introduced. DTP advised that a similar scheme has been approved by the Commission and recommended approval. However, he said that the applicant has proposed railings but that the policy is that timber fencing should be used throughout Buena Vista Estate and that this should be made a condition of the permit.

The Commission approved this application subject to timber fencing being used.

**714/14 – 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 said that at the last meeting the Commission raised concerns on the development of a green area above the property. He said that the revised scheme takes on board comments made by the Commission. He advised that the pool and decking on the upper level have been removed and the footpath diverted to allow access to the applicant and the neighbour. DTP also said that the upper area will be planted and an area of the garden will be compacted with loose gravel. DTP also said that details of the fencing to be installed on the Europa Road boundary have been provided. He said that they will be creating a fence comprising posts and wire, over which plants will be grown to create a green scheme. He said that the fencing has been splayed back so that it is not a vertical structure. With regards to the objection from the neighbours, DTP said that vertical blinds will be installed on both terraces to maintain privacy. He also said that the

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existing trees will be retained and that the car deck with access from Europa Road has been removed. DTP recommended approval as the main issues raised by the Commission have been addressed.

JH asked whether the public footpath along Europa Road will be provided. HM confirmed that TSD has reviewed the alignment of the road so that they can provide the footpath without having to go into the property.

JC said that it is clear that the applicant is trying to obscure views into the property by installing a fence as it will diminish the existing view. The Chairman said that the Commission can condition them to reducing the height of the fence.

MEH said that although they seem to have met the requirements of the Commission, he was still concerned that when they actually carry out the works they will not be exactly as proposed. He also asked whether a tree assessment has been carried out. The architect has confirmed that no trees have been removed.

The architect confirmed that the fence will be 1.3 metres high and that it will not hide the views. He also said that the fence will be see-through. He said that the intention is to provide privacy to the dwelling whilst not obstructing views. He also confirmed that access to the gap between the fence and the wall will be maintained to allow access to clean the area.

The Chairman suggested that the Commission could impose a condition on the height of the fence so that it is reviewed on site to ensure that views are maintained. It was also suggested that the fence which has already been erected further up the road should be changed to match the one approved for this site.

The Commission approved this application subject to the Commission being shown a sample of the fence and this being approved.

**715/14 – BA13213 – 3 Johnstone’s Passage – Proposed conversion of one residential premise into two separate premises**

DTP said that at a previous meeting the Commission considered this application and that the main concern was with the three windows of the adjacent property to the rear, which will be converted for residential use, due to the proximity between this building and the proposed extension,. DTP confirmed that the extension has been pushed back allowing a 2 metre distance. DTP also said that the applicant has confirmed the details for the roof and that the Heritage Trust has no objection to this application subject to the end result being as per the photos provided.

MEH said that swift boxes should be provided.

The Commission approved this application.

**716/14 – BA13259 – 1 Battery Close, 30A Rosia Road – Proposed internal refurbishment including installation of lift and loft conversion external alterations including changes to balustrading and gables**

DTP recalled that the Commission had concerns about the introduction of glazing to terraces and gable ends and reservations on some of the proposed balustrading. He advised that in the revised plans one terrace has been removed from the east elevation but retained in the south and west elevations. On the west elevation, DTP said that the glazing has been retained on the gable end and no changes are to be made to the existing balustrading. On the south elevation, glazing and balustrading have been retained. On the east elevation, two glazed areas have been introduced to the attic to reflect the existing form on the gables.

DTP also told the Commission that he discussed with the applicant the possibility of introducing skylights on the east side but that they did not favour this option as they fear that it could result in water ingress problems.

From a planning point of view, DTP said that there are no objections to the changes proposed for the south and west elevation as they are not highly visible and will not have a major impact. However, he said that the changes proposed for the east elevation would cause disruption to the façade and that the recommendation would be to keep it as it is.

JC said that he objected to this application at the previous meeting but that he has since been on site and that the proposed changes are a huge improvement. He said that he would remove his objection to the proposal.

MEH said that he did not object to the proposal but that the applicant should be careful with birds in migration season as they could collide with the windows. He said that precautions to minimise this should be taken.

CAM said that she did not have an objection but that she agreed with the recommendations made by DTP for the east elevation and subject to the balustrade glazing having no tint. JH concurred with CAM.

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

7 in favour

0 against

4 abstentions

The Commission approved this application subject to measures to prevent bird strikes and that the balustrade glazing should not have a colour tint.

**717/14 – BA13264 – Reclamation Road, Naval Ground – Construction of a car and coach park**

DTP advised that outline planning permission was granted in August 2014 for the scheme as a whole and that full planning permission was granted for the coach and car park in September 2014. He explained that approval for the external façade of the building was reserved and is now before the Commission for consideration.

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The Commission welcomed the architect Mr Mark Roberts and Mr Jimmy Garbarino.

Mr Roberts informed the Commission that one of the conditions of their permit is to carry out a traffic survey and said that this is ongoing and that there will not be any impact on Reclamation Road. He said that in terms of sustainability measures they will be introducing solar panels on the roof and that the perimeter of the roof will be covered with seeds and planting. Mr Roberts explained that the car park will have parking for 40 coaches on the ground level, parking for 45 taxis and mini buses on the first floor and 1017 car parking spaces on 8 additional floors. Mr Roberts said that the aim is to enhance the architectural value of the site and its surroundings. He said that his client and the Government feel that the design needs special consideration given the size of the building and its location. He also said that they will be using two layers of high quality aluminium; the base layer will be a steel colour and the top layer will form a tree motif in a gold colour. Mr Roberts said that the product which they will be using is practically maintenance free and has a lifetime guarantee. He said that both facades will be broken up by two circulation cores on the Queensway and Reclamation Road facades. Mr Roberts explained that the gold colour has been chosen as it resembles the gold colour of the shield on the War Memorial. Mr Roberts thought that the building will make a significant contribution to the townscape and will provide much needed coach and car parking.

MEH highlighted that swift boxes should be incorporated.

JC asked how they will be maintaining the façade. Mr Roberts said that from a technical point of view the gold part of the façade does not need cleaning but that aesthetically it will have to be maintained.

The Chairman asked whether the external cladding can be changed in the future. Mr Roberts said that it is demountable. He said that it is a very sophisticated system and of the best quality.

MEH asked whether they will be providing electric vehicle charging points. Mr Roberts confirmed that they will be providing for 45 electric vehicle points and that this can be increased in the future.

Mr Roberts also confirmed that both sides of the car park at ground level will remain open. He said that the intention is to run the tree motif along the ceiling to the coach park and include lighting to light up the area.

DTP told the Commission that a number of meetings have been held with the applicant and that there had been a concern on the appearance of the coach park at ground level. He said that the intention is to treat the interior to make it inviting.

The Chairman asked whether low level planting will be introduced around the columns. Mr Roberts said that they might incorporate planting in the central cores. Mr Garbarino said that they need to allow a circulation area for coaches and that space needs to be allowed on pavements for passengers alighting from coaches and pedestrians. He said that this means that they are limited in the area left for planting.

