

## Approved

DPC meeting 4/18

25<sup>th</sup> April 2018

### THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 4<sup>th</sup> Meeting of 2018 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 25<sup>th</sup> April 2018 at 9.30 am.

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**Present:**

Mr P Origo (Chairman)  
(Town Planner)

The Hon Mr S Linares (MSCHY)  
(Minister for Sports, Culture, Heritage and Youth)

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

Mr E Hermida (EH)  
(Technical Services Department)

Mrs C Montado (CAM)  
(Gibraltar Heritage Trust)

Mr G Matto  
(Technical Services Department)

Mr Kevin De Los Santos (KS)  
(Land Property Services)

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

Mrs J Howitt (JH)  
(Environmental Safety Group)

Mr C Viagas

Mr Viv O'Reilly  
(Rep Commander British Forces, Gibraltar)

**In Attendance:**

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

Mr. Robert Borge  
(Minute Secretary)

**Apologies:**

The Hon Dr J Garcia  
(Deputy Chief Minister)

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Mr H Montado  
(Chief technical Officer)

Mr M Cooper  
(Rep Commander British Forces, Gibraltar)

**168/18 – Approval of Minutes**

CAM requested to amend the draft minutes of the 3<sup>rd</sup> meeting held on 28<sup>th</sup> March 2018 by amending Minute 107/18, 4<sup>th</sup> paragraph to read “...**the lead now had to come from the client, i.e. GoG, to reduce the impact of the new building over the Old Mole.**” CAM also requested that minute 114/18, 8<sup>th</sup> paragraph be amended to read “CAM commented that the Heritage Trust had objected to **the** private project when submitted and continued to maintain its objection.” The Minutes were approved subject to the amendments proposed by CAM.

**Matters Arising**

**169/18 – F/15217/17 – Pelham House, Buena Vista Estate – Proposed extension to balconies on front façade of building.**

This application had previously been considered in January 2018 and was deferred to allow the applicants to submit revised plans. DTP explained to the Commission that the proposal consisted of constructing extended balconies on all floors both side of the main entrance and supported off columns. It was considered that the proposal was overbearing as the columns ran the full height of the building and altered the form of the building.

The applicants had submitted revised plans which only focused on the edge treatment of the balconies. Option 1 was the original submission incorporating glass balustrades, Option 2 had a mix of parapet wall with timber balustrade and Option 3 was a parapet wall with low glass balustrade on top. The Town Planners had met with the applicants who stated they preferred to retain the original proposal presented in January.

Mr Steven Perez, one of the applicants, addressed the Commission stating that they were seeking to give a new image to the estate and that they had spoken to some of the residents of other blocks who had not raised any objections. Mr Perez also said that they had spoken to some of the new incoming residents of Prevost and Phillimore House and they did not have any objections, and would also consider undertaking the same works on their buildings.

The Chairman asked Mr Perez whether, if permission was granted, they would be willing to include a clause in their under leases to prevent the enclosure of the balconies in the future. Mr Perez confirmed that they would be willing to do so.

DTP reported that there were still concerns with the new options proposed as they eroded the original design concept of a staggered form to the building with discrete projecting small balconies and a homogenous treatment across all four blocks. He reported that the proposal would introduce a very dominant feature on the front elevation and the revised plans had not addressed the main issues which related to the form and character.

DTP reported that they had discussions with the applicant consider discrete balconies in front of the windows only but that they were not supportive of this. DTP reported that if the Commission were to approve the full extent of the proposed balconies that these should follow the building line so that they have cut back and therefore reflect the staggered form of the building.

MEHEC asked whether the proposal would impact on the green areas surrounding the building. Adding that if there were to be any impact the Commission should not support the application.

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Whilst this would be the case with other buildings it was noted that in this case there was no green area where the columns were to be located. MEHEC said he would not have an objection then but that if approved this should not be taken as a precedent as if any future proposals affected green areas he may have an objection.

MEHEC queried whether it would be possible to extend the balconies without the use of columns.

The Chairman responded that an engineering solution could be found.

Mr Perez told the Commission that the building in question did not have a green area.

The members of the Commission discussed whether approving this application would set a precedent for the other buildings within the estate to be able to extend their balconies as well. MEHEC stated that he continued to have no objection to the proposal and any other applications submitted regarding the other blocks would have to be considered on their own merits.

The Commission voted on this application as follows:

In Favour: 4

Against: 4

Abstentions: 3

The Chairman used his casting vote against and the application was refused.

### **170/18 – F/15287/17 – 3-5 St. Bernard’s Road – Proposed extension and alterations to property and construction of a swimming pool.**

This application had last been considered in February when it was deferred to allow the applicant to revise his designs to relocate the ac units from the roof, to omit the sliding gate on the rear boundary and to revise the landscaping details. DTP reported that copies of all Structural reports and correspondence concerning the effect of a Jacaranda tree on site were circulated to Members at the end of February and once again prior to this meeting.

