

***APPROVED***

*DPC meeting 6/16*

*28<sup>th</sup> June 2016*

**THE DEVELOPMENT AND PLANNING COMMISSION**

Minutes of the 6<sup>th</sup> Meeting of 2016 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 28<sup>th</sup> June 2016 at 09.30 am.

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**Present:**

Mr P Origo (Chairman)  
(Town Planner)

The Hon S Linares (MSCHY)  
(Minister for Sport, Culture, Heritage & Youth)

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

Mr H Montado (HM)  
(Chief Technical Officer)

Mr G Matto (GM)  
(Technical Services Department)

Ms. D Smith (DS)  
(Gibraltar Heritage Trust)

Mr J Collado (JC)  
(Land Property Services)

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

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)

Miriam Brittenden  
(Minute Secretary)

**Apologies:**

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

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**Approval of Minutes**

**416/16 – Approval of Minutes of the 5<sup>th</sup> meeting of 2016 held on 24<sup>th</sup> May 2016**

The Commission approved the Minutes of the 5<sup>th</sup> DPC meeting of 2016 held on 24<sup>th</sup> May 2016.

**Matters Arising**

**417/16 - BA13591 – 4 Cheshire Ramp Buena Vista Estate - Proposed new swimming pool and extension in 1st floor level.**

The Commission deferred this application to the next DPC meeting of 26<sup>th</sup> July 2016 as the Applicant was unable to attend.

**418/16 – BA13765 – 51 Flat Bastion Road - Proposed external passenger lift to be provided to building.**

DTP advised the Commission that this planning application sought a planning permit to install an external passenger lift on public highway outside the front of a private residential building at 51 Flat Bastion Road.

The Commission had considered this application at previous DPC meetings in January and February 2016 and at the latter meeting the Commission deferred the application pending comments from the Traffic Commission.

The Traffic Commission's comments had been received and circulated to the Members. The Traffic Commission objected to the proposal on the following grounds:

- The lift would encroach onto the public highway;
- There was a risk of collision with vehicles;
- Insufficient remaining width of carriageway for wide vehicles such as buses;
- Unjustified loss of public parking for private use and would set precedent in the area.

The Chairman commented that in view of the objections received from the public highways authorities the Members' concurred these objections on traffic grounds.

The Commission unanimously refused this Application on traffic grounds, on the grounds that the proposed structure was not in keeping and that it would set a precedent for similar developments elsewhere.

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### **419/16 – F/13892/15 – Prior Park School (Formerly Sacred Heart School) – Proposed refurbishment of an existing school including re-working of the existing pedestrian entrance from castle road and replacement windows.**

DTP updated the Commission on this matter and reported on the Commission's decision, by round-robin, to approve a variation of conditions to allow installation of uPVC windows throughout building. A site meeting had been held for Members of the Commission where the Applicant provided various options, a decision was taken in support of 'option c' which was a pvc window type.

DS recommended to the Commission that this decision should not become a precedent for any other building in the old town. The variation of conditions had been allowed because the building is a school and required completion before the start of the new school term this September.

The Chairman commented that a decision could not be taken holistically. Each application would be considered on its own merits and the decision would be based on such situations.

### **420/16 – F/14123/16 – 319 Seashell House, Beach View Terraces – Proposed installation of glass curtains & installation of fencing/screens.**

DTP updated the Commission on this matter. This application was considered at the last DPC meeting where the Commission imposed the condition that glass curtains framework installed at Beach View Terraces should be coloured to match the stainless steel balconies. This principle of installing glass curtains would be applied for the estate as a whole.

DTP said that the conditions had been reviewed after carrying out a site visit. Bearing in mind what had been permitted elsewhere, the Department considered that glass curtains with a white framework would be acceptable and now proposed that the Commission reconsider their decision and allow white framed glass curtains.

He also added that should white frames not be acceptable to the Commission, there could be two possible options for glass curtains already installed, but these would add costs to the applicants; these were:

- Repaint the already installed frames in a matching colour
- Attach a new panel coated with a matching colour

JC stressed the importance of the consistency in colour throughout the estate.

The Commission approved the white framed glass curtains to be consistent throughout the estate.

DTP asked the Commission to take a decision on the design of proposed enclosures to the podium level patios currently enclosed by low parapet walls, with fencing/screens. DTP commented that the Department had met with several residents from the podium flats of the estate, together with a representative of the management company and two options had been put forward by residents:

- A dark stained, timber fence, to sit on top of the parapet wall with a timber door.
- A modern composite panel design with a contemporary design timber door. This option would have a galvanised steel post with a contemporary design.

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He stated that he had been informed that 13 residents of the podium flats preferred the timber proposal and 1 resident opted for the more contemporary design.

DTP said that in terms of design the more contemporary design would be more in keeping with the overall look of the estate, and would require less maintenance. The timber option would require more maintenance and would be up to the residents to ensure that the timber fencing is appropriately maintained.

The Chairman stated that based on the fact that the preferred option for the residents was the timber fencing he recommended that the Commission approved the timber option. The Management Company would be responsible to ensure that the fence is maintained and repaired.

The Commission took a vote on the proposals with the following outcome:

Timber Fencing - Option 1:	In favor:	4
	Against:	3
	Abstain:	5

Composite Fencing - Option 2:	In favor:	3
	Against:	3
	Abstain:	2

The Commission was in favor of Option 1, the proposed timber fencing/screen was approved.

*Apologies from Mr. C Viagas for his late arrival (arrived at 9.33)*

### **Major Developments**

**421/16 – O/13896/15 – Europarking, Europort Avenue, East of Eurotowers – Revised Eurocity development comprising the erection of 364 residential units, office, retail, vehicular access, car parking, motorcycle & scooter parking, amenity area, landscaping and public realm.**

This application was deferred to the end of the meeting.

### **Other Developments**

**422/16 – BA13412- 5-13 Flat Bastion Road - Proposed restoration and refurbishment, with an additional floor, to create 10 apartments and parking.**

DTP explained that this proposal sought approval for revised plans to demolish part of the west elevation at both ground and first floor levels and rebuild it as per the approved design.

DTP briefed the Commission explaining that the proposal was approved in June 2015. The original proposal was to refurbish and construct an extension to the property and demolish about one third of the length of the west façade at ground level whilst retaining the first floor façade over.. DTP said that after the building had been gutted, the Engineers had assessed the building structurally and were now applying to remove the length of the west façade at both ground and first floor levels and

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to re-construct following the original design. This was largely due to the structural difficulties of retaining the first floor façade once the ground floor façade had been demolished.

DTP said that the contractor envisaged that this proposal would also avoid an extended closure of Flat Bastion Road and be a safer option. The original proposal required the closure of the road for approximately 3 to 4 weeks to allow the works to take place. The new proposal would require the road to be closed for approximately 2 to 3 days.