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CAM asked whether the coaches remain in the car park at nighttime. Mr Garbarino said that the coaches would usually leave at around 4pm but that this is under discussion. CAM said that it is important to enhance the area so that it is not dingy at night.

CP raised concerns about the sunshine reflecting from the façade in the mornings. Mr Roberts said that the materials can have quite a matt finish and will be non-reflective.

CP also said that they should provide swift and bat boxes.

DTP said that the Department of Environment has suggested that they should consult the GEA on photovoltaic cells and consult the Department of Environment on the species types on the roof.

The Commission approved this application.

### **Major Developments**

#### **718/14 – Ref 1281/42 – Coaling Island Reclamation**

DTP advised that this is a Government project and that the Commission needs to consider the scoping opinion for the EIA. He said that the scoping opinion was circulated to members prior to the meeting. DTP said that the proposal is for land reclamation by constructing two Caisson walls and infilling an area. He said that they will be creating 2.3 hectares of land mass. DTP said that no indication has been given on the intended use.

DTP told the Commission that the scoping opinion includes topics such as coastal processes; marine water and sediments quality; marine ecology; terrestrial ecology; traffic and transport; air quality; historic environment; cumulative effects; and transboundary effects.

CP highlighted that an EIA was produced for the adjacent marine area and that certain culverts providing water exchange were required and suggested that perhaps the EIA for the marine area will have to be adjusted if this proposal were to proceed.

MEH said that it is important to have culverts under the land reclamation as if not there will be stagnant water.

The Chairman said that it is not possible to change the previous EIA but that Government will have to take this on board and include any effects on the marine area in the current EIA.

DTP highlighted that there is no mention of culverts in the design.

JH told the Commission that the ESG submitted their views on this matter but that they are not included in the scoping opinion as they are more on overall planning matters. JH said that they feel that they cannot endorse this project without further information on the intended use. JH said that our waters are part of Gibraltar's culture and heritage and that good planning and decision making is necessary.



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The Chairman said that they do not have details of the proposed use for this area but that the Development Plan mentions this area for development. He said that the Town Planners will provide guidance to the Government.

DCM confirmed that once the use has been agreed it will be brought back to the DPC for their comments. He said that the intention is to take the opportunity to create a landmass whilst works are ongoing in the marina.

MEH said that he agreed with the point made by JH and said that his concern is that it is important to ensure that the reclamation does not affect water quality.

JH asked whether the intention is to infill within the harbour. The Chairman said that the Development Plan promotes this.

The Commission did not have any further questions.

**719/14 – The Caleta Hotel, Sir Herbert Miles Road – Refurbishment of Caleta Hotel façade and construction of new 5 stars hotel and car park. Construction of new residential building and serviced apartments**

DTP confirmed that an EIA has been carried out for this application and that it was subject to public participation.

The Commission welcomed the architect Mr Mario Sequeira.

Mr Sequeira told the Commission that they have redesigned the hotel elevations, increased public access, removed construction between the houses and reduced the massing of the luxury houses by 20%.

Mr Sequeira said that they have pulled back the hotel by 2.5 metres and reduced the expansion of the building by 10%. He also said that by introducing reflective glass they are reducing the impact and maintaining the view of the green slope. With regards to public access, Mr Sequeira said that they will now be allowing public access to the sea front by allowing a 9 metre gap between the hotel and the residential building. Mr Sequeira also said that they will be providing 93 parking spaces for the public and 83 spaces for residential use. Mr Sequeira also advised that they have reduced the number of luxury houses to 4, which will reduce the impact on the view from the road. He said that in their opinion the luxury houses will become an iconic development.

The Commission thanked Mr Sequeira and welcomed Mr Jaime Sanchez from Naturalness Ltd.

Mr Sanchez told the Commission that they have carried out the EIA and have taken the revised designs into account in their findings. Mr Sanchez said that the main impact that the development will have will be on Catalan Bay village and the impact on the landscape due to the luxury houses. He said that there will also be an increase in dust, noise and carbon monoxide levels during the construction period. Mr Sequeira summarised the effects envisaged from the development including:



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- Coastal hydrodynamics and geomorphology – no issues envisaged as the natural pool has been removed from the designs.
- Water quality – Recommended an interceptor.
- Soil and geology – Recommended good piling.
- Ecology and nature – Is of low botanic value in this area due to invasive species.
- Transport – Will be problematic at least for one hour a day and will result in an increase in noise level.
- Air quality – The development will not result in a reduction in air quality but the area will be affected by an increase in car movement.
- Landscape and visuals – The main impact will be on landscape and visuals. The use of glass is welcome as long as energy methods are applied and a positive factor is that the architect is trying to integrate the development within the landscape through the use of certain materials.
- Archeology and culture – This area is not listed but heritage recommendations should be taken into account.
- Recreation & tourism – This will be affected positively as the development will add value to the area. The area is being considered as part of a World Heritage Bid and this development will benefit this as it will provide an increase in public spaces and services.
- Socioeconomics – There will be an increase in jobs. It is necessary to take into account the feelings of the adjacent neighbourhood. Mr Sanchez said that a meeting was arranged with the residents of Catalan Bay but that only a few residents attended.
- Stability of land – This is a main issue and the recommendation is to ensure that a stable foundation is provided.

MEH highlighted that the EIA mentions a breakwater and asked Mr Sanchez whether an assessment has been carried out. Mr Sanchez said that a risk was identified in the position of the lower luxury apartment; hence the recommendation was to either move the apartment further up the cliff or introduce a breakwater.

MEH also said that the ecological side of the EIA refers to vegetation in the area. However, he said that no intertidal, sub-tidal or ecological surveys have been carried out. Mr Sanchez said that they carried out a field survey and applied their findings to literature. MEH said that the botanical value in this area may be low due to invasive species but that the solution is not to remove this vegetation. Mr Sanchez said that the proposal is to replant species with value.

The Chairman asked what the endemic species with value identified on site are and whether they can be pinpointed. Mr Sanchez said that there are some species with botanic value but that these are not found in high quantity. He said that they carried out their survey between May and July but said that further studies would be needed

Mr Callaghan told the Commission that 95% of the area is already constructed on and that even flat areas have limited planting. He said that the green slope will be protected.

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Another representative of Naturalness Ltd who was at the meeting referred to Sea Lavender which she said is one of the main endemic species of the area but said that having looked at the whole area around the hotel, they found that the value is low.

CP said that Sea Lavender stretches around Gibraltar's cliff areas but that there are also many invasive species growing in the area. He also said that he is concerned about the reflective nature of the building given that this is a beach area.

MEH highlighted that the development as a whole would have to have a minimum of B rating in energy efficiency. He asked Mr Sanchez whether they could provide a certificate to show that they will meet this. Mr Sanchez said that they have to finalise their calculations but that 50% of the hotel will be using low energy methods. He said that they do not have enough data to provide a certificate now but that they will reach a B rating without any problem. Mr Callaghan told the Commission that they will look into this and provide confirmation.