DTP informed the Commission that the applicant was intending to plant some Citrus trees at the rear and to replace the Jacaranda Tree with a laurus Nobilis to be planted on the front terrace. Whilst the proposed gate for vehicular access had been omitted, it was not clear if it was being replaced by a wall or fence. An a/c plant on the roof had now been relocated behind a wall near the rear entrance and was now out of sight. The elevations had been updated showing the tree which had been replaced. DTP said that DoEHCC had been consulted on the latest proposals but had been advised that it did not want to make any further comments on the application until the situation involving the Jacaranda had been resolved.

JH commented that she was concerned that DoEHCC were still maintaining their position on the tree and if it was healthy the applicant should consider that the site was bought with the tree in it. She asked whether it was possible to rebuild the wall and contain the tree.

David Orfila (DO), the Structural Engineer on behalf of the applicant was present and was asked by the Chairman whether the retaining wall could be reinforced in order to sustain the effects of the tree.

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DO replied that the only way to repair the wall was to remove the wall and then rebuild it which could put the tree in more danger.

KB asked why removal of the tree was being proposed.

DO responded that the Jacaranda Tree was inappropriate for that area and that a large section of bark at the bottom of the tree was unhealthy.

Hubert McKay (HM), Structural Engineer from Town Planning Department, was asked to address the Commission. He had assessed that the main issue with the retaining wall was structural and that it could be the tree but that these walls did not have any foundations. HM added that the wall was cracked, the tree's growth is medium to fast and that its roots were quite aggressive. HM also stated that DO's report was factual and also wished to express concern over the state of the wall.

KB commented that he did not doubt the veracity of the reports but wished to know what HM's conclusions were on removal of the tree.

HM responded that the roots were extensive and even if the tree was removed the wall would still need replacing.

The Chairman asked if the tree was re-plantable.

KB answered that it would be difficult but not impossible but he considered it to be a public amenity in that area. He confirmed that logistically it would be very difficult to get the tree down. MEHEC commented that rather than transplant it he would suggest that another Jacaranda is acquired and planted elsewhere. KB agreed.

EH noted that he concurred with the reports submitted by the Structural Engineers and that road is the only access to Mount Alvernia which the Commission should also take into consideration.

CV stated that the views of the engineers needed to be heeded and that another jacaranda tree should be planted somewhere to compensate for the loss of the existing one.

CV had to excuse himself from the meeting at 10:25.

The Chairman commented that the amendments required had already been made and a new Jacaranda should be planted elsewhere on site. He added the wall should be reconditioned as per the Engineer's reports.

Some discussion ensued on the practicality of planting a new Jacaranda tree within the site. The applicant insisted that there was insufficient space within the site but would be willing to plant one elsewhere.

MSCHY commented that there were health and safety issues surrounding the tree and it should be removed. He further commented that due to the tree being removed a further three trees should be planted.

DTP replied that the applicant had proposed planting two citrus trees and Laurus Nobilis.

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KB commented that he could not see how a replacement jacaranda tree of the size of the existing one could be planted within the site. DTP commented that it would be better to have a tree planted on another site where it could be seen and enjoyed by the public.

The Chairman asked the Commission whether they approved the scheme as submitted, planting a Laurus Nobilis in place of the Jacaranda, two mature citrus trees and a mature Jacaranda planted elsewhere in Gibraltar in the public domain. MEHEC said that his department would see if there were any suitable sites in the area. He also wanted to record that agreeing to the loss of the tree would only be on the basis of safety issues.

MEHEC stated that although he agreed with losing the tree due to health and safety issues he would be abstaining from voting.

DTP recommended conditions be included requiring further details to be submitted on rear boundary, landscaping details, including replacing the Jacaranda with a further three trees.

The Commission voted as follows:

Approve: 6

Against: 1

Anstentions: 3

The application was approved.

### **Major Developments**

#### **171/18 - O/15377/18 - 1 Engineer Lane - Proposed demolition of existing Continental Hotel and construction of a seven storey block comprising 22 apartments.**

This application was for the demolition of the Continental Hotel at 1 Engineer Lane and construction of a seven storey block in its place. This proposal was subject to public participation and objections had been received.

Mr Colin McLundie, who was representing the applicant, addressed the Commission to inform them on this proposal.

Mr McLundie stated that this was a pivotal site with views from town which currently was not in great condition. He added seeing as Turnbull's Lane was being redeveloped the proposed block would enhance this corner. Mr McLundie also stated that the design concept was modern and two extra floors were needed in order to enhance the site. Shadow studies had been conducted and the effects of the height of the building would be more noticeable during the summer and winter months. He also stated that although it was not a historical design it would add more life to the area.

The Chairman asked whether the applicant had considered removing the cladding and retaining the existing building.

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Mr McLundie responded that the building was in poor condition and it was more economically viable to demolish and construct a new building.

The Chairman then asked what guarantee there was that after demolition the site would be redeveloped.

Mr McLundie replied that if the applicant was granted permission he would carry out the necessary groundworks and commit to redeveloping the site. He also said that the developer had been very successful over the past fifty years and had worked with him over the past twenty years.

CAM commented that the building had undergone a number of alterations but the fabric of the building was still historical and the developer should consider reclaiming the original façade.

Mr McLundie replied that further alterations needed to be made and that he wished to increase the height of the building; in his opinion it would not make economic sense.