The Ministry for Heritage did not condone the removal of the façade, but accepted that there were health and safety issues involved. If the proposal was to be approved, they would recommend a desk based assessment, an archeological survey of the existing façade, together with written confirmation that the reconstruction would be identical to the original façade.

DTP added that Technical Services Department had commented that road closures would only be allowed at weekends, between 8am on Saturday morning to reopen at 6am on Monday morning.

DTP recommended that the Commission approve the scheme subject to reconstruction of the façade as existing. The Commission concurred with the comments received and approved the proposal.

### **423/16 - O/14087/16 – 69-70 Catalan Bay Village – Proposed refurbishment of existing building with extension on the roof and construction of a four storey extension and terrace to the rear of existing building.**

DTP commented that the proposal was to refurbish an existing building and build a 4 storey extension to the rear of the property. He said that this was a very dilapidated cottage within the Catalan Bay Village, and the proposal sought to provide 11 apartments including storage and motorcycle parking area.

The proposal was to refurbish the existing cottage, remove the existing roof, replace with a new pitched roof resulting in an overall increase in height of 1.8m, with the roof having two dormer windows. To the rear of the cottage existing outbuildings would be demolished and a 4 storey extension would be constructed. The roof access to the extension would be provided through a hatch/skylight and it was also proposed to incorporate pergolas in this area.

DTP stated that a building in the vicinity of this property (95 Catalan Bay), had recently obtained permission by the Commission to construct an extension to become a 4 storey building. There was also a further proposal to redevelop the 'Village Inn' building to construct a 4 storey building which had not yet been considered by the Commission

The proposal consisted of the following;

- Ground floor - 1 x studio flat, 2 x 1 bedroom flats & 2 x 2 bedroom flats
- 1<sup>st</sup> floor - 2 x 2 bedroom flats
- 2<sup>nd</sup> floor - 3 x 1- bedroom flats
- 3<sup>rd</sup> floor (set back to the rear of the cottage) – 1 x 1 bedroom flat & 1 x 2 bedroom flat

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He added that the proposed building design for the cottage would include traditional features on the ground, 1<sup>st</sup> and 2<sup>nd</sup> floors and the 3<sup>rd</sup> floor (set back) would have a more contemporary design. They also proposed to introduce Juliette balconies and glazed balustrades.

The Department had received 2 objections; the objectors had requested to address the Commission. Mr M Jackson was welcomed to the meeting.

Mr. Jackson was a resident of the 'La Terrassa' building located at Sir Herbert Miles Road which faces directly towards the new proposed building development.

Mr. Jackson stated that this proposal was very tall, would block light into his property and the proposed design was not in keeping with the overall character of the existing Catalan Bay Village area. He added that the unique Catalan Bay essence and Genovese fishing village feeling should be protected and said that new proposed building would affect the general look of the area. He also mentioned that the proposed roof would also include pergolas and considered that this would further increase in the buildings height.

He also expressed concern as regards roof access. The proposal would provide the residents of 11 flats, regular access to a roof area though a hatch/skylight. He expressed concern for the health and safety of these residents and considered that this problem of access would lead to a future application to provide a more appropriate means of access, which would further increase the building's height.

Mr. Jackson further stated that the motorbike spaces provided were insufficient for the proposed 11 flats and asked the Commission to please protect the feel and look of Catalan Bay.

MSCHY asked the objector whether he had objected to the proposed extension at 95 Catalan Bay. Mr. Jackson stated that he had no prior knowledge of this proposal and added that most of the neighbours had not seen the notice. In his opinion the notice was not displayed in visible areas and this lead to the non-public participation for this proposal.

The Commission welcomed the representative of 'Little Genoa' residents, Mrs. P. Garcia (Verralls Barristers & Solicitors) who addressed the Commission. Mrs. Garcia stated that their objection referred to the Gibraltar Development Plan, paragraph 15.0, which emphasised the need to keep Catalan Bay as a small developed area in Gibraltar and stressed that Catalan Bay should be kept as such.

Her clients wished to express that the proposal was a dramatic change to what exists in the Catalan Bay area and a complete change from an old cottage to a 4 storey building. She stated that the proposal was out of character and not in-keeping with the surrounding buildings in the area. She said that the proposal would destroy one of the last original cottages in the area and her clients believed that this cottage should be preserved.

Mrs. Garcia stated that this application was contrary to Gibraltar Development Plan and to allow the construction of a large building without allocated parking spaces and would set a precedent in the area.

In summary her client's objections were the following:

- The proposed new build was not in-keeping with the look and feel of the surrounding area.

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- The proposed height of the building exceeded the existing building height in the area.
- The lack of parking provision – as recommended in the Gibraltar Development Plan - Paragraph 15.0 and should be consistent with other developments around Gibraltar.
- The look and character of the proposed building was not in-keeping with the character and feel of the area. She also asked the Commission to refer to the list of objections sent to the Commission dated 21/4/16 and 23/5/16, where all objections were more detailed.

MSCHY commented that in his view there should not be any parking within Catalan Bay Village and did not believe that any vehicles should drive through Catalan Bay Village. For this reason, the building application did not have to incorporate any parking space provisions.

DS added that in her opinion there was not only the issue of parking, but another piece of our vernacular architecture was being lost. The Catalan Bay Village feel was being changed, every tender site was currently being built to full capacity and massing and for that reason she supported the objectors' views.

The Chairman commented that parking would not be possible as the location of the proposed building was within a no parking area. Unless an off-site car park was built, there was no possibility to incorporate any parking spaces within the proposed building application.

He summarised the objections raised by Mrs. Garcia:

- No car parking provision
- The loss of light amenities and light restriction to the building in the area.
- Towering effect of the proposed extension
- The loss of character of the existing cottage
- Massing
- Preserving the old cottage instead of transforming
- The negative impact on pedestrians during construction

The Chairman thanked Mrs. Garcia and asked the Commission to discuss the application proposals. The applicant provided the Commission with their counter-representations on the objections in writing.

DTP summarised to the Commission by saying that other than the standard comments received, the Department had received the following comments:

The Heritage Trust commented that the Cottage should be retained, including all traditional features. They objected to the proposed dormers and also expressed concern at the increase in density of the proposal. Should the proposal be approved they would require a desk-based assessment and an Archeological Watching Brief.

The Ministry for Heritage also commented that they would require a desk based assessment, would welcome the retention of the front façade and required that the dilapidated timber shutters be replaced with timber shutters.

*Apologies from Minister Cortes (arrived at 10.06) and Ms. J Howitt (arrived at 10.15)*

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DTP added that the objections received had been covered by the objectors. The applicant had made the following counter representations copies of which had been circulated to Members:

- The proposed building was in line with other buildings in the area.
- The Cottage was being retained and the extension would be constructed over this. They were providing at least three motorbike spaces and the number of stores provided could be changed to motorcycle parking spaces, up to 10 parking spaces.
- They were building on the whole footprint, but would retain open areas on the roof and could provide a roof garden.
- The contemporary design issue could be further discussed as this was an Outline Application.