The Chairman said that outline planning requires the applicant to provide an energy efficient report to the Department of Environment.

JH said that the scale of the project is an issue and asked whether they have considered reducing the mass of the buildings. Mr Callaghan said that they have looked into this but that what they are proposing is based on commercial viability. He said that they recognise the difficulty that the Commission is having with this development but that they would need further guidance as to what else the Commission would like to see happening.

JC thought that the applicant has not done themselves a favour by having such a large mass in the design of the building at the centre of the development. Mr Callaghan said that they were aiming to protect the talus slope and designed accordingly.

CP said that the area below the talus slope is of low ecological value and that it would be preferable to leave area 3 in the plans completely untouched.

CAM asked how integral area 3 is to the scheme. Mr Callaghan said that they have held this area since 1958 with the possibility of constructing on it for a development in association with the hotel. He said that the previous administration sold the land to him with the ability to develop on it for residential purposes.

The Commission did not have any further questions and thanked Messrs Sanchez and Callaghan.

The Chairman said that a paper with recommendations was circulated to members prior to the meeting. He said that two main effects have been identified; visual environmental impact and the possibility for coastal impact if a breakwater is required. He said that in the past other developments such as Sandy Bay have required a breakwater and said that he therefore, considered that there is a high possibility that protection measures will be required. The Chairman referred to his report and planning recommendations. He said that in his opinion development should only be carried out on the existing footprint. He also said that the corridor between the hotel and Catalan Bay could be enhanced by introducing improvement on ground

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level. He said that he is not adverse to modern architecture and that when the hotel was built in the 1960s, it must have been iconic. The Chairman said that the advice from TSD to raise the apartments located at the lowest parts of the proposed development nearest to the sea level should be reconsidered. The Chairman also thought that it is important to link this development with the UNESCO site by making this development complimentary to the other. He also said that vistas are very important so any development should be complimentary to this and should not detract from the views.

CV said that the northern side of the development will be a vast improvement. He also said that the southern side which is the residential block looks good architecturally. CV said that he would rather see this type of development happening here than in the old town area.

MEH said that he sympathised with the developer. He said that the site may have been given to them in the 1960s but that the area is not the same in 2014. He said that he supports the proposal in principle but objects to one part. MEH said that if the area was located on the other side of Sandy Bay he would be completely opposed to the scheme as it is important to protect the natural coastline in that area. He said that he does not have serious concerns about the proposed hotel development but said that he is very concerned and cannot support the residential buildings. MEH said that the residential part of this development might be appropriate at another location but not here. MEH also highlighted that rising sea levels might compromise development and said that visual impact and limited access to the sea front means that he cannot support this application whilst the residential buildings remain part of it.

DCM said that it is important to balance the economic and social needs of Gibraltar with environmental aspects. He said that he personally feels that the revised proposal is an overall improvement on the previous application and the existing structure. He said that he welcomed the investment as there is a need for hotel beds in Gibraltar. If the location were further south, DCM said that he would agree with MEH but that given that it is at this location, he would be more supportive.

CAM said that the Heritage Trust values the improvements being made to the hotel and the attempts to break up the impact on the views. CAM also said that they would concur with the recommendations made by the Chairman in his report with regards to the WW2 monument. She said that they are most concerned about development into area 3.

CP said that he concurred with MEH and that given that Gibraltar has already experienced a large loss of coastline, he would also prefer if area 3 was left in a natural state.

JH said that the ESG like the Heritage Division considered that no amount of mitigation will stop possible influence on the heritage site. She said that a majestic landscape still exists today and that it is important to take a holistic planning approach and tie this development in with Catalan Bay and the eastside. JH also highlighted that car parking provision has been reduced. She also said that the UNESCO team should work with the developer and that the development should be reflective of what the UNESCO bid is trying to do.

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DCM told the Commission that he is the Chairman of the UNESCO bid committee and that the committee is aware of this development and that it is not an issue.

The Chairman highlighted that at a meeting with Prof. Minja Yang (*Raymond Lemaire International Centre for Conservation*) referring to the UNESCO bid, she recommended that the developer and the UNESCO team should work together and complement each other.

CV said that there are other UNESCO sites such as Bath and Edinburgh, which are evolving sites and said that it is important to be practical about these things.

MEH said that he would imagine that the UNESCO site will be a benefit to the hotel.

JH highlighted that the Heritage Division has raised concerns and that they form part of the UNESCO team.

The Commission took a vote for the approval of the proposed development with the exception of phase 3, with the following result:

10 in favour  
1 against  
0 abstentions

The Commission also took a vote on whether phase 3 should be approved, with the following result:

4 in favour  
7 against  
0 abstentions

The Commission approved phase 1 and 2 of the proposal but rejected phase 3.

*At this point JC and GM left the meeting. KD joined the meeting.*

**720/14 – BA13309 – 23 John Mackintosh Square – Construction of two storey office extension over the existing Haven building and refurbishment works**

The Commission welcomed Mr Adrian Moreno (Gibtelecom) and Mr Alain Navarro (WSRM)

Mr Moreno told the Commission that he believes that the proposal which they have produced will have positive heritage, economic and environmental gains. He said that the Haven Building was constructed in the 1970s and that the fourth floor was designed to house the technical equipment and copper cables. He said that their proposal aims to transform the building aesthetically. In terms of heritage gains, he said that they will be removing the bridge which links the building to City Hall in order to restore it to its former glory. He also said that the current building is dilapidated and that they are proposing flair and modernism and changes to make the building more operationally useful.

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In terms of economic gains, Mr Moreno said that they will be gaining two extra floors which will allow them to decant people from other premises and maximise floor space. He also said that they will be replacing the telephone system in the building as well as other services. Mr Moreno said that their current customer care centre will be extended to the ground floor of the Haven Building.

Mr Moreno said that they have concentrated on environmentally friendly measures in terms of the lifts which will run on 100% green energy. He said that this will be done by using photovoltaic cells and storing energy through the use of batteries. Mr Moreno also told the Commission that they will be maximising natural air circulation to reduce the use of air-conditioning. He added that green balconies will be introduced and antenna masts will be replaced with newer technology. Mr Moreno also said that the ground floor design will incorporate a cargo bay and a bicycle bay for employees, so as to encourage greener transport methods. Mr Moreno also said that the building will not be above the skyline of other proposed schemes and buildings in the area.

