

Approved
DPC meeting 14/13
12/11/13

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 14th Meeting of 2013 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 12th November 2013 at 09.30 am.

- Present:**
- Mr P Origo (Chairman)
(Town Planner)

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

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

 - Mr M Gil (MG)
(Chief Technical Officer)

 - Mr G Matto (GM)
(Senior Architect)

 - Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

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

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

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

 - Mrs J Howitt (JH)
(Environmental Safety Group)
- In Attendance:**
- Mr P Naughton-Rumbo (DTP)
(Deputy Town Planner)

 - Miss K Lima
(Minute Secretary)
- Apologies:**
- Mr J Mason (JM)
(Rep Commander British Forces, Gibraltar)

Approval of Minutes

613/13 Approval of Minutes of the 13th meeting of 2013 held on 8th November 2013

The approval of the minutes was carried forward as there had been insufficient time to prepare the minutes from the last meeting.

Matters Arising

614/13 – BA12775 – 12/1 Buena Vista Road – Proposed Garage extension including new access to house

DTP reminded the Commission that at the previous meeting two issues were raised regarding the revised application. He said that the Commission was concerned with the proposal to extend the pool deck to the boundary wall of the property supported off columns and had recommended that the pool deck be set back and landscaping introduced in front. DTP also said that another issue raised was that the proposal for the garage extension is slightly higher than at outline stage due to the inclusion of a mezzanine level and that the Commission had requested photos to see whether the extension would be much higher than other properties in the area. DTP presented photos as requested.

JH said that the photos show that the height of the properties is constant and that if approved, the Commission might be in danger of setting a precedent.

DCM said that this application had already been approved at outline stage and that the extra height does not make much difference.

MEH declared an interest as an owner of the adjoining property. He said that there are buildings which are higher in this area.

The Chairman told the Commission that they should decide on whether they want to allow a deviation to what was previously approved, that is, 1m extra in height for the extension and no landscaping in front of the pool deck.

MEH suggested that the applicant could plant underneath the pool deck and could have creepers up the boundary wall.

The Commission approved the garage extension and the extension of the pool deck subject to the security fencing beneath the deck being set back and landscaping provided in front.

615/13 – BA12577 – 60 Devil’s Tower Road – Proposed 4 storey building comprising ground floor retail plus industrial storage and 3 floors car parking/lock up garages

DTP said that the members had been on a site visit prior to the meeting. He recalled that the two main issues raised in respect of this application were access in terms of large service vehicles contributing towards congestion on the access road and large lorries having to reverse on to Devil’s Tower Road.

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DTP said that at present the applicant stores materials on the side of the access road. He also said that during the site visit they observed a lorry reversing out of the area and that the maneuver took about two minutes, during which time employees of the company stopped the traffic on Devil's Tower Road with the help of the light controlled crossing nearby.

DTP told the Commission that following the suggestion from members that an area should be reserved for the lorry to load/unload inside the premises, further plans have been submitted which show that an area of approximately 150m² would be required. DTP said that even if this area were provided, the lorry would still have to reverse out of the site.

DTP also reminded the Commission that objections were received from the tenant of the property to the rear of the site. The objection was predominantly based on the issue of congestion and inconvenience to other users.

DTP confirmed that the proposal is generally in line with the Development Plan policy.

JC said that during the site visit the applicant said that they would be submitting a revised plan to increase storage and the shop on the first floor of the premises.

MEH said that he was unable to attend the site visit but that if the procedure to reverse out of the site is carried out safely and only takes around two minutes, he did not consider it such a big problem.

The Chairman said that the operation to reverse out of the site is handled by people without authority to stop traffic. He said that it is happening at present but if approved by the Commission, they would essentially be accepting responsibility for the decision taken.

The applicant, who was in the audience, told the Commission that the turning circle in the area is not large enough to allow a lorry to drive forward out of the site; to do so, they would have to use the adjacent plot. He said that it is frustrating that this is an issue for the Commission as it is inhibiting the progress of the development despite the maneuver having been carried out for years. The applicant also said that they have been unable to submit revised plans in the time available but that their intention is to eliminate two floors of parking and proceed with just one floor of storage and the shop.