DTP added that the Department welcomed the retention of the cottage. As regards the height and scale of the proposed building, this was relatively well screened, but there would be an impact to the properties in the area. The proposed contemporary extension was set back and would have a limited impact to the area but would be seen from buildings in the upper level of Catalan Bay.

He also referred to a precedent set by another building – 95 Catalan Bay, where the approved extension would increase the height to 13.6m and this new proposal was for 13.1m height. The Department also agreed with objections in respect of the pergolas. These were considered excessive and proposed that they be omitted from the scheme.

MEH added that for the avoidance of doubt, all European Policies continue to apply to Gibraltar and abstained from any decisions as he had not been present throughout the discussion.

JC commented that he had an issue with the proposed height and added that he had no problem with the contemporary design as he considered that a miss-match of design within the Catalan Bay Village already existed.

MSCHY agreed that character should be maintained to the general Genovese character in the Catalan Bay Village.

The Chairman informed the Commission that there were two main points to consider;

Point 1 - The new extension to be reduced by one storey, and to propose a more permanent structure to the roof access area. To restore the original cottage without an increase in height.

Point 2 - The cottage to be restored without dormer windows, keeping the same fenestration.

He asked the Commission to take a vote to approve the Outline application, with the condition for it to include one less storey; create a permanent staircase to the roof access; to remove the current roof and rebuild to its existing height and the cottage to be restored to its original look. He further stated that the Full Application would be subject to public participation.

The outcome of the vote was the following:

Votes for Point 2                      In favour:        7



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Against: 1  
Abstain: 3

Votes for Point 1 :  
In favour: 8  
Against: 0  
Abstain: 3

The Commission approved this Application subject to proposed conditions stated on point 2.

**424/16 - O/14166/16- Surrey House, 28b Europa Road - Proposed extension and refurbishment.**

DTP commented that this proposal was an outline application to refurbish and extend an ex-MOD detached house, one of a pair. . The proposal involves the demolition of parts of the ground, 1<sup>st</sup> and 2<sup>nd</sup> floor levels and to provide new extensions and terrace. It also proposed to construct a double garage on level 0, which would bring the existing building line forward. The proposal would also include PV cells on the roof which comprises two mono-pitch roofs in a kind of gull wing design. The overall look and design was of a contemporary nature.

DTP said the comments received from the Consultees included:

The Gibraltar Heritage Trust were concerned with altering the appearance and character of the building, further stating that both buildings were candidates for Heritage Listing. No further comments were received.

DTP said that generally the contemporary design, the large extension and overall scale and massing was acceptable. They had concerns with the impact on Europa Road side, where there are presently open views out to the Bay and the proposed extension would obstruct these views. The other issue was that the proposals for this building would alter the look of the two properties. Both buildings were very similar, in particular, the green roof styles on both houses, and added that if this proposal be approved a tree survey would be recommended as there would be some loss of trees as part of the proposed extension.

The Chairman asked the architects present to address the Commission. Ana from (GCA Architects) addressed the Commission. The Chairman asked the architect whether this was a speculative application and she confirmed it is a speculative application and that the owner intends to sell the property.

DTP added that whether the application was speculative or not, the Commission should not take this into account when considering any proposed building application.

MEH commented that he disagreed with this comment and believed that if the proposal is for a growing family, it was a different consideration than an application for sale purposes. DTP said that whilst he understood what MHE was saying that nevertheless from a planning point of view, his advice was that this was not a relevant consideration.

DS added that these two semi-detached houses were candidates for listing, objected to the proposal and stated that if the Heritage Act was in place these houses would be protected.

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The Commission concurred that the Applicant should re-apply with a revised scheme to include no loss of views, submission of a tree assessment and re-appraise on the character of the building, particularly at the Europa View level.

### **425/16 - F/14183/16 - Sandy Bay - Proposed extension to current kiosk to offer hot and cold food and a decking for table and chairs.**

DTP briefed the Commission on this proposal which was a proposed extension to an existing kiosk located at Sandy Bay Beach and to enable the new kiosk to serve food and drink to beach users and include a decking area to provide tables and chairs.

He added that the proposal was for a typical pre-fabricated kiosk with a 73m<sup>2</sup> area and a proposed decked area of a total of 37m<sup>2</sup>, located adjacent to the existing kiosk. He added that the relevant comments received came from the Tourist Board, which supported the application, particularly because Sandy Bay is the only beach that lacks this facility. They proposed the condition that the Applicant provide a walkway around the decked area, which would be segregated from the deck area.

DTP stated that the Management Company had made some representations and that copies of these had been circulated to members. Their main concerns were noise disturbance, odours from the cooking facilities, rubbish accumulation in the area and the lack of sewage and drainage in the area. They proposed several conditions to make the proposal more acceptable, including conditions on delivery times to be made Mon-Fri from 9am to 2pm and restriction of the opening hours from 11am to 7pm. They also suggested a restriction of types of cooking, noise levels and a requirement to maintain the kiosk and the managing of waste and drainage.

DTP commented that part of these conditions, such as noise nuisance and odours control, were controlled by the Environmental Agency. The Commission could however impose conditions on opening hours in any planning permission. Considering that they do not have toilet facilities, they would have to keep to the beach toilet facilities opening hours. The Department recommended that this application be approved subject to the proposed conditions.

JH welcomed the Kiosk but raised concern on litter increase and stated that this could affect the marine environment. TP commented that this issue had to be regulated by the Ministry of Tourism to control the litter issue. He also added that the Commission could insist the applicant provide its own refuse collection area within their compound.

DTP briefed the Commission on counter representations for all the issues raised and confirmed that as regards infrastructure, the applicant had obtained permission to connect to the Sewage System from Both Worlds and had contacted Aquagib and Sewage Department for details of this.

The Chairman stated that the kiosk would only be able to open during the beach toilet opening times and that this could be incorporated in the approval conditions. He added that alternatively they could arrange with the Ministry of Tourism to have the toilets cleaned and locked by them, which would also be added to the Planning Conditions.

JH asked whether the kiosk was a permanent kiosk or demountable at the end of the beach season, to which DTP confirmed that this would be a permanent kiosk. JH stated that the permanent kiosk would contravene the beach building policy.

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The Chairman asked the Commission to take a vote on the following options:

The Commission recommended that the Application's approval should carry the following conditions:

- Keep restaurant opening hours the same as the beach toilet facilities opening times - to be acceptable with the Ministry of Tourism.
- Restriction of opening hours from 9am to 11pm.
- To have a management system to maintain the kiosk and decking area and the beach during the winter months.

The Commission agreed to take a vote to approve the recommendations mentioned above, the outcome was the following:

In favour: 9  
Against: 0  
Abstain: 1

The application was approved subject to these conditions.