GM remarked that the proposed architectural treatment would be a departure from the area and that the apartments proposed were extremely small. He asked whether they would consider reconfiguring the size of the apartments.

Mr McLundie responded that they were trying to set up a rhythm in the façade and even if the apartments were larger they would not change the façade.

The Chairman asked if the apartments were to be rented.

Mr McLundie answered that the developer's intention was to construct small affordable apartments but did not have any further information.

JH commented that it was a new architectural treatment but was very different to the historical street scape.

Mr McLundie replied that it was very modern architecture and that Gibraltar needed to move with the times. He felt there was a need to move further along and reflect a modern Gibraltar.

CAM remarked that the site was prominent within Main Street and that she considered that this proposal would entail losing Main Street's sense of identity.

MSCHY commented that there was a need for bold architecture but the character of the building still needed to fit into Gibraltar's street scape.

CAM added that in her consideration groundwork needs to be done before demolition goes ahead.

Mr McLundie stated that a lot of logistical problems needed to be considered and would take the Commission's comments into consideration.

The Commission thanked Mr McLundie.

DTP reported that one of the objectors, Mr R Dunleavy, had requested to address the Commission. The Chairman invited Mr Dunleavy to address the Commission. As Mr Dunleavy was not present at the meeting the Chairman continued. DTP commented that all had been circulated to members of

the Commission.

DTP reported that the ground floor plans for this building included an open plan retail space together with cycle parking. From the first to the fourth floor there would be a central stair core at the rear, apartments would be tapered due to the site formation and each apartment would have balconies onto Main Street. The fifth and sixth floor would be set back and would also have balconies. Solar Panels and an air conditioning plant would be on the roof.

DTP described the architecture of the building as contemporary, adding that all balconies would be glazed and the façade would have stone cladding, with bronze effect cladding on the fifth and sixth floors. The building being at an open junction gave this building an angular feature. The proposed building would also have solar thermal heating, photovoltaic panels and low energy construction materials would be used.

The following comments were received from consultees:

- Department of Environment, Heritage and Climate Change (DoEHCC) –Swift/Bat survey needed, and boxes incorporated.
- Technical Services Department (TSD) – Expressed concerns over the anodized bronze panels.
- Ministry for Heritage (MH) – Did not support the application, but would require an archaeological watching brief and a geotechnical survey to be carried out.
- Heritage Trust (HT) – The building should not exceed five storeys and the original fabric of the building should be retained. There were some concerns with the design of the building as it did not fit in with the character of the area and it did not have any identity. It was likely that a cistern existed on site and that an archaeological watching brief would be required.

Three objections had been received to this proposal. The first was received from Mr Dunleavy who resides behind the site. He objected on grounds that the proposed building was too high and would overlook his terrace, resulting on a loss of privacy and natural light. He also objected on grounds that the area would be too congested and it would be too big. The other two objections received were on grounds that the design was not in keeping with the area. The applicant had submitted counter representations stating that a shadow study had been carried out which showed that there would be little additional shadowing impact and that the massing of the building would be broken up by setting back the two top floors. The applicant also submitted a design statement explaining how the massing would be broken down, that the building would wrap around Engineer Lane and Turnbull's Lane, and what materials would be used.

DTP reported that the existing building does little to contribute to the street scape and that research indicates that the original boundary walls remain with only the floors above the current 2<sup>nd</sup> floor being later additions. He said that DPC first needs to consider the principle of whether demolition of the building should be allowed.

DTP reported that the massing proposed is generally sensitive, that although contemporary there are horizontal elements that follow the existing rhythm. The full height of the building would be 24.1 metres, with the top of the stair core jutting out when viewed from the upper town. DTP considered that the stair core should be omitted and an access hatch used instead. He also considered that although the setback on the fifth floor would hide the storey and reduce the



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massing, the sixth floor should be setback further as this would otherwise remain highly visible from main street. DTP also stated that no windows were being proposed on the east façade overlooking the roof terrace at the rear of the building. He also commented that the shadow results indicated that there would be some overshadowing of the terrace to the rear of the site, the largest impacts being in March and September. However, overshadowing to some extent is common in the Old Town area.

MEHEC commented that he was in favour of bold designs but felt that buildings in town needed to maintain a more classic feel.

MSCHY agreed that new buildings in town could be bold but should not be out of character with Main Street.

CAM considered that there were little original features in the design of the building and that the original façade should be looked into before any demolition is contemplated.

The Chairman proposed that the application be deferred to allow the applicant to reconsider the proposed design, to which the Commission agreed.

A ten minute break was held at 11:15.

### **172/18 – F/15468/18 – Redroofs, 29 Devil’s Tower Road, Lady Williams Centre and Anes site – Proposed branded hotel/aparthotel comprising 184 studios, one bedroom and two bedroom apartments and business lounge.**

DTP reported that Outline Planning permission for this application had been granted in August 2017. This application was for the construction of a ten storey Hotel/Aparthotel at the Lady Williams Centre and the Anes store. The basement will include a gymnasium, service room and rooms for the employees. On ground level there will be two entrances, cafeteria and a reception area. The Anes site will be re-provided at the rear. There will be one disabled parking space provided. Soft landscaping will be included around the perimeter of the ground floor. On the east facade of the first floor the building will be set back. The roof will have a bar with a seating area, sun canopies, service area and an A/C plant. A green/brown roof will cover the stair core. The facade will be made up of recessed windows with solar shading, corner balconies and landscaping.