JC said that the fact that lorries have been reversing out of the site for years does not mean that this cannot be stopped now. He said that he was not satisfied that enough has been done to engineer a solution.

The Chairman asked the Commission to take a vote on the application as submitted, with an extra level of car parking. The Commission took a vote with the following result:

5 in favour

1 against

3 abstentions

The application was approved.

616/13 – BA12720 – Windmill Hill Road, Windmill Hill – Proposed office/watchtower (HMGOG project)

DTP advised the Commission that revised designs have been submitted following concerns raised on the massing of the building which will stand on top of a listed monument. He said that the new proposal shows a more linear form. The ground floor accommodates car parking and the circulation core. He said that the wall of the bastion will be visible from the roadside and landscaping will be introduced. DTP also said that the first floor will be used entirely for offices. The third floor will also have a circulation core and the watch tower and there will be a spiral staircase leading to the roof level which will include green roofs.

DTP said that there has been a reduction in massing and that the proposal is to use stone cladding. He said that the glazing of the control tower will be tinted but the rest of the building will have normal glazing to minimise visual impact.

The Chairman recommended that the massing of the building is further reduced, landscaping introduced and the visual impact mellowed.

DCM said that most recommendations have already been taken on board.

JC said that he thought the revised plans show a vast improvement.

CAM said that the revised plans show a big difference in massing but that a photo montage would be useful. She highlighted that the stone cladding should not be too similar to the monument. DCM suggested that the architect could meet with the Heritage Trust to discuss the detail of the stone cladding. It was also agreed that the ESG would attend the meeting with the Heritage Trust and the architect.

Subject to the above the Commission had no further recommendations.

617/13 – BA12734 – 1c North Mole – Proposed replacement of existing damaged sullage storage tanks

DTP informed the Commission that DCM's screening direction indicated that there is a need for an Environmental Impact Assessment (EIA) to be carried out. He said that this decision has been published in the Gazette. Therefore, DTP said that the Commission would need to wait for the EIA result prior to taking a decision on this application.

The Commission welcomed Mr Nigel Sanding, chairman of the Nature Group PLC.

Mr Sanding provided the Commission with background information on the company and himself, explaining that he has over twenty years waste management experience in the UK. He said that he had worked with major companies around the world and built onshore plants in various countries. Mr Sanding told the Commission that the big companies which are shareholders of his company are concerned that this matter has taken over two and a half years and is still not resolved. He said that he has 37 local employees which he has retained to date. However, he said that his staff are concerned about their jobs due to delays on the planning

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decision and said that they have written directly to the Chief Minister with their concerns. He told the Commission that the company now has to consider their employment due to costs and delays in progress. Mr Sanding also said that he appreciated the Commission's concerns due to the accident which happened over two years ago but said that he was surprised that a full EIA is required and disappointed that it was not brought to the company's attention originally.

The Chairman told Mr Sanding that Gibraltar is a different destination to UK and that it is not every day that the Commission has to consider an application of this sort. He asked Mr Sanding whether he had any planning concerns.

Mr Sanding said that he did not have anything else to add but that he would appreciate it if they could have an early decision from the DPC.

The Chairman told Mr Sanding that the sooner his company delivers the information required, the sooner this matter can be discussed by the Commission. He said that it is now the role for the town planners to discuss the subjects for the EIA with the applicant and for the applicant to subsequently submit an Environmental Statement. He explained that there would then be 21 days allowed for public participation and subsequently the matter could be discussed by the DPC, hopefully early in 2014.

The Commission thanked Mr Sanding and deferred this application.

