

*Approved*  
*DPC meeting 3/16*  
*22<sup>nd</sup> March 2016*

**THE DEVELOPMENT AND PLANNING COMMISSION**

Minutes of the 3<sup>rd</sup> Meeting of 2016 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 22<sup>nd</sup> March 2016 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 (HM)  
(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 C Russo (CR)  
(Land Property Services Ltd)
  
  - Mr C Viagas (CV)
  
  - Mrs J Howitt (JH)  
(Environmental Safety Group)
  
  - Mr W Gavito (WG)  
(Rep Commander British Forces, Gibraltar)
- In Attendance:**
- Mr P Naughton-Rumbo (DTP)  
(Deputy Town Planner)
  
  - Miss K Lima  
(Minute Secretary)
- Apologies:**
- Dr K Bensusan (KB)  
(Gibraltar Ornithological & Natural History Society)
  
  - Mr J Collado (JC)  
(Land Property Services Ltd)

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**Approval of Minutes**

**143/16 – Approval of Minutes of the 2<sup>nd</sup> meeting of 2016 held on 1<sup>st</sup> March 2016**

The Commission approved the Minutes of the 2<sup>nd</sup> DPC meeting of 2016 held on 1<sup>st</sup> March 2016.

**Matters Arising**

**144/16 – BA13251 – Devil’s Tower Road, WT Station – Proposed renovation of station into a wine storage facility/tourist attraction**

DTP advised that revisions have been submitted to the previous outline planning application which was approved by the Commission. DTP said that the original proposal was for the refurbishment of the tunnels and development of the external area to create a wine storage facility, tourist attraction and wine tasting venue.

DTP said that the revised proposal includes Macfarlane’s Gallery, William’s Chamber and Pearce’s Chamber. DTP also said that the building to be constructed in the external area has been moved from the left side of the plot to the right side due to rock fall hazards and restriction of services. DTP also said that the parking bays for both cars and coaches have also been relocated. DTP advised that no comments have been received from the Traffic Commission and the Highways Department on the revision to the parking areas and that any approval should be subject to this.

DTP also told the Commission that the green covering above the building and external areas were also previously approved by the Commission. However, as a result of a rock fall study, the thickness of the roof of the building has had to be increased. DTP said that in effect a storey has been added comprising two concrete slabs and fill. DTP also said that the Visitor Centre roof will have a three layer absorption system and the safety canopy would have a slightly thicker system.

DTP said that further detail has also been provided on the layout of the storage vaults, wine tasting chamber and galleries layout. He said that the revisions include demolition of the old masonry walls within WT Station but that these are not of heritage value. DTP also said that the applicant is proposing to demolish five sets of blast walls within Macfarlane’s Gallery and a ramp within Pearce’s Chambers. They will also be draining a pool area and using it as a water feature. Glazed partitions will also be introduced at WT Station. DTP also said that a new tunnel link from WT Station to RAF Fuel Pipe Tunnel is also being proposed as this would facilitate access for the later phase of the development. DTP said that this would require the excavation of a 75 metre horizontal shaft and a 15 metre vertical shaft.

DTP told the Commission that the Heritage Trust has objected to the demolition of the blast walls in Macfarlane’s Gallery.

From a planning point of view, DTP said that he would recommend approval with a caveat that this would be subject to the Traffic Commission and Highways approving servicing arrangements.

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CAM clarified that the Heritage Trust is supportive of the project but are liaising with the architect on how the blast walls could be maintained. She said that they will also be taking this up with the Ministry for Heritage.

GM said that the building plan has been reorientated to make it safer but raised concerns about the cars and coaches reversing on to a main road. DTP confirmed that there are plans to change the layout of this road and that this part of the road will become a side road.

CP asked what the purpose of linking both tunnels is. DTP said that the later phase of their development is to create wine storage vaults and that linking both tunnels will facilitate access.

JH questioned the safety of converting a fuel storage area into a wine storage facility. The Chairman said that the Department of Environment would require the decommissioning of the fuel storage area and removal of all materials and equipment.