Mr Navarro told the Commission that the building shape has been dictated by user requirements. He said that the site plays a role in massing and the architectural language of the scheme. Their proposal is to preserve the skeleton and spirit of the existing buildings whilst cladding it to suit modern elements. Mr Navarro said that this is not a speculative development. He said that the applicant requires the use of the upper floors for technical equipment and that this has dictated the mass of the building. However, he said that improvements in technology will benefit the wider community; hence these have to be accommodated. Mr Moreno confirmed that this will be a lightweight modular construction which will be assembled on site. He said that it will involve high energy efficiency and will reflect and amplify the surrounding streetscape through glazing, whilst increasing natural light. Mr Navarro also told the Commission that they have considered sustainability and environmental issues and consulted engineers on this. He said that they have been advised that the type of structure which has been proposed is the best possible solution. Mr Navarro said that they understand that the building is on the edge of the city walls and that its impact will always be an aspect of discussion; however, he referred to other cities such as London where policies have undergone a process of relaxation in order to allow development and modern building which are now iconic.

CP asked whether the glazing will be blue. Mr Navarro said that the colour has not been decided yet but that they would be willing to work with the Commission on this. He said that the glass will be doubled glazed so that the demand for energy consumed artificially is reduced. CP said that blue glazing will affect birds and that either smoky grey or brown would be preferable.

DCM declared an interest as Chairman of Gibtelecom. He said that he thought that the proposed development is a huge improvement to the existing building.

CAM agreed that it is an improvement to the existing but said that the Heritage Trust is concerned about the impact on the landscape, historical elements, view of walls and setting of monuments. She also raised concerns about the proposed LED banners which are large and affect the setting of the area.

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Mr Moreno said that the LED lights are not essential.

CV congratulated the applicant and their team from an architectural perspective. He said that the building should not imitate other in the area as this dilutes historical value.

CAM highlighted that the Development Plan refers to the importance of preserving old buildings and their setting in the old town.

JH asked whether this is the only design that they have produced. Mr Navarro said that there has been a process during which different parties have been consulted. He said that the location has been taken into account in their designs and that they have proposed a modular construction which can be assembled on site to cause less disruption to residents of the area and the community.

JH said that John Mackintosh Square is symbolic and that in the past attempts have been made to maintain this. She said that the current Gibtelecom façade was criticised by the DPC as a more traditional look was considered more appropriate.

CAM asked whether they would be decanting Mount Pleasant. Mr Moreno said that they will not be moving out completely but that it has become a data hub for inward investment and that they want to develop that further.

DTP advised that comments have been received from various departments expressing concerns on the massing, particularly the top two floors. DTP asked whether the top floors could be set back. Mr Navarro said that the building needs to have an element of services and that they have attempted to be pragmatic in locating these on the top floors so that it does not impact on the neighbouring elements. Mr Navarro said that this is an outline design and that they are happy to engage in further consultation with the DPC.

CV said that it is not possible to hide a 10 storey building and that the architectural vision should not be sculpted into something more mundane. Mr Navarro said that they have tried to play with existing elements of the square without copying the architecture.

The Chairman said that all of the buildings around the square have been built during different periods of architecture and that this is an opportunity for the Haven to follow suit.

CV asked whether the floor to ceiling heights have been a challenge. Mr Navarro said that they require computer flooring which is higher than usual and therefore, the windows will have to be adapted. He said that they have to accommodate technology infrastructure requirements.

The Chairman highlighted that there are currently swift nests in the potholes of the existing lift shaft and that it is important to provide these in the new building. Mr Navarro said that they will accommodate this as they did in their other building.

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MEH said that there could also be bats nesting within the lift shaft. He said that swift and bat nests have to be reprovided but that the removal of the existing cannot take place when the nests are active.

The Commission did not have any further questions and thanked Messrs Moreno and Navarro.

DTP told the Commission that TSD has raised concerns about the top two storeys, the massing of the building and turning circles to the cargo area.

DTP also said that the Ministry for Heritage has raised strong objections to the two additional floors and the building exceeding a 4:1 building floor index which is the policy for the town area. DTP said that they are also concerned about the excessive massing, the effect on the silhouette of the town and shading in John Mackintosh Square.

DTP advised that the Department of Environment has commented on the requirements for dust control, energy performance, minimum of 5% landscaping, a bat survey and consultation on species to be planted in the balconies.

JH said that she agreed with the comments made by the Department of Environment.

CAM said that the Heritage Trust is not convinced that enough relative studies have been carried out. She said that the impact on the square due to the massing of the building should be explored further. CAM said that height is an issue and that although they take on board comments made on architectural design and examples given, she said that they feel that this building should be looked at within the context of Gibraltar's townscape.

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

5 in favour

2 against

2 abstentions

The Commission approved this application.

**721/14 – BA13316 – Police Barracks, Castle Road – Refurbishment and reconditioning of Historic Building Complex with part demolition and extension to provide new residential complex and public open areas**

The Commission welcomed Mr Jason Sisarello, Mr Joe White and Mr Patrick Gomez.

Mr Sisarello told the Commission that they want to deliver a project which maintains the balance between preservation of heritage and culture and brings it into the 21<sup>st</sup> century. He said that they want to apply the latest in sustainable techniques and sustainable energy methods.

Mr White told the Commission that buildings B, C and F are generally in a good condition. He said that damage can be repaired including the arched façade and exterior beams. Mr White said that the roof timbers have been damaged by water ingress and have to be replaced. He also said that the steel walkway is corroded and also needs to be replaced.



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Mr White said that buildings D and E have similar structural issues as buildings B, C and F so the same would apply to them. He said that the only difference is that the steel beams supporting the level one terrace slab are significantly corroded and have to be replaced.

Mr White also said that building G has a more traditional masonry wall structure. He said that one side of the building is cracked and structurally separate from the rest of the building, and that it should be demolished.

Buildings H, I and J are generally in a good condition and the steel structures should be replaced. He said that there is a crack at the top of building H and that this should be removed. Mr White said that the toilet block is a recent addition and that it is cracked almost to full height and should therefore, be demolished.

Mr Gomez told the Commission that it is important to develop this building in a way that it will become a landmark. He said that perceptions of this building have changed over the years and that nowadays it is seen as a valuable building. He said that it seems to have been designed as a complex; buildings D, E and F as one block and buildings H, I and J as separate to the complex. He said that building A does not seem to have any relation to the rest.

Mr Gomez said that their aim is to retain where possible. He said that buildings B and C would be suitable for step up family apartments. Block F he said would be 1 bedroom apartments and blocks H, I and J affordable housing blocks. Mr Gomez said that block E needs to be sacrificed for the good of the rest of the development. With regards to the patio, Mr Gomez said that they can provide car parking on two levels and convert the roof into an urban square. Mr Gomez said that buildings E, G and A would be demolished.

Mr Gomez told the Commission that they will be retaining the arches to maintain the original look of the building but that by introducing glazed balustrades they will be adding a modern feel. Mr Gomez also said that they will allow public access through a portion of the estate. Mr Gomez advised that it is difficult to adapt the design of the interior to comply with modern elevation requirements. He also said that since the ground level by Arengo's does not have views, they intend to turn the units into stores. He said that plazas with a cafeteria will be introduced on the third level and confirmed that there will also be a play area for children. Mr Gomez said that they will be providing a total of 64 apartments.