Other Developments

618/13 – New Aloes, Europa Road – Proposed detached villa

DTP informed the Commission that supplemental plans in respect of the proposed works to the entrance road have been received. He said that the proposal is to resurface the driveway with 'calçada' granite sets. He said that the boundary wall will also be raised slightly for safety reasons. DTP also told the Commission that planting in the area will be improved, no trees will be lost and low level light pillars will be introduced into the area. He also said that the applicant is proposing to adjust the vertical alignment of the access road with its junction with Europa Road

DTP said that one letter of representation has been received from one neighbour who will not be able to access his house with his vehicle during works. DTP said that he is requesting that a timeframe be conditioned. DTP said that the applicant has confirmed that works will take 4 weeks.

DTP said that there are no planning objections.

The Commission approved this application subject to works being concluded within a specific timeframe.

619/13 – BA12186 – 29-37 Engineer Lane – Proposed new hotel

DTP reminded the Commission that this application was deferred at a previous meeting as there was an issue with notification to other owners and there was an objection from the neighbourhood association. DTP said that the ownership issues have now been resolved.

DTP advised that the proposal is for total demolition of the ex bakery building and redevelopment as a 63 room hotel with gym and lounge facilities. He said that the revised design is for a total area of 2800m²; 10 storeys with the top two floors set back. DTP explained that the ground level will allow vehicle access by providing a porte-cochere and will have a reception and service access area. The first floor will provide a lounge bar and kitchen and the floors above this will be guest rooms. DTP said that the proposal includes projecting balconies on the front elevation. DTP also said that the proposal includes improvements to a car park adjacent to the site but said that this area is not within their site. DTP added that the 9th floor will be set back and will be a lounge area, and the 10th floor, also set back, will be used as a gym.

DTP informed the Commission that the applicant has submitted reports from structural engineers which suggest that the load bearing walls and roof timber need major remedial repairs, the floor slabs and roof structure should be demolished and the west façade, were it to be retained, would need lateral support. Another report notes that the rafters and flooring on the Engineer Lane side are in good condition but that the windows need replacing and there is dampness in the walls. DTP said that in terms of the viability of the project, a separate report had stated that the cost of refurbishing would be much higher than rebuilding. The recommendation of the engineers is therefore, to demolish and rebuild.

DTP said that objections have been received from the Engineer Lane Tenants Association who claim that the proposal is not in keeping with the area, that no car parking is being provided and question the logistics of demolishing and rebuilding. DTP also said that counter representations have been received as the applicant claims that the roof line of the area is not constant and that there are other properties in the area of similar height. They also claim that they will be providing three off-road parking spaces but that they expect 95% of their clients to arrive by taxi. DTP said that the applicant has also said that they are exploring the possibility of parking in the area with HMGOG.

DTP said that the Ministry for Heritage believes that more needs to be done to maintain the façade. If the façade is not retained the Ministry believes that the proposed building is too big and not in keeping with the area. DTP said that they have also commented on the fact that there is no penalty for owners who allow their buildings to reach this state of disrepair.

From a planning perspective, DTP said that the height of the proposed building is excessive and not in keeping with the area.

CAM said that the Heritage Trust would resist demolition as this is against the policy in the old town guide. She said that this building is typical of the town area and allowing demolition would create a precedent. She said that the Trust therefore, objects to the principle of demolition and feel that renovation would attract people to the historic qualities of the building. CAM said that

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the Engineer Lane façade should be maintained at least and that the proposal for 10 storeys is excessive. CAM said that retention of facades have been done locally in the past.

MEH said that he is concerned that buildings have been allowed to deteriorate to this extent. He said that he was not sure whether anything could be kept and that by keeping the façade the porte-cochere would not be possible. MEH welcomed the idea of having a hotel in the centre of town but said that he would set back the building even further as it is too big. He said that he would prefer the front façade to be more like what it is now but questioned whether this would be possible.

JH said that the photo montage provided is misleading as it gives the idea of the hotel being located on a large road when in fact it is quite narrow. She questioned the need for so many beds and said that the proposed building is completely different to the street character.

DCM said that he would prefer to maintain the façade but that this does not seem possible. He agreed that the owner should not have allowed the building to deteriorate to such an extent and said that the applicant should revise the height and massing of the building.

JC said that the Commission should not forget the commercial aspect of the project and that if the number of rooms are reduced this would affect the viability of the project.