After Aeronautical studies were carried out it was deemed that Swift/Bat boxes should not be provided due to the proximity to the airfield. Boxes should be provided elsewhere in Gibraltar.

The following comments were received from consultees:

- DoEHCC – Required confirmation on which renewable technologies would be included and that Swift/Bat boxes to be provided.
- Museum – Stated that it was possible but unlikely that remains of early human occupation would be found.
- GHT – An archaeological watching brief was required.

DTP complimented the applicant for the thorough submission, as all necessary reports had been submitted. Only landscaping details including species mix needed to be submitted. DTP

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recommended approval of this application as there were not that many changes from the Outline application but that the applicant should provide Swift/Bat boxes elsewhere.

MEHEC commented that he disagreed with the aeronautical study's findings and recommendations concerning Swift/Bat boxes but that DoEHCC would engage with the applicant.

The Commission unanimously approved this application.

### **173/18 – REF 1380-18 – Victoria Stadium, Winston Churchill Avenue – Consideration of Town Planner's EIA Screening Opinion.**

The Town Planner's Screening Opinion for the new GFA Victoria Stadium had been circulated to members.

Victoria Stadium is to be upgraded to a Category 4 UEFA Stadium. The proposal includes the site of the Cepsa Petrol Station to the east of the Stadium. Part of Winston Churchill Avenue would also be included once works for the underground tunnel under the airfield have been completed. The new football pitch would be 68m x 105m, the total area of the stadium would be 85m x 120m, and would take 18 months to construct.

There would be a substantial amount of visitors and traffic. DTP said an environmental management plan should be implemented as well as an archaeological watching brief in case of any potential finds. It was deemed that a full EIA was not required.

The Chairman asked whether the Commission agreed.

JH replied that a waste and litter management plan should also be implemented as the type of events held at the stadium would generate a large amount of waste.

The Chairman stated that her comments would be passed on to Government.

### **Other Developments**

#### **174/18 – F/15076/17 – 1.0.16 Oleander Court, Sir William Jackson Grove – Proposed installation of air conditioning unit.**

DTP informed the Commission that this application was for the installation of an air conditioning unit on a ground floor façade of an apartment. The sub committee had noted that there were no other units on facades. Apartments on other floors have a/c units installed on their balconies.

The applicant's letter was circulated to members of the Commission. Whilst the applicant had asked to address the Commission he was not present. The letter stated that all his neighbours' could benefit except for him.

DTP said that the sub committee had referred the application to DPC. DTP said that the applicant should consider alternatives such as systems that do not require external condensers, or perhaps a standard design could be agreed with the management company to hide an external unit, such as has been done at Wellington front where condensers have been incorporated into planters

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The Chairman suggested deferring this application in order for the applicant to find a suitable screening option for the Commission to consider.

The Commission agreed with the Chairman's comments and the application was deferred.

### **175/18 – F/15233/17 – 10-14 John Mackintosh Square – Proposed building extension at roof terrace.**

This application was for a small extension at the roof level involving the enclosure of the roof terrace. The current roof of the building has a terrace, stair core and a screened plant area but open to the elements. The applicant also wished to demolish part of the stair core and would install a skylight over it.

In December 2010 demolition of the previous building at the site was permitted subject to the ground façade being retained. The building is a mixed use development, housing offices and residences over five storeys. DoEHCC commented that Swift/Bat surveys and boxes were required.

When permission was granted in July 2014 a height limit was imposed of 18.52 metres. DTP reported that the proposed extension would not exceed the height limit and that visibility of the extension would be limited. DTP recommended approval of this application with conditions on the materials and colours to be used.

MEHEC asked whether Swift/Bat boxes had been installed as this building was fairly recent.

DTP replied that this had not yet been confirmed.

The application was approved by the Commission, adding that the applicant must provide Swift/Bat boxes as previously conditioned.

### **176/18 – F/15275/17 – 7 & 8 Richardson's Passage / 5 Castle Steps – Retrospective application for the painting of a 20 x 8m octopus on the north gable elevation of the property.**

This was a retrospective application seeking permission for a 20 x 8m Octopus painted on the façade in the old town on the way up to the Upper Rock.

DTP reported that there had been a Government application to paint the façade of Inces Hall in March 2017, and in September 2017 there had been an application for various sites where Government proposed street art.

DTP commented that street art can be subjective and that planning policy was generally aimed at ensuring that proposals were sympathetic to the area. The proposal did not comply with such proposals so the Commission would need to consider whether it was an exception. DTP considered that it definitely had a visual impact and also highlighted the difference between an individual proposal such as this and the wider Government initiative aimed at regenerating the Old Town. In this case the building had recently been refurbished and the painting was more an expression of art or decoration.

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DTP suggested to the Commission that they could approve this application, but should consider that this may set a precedent; reject it; or approve on a temporary basis after which the façade should be repainted. DTP recommended the latter option.