MEH said that they require a renewable energy and energy efficiency certification. Mr Sisarello said that they will make sure that passive methods are used. He said that given that they are slightly limited on possible methods due to the existing structure, they will be opting for solar thermal air-conditioning, hot water generation and voltage thermalisation. He said that they will be using the latest environmental methods as they want to practice what they preach. Mr Sisarello also told the Commission that they will be using two existing cisterns.

JH asked what arrangements are being made for vehicular access. Mr Gomez said that vehicular access will be from Hospital Hill and that there will be a ramp section from the existing parking area. He said that there will not be any internal ramps.

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CV said that he is glad that the existing structure is not being completely demolished and welcomed the introduction of public areas. With regards to the proposal to demolish certain buildings, CV said that he agrees on the corner building but said that he is less keen about the demolition of the others as the streetscape is very characteristic. CV suggested that although it may not be economically viable to retain the buildings, perhaps they could explore the possibility of retaining the façade and have an enclosed protected open space.

CAM commended the honest approach which the developers have had with the Heritage Trust. She said that they should be cautious in taking a decision about demolition based on a draft appraisal.

Mr White said that the appraisal was submitted as a draft because they were waiting for masonry tests but that this will not affect it.

Mr Sisarello said that they have considered all of the options but that economic viability is an issue. He said that they consider that block D has more value as it is more iconic because of the patio and will therefore, be keeping it. He said that it is not economically viable to fix block E and that although it will be demolished it will be replaced with public spaces which add community value.

CAM asked whether they have considered options in terms of economic savings, for example EU funding. The Chairman thought that they would not be eligible for EU funding. Mr Sisarello said that even with funding they would consider that the social aspect wins over the heritage aspect in this respect.

DCM congratulated the developers on the scheme and said that he thought that it is an excellent design.

The Commission did not have any further questions.

DTP advised that the Heritage Trust has highlighted concerns about the construction of two lifts in the patio area and the visual impact that this will have. He said that they are also concerned about the loss of terracotta balustrades and said that these should be replaced with the same.

Mr Gomez said that 40% of balustrades have already been lost and that the remaining are not in a good state. He said that they are also noncompliant in terms of distance.

CV agreed that the balustrades are not compliant with today's standards. CAM said that perhaps they can find a way of keeping reference to them within the building as they are an important image of the buildings.

DTP also told the Commission that the Ministry of Heritage has welcomed the scheme but has concerns over the demolition of buildings E and G, as it might create a dangerous precedent. DTP said that the Ministry of Heritage has also referred to the Development Plan and the retention of iron balustrades but said that the Development Plan policy referred to is not applicable. He said that the Heritage Trust have also recommended that the windows are

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replaced with timber and the patio is retained. They have also raised concerns with regards to the lifts and the upper floors being featureless. They have also requested an Archeological Watching Brief.

DTP also said that the Department of Environment requires dust control, energy performance measures, a swift and bat survey and the provision of electrical charging points.

From a planning perspective DTP said that regeneration of old buildings is welcome and that this development is in line with policy. He said that permits are not usually granted for demolition of buildings with historical value but that in this case one building is in need of demolition and others are borderline. DTP also told the Commission that the Development Plan specifies a specific policy for this site which was for residential and car parking use. However, he said that since the plan was created, another car park has been provided in the area and that there is therefore no issue in that the parking in this development will be for private use. DTP also said that the parking requirements are not being fully met as only 40 spaces are being provided and none are for the studio apartments. DTP advised that the Commission would have to decide whether to waive this requirement if they approve the proposal. DTP also highlighted that the main issue from a planning point of view is the demolition of the buildings facing Castle Road. He said that there are no planning objections to the lightweight construction proposed and the set back of top floors. DTP said that having glazed lifts is probably the lightest option and that from a planning perspective it is not considered to have a negative effect. DTP said that the form of the buildings is being retained, except for those which are being demolished. He also welcomed the reuse of the cisterns for irrigation and to control water runoff.

CV welcomed the scheme and said that he is in favour of mixing the old with the new. He said that he likes the minimalist look so would not object to the top two levels. He said that the lift scheme makes good use of the space and that he would not have a big issue with the balustrades being removed and replaced with glass balustrades as they open up views. CV said that he agreed with the proposed demolition for public gain but said that he believes that there is value in retaining the façade of the last building on Castle Road.

MEH said that he likes the scheme and thought that demolition in this case benefits community use and therefore, although not the usual policy, he would not be opposed to this. MEH said that the architect should be congratulated.

CP highlighted that demolition should be done outside the breeding season and that swift boxes should be provided.

CAM said that the Trust is supportive of this development and would like the opportunity to liaise with the architect. CAM said that the Heritage Trust would like further information on the demolition and would suggest that a decision is not taken on this aspect of the proposal at present. CAM said that it seems that the decision to demolish has been based on cost as the report provided does not completely discard the possibility of reinstating the buildings. CAM said that she cannot vote against the project as a whole but that she cannot approve the demolition of block E.

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The Chairman advised that the Commission has to vote on this application as submitted but that this does not mean that the applicant cannot reconsider their decision to demolish certain blocks.

The Commission voted unanimously in favour of this application with the condition that the applicant reconsiders the demolition of block E.

**722/14 – Ref 1198/008/14 – Units 01A/01 & 01A/02, Ocean Heights – Application for new signage**

DTP advised that this application has been referred by the Subcommittee. He said that the premises are used for storage associated with a retail use and that although the signage was approved the aluminium frame was not. DTP said that the recommendation is that a sign should be allowed but that the proposals for the main façade should not.

The Chairman said that the applicant has highlighted that the adjacent takeaways have been allowed to place signage on the whole shop front. The Chairman remarked that the difference is that they are usable shop fronts whilst this one is only used for storage with a solid frontage. He also said that it is also possible to see through the shop front of the takeaway.

The Commission refused this application.

**723/14 – Ref 1198/062/14 – The Atlantic Café Ltd – Application for new signage**

DTP told the Commission that the Subcommittee recommended refusal of this application on the basis that the signs are excessively large and because the policy is not to allow signs when there are multiple units within one building as it can lead to a proliferation of signage.

The Commission refused this application.

**723/14 – BA12271 – 8 Governor’s Lane – Proposed new terrace**

DTP said that this matter was referred by the Subcommittee as they were not in agreement with the proposal to create a terrace on the roof and the replacement of the traditional wrought iron pillars with glass balustrading. DTP informed the Committee that the applicant asked the Subcommittee to refer the application to the Commission as they thought that the proposed glazing would improve the building and referred to similar changes which have been made to the Law Courts.

CAM said that the glazing at the top of the building would be out of character.

CV said that perhaps a more traditional approach by installing a parapet wall would be more in keeping. However, he said that he does not have a significant objection to the proposal.

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

2 in favour

1 against

7 abstentions

The Commission approved this application.