*C Viagas excused himself and left the meeting @ 11.28am*

**426/16 - F/14216/16 - Burger King, Casemates Square - Proposed installation of glazed conservatory over outside terrace.**

DTP briefed the Commission on this Application which was for the installation of a steel framed and glazed conservatory, glazed curtain walls and polycarbonate roof sheets, at the seating area outside the Burger King. He explained that this area was currently used as tables and chairs area and pointed out that there is a shop unit in the same area and a number of trees.

DTP mentioned that the Department had allowed a similar structure at The Square Cafe in Casemates Square. He referred to comments received from consultees, which included comments from the Heritage Trust who objected to the proposal on the grounds that this would set a precedent for the other catering businesses in the area and would result in a change of the overall character of Casemates Square.

He stated that the Department considered that there was a relatively limited visual impact as regards the proposed location of the conservatory and considered that the proposed location differed from the other catering businesses in the area as it did not face directly into the square.

He mentioned that the Department had concerns on the structure's proximity to the trees in the area, which could cause problems to the trees and the structure would also affect the visibility of the new retail shop. It was also recommend that if the proposal is approved that the framework is of a colour to match with Casemates House.

DTP said that an objection had been received from Mr Ramagge the day before which was out of time. The Chairman invited Mr. James Ramagge developer of the adjacent building, to address the Commission.

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Mr. Ramagge stated that they had submitted plans for the removal of the trees to open up the area which was not approved by the Commission. He said that having reviewed their options, they were permitted to trim the large trees to make a clearer view of the retail unit and the square as a whole. He mentioned that the proposed trimming received objections by Burger King as they considered that the shade, provided by the trees to their tables and chairs area, would be compromised and this is why they now proposed to construct a shaded area for the tables and chairs area.

He also commented that the new structure would have a serious impact to the retail unit's view and asked that the building line be respected. He stated that they would be happy to allow the structure to come forward from their building line subject to it no projecting beyond the line of the retail unit's door opening. He said that the area is very congested and the tree trimming is already showing signs of a general improvement of the area.

He asked the Commission to take a general view of the area rather than trying to close the area further and to take a holistic view of the tree treatment and the area in general.

The Chairman welcomed the applicant to address the Commission with their counter representations. Mr. Charles Sanguinetti (Burger King). Mr. Sanguinetti commented that the tables and chairs in front of the business have to be frequently removed due to functions in Casemates Square. The Chairman commented that all businesses who opt to have their businesses in Casemates Square know that the Square is used for other functions and have to remove the tables and chairs whenever needed to do so.

Mr. Sanguinetti also stated that the owners of the new building are constantly trimming the trees in the area. The trees have provided shade for their tables and chairs for the past 23 years and feared that eventually the trees would be cut down. He also confirmed that he would contain the tables and chairs area within the proposed conservatory area and no tables and chairs would be placed outside the area. He would also be prepared to review the conservatory design to allow more space between the conservatory and the trees, which was highlighted earlier by DTP.

The Chairman commented that Burger King is one of the few catering businesses that can use a public space for their tables and chairs and should have a good neighbourly relationship with adjacent businesses.

The Commission commented that the tables and chairs licence rules do not consider any permanent or semi-permanent structures within the licensed area. They highlighted that this issue needs to be reviewed to include this.

The Committee agreed to defer the Application until next meeting. They also agreed to defer item - 17 REF-1195 Trees outside Burger King, Casemates Square - Designation of Tree Preservation Orders, which is regarding the same issue to the next meeting.

***The Commission broke for a 15 minute break the meeting commenced at 12.10. All Committee members were present at the start of the meeting.***

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**427/16 - F/14243/16 - Flat 2, 10 Benzimra's Alley - Proposed construction of rooftop extension and internal alterations.**

DTP explained that this application sought a planning permit for the construction of a sustainable and contemporary rooftop extension. It proposed internal alterations to an existing two-bedroom duplex located in the Old Town of Gibraltar to provide a three-bedroom duplex. It further proposed the demolition of the existing pitched roof, kitchen and terrace at third floor to construct a single storey extension comprising an open plan kitchen and living area, bathroom and laundry.

The proposal also included restoration of the façade including the replacement of timber shutters and windows. It also included some landscaping to the roof terrace and the construction of a small outbuilding to the southern end of the terrace to provide storage for a solar water boiler and solar panels.

DTP reported that the Department had received objections, copies of which had been circulated to members, and one of the objectors, had asked to address the Commission.

Mr P Xiberras was invited to address the Commission. Mr. Xiberras resides in an adjacent building to the east of the proposed extension and stated that progressive construction and extensions in the area had obstructed his views and said that this new proposal would encroach into his property, there would be a diminution of natural light and believed that there will be a contravention to the approved distance of the proposal to his bedroom window, which would be around 2m distance.

He stated that he did not object to the extension and would be happy if the building is kept in line with the rest of the buildings in the area. He mentioned that the Applicant Mrs. Scott had approached him with the proposal but he believed that the proposal's contemporary design was not appropriate. Furthermore, in his opinion, the proposed extension was too high, width excessive and the extension would encroach his property.

TP thanked Mr. Xiberras and welcomed Ms. R Massias Greenburg, the architect for the Applicants, to provide their counter representations.

Ms. Massias Greenburg confirmed that the building extension was setback in key areas particularly from the south east area to alleviate as much as possible the impact on neighbours. She stated that they would not require applying for exceptions on part K, as there is more than the required 2m shaft between the buildings.

Ms. Massias Greenburg also mentioned that the modern extension design aimed to maximize the natural light and ventilation as this is a very dense and shaded area. It also incorporated environmental considerations as much as possible. She also mentioned that the proposed outdoor staircase was introduced as a compromise to try to alleviate the natural light to the surrounding buildings. This out building would also house a solar water heating tanks and water recycling measures.

TP clarified for the benefit of the Committee Members, that the proposal was for the refurbishment of the existing top floor and an additional extension to the building for an external staircase and extension to house boilers. This would be a total of a 1 ½ extension which would be setback at the Benzimra's Alley side. He asked the Commission to take a decision to accommodate Mr. Xiberras

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concerns as regards the amenities as much as possible but not the views, and also to consider the narrowness of the area.

MEH asked to incorporate swift nests to the project and Ms. Massias Greenburg confirmed that these would be incorporated in the terraced area on the Ansaldo's Passage side.

TP commented that he did not feel ready to take a decision and would recommend a site meeting with the Committee Members and then take a decision based on its own merits. The Application was deferred pending a site meeting.

**428/16 - F/14272/16 - Casemates Square - Repositioning of the cityscape sign and the Hon. J. J. Holiday's Plaque.**

DTP addressed the Commission and commented that this Application sought to reposition a cityscape sign board, which supplied tourist maps of Gibraltar and to also relocate an official plaque located at Casemates Square to a side wall, to declutter the area.

He added that there had been an objection of the proposal from the owner of the adjacent shop, where the Applicant proposes to relocate the street scape sign.