JH highlighted that although plenty of information has been provided, costs seem low considering the scale of the development. She questioned whether the project is viable. MEH concurred. The Chairman said that the DPC is not here to judge the development on costs.

DCM said that this was a very welcome development and that the use of a tunnel for wine storage was imaginative and happens elsewhere in the world, for example in China.

JH said that she would like the opportunity to view the tunnels to familiarise herself with the area. She asked whether the Commission is also being asked to consider the third phase at present. The Chairman said that the Commission is only considering the revisions to the outline planning application. He said that he was sure that the applicant would welcome the Commission to view the site and arrangements shall be made for this.

The Commission approved the revisions subject to the Heritage Trust comments on the blast walls being taken on board and approval by the Traffic Commission and Highways Department regarding servicing arrangements.

**145/16 – BA13371 – Loreto Convent School, 13 Europa Road – Proposed extension to north east corner of approved multi-purpose hall with classrooms**

DTP said that planning permission was granted in May 2015 but that a revision for works to the north east corner of the site has now been submitted by the applicant. DTP said that the revision includes a 2-3 storey flat roof extension to the sports hall. He said that the extension would accommodate toilet facilities, an office and store on a mezzanine level and a staffroom at the level of the playground. DTP said that in effect it is a 2 storey extension but that the land is sloping.

DTP said that there are no objections to the extension but that from a planning perspective he would recommend the incorporation of a green roof and a living wall on the gable to the building's north elevation.

MEH requested confirmation that if approved the applicant will be required to take on board energy efficiency comments raised by the Ministry of Environment. The Chairman said that this would be a requirement.

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MEH also highlighted that part of a garden will be removed and said that the extension will create a much bigger structure than the one originally approved. He asked whether the extra amenities can be incorporated into the other building.

Mr James Hughes (architect) told the Commission that prior to carrying out a topographical survey of the site they had not realised that there are dips in the area, as the area in question was inaccessible. He said that the sports hall will be designed for multisport use and that its size is already the minimum that they can have. He also said that they will be making the entrance bigger and that the toilets will be moved back.

JH asked how much garden area will remain untouched. Mr Hughes said that around 2/3 of the garden area will be retained.

Mr Hughes also said that some of the facilities which they will be providing were not originally going to be available, such as the area for staff. He said that the bulk of it will be subterranean.

The Chairman asked whether the designs incorporate the Planning Department's comments on the green roof and living wall. Mr Hughes said that their plans do not currently include this but that there should be no issue in incorporating a green roof. However, he said that the living wall might be more problematic since the adjoining neighbour has planning permission to construct a dwelling between his property and this extension.

MEH asked whether trees will be lost. Mr Hughes said that they will be saving more trees with their revised proposal and no additional trees will be lost.

MEH raised concerns about the urban creep in the south district and said that constructing a huge hall in this area will hugely impact the area.

The Chairman noted that the site area has already been taken over by the contractor and asked Mr Hughes whether the plans for the extension are already available to submit for reassessment. He asked whether it has gone through Building Control. Mr Hughes said that they are going through the process now.

The Chairman also asked Mr Hughes whether they can provide further information on why they require the extension and how they will incorporate the green roof and living wall. The Chairman suggested that whilst the applicant provides the plans, the Commission could arrange a site visit. Mr Hughes said that this would not be an issue. He also told the Commission that emergency structural works have been carried out to the retaining wall in consultation with Building Control.

The Chairman clarified that the Commission is not objecting in principle but requires more information.

This matter was deferred.

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**146/16 – F/13799/15 – 2c, Mediterranean Terrace, Library Ramp – Proposed alterations to the first floor and attic conversion**

DTP informed the Commission that in December 2015 approval was granted for various internal alterations, changes to windows and reconstruction at roof level. However, a box dormer was refused by the Commission as it was considered that it would affect the character of the property. DTP said that revisions have now been submitted.