**724/14 – BA13195 – 1-9 Governor’s Street – Proposed extension including part demolition of existing structures**

DTP advised that this proposal involves a two storey extension in existing patios. He said that part of the outbuildings will be demolished and replaced with an extension to extend office space. A window will also be converted into a door with access to Boschetti’s Steps. DTP said that an objection has been received from a neighbour who is concerned that the extension will affect their amenities and light and referred members to the copy of the objection circulated prior to the meeting. DTP said that the applicant has now set back the extension 2 metres from the adjacent wall. The proposal is to convert the first floor into offices. DTP said that the building is currently in a poor state and recommended approval.

DTP said that the Heritage Trust feels that fenestration should comply with the Development Plan policy. He also said that TSD has made their usual comments.

JH asked whether the objector is appeased by the changes made. DTP said that the changes were received the day prior to the meeting. The window referred to by the objector is in a kitchen and the Commission has allowed other proposals in similar situations.

The Commission approved this application.

**725/14 – BA13252 – Units 1Y & Z Casemates Square – Proposed refurbishment and fit out of bar/restaurant and external alterations**

DTP explained that internal refurbishment was already approved by the Subcommittee but that external alterations have been carried out without permission. DTP said that a roof structure has already been removed as the applicant claims that it was at risk of collapse and they are proposing to replace it with a first floor level terrace. DTP also said that the proposal involves the removal of partitions and rearrangement of the internal layout. The tree outside the property will be retained. DTP said that the proposal also involves an extension to the rear of the property at first floor level and the partial enclosure of an existing terrace area to the front. DTP said that two options have been proposed for the external frame and that the main difference is the framework colour. He said that it will be a standard UPVC frame with fixed balustrade.

DTP said that the Ministry for Heritage considers that the area is visually sensitive and that the proposal is not sympathetic to the heritage of the area. They consider that the proposal is very bold and clashes with the character of the area.

From a planning point of view, DTP said that they would concur with the comments made by the Ministry for Heritage. He said that the first floor terrace obliterates the property and that the signage is excessive. He said that from a planning perspective the enclosure is not appropriate and that a more ornate structure such as a wrought iron conservatory would be more in keeping.

CAM concurred with the comments by the Planning Department. She said that there has always been an issue with clutter in this area and that this would worsen the problem.

CV concurred saying that this area links to the Northern Defenses and that if the rear were eventually used as an office it could affect that link.

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DCM said that it is his understanding that the area requested at the rear of the property is not in their lease. DTP said that LPS has confirmed that the area at the back of the premises does not form part of their lease or their tables and chairs area.

The Chairman asked whether the Commission considers that balconies like the ones on both sides of Casemates could be introduced to this building.

DTP said that any addition to the building would have an impact and would detract.

CP said that signage proportions and colour scheme proposed are in contrast to the rest. He said that he is not averse to adding to the site but that additions have to be incorporated more aesthetically.

The applicant who was in the audience explained that the main idea is to have a see-through structure over the external area and said that the blue colour was chosen as it is the colour which has been used for signage within Casemates Square. He also said that in order for their concept to work they require seating outside the premises. The applicant also explained that they have proposed an extension in the back area as although it is outside their leased area it links their rear exit and the toilets. He said that this extension will be used for storage purposes. He also said that they are happy to work with the Commission on their requirements.

CV suggested that there is a magazine in the area which could be used for storage. The applicant said that he had been advised that it was not possible to get a licence to use this magazine but that if it were possible he would be open to this.

This application was refused by the Commission. The Commission requested that the applicant submit a revised application incorporating the recommendations made.

**726/14 – BA13274 – Rock Cottage, South Barrack Road – Proposed restoration, refurbishment, addition of summer lounge and formation of garages**

DTP advised that this application is for a total refurbishment of the building including an extension at ground level on the north and west elevations. He also said that the applicant is proposing to demolish a single storey garage and replace it with a larger garage with a monopitch roof. DTP also explained that the veranda on the first floor will be extended round the property to the north elevation using the same architectural treatment. DTP said that one tree will be removed and additional trees introduced. DTP said that the property will remain as a single family dwelling.

DTP said that TSD has highlighted that the retaining walls should be respected.

DTP also said that the Heritage Trust wants the site to be recorded before works commence to ensure that architectural features, such as significant fire places, on site are retained. DTP said that the Heritage Trust has congratulated the applicant on their proposal which retained much of the character of the building.

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DTP also told the Commission that the Department of Environment has commented on their requirements for dust control, energy performance, refuse, green areas and bat/swift surveys.

DTP confirmed that LPS has not raised any objections.

DTP said that there are no architectural objections to the veranda on the first floor and that given that it is a single family dwelling it is not being overdeveloped. He said that a landscaping scheme should be provided. DTP recommended approval.

MEH highlighted that a bat survey should be carried out. He also said that a landscaping plan would be useful due to the character of the colonial gardens.

CV welcomed the restoration of this building. He said that additions such as the water tanks actually work against the building and said that he is not adverse to their removal.

The Commission approved this application.

**727/14 – BA13289 – 1 Eastern Beach Road – Proposed demolition of existing beach bar and construction of three storey boutique hotel**

DTP said that the proposal is for a 12 bed hotel and that a paper regarding this application was provided to members prior to the meeting. DTP said that from a planning perspective he would recommend refusal based on the mass, scale and height of the development which results in overdevelopment of the site. He said that the proposal does not fall within the policy of only allowing limited commercial development on this site. DTP suggested that this seems like a speculative hotel development which has to be seen in the context of other developments in the area particularly the eastside and other hotels nearby. DTP also said that an objection would be made to the loss of public beach area and the fact that the proposal would increase the footprint of the concession area and make the premises more permanent. DTP also said that no car parking is being provided and that the Traffic Commission would require the provision of parking. DTP said that the Development Plan links this area to the eastside and that it would have a great impact and set a precedent.

DCM said that he did not agree with DTP's recommendations and said that the applicant already has a lease for their premises. DCM said that the applicant would be required to pay a premium for any additional land and that this will be in the interest of the tax payer. DCM also highlighted that there are 430 public parking spaces across the road and that in the context of the eastside he thought that the proposed structure would look much better than the existing.

The Chairman confirmed that from a planning perspective the stance is not that they are opposed to development in this area but that this seems to be a piecemeal decision, as the future plans for the area are uncertain. He also said that at the time the café was accepted because of the tunnel that was being built, although the architecture was not what was preferred. The Chairman said that they are not saying whether it is right or wrong but rather that a decision should be taken with caution in the context of the wider picture and requirements of the Eastern Beach zone.



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HM confirmed that access to Eastern Beach will remain as it is. The Chairman said that the Town Planning Department was never privy to the plans. HM said that he can provide them with the plans and that in his opinion the proposal is an improvement to what exists at present.

DCM said that by holding a lease the area belongs to them and that the reason for this proposal is that they envisage problems when the residential estate is completed. They fear that they will not be able to hold late night events at their premises which currently provide most of the business for the applicant.

CP said that a beachfront promenade should be incorporated.