Comments had been received from GHT stating that there should be consequences for works carried out without permission.

MEHEC commented that he supported this application as it had been done in good faith and the artwork was exceptional, but that in future approval should be sought before carrying out any works.

MSCHY added that the only issue he had with this application was that it had been done without permission, and agreed that the artwork was brilliant.

The Chairman stated that an application should be submitted and permission granted prior to any works being carried out, and asked the Commission whether they wished to retain the street art.

The Commission agreed to approve this retrospective application.

### **177/18 - F/15342/18 - Ex-Vacant Mobil Petrol Station, 16 Line Wall Road - Proposed refurbishment of property to provide new stores and office boxes.**

DTP informed the Commission that in January 2015 an application had been submitted for internal and external refurbishments in order to change the use of this property to a takeaway with a drive thru. The drive thru was not permitted as it would result in a loss of parking. The proposal was never implemented.

This application was to refurbish the property to be used as stores and offices. Vehicular access would be provided for the stores. Roller shutters and aluminium fenestration would be installed. Comments were received from GHT and Ministry for Heritage that no works should be done to listed walls.

The Traffic Commission objected to the loss of public parking except on the two main entrances of the property.

DTP recommended approval of this application with the condition that no public parking should be lost as per the Traffic Commission's comments and that the site should be limited to single occupancy.

The Chairman stated that there had always been two entrances to that property and it would constitute the loss of three parking spaces for a private entity. He asked the Commission that if they agreed with the Traffic Commission's comments they should follow for only use by one entity to be allowed.

JH raised concerns about busy nature of road and how difficult it already was particularly for pedestrians, no pavement on that side of the road etc. and need for a traffic assessment.

The Commission approved this application following DTP's recommendations.

MEHEC asked the Commission if they could bring forward Item 12 of the Agenda.

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### **178/18 - F/15430/18 - Orange Bastion - Proposed redevelopment of the site including conversion of the Orange Bastion and courtyard into retail, restaurants and bars, creation of new pedestrian routes between Irish Town and Line Wall Road, via a new lift and steps as well as the creation of a new external public square.**

DTP informed the Commission that the applicant was looking to open the embrasures on the northern face of Orange Bastion and had applied for a Heritage Licence which was dependent on the Commission's decision and on comments made by GHT. They intended to redevelop the site and open up a pedestrian route to Chatham Counterguard. Outline Planning Permission had been granted in September 2017. The wall facing Irish Town was now being retained. At the north east corner of Orange Bastion a lift shaft was to be installed, encased in a glazed structure. The vaults were to be fitted out for up to seven A3 or A1 uses. On the south side there would be five single storey food stalls with a roof terrace above which would connect to the mezzanine level of the brewery. Canopies would cover the area for tables and chairs in the courtyard. The applicant also wanted to open the existing tunnel which led to Reclamation Road. The existing building at Line Wall Road would be used as a cafeteria. A plant area would be above the lift shaft.

On the north side of the bastion, the ground level would be lowered and the area reconfigured to provide six short stay parking bays. A glazed structure with a fretwork screen would be constructed in front of the facades of the vaults which would remain untouched. There would be further pedestrian access to the site via a tunnel beneath the American Steps War Memorial; the applicant was also seeking permission to demolish a part of wall inside the tunnel.

In 2013 there was an approved government scheme for a two storey glazed addition on the north of Orange Bastion as part of the regeneration of the listed monument.

DTP commented that orange Bastion was specifically identified as a key site in the Old Town Plan and was a listed monument.

Plant and sound insulation would be installed behind food stalls. Extraction would be routed via a service corridor to extract through the top of the lift shaft and possible via a chimney on the west side of Line Wall road. There was limited information presented on materials to be used. DTP also stated that indicative locations for signage had been presented. Some landscaping information had been submitted but lacked details. Photovoltaic panels, solar thermal and ground source heat would be used.

DoEHCC required Swift/Bat surveys to be submitted.

A Desk Based heritage Impact Assessment and Conservation Strategy had been submitted. Two main concerns were highlighted:

- The widening of the arched doorway to Reclamation Road- considered to be a major impact and would be preferable for it to remain if it has to be widened on health and safety grounds then a full record should be made.
- Opening of embrasures – a major adverse effect on the integrity and original function and value of the monument which may affect public perception and understanding of the site. This needed to be balanced with bringing the site back into use and its restoration.

Although it was considered to have an adverse effect, the report set out that it balanced out with

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bringing back use to the bastion and that the conservation of the monument was deemed to be sensitive.

Overall the report considered the proposal brought back into use a neglected set of buildings and that sensitive conservation and repair would be beneficial.

The following comments were received from consultees:

- DoEHCC – Swift/Bat boxes to be implemented and use of a green/brown roof.
- MH – Heritage licence required, welcomed re use of the bastion as well as restoration of pumps.

A video detailing the proposal was shown.