MEH asked CAM if the Heritage Trust could help in providing a list of buildings in similar conditions so that perhaps HMGOG can consider the necessary steps to take. CAM said that there are a number of buildings in this state and that there is a need for enforcement. JC said that many of these are freehold properties and that Government is limited in what they can do. DCM said that this is related to the wider picture of the Heritage Act.

The Commission welcomed the architect of this project, Mr David Preece.

Mr Preece told the Commission that this will be a £10,000,000 investment and that this is an ideal site for a hotel. He said that the intention is to provide a business boutique hotel which is needed in Gibraltar. Mr Preece said that in order to make this project viable and to justify expenditure and staff involved, 63 rooms are required. He stressed that the project will create jobs for over thirty people and will bring business for local suppliers. Mr Preece said that local contractors have been engaged and that following reports submitted on the structural integrity of the building, the investors are saying that they will not invest without structural credibility. Mr Preece also said that there are higher buildings in the area and that the proposed building will improve the area and therefore, be a planning gain. He also said that the porte-cochere is an ideal solution to improve access to the area and said that the developers are keen on making this an environmentally friendly development.

The Chairman asked Mr Preece at what cost the façade would be retained. Mr Preece said that the engineer would be in a better position to answer this question; however, he estimated that it would be approximately £1,000,000. Mr Priest added that the building is not piled and if extra

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weight is placed on the walls, the building would be put at risk and the investors are not prepared to take this risk.

MEH said that the ground floor looks stark and asked whether this could be improved. Mr Preece said that the developer is keen to preserve the traditional Gibraltarian features. MEH suggested that perhaps having a bakery feature in the hotel would be good as this would remind people of the history of the original building.

Mr Preece told the Commission that retaining the façade would create traffic problems as there would not be a porte-cochere. CAM asked whether they could consider using the area adjacent to the building for vehicular access. The Chairman reminded the Commission that the adjacent area is not in their lease.

CAM said that from reading the three reports, it seems that only refurbishing the whole building and full demolition have been considered. She said that partial retention has not been looked at. Mr Preece said that all options have been considered but that the element of doubt about the integrity of the foundations deters the investors.

CV acknowledged that a scheme for a hotel in this area has merit but said that the building requires attention. CV said that in essence he is not against but yet not fully in agreement with the proposed scheme. From a cultural/historic view, CV said that this building represents traditional Gibraltar with its Georgian and Portuguese style. He said that if the Commission approves demolition they would be rewarding those who do not maintain their buildings and that in terms of energy performance a building should be recycled. CV also said that although he understood the developers point, the possibility of retaining the façade should be explored. In terms of the proposed scheme, CV said that it is not in keeping with Gibraltar vernacular. CV suggested using the adjacent site for cars and retaining the Engineer Lane façade.

MEH said that he did not disagree with the points raised by CV and that perhaps the developer should be given the opportunity to take all of these comments on board and revert.

Mr Preece said that they would take all of the comments on board and attempt to revert with revised plans at the next meeting. He agreed to meet with CV for guidance.

DCM said that the proposal should be on their site footprint as the adjacent area might be used for something else.

This matter was deferred to enable the applicant to consider the views expressed and contemplate adopting into the scheme.

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620/13 – BA12444 – 175 Main Street – Proposed redevelopment involving change of use of 1st floor shop to office, 2nd to 4th floor residential to office and building over light well at 3rd and 4th floors

DTP reminded the Commission that planning permission was granted in May 2013. He said that the applicant has reverted with a revision to the top floor to construct three flats; a studio, a 1 bedroom flat and a 2 bedroom flat. DTP said that there will be reduced terraces on the east and west sides compared to the previous scheme.

DTP said that the principle has already been approved and that the only difference is that the development covers a larger area of the roof.

The Commission approved the revisions made to this application.

621/13 – BA12760 – No 49, The Annex, The Sails, Queensway Quay – Proposed change of use from storage to office use

DTP told the Commission that a previous application for a spiral staircase leading to this unit was approved. He said that the current request is for permission to change the use from storage to office.