DTP advised that the revised proposal includes the construction of a large roof extension, with a parapet wall above to screen air conditioning and solar panels, which would be much more solid in appearance; removal of a spiral staircase to the terrace; and construction of the turret at the rear of the property using more modern materials such as aluminium.

From a planning perspective, DTP said that this is a traditional building with a traditional character and recommended refusal of the revised proposal as it would be out of character, overbearing and would not comply with the Development Plan policies. DTP also said that any alterations to the roof will also have an impact on character, with the exception of skylights but that these are not being proposed.

CAM agreed with DTP and said that the Heritage Trust views the skylights as the only option that would not impact on the character of the building.

The Commission refused this application.

**147/16 – F/13820/15 – 7<sup>th</sup> Floor, International Commercial Centre (ICC) – Conversion of 7<sup>th</sup> Floor car parking level into 7 apartments with terraces and associated works**

DTP informed the Commission that following refusal of this application at the last meeting on the basis of loss of car parking, the applicant has requested the opportunity to address the Commission. He said that approval was granted for the conversion of parking into residential units on the 8<sup>th</sup> floor but was refused on the 7<sup>th</sup> floor. DTP also said that the proposal includes some external changes to provide windows and glass balustrading.

DTP referred the Commission to statistics provided by the applicant on the car park and its usage. He said that there are currently a total of 332 spaces excluding those that will be lost on the 8<sup>th</sup> floor. If the proposal were to be approved a total of 72 spaces would be lost on the 7<sup>th</sup> floor, as well as 26 extra spaces which would be lost to accommodate parking for the residential units. DTP also said that they currently issue 155 rental licences for the car park as well as 39 temporary licences which are managed by Gibraltar Car Parks Ltd and which were granted temporarily to replace spaces lost on Reclamation Road. In total, DTP said that there would be 79 spaces at present which would eventually increase to 118 once the temporary licences are terminated.

MEH highlighted that the information on usage provided in the form of a chart is of limited value since it does not provide a breakdown per day.

The Commission welcomed the applicants, Mr Stuart Dunn and Mr Solomon Massias.

Mr Dunn told the Commission that over two years ago they recognised that there was a decline in the use of the car park and discussed with Government the possibility of converting two floors into residential units. He said that Government at the time already had plans to create new

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parking areas such as within Mid-Town. Mr Dunn also said that at the last meeting MEH referred to complaints received from GHA patients about loss of parking within their car park. He explained that in June 2014 the Government asked them to help out in providing parking for people who had licences to park within the car park on reclamation road as the car park was being lost to make way for the Mid-Town development. Mr Dunn said that although the arrangement was supposed to be temporary, it has been extended up to now; he suggested that once these spaces are released by Gibraltar Car Parks, the issue of parking for GHA patients should improve. Mr Dunn also told the Commission that their request came about as they expected a reduction in the number of cars in Gibraltar as a result of the new Traffic Plan.

Mr Massias told the Commission that the 39 temporary licences should have expired in June 2015. He said that they asked Government to find other alternatives as it was not in his interest to allocate these spaces but that he accepted the request in order to help out.

JH said that people use the car park whenever they have no other option as it is too expensive. She said that it is necessary to have these parking spaces.

Mr Massias said that they face unfair competition from Government car parks which charge lower rates. He said that he has to run his parking from a commercial point of view and that a new car park catering for 700 cars, opening two minutes away from his, will affect his business.

MEH said that he usually is not an advocate for car parks but that Mr Massias' figures do not seem correct. He said that the new car park at Mid-Town compensates for spaces lost at King's Wharf and the Naval Ground.

Mr Massias said that his car park should not have to compensate for the loss of parking elsewhere.

The Chairman asked Mr Massias how he can guarantee that they will be respecting the GHA spaces and not removing any. Mr Massias said that as soon as the temporary licences expire, they will have 39 extra parking spaces. He said that they could also demarcate new spaces by maximising space within the car park. Mr Massias also said that since their agreement with the GHA was signed in 1998, the number of patients visiting the Primary Care Centre has increased. He said that they cannot make any further parking spaces exclusive for GHA patients.