Mr. S Khiani, owner of the Monte Christo, 1 Main Street shop adjacent to the proposed relocation of the street scape sign, addressed the Commission by stating that that the sign together with tourists gathering around the sign would obstruct the view to his shop window. He also added that they were currently going through the process of re-applying for Planning Approval, (as the previous approved application expired) to create a display window opening on the side wall looking onto Casemates Square and stated that the proposed relocation of the sign would directly affect his business.

A member of the public Mr. Kevin Lane commented that the proposed relocation of the street scape sign was an archeological wall of 'La Barcina' and of important historical significance. The Chairman stated that the previous approved Application carried the condition of an archeological investigation of the wall which is of historical significance and would also apply to the new Application.

The Applicant was welcomed to make counter representations, Mr. J Ramagge said that his understanding was that the wall is part of the old 'Barcina Wall' and as the total removal of the wall would not be allowed he thought this area would be ideal for the re-location of the street scape sign. He said it was an innocuous place to locate the sign.

He also considered that signs and telephone booths and had been placed without any planning; blocking an area that is attractive in its own right and by opening up the area it would look much better.

MEH mentioned that it would block the view to the wall if it were to be restored and stated that there could be plans for the walls restoration in the future.

The Commission agreed to have a site meeting and that this issue should be discussed at the same time as the trees and Burger King conservatory as they all affected the same area. The application was deferred.

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### **429/16 - F/14273/16 - Flat 3, 12 Castle Steps - Proposed projecting balconies on columns western elevation.**

DTP explained that this was a Full Planning application for the proposed construction of two levels of projecting balconies with wrought iron railings, supported on steel columns, on the west elevation of the building. He added the scheme also included the change of existing windows to French doors to create access to the balconies.

He added that no non-standard comments were received other than LPS, stating that no Landlords' permission had been granted. Planning had no major issues and recommended approval.

The Commission approved the Application.

### **430/16 - F/14280/16G - Lathbury Barracks, Windmill Hill Road - Proposed construction of five new warehouse units.**

DTP commented that this was a GoG Application for the proposed construction of 5 new warehouse units in an area which is currently used as a car parking area. He stated that the proposal was to provide pre-fabricated steel structure of around, 252m<sup>2</sup>, 6m high building for warehouse space, including a toilet block located in the front of the site and the relocation of an existing pine tree, at the back of the site to the front of the site. He added that no parking was being provided as part of the proposal.

He stated that the DoE requested a tree assessment prior to the removal of the existing tree. He also added that this area was an important tourist route to the upper Rock Nature Reserve and the site lay between two parts of the Nature Reserve

He added that from the Planning perspective, they recommended landscaping to the frontage of the site and the provision of at least 3 parking spaces to comply with parking regulations.

KB told the Commission that there should be an imaginative solution to provide connectivity from the Windmill Hill area and the Upper Rock Nature Reserve.

The Chairman also commented that had the Planning Department been consulted prior to this application they would have recommended green roofs, solar panels, provision of car parking areas, loss of green areas and the wrong location of the toilet block. He recommended that GoG consult the Planning Office prior to the submission of Applications and recommended that they take on board their issues.

The Applicant (GoG) would be asked to take the Commission's recommendations on board.

### **431/16 - F/14314/16G - Chatham Counterguard - Construction of refuse bin shelter**

DTP briefed the Commission on this Application which proposed to build a new refuse bin store on the Chatham Counterguard parking area. The proposal entailed the removal of an existing planter, the loss of 3 car parking spaces and the loss of additional motorbike parking spaces. He added that Consultations received included that from the Traffic Commission, which requested a site meeting.

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DTP added that they recommended approval subject to the approval of the Traffic Commission and that the existing planter be relocated to the west end of the proposed building.

MEH stated that this was a Health and Safety issue with the existing bin stores being located in a vault next to the restaurants, which cause flies and smells in the area.

The Commission agreed with the recommendations.

### **432/16 - A/14244/16 - Cloister Building, Market Lane - Proposed installation of three banners advertising MH Bland business on the façade of the Cloister Building.**

DTP said that this was a retrospective Application for the flag banners located at the Blands Main Office building at Cloister Building, Market Lane. He stated that this Application had been referred from the Sub-Committee because it could set a precedent for any future Applications of this nature.

DTP added that Blands had commented that flags had been flying from their Main Office building for the past 200 years. Country flags, shipping flags, Instituto Cervantes and two consulates housed within the same building.

DS commented that although she appreciated that Blands had these flag poles for many years and that Consulates have a right to have the flags, she did not support the approval given that this would set precedents and could result in a surge of advertising flags in Main Street and surrounding streets.

The Commission considered the comments made and approved the Application subject to the removal of 2 flag poles considering that the building is the main headquarters.

### **433/16 - REF 1195 - Trees outside Burger King, Casemates Square - Designation of Tree Preservation Orders (TPO's).**

This Application was deferred to the next meeting.

### **Minor and other works - not within scope of delegated powers**

### **434/16 - BA12872 - (Outline Application) Former Royal Gibraltar Yacht Club, Queensway - Proposed construction of hotel and office building.**

The Commission approved the application.

### **435/16 - BA13723 - Corral Road - Proposed building refurbishment and extension.**

The Commission approved the application.

### **436/16 - F/13981/16 - 8 Europa Pass Battery, Europa Road - Proposed refurbishment and extension of residence.**

The Commission approved the application.

### **437/16 - F/14220/16- New Signal Hill (Upper Rock) - Proposed installation of mobile antenna mast.**



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The Chairman briefed the Commission on this Application from Eazitelecom Ltd who proposed to erect 2 telecommunication mobile antenna masts at New Signal Hill (Upper Rock).

JH asked that a holistic design should be required onsite and power strengths. DTP said that this Application was for the installation of 2 smaller and more powerful antennae's next to an existing GBC mast. They had provided the power levels which were below the ICNIRP levels and there were no sensitive uses within 100m, in line with the agreed policy.

JH commented that she would report back to her colleagues and raise any concerns if they have any.

The application was approved.