DTP said that one objection has been received from Mr Dieter Wood, one of the residents of The Sails.

The Commission welcomed Mr Wood who said that the residents had not been advised of this application and that perhaps if they would have found out earlier, there might have been more representations. He said that The Sails is a 42 apartment residential development and that the area which is being proposed as offices was designated as the plant and machinery room for the pool area. He said that the change of use would be from residential to office and that the office would not be linked to the residential development but rather used for a commercial enterprise. Mr Wood said that an approval to the change of use will be detrimental to residents. He said that the commercial office would be occupied by people who do not reside in the development and that this may be followed by applications for the change of use of apartments into offices.

JH asked whether the windows look on to the pool area. The Chairman said that the room is self-contained and that the view to the swimming pool is blocked. Mr Wood highlighted that access to this unit is beside the residents' access to the pool and bin store, and that this would be an inconvenience to residents.

DTP asked Mr Wood if he could explain why he thought that this would affect the residents' amenities. Mr Wood said that it would set a precedent, it is contrary to their leases and that non-residents will be invited on to the property which is maintained by the residents, with no benefit to the residents.

The Commission thanked Mr Wood. The Commission also welcomed Mr Steve Boylan on behalf of the applicant, Marina Properties Ltd.

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Mr Boylan told the Commission that this area was always designated as storage in the approved plans. He also said that a Section 21 notice was served in July 2013 on the Council of Owners and the Management Committee. Mr Boylan confirmed that Marina Properties Ltd is the holder of the lease.

JH questioned why owners have not heard about this application before if the notice was served in July. She said that notices should also be placed in the entrance to buildings. The Chairman said that notices are usually served on the committee and it is up to them to inform residents.

DTP advised the Commission that the applicant has also confirmed that one parking space will be provided in the Queensway car park for use by this office.

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

3 in favour

4 against

2 abstentions

The Commission refused this application on the basis that it would result in a loss of existing residential amenities and because the developer would be amending the use of part of a development which was initially intended only for residential use.

622/13 – BA12793 – Loreto Convent School, Europa Road – Proposed construction of multi-purpose hall and classrooms

DTP informed the Commission that the proposal is to construct a multi-purpose hall and classrooms on two levels. There will also be a play area on the roof with fencing around it. The possibility of providing some parking spaces off St Bernard's Road for staff use is also being considered.

DTP said that objections received from the Shorthorn Farm Housing Association were circulated prior to the meeting. They object on the basis that there is a property in the estate which suffers water ingress from the school; there will be less parking on St Bernard's Road; it may encourage teachers to use St Bernard's Road for parking and create further traffic congestion; construction works will cause disruption to the area; and the negative impact on heritage value of the school buildings. DTP also said that they have also raised concerns on the size of the school but said that the applicant has confirmed that the extra classrooms will be used to redistribute pupils' accommodation and not to expand the school intake.

DTP said that the Ministry for Heritage did not have objections in principle but said that they lacked information on how it will fit into the area. They also requested an Archeological Watching Brief.

CAM said that the Heritage Trust concurs with comments made by the Ministry for Heritage.

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DTP advised the Commission that the development will result in some loss of trees as they would re-grade the land at the rear of the school. MEH said that a tree survey should be carried out and the applicant conditioned to replanting.

JH said that the impact on the area should be measured carefully.

DTP said that the intention is not to use St Bernard's Road as the access road to the school. He also said that the hall will be available for use by the wider community.

In respect of the car park, the Chairman highlighted that the policy should not be private gain against public loss.

GM said that the designer has not paid much attention to the existing use of the land. He said that although he was not objecting to development, he thought that there should be a more homogenous use of the area and that further elements of design should be considered.

The Commission welcomed the architect, Mr James Hughes.

Mr Hughes confirmed that St Bernard's Road is not being proposed as an access road and said that the main access to the school would continue to be Europa Road. He said that the proposed parking is for teachers and that it is not a critical part of the application but desirable. Mr Hughes also said that the construction programme will have to be considered. He also said that he has tried to work with the existing levels and setting back the development to reduce its impact on Europa Road; however, he said that the design can be improved.