MEH confirmed that the GHA has a good working relationship with Mr Massias but said that their agreement should not be negotiated at the DPC. He said that this is not the main issue of this application.

Mr Dunn confirmed that they have also considered designating specific spaces for certain users but said that they cannot control the number of people that use the car park at any time.

CR asked whether they have records of daily percentages showing the usage of the car park. Mr Massias said that they had a computer glitch in June last year and that he is therefore, not confident in the figures which he can provide. However, he confirmed that usage has decreased in the past ten years.

The Chairman told the Commission that the main reason why he voted in favour of this application at the last meeting was because the Commission had already approved the conversion of the 8<sup>th</sup>

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floor into residential units and because the Commission should be encouraging the use of public transport to visit the Primary Care Centre. The Chairman said that he sympathises with GHA patients but said that they could make use of public transport. He said that as a planner it would be wrong for him to vote against residential development in favour of parking.

MEH asked the applicants what is the merit of their residential scheme to the community. Mr Dunn said that it will generate life in the city centre. Mr Massias said that the apartments would provide people who want to live in Main Street with middle range accommodation with parking underneath their properties. He said that they would not be looking to convert any into office space in the future as there has been an increase in office space being provided elsewhere in Gibraltar.

DCM said that there is more than one issue and saw valid points in both arguments. He said that the mathematical equation provided by the applicant is not clear and that he was not sure how many spaces are available for public use. He agreed with the Chairman in that the Commission should encourage the use of public transport. DCM also said that half of Landport Ditch is now pay and display parking and suggested that people can use this area too. He also said that it is necessary to safeguard the availability of spaces for GHA patients. DCM thought that further information might be useful to assist the Commission in deciding whether to reconsider their previous decision or not.

MEH said that he would suggest deferring the application so that the applicant has the opportunity to submit further information and figures.

The Chairman said that although the application was refused at the last meeting, a refusal notice will not be issued yet in order to give the applicant time to submit more information.

The Commission deferred this application.

### **Major Developments**

#### **148/16 - Ref 1402 - North Mole - Decommissioning of pipeline - MOD Project**

The Chairman advised that the MOD wishes to decommission pipelines which are no longer in use. He said that his report was circulated to members together with submissions from EIA consultees prior to the meeting. The Chairman confirmed that all consultees with the exception of the ESG recommended that a full EIA is not required.

The Chairman explained that the DCM is no longer the Minister for Town Planning as this responsibility has been passed to the Hon Paul Balban. He said that if the Commission is happy with the Town Planner's report, he will forward it to Minister Balban for review and decision on whether an EIA is necessary or not. The Chairman also said that all comments made by consultees should be well documented and that there is no reason why the ESG cannot work with the MOD to address their environmental concerns. The Chairman confirmed that there are processes in place to manage any environmental effects. He said that the fuel lines are generally underground in the areas of North Mole Road, Kings Lines and Waterport Road.

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MEH highlighted that the Department of Environment wants regular access to monitor progress and any problems.

The Chairman said that the MOD could be asked to show how they will be mitigating environmental issues.

JH said that the pipeline was laid at a time when the area was very different and that it is now a busy, urbanised area. JH also said that although the ESG realises that this application would not strictly require an EIA, an EIA would provide more information to the public which they consider is important especially in an open planning system. JH thought that more information on fumes and effects on social environmental impact from the procedures being implemented should be provided. She said that the ESG would wait for more information before allowing them to proceed.

CAM said that the MOD should liaise with the Heritage Trust regarding areas where the pipes run through small monuments.

DTP clarified that the scheme involves the removal of the pipeline on the western arm and the rest to be flushed out and filled with concrete. He questioned whether it would not be possible to flush out the whole system and reuse it for other services. WG confirmed that this has been tried in the past but that it will not be done on this occasion.

DTP said that the pipeline could perhaps be used for cabling. WG said that he would have to ask whether this could be looked into.

CV said that if the ducts are available in difficult areas to access, they should try to reuse them.

HM said that the pipeline would have to be in a good condition in order to be reused.