DTP said that the Development Plan envisaged a public promenade with open views for this area. He said that they have permission for their existing premises but that this is a new application which the Commission has the right to consider.

The Commission welcomed the applicant Mr Jimmy Ellul.

Mr Ellul told the Commission that he has been at these premises for 12 years and that they bought the lease for their previous premises and was then forced to move to this location due to problems with the tunnel. He said that he has brought forward this proposal because he envisages problems once the new houses have been completed. He said that he holds a Leisure Area Licence and can open 24 hours a day, and that in the summer months, they are open for private events until the early hours of the morning. He said that with the construction of the residential estate behind his premises he can envisage complaints regarding noise and that this will have an impact on his business. Mr Ellul said that the new project will cover the same area as his current premises. He also said that they currently have two floors and that they will only be extending up to the height of the car park. He said that the proposed development will allow him to have an income throughout the year and not rely on summer events. Mr Ellul said that he cannot accept the Chairman's argument as their establishment will remain at this location even if they are not allowed to proceed with their proposal.

The Chairman said that his stance is not that the development should be removed but that it is easier to approve a restaurant than a hotel.

DTP said that there is a big difference between what exists at present and the proposed development. He said that it blanks off the whole beach front and sea view.

The Chairman said that as an overall plan for the area he would prefer a hotel to be built over the existing car park and the existing premises to be removed, rather than obstructing the views of the sea further. From an architectural point of view, the Chairman said that it is a meritorious design.

Mr Ellul said that they were forced to move to this location by the previous administration and that they will not vacate their premises until they are compensated.

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MEH said that credit has to be given to Mr Ellul as he is trying to preempt problems and change the premises in a positive way. However, he said that he is concerned about creating a precedent and adding to the height.

JH thought that the assessment made by the planning department was very good. She said that everything in the area is on the move and that perhaps it would be better to further discuss this matter. JH said that she concurred with the recommendations in the paper circulated.

DTP said that Mr Ellul's position is clear but that when making planning decisions it is important to be objective, consistent and careful in taking personal circumstances into account.

DCM highlighted that when considering other applications the Commission has taken the view that the Commission can have an element of discretion when adhering to the Development Plan. DCM suggested deferring the application to allow further discussion between HMGOG and the applicant.

The Commission deferred this application.

*MEH left the meeting.*

**728/14 – BA13295 – 11 Lime Kiln Road – Proposed refurbishment**

DTP said that the proposal is for internal and external refurbishment of the property including the construction of a contemporary single storey extension which will be recessed. He also said that there will be small Juliette balconies on the first floor.

DTP said that the Heritage Trust and Ministry for Heritage have stated that the glass and steel balustrade and the grills on the lower windows are not traditional. The Ministry for Heritage has also requested that they use timber windows. DTP recommended approval.

The Commission took a vote on the glass balustrades with the following result:

1 in favour

3 against

4 abstentions

The Commission refused the request to install glass balustrades.

The Commission approved this application subject to no grills and glass balustrades, and timber shutters to be restored.

CAM said that the Heritage Trust is concerned that many buildings within the town area are having their roofs converted to terraces and suggested that there is a danger of loss of traditional roofscape character. She said that the streetscape character of monopitch roofs could be retained through the use of roof tiles.

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**729/14 – BA13298 – 4 Cumberland Steps – Proposed two storey extension of roof level store room to provide residential accommodation**

DTP advised that the proposal is to convert a roof level store into a residential area and construct an additional storey. DTP said that the main difference to the previous proposal is the extra storey at the rear of the premises. DTP recommended approval.

CAM highlighted that the Heritage Trust voted against the mansard roof when this application was first considered.

The Commission approved this application.

**730/14 – BA13301 – 90A Catalan Bay Village – Proposed replacement of existing awning structure with permanent roof structure and side awnings**

DTP told the Commission that the proposal is to construct a permanent awning structure. He said that the proposed colour would not be recommended from a planning point of view and that if the Commission were minded to approve the application they can condition the applicant to having a more subtle colour scheme and transparent awnings.

The Chairman thought that a plan for all restaurants in the area is required.

The Commission refused this application on the grounds of intrusion of visual amenity.

**731/14 – BA13311 – 1 Cheshire Ramp, Buena Vista Estate – proposed extension and new swimming pool**

DTP explained that the proposal is to demolish the existing extension and construct a new one. He said that they will also be creating a terrace over the existing roof and the extension.

DTP said that the Ministry of Heritage has recommended that since this is a 19<sup>th</sup> century building, the windows should be timber, the Government Archeologist should be consulted with regards to the pool and an Archeological Watching Brief should be carried out.

CP suggested that the proposed balustrading is striking against the character of the building.

KD said that LPS would have to check that the proposed extension will be on the applicant's own roof as the external areas are the responsibility of the management company.

DTP confirmed that no objections have been received under Section 19.

The Commission approved this application.

**732/14 – BA13328 – Apartment 1603 Majestic Ocean Plaza – Proposed replacement of existing patio doors to increase external terrace space**

DTP said that the proposal is to alter the form of the glazing in their unit which is faceted throughout the building. DTP said that the Subcommittee was concerned that this could create a precedent for further applications and that eventually the original form could be lost. DTP recommended refusal.

The Commission refused this application.

**733/14 – BA13341 – 58/3 Engineer Lane – Proposed construction of summer lounge and utility room to roof terrace**

DTP said that these works have already been carried out without permission. He said that an objection has been received from the owners of the adjacent property as two windows were encroaching onto their property. However, DTP confirmed that these windows have now been blocked up. DTP said that they also objected to the roof encroaching their airspace and drainage onto their property but that the applicant has confirmed that both of these issues have been addressed.

DTP said that the Ministry of Heritage has highlighted that the proposed extension contravenes the floor space index stated in regulations and that this would add to creating a sense of crowded development in a narrow street. They have also suggested that allowing this might create a precedent and recommended that the front element of the proposal is removed but the store can be retained.

DTP also highlighted that the extension could cause potential structural problems and that surveys need to be carried out to assess whether the building can sustain the load.

CAM said that the Heritage Trust would have requested that the extension be set back.

CV suggested that by allowing these unauthorised works to remain the Commission would be encouraging people to carry out works and apply for permission retrospectively.

Mr Daniel Rios, representative of the applicant, said that if the structural engineer confirms that the structure cannot take the load of the extension, it will have to be changed in order to make it structurally safe.

The Chairman said that structural stability is not the responsibility of the DPC. He also said that he did not see the merit in setting the extension back in this case, as it is not visible from Engineer Lane.

CP said that the Commission has not had the opportunity to impose conditions such as swift nests as the works have been done prior to approval being granted. The Chairman said that conditions can still be imposed and that if they refuse to incorporate these conditions, they would have to remove the extension.

CV asked when they will be able to provide confirmation that it is structurally safe. The Chairman said that the applicant will be informed that the building has not been confirmed as structurally safe. It will also be reported to Building Control Department to ensure that safety is not curtailed.