DCM said that he did not object to the proposal but thought that the designs could be revised.

Mr Hughes told the Commission that the development will not be stopped if parking is not allowed and that the development will form part of a planned maintenance scheme of the whole school.

The Commission thanked Mr Hughes and welcomed Mr Javier Pons on behalf of the Shorthorn Farm Housing Association.

Mr Pons referred to the letter sent to the Commission by his association on 17th October 2013. Regarding the water drainage issue, he said that the tenant concerned was wary that the new building will aggravate the issue but that he had met with the school trustee who had confirmed that the school will be addressing the problem. Referring to the parking, Mr Pons said that this would result in a loss of public parking spaces on the road and said that St Bernard's Road is already heavily congested and that they cannot accept a further reduction in parking. He also raised concerns about the hall being used by the wider community. Mr Pons also told the Commission that from Mr Hughes contribution, he understood and requested confirmation that the children will not be dropped off via St Bernard's Road and that the extra classrooms are not to increase intake. Mr Pons also added that they have experienced previous problems with construction works in the area, particularly with load bearing capabilities and congestion. He added that they are currently in liaison with TSD regarding the poor state of the road.

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JH asked Mr Pons what is causing the water penetration into one of the tenant's properties. Mr Pons said that it is storm water but that the two parties have met and agreed to sort out the problem in an amicable manner.

MG said that he had an issue with the car park. MEH concurred.

The Commission approved the outline application as submitted subject to no car parking on St Bernard's Road, the design being improved and trees replanted.

623/13 – BA12795 – South Jumpers Bastion, Rosia Road – Proposed office development

DTP informed the Commission that this application is for the refurbishment of the listed monument as part of an office development.

The Commission welcomed Mr James Hughes and Mr Gavin Sharrock.

Mr Sharrock told the Commission that Jumpers Bastion has been derelict for over 30 years and that this is an opportunity to bring it back to life.

Mr Hughes advised that the application involves the regeneration of the derelict Bastion and the stone work on the city walls. He said that an atrium will be constructed over the bastion with full height curtain glazing on the Rosia Road façade. He also told the Commission that a glass lift will be installed and that a frameless glass balustrade will be installed for safety. Mr Hughes explained that the proposal is to refurbish the stone work to create a unique focal point and that the external paving will also be reformed and planting beds installed. He added that a photovoltaic roof will be used and that the building will have a low environmental impact. Mr Hughes also confirmed that the developer will also provide day time access for the public to the Bastion

The Chairman said that at present people walk down the ramp right in front of the Bastion and that there is a motorcycle parking bay on the road side. Mr Hughes said that pedestrian access will be allowed across and around the bastion and that the concept to use glazing throughout has been designed so that it is possible to look down into the bastion. Mr Hughes also said that the intention is to provide parking below the Bastion through the dockyard area. He said that there already is an opening in the wall from this point which will allow access from below.

CAM said that the Heritage Trust was approached at an early stage by Mr Sharrock. She said that they are torn on this as the site has been derelict for many years and the developer will be dealing with the water ingress problems but at some cost to the monument.

CV said that the developer seems to be connecting the monument and new structure but that perhaps a lower structure would be more suitable. He welcomed allowing people to walk around the monument.

JH said that the proposed structure almost obliterates the monument and that perhaps it could be more subtle so that the monument can be seen from street level.

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MEH highlighted that at present the monument can only be seen when you are standing right over it. He said that at present it is unused and that this development might be a lifeline.

JC said that in his opinion this proposal is conservation at its best. He said that the development would both preserve the monument and be commercially viable.

DCM agreed with JC saying that the project is commendable and will afford use to a building which has been unused for years.

CAM thought that the proposed height is excessive but accepted that some sort of cover is needed. She said that she was torn between its derelict past and the investment needed for future use.

