

APPROVED

DPC meeting 11/12

25/10/12

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 11th Meeting of 2012 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 25th October 2012 at 09.30 am.

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

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

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

 - Mr G Matto (GM)
(Senior Architect)

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

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

 - Mrs J Howitt (JH)
(Environmental Safety Group)

 - Mr R Labrador (RL)
(Gibraltar Heritage Trust)

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

 - Mr M Birchall (MB)
(Rep Commander British Forces, Gibraltar)
- In Attendance:**
- Mr S Azopardi
(Department of the Environment)

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

 - Ms K Lima
(Minute Secretary (Ag))
- Apologies:**
- The Hon Dr J Cortes (MEH)
(Minister for Environment & Health)

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Mrs C Montado (CM)
(Gibraltar Heritage Trust)

Mr E Francis (EF)
(Minute Secretary)

Approval of Minutes

538/12 - Approval of Minutes of the 10th Meeting held on the 19th September 2012.

The Commission approved the Minutes of the 10th Meeting held on the 19th September 2012.

Presentation

539/12 – BA1221 – New Office Building at No 6 Convent Place

The Commission welcomed Mr David Orfila (DO), the architect representing HMGOG in this project.

DO explained that the demarcated site for the new office building is between No 6 Convent Place and the building known as the ex-Education Department. There will be four office floors, a basement car park and roof garden. Each level will have approximately 350m² of floor space.

DO explained that improvements have been made to the original scheme which was presented in a previous DPC meeting. Two schemes are now being considered;

- 1) A more modern approach which includes ample glass along the front of the building facing west. DO said that a glass façade at the front of the building has been included to create a reflection of the adjacent buildings thereby assisting in blending in the extension to its surroundings
- 2) A more traditional approach which DO explained was more toned down in terms of windows on the front façade. The windows, cornice and balusters have been designed to mirror those in Convent Place. DO explained that an attempt has been made to marry the contemporary with the traditional.

DCM said that this was a huge improvement on the original scheme.

MG asked DO to elaborate on the type of windows which will be used. DO said that the windows have been designed to encourage sustainability by increasing natural light within the building.

JH asked whether the scale of the building is necessary, to which DCM replied that it is in terms demand for administrative space.

CV congratulated DO and stated that he would prefer option 2. He said that he was not keen on copying the balusters in Convent Place. JC disagreed and said that he thought the balusters help to blend in the new building with the existing ones. RL agreed that the balusters give character to the building.

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The Chairman asked the Commission whether they had a preference for any of the options, and it was agreed that option two was the preferred. However, they requested DO to revert with other designs to replace the idea of having balusters.

There being no further questions, the Commission thanked DO.

540/12 – BA12294 – Wellington Front refurbishment scheme (GOG project)

The Commission welcomed Mr Patrick Gomez (PG), the architect representing HMGOG in this project.

GM introduced the project as he is the HMGOG officer leading on this scheme. He said that this project will be carried out in a number of phases and that PG would be presenting an outline sketch scheme. He informed the Commission that the scheme had already been presented to the Heritage Action Committee for their comments, but that it had not yet been presented to existing occupiers for their comments.

PG told the Commission that it was important to envisage Wellington Front as an important part of the city walls. He said it is an asset which is slightly neglected at the moment. The scheme will attempt to address the untidiness and clutter that currently exists. Three elements will be approached; the basin, the facades and the roof. PG said that the intention is to open the area to the public, allowing pedestrian flow, active and passive use and introducing a cycle route.

PG explained that surveys carried out in the area show the importance of the vaults themselves. He said that the idea is to demolish newer buildings but that this needs to be approved first by Heritage. PG also made reference to the Parish Hall which he said is falling apart and may stand in the way of future use. He said that the proposal is to retain the essence of the Nissan Hut, remove the cladding and allow a cycle path through it along the top of the wall. On the western end, PG said that the designers would favour having guns displayed to give a direct reading of what the area was used for. The courtyard at the end could also be used to screen movies or to stage shows. He also said that the idea of installing a glass lift had been considered but that it may need to be done in conjunction with other areas, for example Commonwealth Park. PG also said that they are proposing to restrict the area to loading/unloading only and that landscaping will be introduced in order to increase the perception of space.

PG also informed the Committee that the road level will be dropped to help mitigate future flooding problems. He said that new drainage and services will be installed.

The Chairman had three observations. He suggested that HMGOG should display the plans for public viewing, perhaps at King's Bastion Leisure Centre. He also said that he would recommend relocating the Manchester United Football Club from their current premises to other units within Wellington Front, to allow an open flow through Wellington Front to Commonwealth Park. The Chairman also highlighted that adequate ventilation of vaults was important and that air-conditioning or passive ventilation should be considered from the start.