CR highlighted that if they are reused it would then be up to the Government to maintain them.

The Chairman asked whether the Commission agreed with his report and whether he could pass it on to the Minister.

JH asked whether if more information is provided an EIA might be required. The Chairman said that this could be the case.

The Commission agreed with the Chairman's report and that the MOD should be asked to consider the possibility of re-using the pipelines that are to remain for other services.

### **Other Developments**

#### **149/16 - F/13981/16 - 8 Europa Pass Battery, Europa Road - Refurbishment and extension of residence**

DTP advised that this application would normally be dealt with by the Subcommittee but that it has been brought to the DPC given that the proposed external works have not previously been considered by the Commission. DTP said that the proposal includes various internal alterations; works to a void under the building; and provision of windows and doors to the external area. DTP



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said that the applicant also wants to construct a screen on either side of the boundary of the external area.

DTP said that the external area is located behind the defensive walls and that although there would be minimum visual impact, there are planning concerns regarding access to the wall for future maintenance. DTP said that comments have not yet been received from TSD or the Ministry of Heritage.

CAM said that the Heritage Trust does not object to the use of the external area but that the issue of responsibility for the maintenance of the wall should be looked into.

CR thought that the Government is responsible for the wall as it is outside the Lease of the properties.

The Chairman said that a similar situation exists in Rosia Plaza. He said that if approved the Ministry of Heritage and Heritage Trust should liaise with the Government to ensure access to the fortification walls by any pertinent authority.

CAM highlighted that the applicant should be made aware that this is a listed wall and nothing should be fixed to it

The Chairman suggested that they could be restricted to installing a trellis between patios.

The Commission approved the proposed changes and the screening of the external area using a trellis and provided that nothing is physically attached to the wall.

**150/16 - F/13997/16 - Elkington House, 2 South Barrack Ramp - Proposed terrace extension and staircase and part-replacement roof to residence**

DTP said that the proposal involves the extension of the staircore up to the existing roof level to allow access to a new terraced area with a pergola on the north end of the building. Glass balustrades will also be installed in the terraced area.

DTP confirmed that no non-standard comments have been received from consultees. He said that the proposal will not have a major visual impact but that the glass balustrades are not in keeping with the character of the building. DTP recommended approval subject to the use of steel or iron railings instead of glass balustrades.

The Commission approved this application subject to the use of steel or iron railings instead of glass balustrades.

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

**151/16 - BA11217 - 14 South Barrack Road - Request to consider external alterations to property**

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

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**152/16 - BA11971 - Natwest House, Line Wall Road - Request to extend validity of Planning Permit No. 3453A**

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

**153/16 - BA12078 - 17/4 Gardiner's Road - proposed amendment to west facing elevation of new garage building**

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

**154/16 - BA12252 - 234 Main Street - Request to extend validity of Planning Permit No. 3764**

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

**155/16 - BA13421 - 19 Genoa House, Catalan Bay Village - Proposed amendment replacing approved internal proprietary spiral staircase with a timber staircase**

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

**156/16 - BA13563 - Unit 1, Europa Pass Battery, Europa Road - Proposed amendments to scheme including adjustments to the size of the north facing balcony, access to the basement and re-siting of second floor windows on east elevation**

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

**157/16 - BA13697 - 122 Irish Town - Proposed amendment to install access door to the roof void of approved extension for maintenance access**

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

**158/16 - BA13705 - 5A/7 Rodger's Road - Further consideration of re-provision of a/c unit on front façade of building**

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

**159/16 - F/13878/15 - Glacis Estate - Installation of telecommunication cabinet**

MEH requested details on where the cabinet will be installed and what it will look like. DTP confirmed that it will be very discreet and not visible.