DTP reported that now the boundary wall was being retained there could be concerns with how this impacts the permeability of the site. The stair/lift access to Line Wall Road would increase accessibility whilst the café on line Wall Road adds use and vitality. The food stalls and canopies would result in less of an open space. However, it is clear that shading would be required and it would be preferable to have this incorporated into the design rather than have ad hoc proposals at a later date. The terrace over the food stalls would have sloped glazed roofing with landscaping and fence so neighbouring residents could still have privacy. He added that the glazed structure in front of the vaults provided internal space whilst still allowing an appreciation of the façade of the vaults. DTP stated that the applicant should consider some more design work on the lift shaft in order to break up the massing. DTP recommended approval of this application.

MEHEC commented that he liked the concept and the idea of linking Orange Bastion to Reclamation Road. He added that he did not see why six car parking bays would be included when there was a multi storey car park in Reclamation Road. MEHEC also asked whether AquaGib had been made aware of works that were needed within the tunnels as they housed some equipment.

MSCHY stated that he also thought it was a good concept but all heritage issues needed to be analysed. He added that he had no issue with breaching the wall in order to widen the entrance.

CAM commented that although the applicant had submitted a thorough conservation report, GHT still maintained their position concerning the embrasures and openings. She added that the Heritage licence should include retaining the railings on the wall between Irish Town and the bastion.

CV stated that although widening the arches for further access to the site was better, it was not necessary. He added that if the integrity of the listed monument was to be compromised then no licence could ever be given.

JH commended the project and the amount of detail submitted by the applicant but felt it was too much to take in, in one sitting, and understand fully, given the amount of changes and details submitted.

The application was approved unanimously by the Commission.

At 12:55 MEHEC and MSCHY excused themselves from the meeting.

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**179/18 - F/15362/18 - West of the bridge entrance to The Island, Queensway Quay - Retrospective application for maintenance of rock works/sea defence bund for Queensway Quay Marina.**

This was another retrospective application for maintenance of coastal defensive works on the spur at the southern end of Queensway Quay Marina. Thirteen tetrapod style blocks and cylindrical blocks had been placed at the existing groyne. Representations and counter representations had been circulated to members of the Commission.

Mr Stephen Catania was invited to address the Commission. He stated that permission was being sought in order to bring the coastal defences back to their original heights. Mr Catania had submitted a report as evidence that works were required as the wave entry pattern into the south entrance of the harbour had knocked down some of the stones underwater. He claimed that the star shaped blocks were multifaceted and would interlock. He quoted Mr Eric Shaw as stating that after two months of south westerly storms at Camp Bay, the blocks had stopped erosion. Mr Catania also added that unfortunately his clients had not appreciated that permission was required in order to carry out maintenance works.

DoEHCC had commented that they should have been consulted before the works took place. DoEHCC would have preferred stone armour to be placed.

Mr S Catania representing the applicant addressed the Commission. He explained the need for the works and the fact that the star blocks interlock and therefore were less likely to be displaced than rock. He also stated that the blocks would soon be covered in marine growth and so would their aesthetics would not be an issue.

Mr Julian Triay, who was representing the Management company, was invited to address the Commission to express their objections. He stated that the rocks placed were not in keeping with the sea defences, and not appropriate for a luxury development as they were haphazard. Photos from 2008 and present day were circulated to members of the Commission which Mr Triay claimed showed that the rocks had not moved significantly. Mr Triay also said that his client would like to know what expertise Mr Shaw (who had submitted information in support of the applicant) had on waves and erosion.

The Chairman asked whether the Management Company were the owners of the revetment, to which Mr Triay said they were. The Chairman advised him that as owners they could enforce how they pleased.

DTP informed the Commission that a further objection had been received late from the Queensway Quay Appreciation Society.

DTP then reported that the blocks placed were different to the nature of the revetment and did not follow the original design. He added that the blocks had a negative visual impact and that DoEHCC had commented that the use of natural rock was preferable to the use of concrete blocks. DTP recommended refusal of this application and if the Commission agreed the applicant would have to

remove the blocks.

The Commission refused this application unanimously.

**180/18 – F/15371/18 – 2 Townsend Corner, Buena Vista Estate, Acland Avenue – Proposed refurbishment of northern façade and living room extension onto patio area.**

This application was for the refurbishment and extension of a semi-detached two storey dwelling. The applicant wishes to extend forward the on north western façade. The rear patio would be fully enclosed with a terrace above and enclosed with a parapet wall and fence.

TSD had commented that they had no objections to the front but had objections to the patio as it could set a precedent.

No objections had been received from the public or the Management company.

DTP reported that similar works of bringing the front façade forward had been done elsewhere; adding that the staggered form of this pair of semis meant that the visual impact of the front extension would be minimal. The rear patio was not clearly visible and bounded onto a cul de sac.

If the Commission had no objections to the building over of the entire patio then it was recommended that the rear extension incorporate floor bands and vertical indents to reflect the character of the existing houses.

The Commission decided to vote on this application as follows:

Approve: 7

Against: 1

Abstentions: 1

This application was approved by the Commission.

**181/18 – F/15454/18 – 23 John Mackintosh Square – Proposed refurbishment of existing building including re-cladding of facades.**

This application was for the refurbishment and recladding of a six storey office building owned by Gibtelecom. The proposal had been scaled back from a proposal which had previously been approved in February 2015 for refurbishment plus an additional two storeys.