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GM said that existing ducts have been identified in the vaults which could be used for ventilation. With regards to the Manchester United Football Club, he said that indeed there are access ways to Commonwealth Park through this unit but that there are different height levels between the park and Wellington Front, so linking both through here might not be possible. Nevertheless, GM said that they would embrace the Chairman's comments and look into it. The Chairman suggested that the architects for Commonwealth Park and Wellington Front should work together.

DCM said that he agreed that the issue of drainage is an important one and that with regards to displaying the scheme for the public to view, it might be useful to post it online in the Town Planning website.

JC said that he was not clear on the vision of this scheme. He asked PG to clarify whether the intention is to tidy up the area and allow the current occupants to remain or to move them elsewhere and create cafeterias and shops. He said that if the occupants are not being relocated, he did not understand why parking is being removed.

GM said that the initial brief was to consider the refurbishment of the area and that HMGOG has still not decided on the final use. GM added that there might be room to leave some area of parking but that this was not being considered at the moment. JC said that his main concern is that if the current occupants are not relocated, the area will not attract public users. PG disagreed with JC and said that the refurbishment alone will attract people.

CV also highlighted that drainage at the top of the monument is important. PG explained that there were two options. Option one is to use down pipes to the eastern basin and option two (preferred) to drain out into Queensway. CV suggested that many monuments have water collection tanks and that these could be used. MG confirmed that there is a tank at the northern end.

DTP suggested that it is important for the designers to prepare a design guide for future occupants, including policies on signage and air-conditioning, as difficulties have been experienced with this in the past. DTP also suggested that as part of the refurbishment works, the actual signs should be fitted and new occupants would only then need to apply their particular lettering, logos to the sign. PG concurred with this.

There being no further questions, the Commission thanked PG.

Matters Arising

541/12 – BA12141 – Int Police Association Club, North Pavilion Road – Proposed internal and external alterations.

DTP informed the Commission that the proposal to create a conservatory at the rear of the building had been dropped by the applicant. The present application entails internal alterations and an exterior kitchen. DTP explained that a revised application has been submitted which takes

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into account DPC requests. The new building proposal is much more in keeping with the existing roof and materials of the existing building.

The Commission approved the revised application.

542/12 – BA11779 – Marina Bay – proposed residential development

DTP informed the Commission that outline planning permission was granted last year in respect of this application. The request is to renew planning permission which is due to expire. DTP reminded the Commission that the proposal is to create a residential development and improve the quayside. He said that when the application was first presented to the DPC discussion centered around concerns on restricted access to the area.

Explanation letters from the applicants had been distributed to members of the Commission prior to the meeting. DTP explained that according to the applicant, one of the main reasons for the delay in commencing the development is that they are considering the proposed change to the legislation regarding Superyachts and the effect that this might have on their development. The applicant has also stated that they are also considering water circulation surveys and how to address the various conditions attached to the outline permission.

DTP said that the applicants are requesting a deferral for the consideration of their application at this point. DTP also said that they have suggested that it might be a good idea for a number of members of the Commission to meet with them to discuss reasons for the delay.

DCM highlighted that planning policy has changed and that should the applicants so wish they can present their application in public at the next meeting. He also said that HMGOG has serious reservations on vehicular access in this area.

The Chairman suggested that new members of the DPC should also be given the opportunity to see the full plans and application; that new Government departments that are consulted in the new planning process be given an opportunity to comment as has been agreed by the Commission for applications that have overrun from the previous Commission; and that the applicant should be given the opportunity to present their scheme to the DPC. He said that the public should also be informed and have a right to comment if there is a material change in the design of the scheme. The Commission agreed and requested that this be reported to the applicant.

This application was therefore, deferred.

Major Developments

None

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Other Developments

543/12 – BA11623 – 2 Camp Bay – proposed redevelopment of existing building and additional floor

DTP informed the Commission that outline planning permission granted in respect of this application is up for expiry. He said that the main reason for the delay had been due to issues with premiums.

The Chairman suggested that as with the previous application, the proposed scheme should be circulated amongst all of the Commission members and should be submitted to all relevant departments for comments.

The application was deferred.

544/12 – BA11824 – 1 Shorthorn Farm – proposed boundary wall and rear door.

DTP suggested that this application should be considered together with application BA12225.

545/12 – BA11850 – 18 George's Lane – proposed alterations and refurbishment.

DTP informed the Commission that this application was approved in a previous meeting but that the applicant was requesting that the Commission reconsider their refusal to allow the construction of a garage. DTP reminded the members that the reasons for refusal were that the garage would be located in a pedestrianised area and that it would have a negative effect on the character of the building.

DTP referred to the applicant's letter that had been circulated to all members which explained that they need the garage due to a medical condition which means that the applicant cannot walk long distances. He said that the Traffic Commission had considered the request but maintained its previous decision on the basis of the area being a restricted traffic area. However, the Traffic Commission would be willing to consider granting a license for the applicant to enter the restricted area for loading/unloading only on medical grounds (as is done elsewhere).