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

**438/16 - BA12131 - Gib Oil Petrol Station, Winston Churchill Avenue - Proposed partial removal of boundary wall as required by Condition 8 of Planning Permit 3629 and amendment to approved scheme involving the retention of the existing car wash building.**

The Commission noted the approval granted by the Sub-committee

**439/16 - BA13732 - 26 John Mackintosh Square - Consideration of details of glass barrier to discharge Condition 5 of Planning Permit No. 5020**

The Commission noted the approval granted by the Sub-committee

**440/16 - BA13741 - Whitewater House, 1 Humphrey's Bungalows, Engineer Road - Consideration of amendments to approved scheme including the introduction additional solar panels on green roof, the installation of an external staircase to access the green roof and installation of sliding steel shutters on north, east and west elevations.**

The Commission noted the approval granted by the Sub-committee

**441/16 - F/13880/15 - 8 Willis's Road - Consideration of revised plans requesting minor internal alterations to comply with Fire Safety Department's requirements and removal of balconies on second and third floors overlooking Willis's Road**

The Commission noted the approval granted by the Sub-committee

**442/16 - F/13925/16 - 57/5 Flat Bastion Road - Consideration of revised treatment to windows on second floor extension following feedback from the Commission when considering application at DPC meeting on 24.05.16.**

The Commission noted the approval granted by the Sub-committee

**443/16 - F/14024/16 - Suite 4.1, International House, Bell Lane - Proposed internal alterations.**

The Commission noted the approval granted by the Sub-committee

**444/16 - F/14065/16 - Marina Views Estate - Proposed erection of a fire escape enclosure with a fire safety door with a push bar at the rear of the estate and the installation of a car park barrier at the entrance to the estate.**

The Commission noted the approval granted by the Sub-committee

**445/16 - F/14071/16 - 506 Seashell House Beach View Terraces - Proposed internal alterations.**

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

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**446/16 – F/14142/16 - 19/21 New Passage - Consideration of amendments to proposed piers and pergola to roof terrace following feedback from the Commission and consideration of proposed trellis to conceal air conditioning units.**

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

**447/16 – F/14146/16 – 909 Seashell House, Beach View Terraces - Proposed internal alterations.**

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

**448/16 – F/14149/16 – Europa Advance Battery - Proposed installation of pergola covering over firing points with retractable awning.**

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

**449/16 – F/14152/16 – 904 Viking Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**450/16 – F/14167/16 – Unit 3, Casemates House - Consideration of revised plans requesting the installation of a steel fire escape staircase to the rear of the building to comply with Fire Safety Department's requirements.**

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

**451/16 – F/14168/16 – 17C Elliott's Battery - Consideration of amendments to move internal doors and installation of exterior window to attic.**

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

**452/16 – F/14169/16 – 23 Irish Town - Proposed installation of awning and new sign.**

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

**453/16 – F/14172/16 – 806 Viking Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**454/16 – F/14185/16 – 2 Queensway - Retrospective application for the replacement of windows at first floor level.**

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

**455/16 – F/14190/16 – 36 The Anchorage, Rosia Road - Proposed construction of pergola roof attached to a bracket to the side of the apartment and stretching to the perimeter wall.**

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

**456/16 – F/14193/16 – 204 Express Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**457/16 – F/14195/16 – 415 Cumberland Terraces - Proposed internal alterations and relocation of kitchen and master bedroom.**

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

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**458/16 - F/14197/16 - Unit 1Y & Z Casemates Square - Proposed minor external works to terrace area in order to reposition drinks dispenser.**

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

**459/16 - F/14198/16 - Unit 1Y & Z Casemates Square - Proposed installation of canopies to external terrace.**

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

**460/16 - F/14199/16 - 3 Lake Ramp, Buena Vista Estate - Proposed internal alterations/modifications to all floors, including repositioning and replacement of external rear windows, terrace extension and basement conversion.**

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

**461/16 - F/14201/16 - 501 Seagull Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**462/16 - F/14202/16 - 4 Giro's Passage - Proposed internal alterations to office layout and minor external changes to entrance façade.**

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

**463/16 - F/14203/16 - 307 Seagull Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**464/16 - F/14204/16 - 901 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**465/16 - F/14206/16 - 102 Seagull Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**466/16 - F/14207/16 - 202 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**467/16 - F/14208/16 - 9 Amaryllis House, Waterport Terraces - Proposed internal alterations.**

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

**468/16 - F/14209/16 - 120 Mauretania, Both Worlds - Proposed installation of air conditioning unit.**

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

**469/16 - F/14210/16 - 4c Sylvaner, Vineyard Estate - Proposed internal alterations to convert three bedroom flat into two bedroom flat.**

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

**470/16 - F/14213/16 - 801 Seashell House, Beach View Terraces - Proposed internal alterations.**

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

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**471/16 - F/14221/16 - 26 Crutchett's Ramp - Proposed conversion of store into two residential units.**

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

**472/16 - F/14222/16 - British Lines Road Communications Compound - Proposed replacement of existing antenna.**

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

**473/16 - F/14223/16 - O'Hara's Battery, Upper Rock - Proposed replacement of existing antenna.**

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

**474/16 - F/14224/16 - Signal Hill, Upper Rock - Proposed replacement of existing antenna.**

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

**475/16 - F/14226/16 - 103 Seagull Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**476/16 - F/14227/16 - Princess Caroline's Battery - Proposed replacement of existing antenna.**

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

**477/16 - F/14228/16 - Sunnyside House, Naval Hospital Road - Proposed replacement of existing antenna.**

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

**478/16 - F/14229/16 - Park & Ride, Devil's Tower Road - Proposed replacement of existing antenna.**

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

**479/16 - F/14230/16 - North Mole Tower, Waterport - Proposed replacement of existing antenna.**

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

**480/16 - F/14231/16 - International Commercial Centre Rooftop - Proposed replacement of existing antenna.**

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

**481/16 - F/14232/16 - 712 Seashell House, Beach View Terraces - Proposed internal alterations.**

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

**482/16 - F/14236/16 - 302 Grand Ocean Plaza, Ocean Village - Proposed installation of glass curtains.**

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

**483/16 - F/14237/16 - 407 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**484/16 - F/14238/16 - 702 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**485/16 - F/14239/16 - Rear of Leisure Island Business Centre, Ocean Village - Proposed replacement of worn out timber decking with new calcada stone and blocks and an area of new decking, as well as, the proposed installation of speed control cushions to maintain the 5mph limits that ocean village have adopted.**

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

**486/16 - F/14240/16 - 13 Cooperage Lane - Proposed conversion of vacant unit into pharmacy.**

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

**487/16 - F/14241/16 - 1302 Grand Ocean Plaza, Ocean Village - Proposed installation of glass curtains.**

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

**487/16 - F/14245/16G - Multi Storey Car Park, Eastern Beach Road - Proposed construction of an enclosed lobby adjacent to the top floor lift shaft entrance.**

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

**488/16 - F/14247/16 - 706 Grand Ocean Plaza, Ocean Village - Proposed installation of a 'glass curtain system' to existing balcony.**

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

**489/16 - F/14250/16 - 23 Knightsbridge Close, Montagu Crescent Devil's Tongue Road - Proposed internal alterations.**

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

**490/16 - F/14251/16 - 507 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**491/16 - F/14253/16 - 603 Abyla Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**492/16 - F/14254/16 - 303 Viking Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**493/16 - F/14256/16 - 505 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**494/16 - F/14257/16 - 607 Seashell House, Beach View Terraces - Proposed internal alterations and installation of air conditioning unit.**

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

**495/16 - F/14258/16 - 208 Seagull Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**496/16 - F/14259/16 - 913 Seashell House, Beach View Terraces - Proposed internal alterations.**