The applicant wished to remove the bridge link on the fourth floor to City Hall. The atrium was to be roofed over and the stair core would continue upward. The façade would be reclad with rendered finish and the glass curtain to the North side of the staircore would be replaced.

DoEHCC commented that Swift/Bat boxes were to be provided;

GHT were glad that there were no plans to exceed the number of storeys.

No public objections had been received.

DTP reported that the refurbishment of the building and the removal of the bridge was welcomed;



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DTP recommended approval of this application with conditions on the colourscheme to the window frames to be agreed, the roof covering to be agreed, the new window to city hall to be agreed and details to be submitted on sustainability and provision of bat and swift boxes.

This application was unanimously approved by the Commission.

### **182/18 - REF 1225 - DPC Sub Committee - Consideration of request to extend delegated powers of DPC Sub Committee to include consideration of applications for the demolition of buildings in accordance with a scheme that has already been approved by the DPC as part of a full planning application.**

Details of this request to allow the Sub Committee to consider demolitions if Full Planning permission had been granted had been circulated to members of the Commission.

CV commented that demolitions are not covered by Building Regulations, and questioned who would be the responsible body for determining such applications. He was concerned that the sub committee may become liable and that the Commission should possibly seek legal advice.

The Chairman commented that the Commission only considers demolitions from the planning point of view and not the way the works are carried-that is a matter for the various technical bodies such as health and safety. . There is a process in place for controlling demolitions.

DTP clarified that the delegated power being sought was for the sub committee to be able to decide on applications for demolition where the Commission has already approved the full application.

The Commission agreed to delegate the power to the sub committee as requested.

### **Minor Works - not within scope of delegated powers**

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

### **183/18 - F/15421/18 - 13 Europa Pass Battery, Europa Pass - Proposed minor internal and external alterations including installation of retractable awning on west facing façade of property.**

The Commission approved this application.

### **184/18 - F/15438/18 - 1 South Pavilion Road - Proposed re-roofing of all townhouses in the estate and installation of solar panels.**

The Commission approved this application.

### **185/18 - F/15441/18 - 28 Bridgetown Court, Harbour Views - Proposed installation of glass curtains and side window to balcony.**

The Commission approved this application.

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**186/18 – F/15453/18 – 2 Mount Road – Proposed refurbishment works and small side extension to existing property.**

The Commission approved this application.

**187/18 – D/15469/18 – 5-9 Shackleton Road – Proposed demolition of existing building on site.**

The Commission approved this application.

**188/18 – D/15470/18 – Redroofs, 29 Devil's Tower Road, Lady Williams Centre and Anne's Site – Proposed demolition of existing building on site.**

The Commission approved this application.

### **Applications Granted by Subcommittee under delegated powers (For Information Only)**

**189/18 – BA13423 – Rosia Road, New Harbours – Proposed installation of photovoltaic solar panels on the roof of the building.**

JH welcomed this proposal.

**190/18 – O/13831/15 – 9 Cannon Lane – Proposed two storey extension to hotel.**

**191/18 – F/13843/15 – Ocean Spa Plaza, 17 Bayside Road – Proposed mixed use high rise development comprising multi-storey car park with 589 spaces, 125 apartments, hydrotherapy spa and resort deck, offices, commercial/retail street frontage.**

**192/18 – F/14091/16 – 202/204 Main Street & 1-9 Giro's Passage – Proposed single storey extension and full refurbishment of existing residential property.**

**193/18 – F/14693/16 – 11 Shorthorn Farm, Estate Europa Road – Proposed new terrace and glass curtains to western façade and new concrete slab to create patio area on eastern side of properties.**

**194/18 – F/14908/17G – Special Olympics Club House, Europa Road – Proposed construction of new sports centre facility comprising a sports pavilion and bar, gym, changing rooms and toilet facilities.**

**195/18 – F/14936/17 – 779 Prince Edward's Road – Proposed raising of balcony wall.**

**196/18 – F/15248/17 – Units 5, 7, 8, 9, 10 & 11 Watergardens – Proposed amalgamation of existing units into new convenience shop.**

**197/18 – F/15256/17 – 616 Seashell House, Beach View Terraces – Proposed installation of glass curtains.**

**198/18 – F/15328/18 – 610 Sea Spray, Royal Ocean Plaza – Proposed installation of glass curtains.**

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199/18 - F/15336/18 - 2 Giro's Passage - Proposed subdivision of three bedroom flat into a two bedroom flat and a one bedroom flat.

200/18 - F/15338/18 - 7 Lynch's Lane - Retrospective application for minor internal and external alterations to property.

201/18 - F/15345/17 - 12 Willow Lodge, Montagu Gardens - Proposed amalgamation of two flats and associated internal alterations.

202/18 - F/15348/17 - 2/2 Victualling Office Lane - Proposed replacement of bay windows on a like for like basis.

203/18 - F/15353/18 - 131 Rosia Plaza, Rosia Parade - Proposed replacement of windows and internal alterations.

204/18 - F/15356/18 - 613 Ocean Heights - Proposed subdivision of 1 x two bedroom flat into 1 x studio and 1 x two bedroom flat.