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

**160/16 - F/13920/16 - 307 Abyla Lodge, Mons Calpe Mews, North Mole Road - Proposed internal alterations**

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

**161/16 - F/13929/16 - 718 Seashell House, Beach View Terraces - Proposed internal alterations**

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

**162/16 - F/13931/16 - Unit 3, North Mole Industrial Estate, North Mole Road - Proposed conversion of storage area to office and installation of new stairs at rear**

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

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**163/16 - F/13936/16 - 615 Sand Dune House, Beach View Terraces - Proposed internal alterations**

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

**164/16 - F/13950/16 - Med Rowing Club - Proposed internal alterations, conversion of former boat house doors to windows and new external ramp**

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

**165/16 - F/13953/16 - 818 Sand Dune House - Proposed internal alterations**

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

**166/16 - F/13955/16 - Flat 1003 Seashell House, Beach View Terraces - Proposed internal alterations**

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

**167/16 - F/13958/16 - 322 Seashell House, Beach View Terraces - Proposed internal alterations**

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

**168/16 - F/13959/16 - 618 Sand Dune House, Beach View Terraces - Proposed internal alterations**

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

**169/16 - F/13961/16 - 3 Transport Lane - Proposed internal alterations**

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

**170/16 - F/13961/16 - 22B Elliot's Battery - Proposed to enclose existing balcony, remove existing rail and build hollow pot cavity walls and install new aluminium windows**

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

**171/16 - F/13963/16 - 123 Quay 27 Kings Wharf - Proposed internal alterations**

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

**172/16 - F/13964/16 - 1113 Sand Dune House, Beach View Terraces - Proposed internal alterations**

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

**173/16 - F/13965/16 - 817 Sand Dune House, Beach View Terraces - Proposed internal alterations**

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

**174/16 - F/13969/16 - 101 Queensway Quay, Queensway - Proposed internal alterations**

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

**175/16 - F/13970/16 - 611 Seashell House, Beach View Terraces - Proposed internal alterations**

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

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**176/16 - F/13971/16 - 1101 Sand Dune House, Beach View Terraces - Proposed internal alterations**

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

**177/16 - F/13972/16 - 27 Eaton Park - Installation of new concrete plinth to enable installation of new stone cutting machine**

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

**178/16 - F/13973/16 - Elliot's Battery, Europa Road - Proposed new management office in existing open lobby (ground floor level block 22)**

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

**179/16 - F/13974/16 - Opposite Jumpers Building, Rosia Road - Installation of telecommunications cabinet**

MEH requested details on where the cabinet will be installed and what it will look like. DTP confirmed that various locations had been considered but it was thought that the best option would be to install it near South Jumpers development adjacent to the car parking bays. DTP said that the cabinets will have heritage interpretation signs.

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

**180/16 - F/13976/16 - Bray Properties Ltd, Unit 1, The Boardwalk, Tradewinds - Proposed internal alterations**

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

**181/16 - F/13980/16 - 918 Sand Dune House, Beach View - Proposed internal alterations**

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

**182/16 - F/13983/16 - 1022 Seashell House, Beach View Terraces - Proposed internal alterations**

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

**183/16 - F/13985/16 - Apartments 4606 & 4601, Rose Court, Sir William Jackson Grove - proposed internal alterations to amalgamate two apartments**

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

**184/16 - F/13988/16 - Natwest House, 57/63 Line Wall Road - Refurbishment of existing and extension of entrance hall of the building**

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

**185/16 - F/13993/16 - 20 Rosia Court - Loft conversion and internal alterations**

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

**186/16 - F/14000/16 - 1015 Seashell House, Beach View Terraces - Proposed internal alterations**

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

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**187/16 - F/14004/15 - 52 Rosia Dale - Replacement front door and replacement window**

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

**188/16 - F/14026/16 - 88 Irish Town - Replacement shopfront and associated works**

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

**189/16 - F14031/16 - Europort suite 9b - Fit out of currency depot and office facility**

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

**190/16 - A/13858/15 - 2 Corral Road - Relocation of ATM to adjacent window**

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

**191/16 - A/14015/16G - 104 Main Street - Proposed banner**

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

**192/16 - A/14016/16G - Queensway/North Mole Road, Waterport, Sir Winston Churchill Avenue - Proposed banners**

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

**193/16 - A/14018/16 - Cloister Building, Irish Town - Installation of exterior wall raised lettering**

The Commission noted the approval granted by the sub-committee

**194/16 - N/13996/16G - Trafalgar Cemetery - Proposed removal of tree**

MEH requested details on the trees that are being removed in this application and applications N/14012/16G and N/14013/16G.