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

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**497/16 – F/14260/16 - 806 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**498/16 – F/14262/16 - 206 Express Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**499/16 – F/14263/16 - 302 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**500/16 – F/14264/16 - 105 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**501/16 – F/14267/16 - 102 Express Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**502/16 – F/14274/16 - 31/33 Cannon Lane - Proposed change of use from ground floor offices to commercial unit and refurbishment of premises.**

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

**503/16 – F/14275/16 - 203 Peninsular Heights, Harbour Views Road - Proposed installation of aluminium framed conservatory over patio.**

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

**504/16 – F/14279/16 - 301 Express Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**505/16 – F/14284/16 - 506 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**506/16 – F/14298/16 - 704 Basha Lodge, Mons Calpe Mews - Proposed internal alterations.**

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

**507/16 – F/14305/16 - 2/1 Hospital Steps - Proposed conversion of apartment into office space plus refurbishment of premises**

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

**508/16 – D/14234/16G - Asset No. 448, 12 Garages, Four Corners - Proposed demolition of single storey blockwork construction comprising 12 garages.**

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

**509/16 – A/14194/16 - Europa Point Area - Proposed positioning of four directional signs to university of Gibraltar, Europa Point campus.**

JC commented on this Application and recommended that the signage should be incorporated into the standard traffic road signage.

TP stated that due to the newness of the University, extra promotion is warranted and suggested that the Application carry a condition that the extra signs be removed once the university is

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established and to be incorporated into the official highways signs.

The Commission noted the recommendations and approval granted by the Sub-committee.

**510/16 - A/14249/16G - Post Office, Main Street - Proposed installation of banner to advertise Lines & Colours exhibition.**

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

**511/16 - N/14096/16 - Retreat Centre, Lathbury - Proposed removal of Olea Europaea to be replaced with two Holm Oaks (Quercus Ilex) in the adjacent planter.**

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

**512/16 - N/14266/16 - Garden Apartments, Cormorant Wharf, Queensway Quay - Removal of Conifer Tree and replace with Mediterranean shrubs.**

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

***A 10 minute recess was allowed to continue with the Eurocity Development. The meeting commenced at 13.29.***

**513/16 - O/13896/15 - (Outline Application) - Europarking Europort Avenue, East of Eurotowers - Revised Eurocity development comprising the erection of 364 residential units, office, retail, vehicular access, car parking, motorcycle & scooter parking, amenity area, landscaping and public realm.**

DTP commented that this was the 'Eurocity development' Application, which had been considered previously in the March 2016 DPC meeting. The Applicant had been asked to take on board the recommendations raised by the Commission and required them to meet with concerned residents after reviewing their design. He stated that the Applicant had submitted a new proposal which was subject to section 19 (public participation). All representations received had been circulated to Members and 2 objectors wished to address the Commission following the Applicant's representations.

The Chairman welcomed Mr. J. Manser and Mr. D Harvey (AKS), to address the Commission. Mr. Manser began his presentation by stating that after having several meetings with representatives of local residents and Planners they proposed a new revised scheme with significant changes.

He added that after taking on board the recommendations from the last DPC meeting they proposed the following:

- Creation of a public access at the ground floor level and incorporation of retail space and access through the development.
- The omission of the south-east tower on the corner. (The revised scheme will have a total of 364 residential units (from 404 units previously) across three towers (from four towers previously).
- Rotated the north-west tower, (around 15 degrees) to allow more day-light and better viewing between the buildings.

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- Relocated the courtyards and created larger light wells.
- Moved the Eastern part of the developments 2m from the edge of the site to allow a planting area and have moved the as far back as possible building from the existing housing on the east.
- All buildings would be at least 12 metres between the already existing buildings in the area.
- Incorporation of retail units in the northern frontage of the podium at ground level to provide an active frontage along Europort Avenue, to include retail, cafeterias and bars.
- Public access to the swimming pool and the spa/gym facility on the fourth floor of the podium will be made to the community through a membership scheme. (The other swimming pool located on the third floor of the podium would be accessible to future residents of the development only).
- Provision of 410 car parking spaces and 512 motorcycle spaces.
- They also highlighted that that the higher number of proposed studio flats (201 studios), to cater for the workers that work in Gibraltar and live across the border.
- Roof terraces with green and brown roofs to encourage biodiversity and solar panels are intended to be provided on top of each of the roofs of the towers.
- Intention to incorporate green walls throughout the development.

He also added that the development -Block A will comprise of 15 storeys (previously 12 storeys) and is located on the north west corner of the development. Block B would comprise of 19 storeys (no change) and is located on the north east corner of the site and Block D which comprises 19 storeys (previously 17 storeys) and is located on the south east corner of the site and landscaped community space.

GM commented that, in the interest of the residents of the area, a shadow assessment should be requested. PNR confirmed that a full detailed shadow assessment was undertaken dated 21<sup>st</sup> March. The Applicant confirmed that they had re-assessed this and a 12-month assessment would be submitted with the full application.

GM also commented on the density and massing of the proposal, where 100% of the site would be used. He said that although he welcomed the new proposed open areas, he still considered that the building could be reduced even further. The Applicant argued that one unusual circumstance in this case is the requirement to incorporate significant car parking provision into the scheme which had to be financed.

The Chairman commented that architecturally the building line, at the Chilton Court side, is set back to allow for tree planting, and asked the Applicant to confirm this. The Applicant confirmed that if in the case that any services would be relocated to allow for the tree planting and added that the planting of trees is an integral part of the scheme.

The Chairman asked the Applicant to also confirm whether maintenance of the landscaping and trees were incorporated in the scheme together with an irrigation system and rain water harvesting. The Applicant stated that they cannot guarantee the maintenance as this would be carried out by the Management Company and they would be responsible for this. He added that proper systems and environmental control will be incorporated into the project to ensure the green areas are maintained.

The Chairman thanked the Applicants and welcomed the first objector to address the Commission.,



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Ms. D. Villa, resident from Chilton Court. Unfortunately, Ms Villa had to leave earlier due to family commitments, so Ms. A M Haefner (2<sup>nd</sup> objector) presented Ms. Villa's objection to the Commission.

Ms. Villa's comments were that the development was unpopular with the community as they have failed to seek the public's comments and asked the Commission to refrain from taking any decision in the absence of the clarification of questions. Her concerns were as follows:

- The developer needs to clarify the distance between the new buildings and the existing buildings. The developer stated that there would be a minimum of 12m distance and she believes that the distance between the Eurocity and Eurotowers is of 5m and Chilton Court and Eurocity is 7m and asked the Commission to ensure that the proposed distances are kept to a maximum.
- Eurocity is to be constructed next to a low-rise development and suggests that the proposed height of 22 storeys, next to Edinburgh Estate, which is 3 storeys and considered this is excessive. She expressed concern over the elements of scale and proportion of the proposal.
- As regards to the blocking of Sunlight, she highlighted that the properties limited to 1 hour of sunlight a day. Which she feels has not been acknowledged by the developer appropriately in the report findings and requested a more extensive shade assessment be provided.
- The view to the old city and the Moorish Castle will be obstructed by the towers and obstruct Gibraltar's unique landscape.
- Raised concerns over the height of the proposed buildings, which is to be located near an Airport and the RAF height restrictions.