DTP advised the Commission that the Ministry for Heritage did not object in principle to the proposed development for the interior of the gorge but felt that to build 2 storeys up was excessive and therefore, objected on these grounds. JH and KB said that they shared the Ministry for Heritage's objections on height.

MEH said that the monument is sunk down and therefore, the extension will not result in a loss of view of the monument.

The Chairman informed the Commission that this is a listed monument and that the applicant will require the relevant licences from the Ministry for Heritage.

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

5 in favour

3 against

1 abstention

The Commission approved this application.

624/13 – BA12802 – North Mole, Port of Gibraltar – Proposed underground fuel pipe line, pumping station and feeder points

DTP told the Commission that this application is for the installation of a new 6 inch steel fuel pipe line. He said that apart from the pipe deck it would all be underground. DTP said that the intention is to use it as a delivery pipeline not storage.

DTP advised that the Department of Environment had made comments on the requirement for dust control during construction and that the pipe culvert should be leak proof.

DTP said that the Port Authority was unsure as to whether this might affect an existing pipeline. He said that they require a risk assessment and confirmation on whether it could affect the port in respect of cruise calls.

The Chairman said that if the Port Authority is not satisfied, the Commission should not consider this application at this stage.

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JH called for an EIA to be carried out. The Chairman said that he could not confirm whether this would be necessary.

JC said that this is a private applicant and asked whether the pipe line will be used by other users. He said that it was also unclear whether the culvert is a new line or existing.

The Commission welcomed Mr Lionel Victor and Mr Freddie Pitto, representing Gibunco.

Mr Victor said that the pipe will be a buried pipeline but not in an existing culvert as this is not feasible due to the number of existing pipes. He said that a new trench would have to be used.

The Chairman asked Messrs Victor and Pitto whether they wanted to revert with further information once feedback from the relevant authorities is received. The Chairman added that if the Port Authority is not satisfied with the current application, he did not think it suitable for the Commission to take a decision.

Mr Pitto said that he had discussed this application with the Captain of the Port. However, the Chairman advised that the Port Authority has reported back to the Commission in writing expressing its concerns.

MG also advised the Commission that he had seen correspondence with the GEA in which the GEA expresses concerns that there might be a clash between this infrastructure and the one for the new power station. M G suggested that the GEA is also consulted.

The Commission deferred this application.

625/13 – BA12815 – Gort’s Hospital – Proposed storage facility

DTP informed the Commission that the proposal is to use the chambers for various storage uses. He said that works to the chambers would be limited to the removal of walls to allow turning circles and the installation of roller shutters to each unit. There will also be a portacabin for security outside the tunnel.

DTP said that the Ministry for Heritage has asked that they be involved in identifying features which need to be retained or removed. They have also raised concerns that one of the emergency exits are blocked and that the City Fire Brigade should be consulted.

DTP said that the Heritage Trust regrets the loss of the hospital complex and asked whether the kitchen area could be maintained. DTP said that this would not be possible since the area was intended for storage use. He did advise that the Ministry for Heritage were in discussion with the applicants in relation to recovering any articles that were not required.

The Chairman asked whether details on the climatisation of units have been provided. DTP said that the applicant will be extracting to the outside using established routes but that details have not been provided. He said that vehicle fumes would also have to be extracted.

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CV said that this was a commendable use for the monument but that the issue of air circulation should be considered and that anything found of heritage/historical value should be surveyed. DTP confirmed that the Gibraltar Museum has already carried out a survey.

The Commission approved this application.

626/13 – 7 Lynch’s Lane – Proposed additional floor to provide one apartment

DTP told the Commission that at present the property has a flat roof with a shed on top which would be demolished and one floor constructed.

DTP said that the Ministry for Heritage thought that insufficient information to assess the impact on the streetscape has been provided. They said that if approved, the proposed window should be redesigned to match existing.

DTP said that planning recommendation is that the whole exterior of the building should be refurbished.

The Commission approved this application subject to recommendations made.

627/13 – BA12838 – Flint Road – Proposed refurbishment of site and erection of canopies over recycling bins

DTP informed the Commission that the proposal is to relocate the existing structures and construct canopies to cover recycling bins. DTP said that this will be for public use and that people will be encouraged to deposit their waste in this site.