The Commission refused the application and requested that the applicant provides revised plans with the extension set back by a metre.

**Minor and other works – not within scope of delegated powers**

**734/14 – BA13294 – 23 Cumberland Road, Dolphin House – Proposed balcony refurbishment**

The Commission approved this application.

**735/14 – BA13296 – St Peter’s Close, Sir Herbert Miles Road – Proposed enclosure of a private parking space**

The Commission approved this application.

**736/14 – BA13304 – GJBS, Mons Calpe Road, North Mole – Proposed extension at offices at first floor level – HMGOG Project**

The Commission approved this application.

**737/14 – BA13308 – Hay’s Level, Willis’ Road – Proposed erection of a new structure within a disused chamber for museum storage – HMGOG Project**

CAM highlighted that provision for climate control should be provided. Marcello Sanguinetti of the Ministry for Heritage confirmed that the items which are being stored at Hay’s Level do not require climate control.

The Commission approved this application.

**738/14 – BA13313 – Monkey’s Cave, Europa Advance Road – Proposed demolition of balconies – HMGOG project**

The Commission approved this application.

**739/14 – BA13327 – 241 Main Street – Proposed change of use and new signage**

The Commission approved this application.

**740/14 – BA13342 – 310 Inces Hall, Main Street – Proposed conversion and refurbishment of the North & West wings of Ince’s Hall to form the Gibraltar International Bank – HMGOG Project**

DTP said that the Ministry for Heritage has recommended the use of timber windows and suggested that security windows could be fixed on the internal side. DTP also said that they have suggested that the oculus on the ends should also be timber. DTP also told the Commission that the Heritage Trust concurs with these comments and that they have confirmed that following a site visit, they do not have any objection to the flank walls on the ground floor being removed. The Heritage Trust also welcomes the fact that the fireplace is being retained but suggests that the windows and doors should be more traditional.

CV told the Commission that the windows cannot be traditional timber windows as there are security and insurance issues due to the premises being used as a bank. He said that they require secure glazing and that they have to meet specific requirements.

The Commission approved this application.

*Approved*  
*DPC meeting 15/14*  
*27/11/14*

**741/14 – BA13335 – Area adjacent to Gorham’s & Vanguard Caves – Proposed repair works for access caves and repair works to façade of Monkey’s Cave Hospital – HMGOG Project**

The Commission approved this application.

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

**742/14 – RefN/014/14 – George Don Gates, The Alameda – Proposed removal of two orange trees**

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

**743/14 – Ref1198/065/14 – Macap Frames Ltd, 41D Town Range – Projecting fascia sign**

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

**744/14 – Ref1198/064/14 – Theatre Royal – Sandwich Board**

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

**745/14 – Ref1198/063/14 – Buddies Pasta Casa – Sandwich Board**

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

**746/14 – Ref1198/060/14 – 13 Engineers Lane – Proposed new signage**

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

**747/14 – Ref1198/059/14 – 6 Pitman’s Alley – Proposed new sign on existing projecting flag pole**

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

**748/14 – Ref1198/057/14 – Gibraltar Arms, 187 Main Street – Sandwich board**

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

**749/14 – Ref1198/043/14 – Champions Bar & Grill – Proposed fascia sign**

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

**750/14 – RefN/013/14 – Edinburgh Estate – Replacement of trees along Queensway Road with liquidambar styraciflua**

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

**751/14 – BA11613 – 1 Collingwood Tower, Brympton – Proposed installation of pergola**

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

**752/14 – BA12744 – Kiosk No2, Waterport Road – Proposed installation of new drainage**

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

*Approved*  
*DPC meeting 15/14*  
*27/11/14*

**753/14 – BA13112 – 113 Portland House – Proposed internal alterations**

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

**754/14 – BA13167 – 19/2 Road to the Lines – Proposed replacement of eight windows**

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

**755/14 – BA13174 – Suite 975 Europort – Proposed alterations to office layout**

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

**756/14 – BA13234 – Suite 10, Block 5, Watergardens – Proposed alterations of existing office unit**

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

**757/14 – BA13260 – 119 Main Street – Proposed shop front**

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

**758/14 – BA13276 – Suite 641 Europort – Proposed internal alterations to existing office layout**

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

**759/14 – BA13278 – 402 Europlaza – Erection of glass curtains to enclose balcony**

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

**760/14 – BA13282 – Suite 751 Europort – Proposed internal alterations to office layout**

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

**761/14 – BA13286 – 6 Hospital Steps**

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

**762/14 – BA13287 – 16 Europa Pass Battery, Europa Road – Proposed enclosure of terrace on eastern elevation and internal alterations to property**

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

**763/14 – 9 Barley Hill House – Proposed minor internal alterations**

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

**764/14 – BA13299 – 5/1 College Lane – Internal alterations**

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

**765/14 – BA13303 – 11 Europa Pass Battery, Europa Road – Proposed refurbishment**

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

**766/14 – BA13306 – Europa Road, Europa Mews – Proposed installation of a temporary fiber optic cable on the cliff face**

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



*Approved*  
*DPC meeting 15/14*  
*27/11/14*

**767/14 – BA13307 – No 19, The Island – Proposed internal alterations and repositioning of patio doors**

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

**768/14 – BA13310 – 4.3.05 Eurotowers – Proposed new partitions**

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

**769/14 – BA13312 – Regal House, Reclamation Road – Proposed refurbishment and subdivision of first floor offices**

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

**770/14 – BA13314 – 2<sup>nd</sup> Floor, Eurotowers, 4 Europort Road – Proposed relocation of internal office walls**

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

**771/14 – BA13315 – Apt 1002, Block 3, Europlaza – Proposed installation of glass curtains**

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

**772/14 – BA13318 – 225/226 Discovery, Both Worlds – Proposed installation of glass curtains**

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

**773/14 – BA13319 – 14/16 Georges Lane – Proposed internal alterations**

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

**774/14 – BA13320 – 27/4 Hospital Road – Proposed alterations and refurbishment to light well area**

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

**775/14 – BA13321 – 17 Prince Edwards Road – Proposed installation of new access stairs to basement and associated works**

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

**776/14 – BA13323 – First Floor, Waterport Place, North Mole Road – Proposed internal alterations**

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

**777/14 – BA13324 – Regal House, Reclamation Road – Application for two new wooden enclosure on southern boundary of building to house plants**

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

**778/14 – BA13326 – 91 & 92 King's Wharf – Proposed conversion of two apartments into one**

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

*Approved*  
*DPC meeting 15/14*  
*27/11/14*

**779/14 – BA13330 – Apartment 1001, Europlaza – Proposed installation of glass curtains**

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

**780/14 – BA13331 – Apartment 801, Europlaza – Proposed installation of glass curtains**

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

**781/14 – BA13332 – Warehouse Unit 1C, Catalan Bay Road – Proposed recladding of roof**

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

**Any other business**

**782/14 – Next Meeting**

The Commission agreed to next meet on Wednesday 17<sup>th</sup> December 2014.