205/18 - F/15358/18 - 3.10 World Trade Centre, Bayside Road - Proposed internal alterations.

206/18 - F/15365/17 - 2B Rosia Ramp - Proposed construction of light gauge steel terrace and balcony on west and east sides of building and garage extension.

207/18 - F/15368/18 - 13 - 19 Irish Town - Proposed refurbishment of façade and extension at roof level.

208/18 - F/15370/18 - 267 Main Street - Proposed internal alterations.

209/18 - F/15374/18 - 4 Orchid House, The Cliftons - Proposed internal alterations.

210/18 - F/15375/18 - 15 Cornwall's Lane - Proposed extension to apartment.

211/18 - F/15378/18 - 15 Rosia Road - Proposed recladding of external wall of property.

212/18 - F/15381/18 - 29 Admiral's Place, Naval Hospital Road - Proposed internal alterations.

213/18 - F/15383/18 - 28 Sea Daffodil House, Waterport Terraces - Proposed internal alterations.

214/18 - F/15384/18 - Eroski, 12 Winston Churchill Avenue - Proposed installation of two trolley parks.

215/18 - F/15388/18 - 17-23 Governors' Parade & 76/78 Governor's Street - Proposed internal and external refurbishment of property.

216/18 - F/15389/18 - 245 Main Street - Proposed replacement of entrance door.

217/18 - F/15398/18 - 722 Seashell House, Beach View Terraces - Proposed installation of glass curtains.

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218/18 - F/15403/18 - 67 Ragged Staff Wharf, Queensway Quay - Proposed internal alterations.

219/18 - F/15405/18G - Unit 99 Harbours Walk, New Harbours - Proposed internal alterations.

220/18 - F/15408/18 - 140 Water Gardens, Waterport Wharf - Proposed internal alterations.

221/18 - F/15409/18 - 227 Block 2 Water Gardens, Proposed internal alterations.

222/18 - F/15411/18 - 1/6 Shakery's Passage - Proposed internal alterations and replacement entrance door.

223/18 - F/15414/18 - McDonald's Restaurant, 13 Harbour Views Road - Proposed remodelling of the kitchen and counter bar.

224/18 - F/15415/18 - 10 North Pavilion Road - Proposed construction of swimming pool.

225/18 - F/15416/18 - Alpha Electronics Ltd, 207 Main Street - Proposed refurbishment of shopfront.

226/18 - F/15417/18 - Alpha Electronics Ltd, 207 Main Street - Proposed internal alterations.

227/18 - F/15424/18 - 7&8 Richardson's Passage / 5 Castle Steps - Proposed conversion and refurbishment of cistern and existing store to provide three domestic stores.

228/18 - F/15425/18 - First Floor, Car Park, Beach View Terraces - Proposed new storage facilities.

229/18 - F/15426/18 - 31/A and 31/B Halifax Road - Proposed internal alterations.

230/18 - F/15428/18 - Suite 1A, Leanse Place, 50 Town Range - Proposed internal alterations.

231/18 - F/15429/18 - 202 Portland House, Glacis Road - Proposed internal alterations.

232/18 - F/15433/18 - Unit 29E New Harbours - Proposed change of use from butchers to store.

233/18 - F/15434/18 - 2 Shorthorn Farm Estate, Europa Road - Proposed installation of glass curtains.

234/18 - F/15440/18 - 1.22 World Trade Centre, Bayside Road - Proposed internal alterations.

235/18 - F/15449/18 - 7 Viking Lodge, Mons Calpe Mews - Proposed installation of glass curtains.

236/18 - F/15451/18G - Department of Education, 23 Queensway - Proposed extension.

237/18 - A/15443/18 - Matalan, 7/9 John Mackintosh Square - Retrospective application for installation of fascia sign.

238/18 - A/15446/18 - Euro Parking, Europort Avenue - Proposed signage to be displayed on

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**existing railings around perimeter of the site.**

**239/18 – A/15448/18 – 5-9 Shackleton Road – Proposed signage to be displayed on hoarding to be erected around site.**

**240/18 – N/15346/18 – 10 & 12 Arengo's Palace Lane – Proposed relocation of two dragon trees to front of development, proposed removal of two wild olive to the rear of the development and proposed relocation of a further two wild olive trees to the rear of the development.**

KB confirmed that the two large olive trees should be removed before the planting of the replacement trees.

**241/18 – Any other business**

The Sanctuary, Engineer Road – JH asked for an update on the landscaping at this project.

DTP reported that he had met with the developer who had previously discussed this with GONHS. The developer advised that they had suffered from various issues including heat and cold, damage by rabbits, wind which meant that they have to replant on a number of occasions.

DTP reported that there is a lot of landscaping provided already, that there is an on-going process of planting, at the rear creepers are growing and it would take a number of years before the retaining walls are covered.

KB enquired about the disappearance of an ash tree.

The Chairman asked JH if she would like to visit the site in which case that could be arranged.

DTP reported that the developer had planted smaller trees at the front because the taller trees could not survive there.

**242/18 – Next Meeting**

The next meeting will be held on 23<sup>rd</sup> May 2018.