The Chairman confirmed that applications were submitted by the Department of the Environment and had been assessed by them. He said that in the case of application N/14012/16G and N/14013/16G, the reason given for the request to remove the trees is the safety of children due to falling branches.

MEH asked whether the Commission could be provided with further information on these requests. The Chairman said that the trees have been assessed by the Department of Environment and approved by the Subcommittee.

MEH said that these applications should come to the DPC for ratification.

The Chairman said that the Commission delegated the powers to decide on these applications to the Subcommittee.

JH said that the Commission was told that they would be given more information even though they would be considered by the Subcommittee.

DCM asked the Chairman to clarify what has been delegated to the Subcommittee as there seem to be more and more applications being considered at Subcommittee level.

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DTP confirmed that issues delegated were internal alterations; change of use; advertising applications; external alterations which are not major works and do not create any issues; applications where a precedent has already been set; and telecommunication cabinets.

MEH suggested that although these applications are dealt with by the Subcommittee, action should not be taken until after they have been noted by the DPC. The Chairman said that this would cause complaints from applicants about the process taking too long.

DCM said that going through all of these applications at the DPC would clutter the agenda. However, he said that there are some where there is a fine line between whether they should be referred to the DPC or not, such as shop fronts.

DTP confirmed that shop fronts were delegated a long time ago. He said that the Subcommittee meets every week.

CR said that regarding tree applications, there should not be an issue as long as the Ministry of Environment is consulted and assessments are carried out.

CAM confirmed that if assessments have not been carried out, the Subcommittee would defer the application as they require more information.

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

**195/16 - N/14012/16G - Bishop Fitzgerald School, Reclamation Road - Proposed removal of tree**

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

**196/16 - N/14013/16G - Westside School - Proposed removal and replacement of tree**

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

**Any other business**

**197/16 - F/13871/15 - 77/79 Governor's Street**

DTP advised that refurbishment works were carried out without permission. The Commission then imposed a condition for the doors and windows on the ground floor to be timber and for the roller shutters to be removed as they were considered to be out of character and contrary to policy.

DTP said that the applicant is now asking the Commission to reconsider their decision and allow them to keep the roller shutters, albeit installing timber shutters also. The reason for the request is that the roller shutters are incorporated within the windows and removing them would mean that they would have to replace all of the windows also.

DTP told the Commission that the Subcommittee felt that they had to refer this matter to the DPC and recommend that the roller shutters should be removed.

*Approved*  
*DPC meeting 3/16*  
*22<sup>nd</sup> March 2016*

The Commission concurred with the Subcommittee and maintained their previous decision that the roller shutters should be removed.

**198/16 - South Pavilion Road/residential units opposite St Joseph's School**

JH asked whether the owners of the bungalows have permission to install fences on top of the wall and said that they do not look attractive.

The Chairman confirmed that permission was granted on the basis that permission for a similar fence was granted to the properties opposite these. The Chairman said that the request to install the fence was to provide more privacy to the houses and prevent items being thrown over into the gardens, and that they have to follow approved guidelines.

**199/16 - BA 13642 - 7C Engineer Road - Development on way to Upper Rock** MEH highlighted that planning permission was granted for development but the owner is selling the land before the building has been constructed. He asked whether the Commission was aware that this was a speculative development.

The Chairman said that permission for this development was granted by the Appeals Tribunal.

MEH said that trees have also been removed from the site. The Chairman said that the application did not involve the removal of trees and that this would have to be brought to the attention of the Appeals Tribunal. MEH requested that this matter be looked into.

With regards to the land being sold, the Chairman said that this is not a planning issue.

**199/16 - Next Meeting**

The next meeting will be held on 19 April 2016