MEH confirmed that the applicant is liaising with HMGOG but that Government is not committed in any way.

DTP said that TSD has raised their standard condition for the requirement of a cliff face assessment.

The Chairman said that he would recommend obtaining the rock stability assessment results before approving this application.

MG said that this is an excellent amenity project which HMGOG supports but that the developer is aware that they are required to undertake a rock stability assessment. He said that they should be given the opportunity to prove the viability of the project.

This application was deferred pending a rock stability assessment.

Minor Works

628/13 – Ref 1198/044/13 – Eroski City, La Rotunda, 12 Winston Churchill Avenue – Proposed advertisement for billboard

The Commission refused this application on the basis that the proposed advert is for something unrelated to Eroski City, La Rotunda.

629/13 – BA12789 – Laguna Bar, 19 Laguna Estate – Proposed refurbishment, extension, new pitched roof and pergola

The Commission approved this application.

630/13 – BA12804 – Biancas Restaurant, Marina Bay – Proposed glazed lateral screen system to open terrace

The Commission approved this application.

Applications granted permission by Sub-committee under delegated powers

631/13 – Ref 1198/042/13 – Airport Terminal – Application for structure for the purposes of general advertising

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

632/13 – BA11259 – 1.3.5.7 Crutchett’s Ramp, 5, 7, 9 Main Street – Proposed new window schedule

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

633/13 – BA12265 – 4 Chichester Ramp, Buena Vista Estate – Proposed works at basement area and balcony remodeling

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

634/13 – BA12724 – ¾ Jumpers Building, Witham’s Road – Replacement of windows and removal of planter

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

635/13 – BA12751 – Unit 14 Crown Daisy House, Waterport Terraces – Proposed fit out of vacant commercial unit including external signage

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

636/13 – BA12757 – Unit 4 Rock Rose House, Waterport Terraces – Proposed shop front

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

637/13 – BA12758 – Unit 3.0.02 Eurotowers – Proposed fitting of ATM on one of the exterior windows

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

Approved
DPC meeting 14/13
12/11/13

638/13 – BA12759 – 2 Townsend Corner, Buena Vista Estate – Proposed internal alterations and minor extension

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

639/13 – BA12777 – Apt 202, Block 6, Europlaza – Proposed installation of glass curtains on balcony

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

640/13 – BA12779 – 6 Chichester Ramp – Application for new balcony and living room extension

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

641/13 – BA12780 – Suite 721, 2nd floor, Building 7, Europort – Proposed minor internal alterations to existing office layout

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

642/13 – BA12783 – 229 Peninsular Heights, Harbour Views Road – Proposed glass curtains on balcony

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

643/13 – BA12786 – 4/3 George's Lane – Proposed internal alterations

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

644/13 – BA12787 – Apt 1, The Tower, Marina Bay – Proposed repositioning of entrance door

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

645/13 – BA12790 – 109 Endeavour, Both Worlds – Proposed enclosure to terrace

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

646/13 – BA12791 – 510 Neptune House, Marina Bay – Proposed installation of window

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

647/13 – BA12792 – 104 Mayflower, Both Worlds – Proposed enclosure to terrace

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

648/13 – BA12797 – Westview Park, Harbour Views Road – Application for access hatch on top of centre block

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

649/13 – BA12809 – Outside St Mary the Crowned – Proposed installation of outdoor LCD displays

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

650/13 – BA12811 – 4 City Mill Lane – Proposed alterations to extractor

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

Approved
DPC meeting 14/13
12/11/13

Any Other Business

651/13 – MG’s resignation from the Commission

The Chairman recorded the resignation of MG from the Commission due to retirement. The Chairman, MEH and DCM thanked MG for his contribution and support to the DPC over the years.

652/13 – BA12163 – South Pavilion Road – Proposed bin store

The Commission approved this application

653/13 – Next Meeting

The Commission agreed to next meet on Tuesday 17th December 2013 at 9:30am.