Ms. Villa asked the Commission to take careful consideration of the scheme, which she considers is a selfish design and tramples over the wellbeing of the existing residents of the area.

The Chairman asked Ms. Haefner to provide the Commission with her views. Ms. Haefner stated that we are currently living in uncertain times considering the Brexit outcome and considers that Brexit could negatively impact the proposed development and considered that the development is concerned with profit before people. She stated that this development is deeply unpopular and she feels that issues raised by the objectors and the Commission have not been acknowledged or addressed by the Applicant.

She stated numerous objections over the negative effect of the proposal and she believes that the towers height, massing and volume is excessive for the size of the site, including the loss of light, loss of privacy, which in her view, these issues have not yet been resolved. She also raises concerns of the negative potential impact to the neighbouring properties and asks the Commission to protect the iconic views of Gibraltar.

The Chairman thanked the Ms. Haefner and asked whether she feels that there have been improvements as consequent to the changes to the design. Ms. Haefner stated that she is not against the development of the area, but considers that the development's height is excessive and raised concerns over the dangers to the safety of residents in the area. The Chairman replied that her concerns over the height safety issue would be reported by the DTP with the professional advice received.

DTP provided the Commission with a summary of the main changes proposed by the Applicant are as follows:

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The revised 'Eurocity development' comprising the construction of a 22 storey (68.90m tall), mixed use building on the site comprising the erection of 364 residential units from the original 404, one of the towers have been omitted, the tower adjacent to the Eurotowers building had been re-orientated, the gym and sky pool have been removed and set back slightly, the upper podium pool has also been setback to reduce the potential for overlooking allowing for increased levels of privacy and the ground floor parking and basement parking has been removed to provide the public and commercial activities. They have also re-sited the office block to open up the main entrance to the whole of the development and increased pedestrian connection at the ground floor area.

DTP added that as regards to the parking, they are proposing to provide 407 spaces and 515 motorcycle spaces distributed throughout the various parking levels. He stated that the requirements under the regulations would be 13896 381.

The proposed parking spaces are made up of the following:

*Requirement – 381 car parking spaces comprising:*

- *Office – 5 spaces;*
- *Retail – 12 spaces; and*
- *Residential – 364 spaces.*

*Provision – 407 car parking spaces comprising:*

- *Re-provision of private car parking – 155 spaces;*
- *Office – 9 spaces;*
- *Retail – 15 spaces; and*
- *Residential – 228 spaces. – (1 car parking for every 2 studios and/or 1 bedrooms  
(2 motorcycle space for every 2 studios & 1 bedrooms)  
(1 car parking per 2-bed or above)*

DTP mentioned that the developer is to provide more spaces for the other sites in the area and added that the proposed provision of parking spaces does not comply with the regulations and if the Application is approved the Commission would need to relax the car parking requirements.

He commented that the building design, which has a contemporary approach, has been changed in response to the comments from the Commission and the public and stated that it is a large scale building and it would be visually prominent. He added that the area is undergoing changes and the Commission needs to take care over the overall proposed design.

He added that at podium level the Department welcomes the creation of the public accessible area together with planting and green roofs and green walls and the incorporation of courtyards, which has introduced activity to the area, avoiding a dead frontage.

He continued by saying that the applicant has provided the relevant information as regards to the tall buildings policy and has provided the design statements and the airfield safety requirements which has been accepted by the authorities. The Applicant has also provided a design statement and the initial studies of the day-light and sun light assessments and will provide detailed assessments of the required wind studies and a full traffic assessment at a later stage.

DTP stated that the development has created a high public interest as it is a major development and

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understands that it will have an impact on the landscape. He stated that the Commission would need to balance the various Planning Policies and consider areas that do not comply with the policy, but consider that other policies such as public development and the types of residential accommodations provided would possibly outweigh areas of concern.

He finalised by saying that a (CEMP) Construction and the Environment and Management Plan would be required to manage the construction process and welcomed the Commission members' comments.

JH and DS commented that in their opinion many objections raised have concerns on the negative impacts to the proposal, such as:

- Light restrictions.
- Impact on the neighbouring Schools and residential areas
- The additional cars and traffic in the area.
- Loss of the Mediterranean feel and views of Gibraltar.

She further added that a smaller massing of building proposal would be preferable and does not recommend the approval of the proposed scheme.

CV added that although he understands JH and DS comments and views he referred to the Gibraltar Development Plan, which makes clear that high density outside the city walls is allowed to alleviate the pressure in the old town area and for this reason he would be in favour to approve the revised scheme.

GM commented that in his opinion the massing and scale of the proposal is excessive and does not support the proposed scheme as it is currently being proposed.

MEH stated that he would rather see the area developed into a park or low-rise buildings, but agrees with CV's comments as regards to the location, where high-density and high-rise developments can be located and it does not impact on the historic city or Natural Habitats. He said that the additional green areas and open areas have made the scheme more appealing and also adds amenities to the area. He expressed his support to the new proposals with the recommendation of retaining an underground parking to reduce the height of the buildings.

CV recommended that the Commission take extra care of the overall design of the building and avoid the mistakes made in the past. He also commented that although he empathizes with the residents living near the proposed development he would support the scheme for the reason that the proposal is not too far out to the existing building in the area.

MSCHY commented that the 1988/1989/1990 reclamation on the western side of Gibraltar was done specifically to accommodate development and for the construction of high rise developments and for this reason he supports the proposed scheme, although he also concurred with MEH that the building should be kept as low as possible.

The Chairman Commented the he welcomed external architects from abroad wishing to contribute in Gibraltar. He highlighted that the Gibraltar Development Plan encourages the construction of high-rise buildings in the outer town area and recommended further details to be provided in the Full

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Application, particularly the design element which needs to be enhanced. He also stated that design elements that are not satisfactory should be addressed in the Full Application and told the Commission that they would have the right to refuse the scheme if the Full Application details are not satisfactory.

The Chairman also sympathize with the residents in the area, but felt that this location is the only area where high rise buildings can be constructed. He also stated that there are other existing high density developments in the area that have been constructed in the past to the advantage of the people now living in the Europort area. He stated that he would recommend the approval of the Outline Application and asked the Commission to take a vote. The outcome on the vote was as follows:

In favour:	8
Against:	3
Abstain:	0

The Outline Application was approved subject to the condition that the Architects further improve the design and enhance the scheme and elements which need to be addressed in the Full Application as per the discussion.

### **514/16 – Any other business**

No other business

### **515/16 – Next Meeting**

The next meeting will be held on 26<sup>th</sup> July 2016.