The Chairman informed the Commission that he is informed by the traffic Commission that there is another disabled person living on the same road and that this person's family has exemption to drive through for loading/unloading purposes. He suggested that the same exemption could be given to the applicant. He felt that this differed from permitting a garage as once granted and constructed the garage would be used by any future occupier of the property whether or not they are disabled, whereas the license to load/unload would only apply so long as the medical condition of the applicant justified it.

RL highlighted that the Heritage Trust would prefer to retain the previous decision to not allow the garage. CV concurred with the statement issued by the Traffic Commission.

The Commission refused the application.

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546/12 – BA12171 – St Martin’s School – proposed extension

DTP explained that following approval of a previous scheme, more floor space is now required to accommodate a specialist therapy room. He explained that this would involve the loss of two Eucalyptus Trees.

SA requested a site visit to assess the expected loss of trees. He said that the development would also affect an Oak Tree.

The Chairman asked whether the scheme could be redesigned so that the trees would not be lost. The architect who was in the audience, said that this was not possible. The Chairman then asked whether the tree could be replanted elsewhere. SA replied that the recommendation of the Department of the Environment was that the Oak tree should be replanted. KB confirmed that it had already been agreed to relocate the Oak tree to a site in the Botanical Gardens.

The Commission agreed to recommend to HMGOG that landscaping/trees should be incorporated in free spaces around the site to make up for the loss of trees.

547/12 – BA12219 – 5 Rosia Lane – proposed garage and extension.

DTP referred to the representations and counter-representations that had been received with regards to the above-mentioned application and which had been circulated to Members.

Vineyards Management has objected claiming that the applicant has no ownership of the area intended for vehicular passage. They also claim that the ramp will make the footpath unsafe.

DTP reported that the applicant had argued that by constructing a ramp he will be removing an unsafe drop in level that currently exists on the footpath. He also claims that this area is included in their lease for access purposes. DTP reminded the Commission that lease matters are not a DPC responsibility but rather a private legal matter and that the main point which they should consider is whether to allow a ramp crossing the footpath. He reported that following consultation with Technical Services Department (TSD) it had been confirmed that the type of ramp being proposed would be acceptable across a public footpath provided it had a gradient of between 1:20 and 1:12 and that there were appropriate falls to the sides

The Chairman asked whether the applicant had considered changing the layout of the ground floor so as to provide a garage accessed from Rosia Lane. JC said that this was not possible, referring to the change in levels between the site and Rosia Lane

SA highlighted that the proposed garage and extension should meet building requirements in relation to energy assessments. He asked that an assessment be carried out by a Government approved Energy Assessor.

JH highlighted that usually the DPC should consider these applications in terms of safety. CV, JC and SA agreed that they did not consider that allowing the garage would make the area unsafe for pedestrians. SA suggested that perhaps a parapet wall could be included in the area approaching the garage.

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The Commission approved this application and to be subject to all the necessary highway requirements for garages.

548/12 – BA12222 – Unit 2, Ex MOD NFTX Shelter, 68 Devil’s Tower Road – Proposed concrete plinth for storage of waste sludge trailer

DTP informed the Commission that this application had been submitted as a result of a request from the Department of the Environment and Environmental Agency, that the applicant create a plinth and bunded area to ensure that any potential leakage from stored waste was appropriately contained and disposed of correctly. DTP reported that the Department of the Environment had commented that it was their understanding that this site was an area of land that would be revegetated to compensate for the loss of habitat at the Aerial Farm.

MG stated that he was aware of other issues but that he was not yet in a position to comment. He therefore requested that the Commission defer the application.

DTP advised the Commission that Technical Services Department had raised objections as the site is considered to lie within a rock fall area and a geotechnical assessment would be required.

JC informed the Commission that he did not believe that this area had yet been leased or licenced to the applicant. JH asked what exactly was leaking and SA answered that it was mainly waste, and that the Department of the Environment had asked whether they could build the plinth in their existing site but had been told that this was not possible due to space limitations.

DCM asked the Commission to defer this application and this was agreed.

549/12 – BA12225 – 2 Shorthorn Farm – Proposed rear extension and rear access gate and stairs

DTP reminded the Commission that this application would be considered together with BA11824. He said that both applicants are proposing to build a rear boundary wall and new pedestrian entrance. Additionally, house No 2 proposed to build a single storey rear kitchen extension within a rear patio area. There were no Planning objections.

This application was approved.

550/12 – BA12231 – Villa Venezia, 5 Little Genoa – Proposed construction of new floor below level of road.

DTP informed the Commission that the proposal is to construct a lower level to the property which will be partly in a void below ground level. DTP said that concern has been expressed by TSD in relation to access to the existing retaining wall to Sir Herbert Miles Road. He added that objection has also been received from Little Genoa Management Company, who is concerned about a tunnel effect being created in the access corridor below the property, as well as loss of privacy to the houses on the lower level. He referred Members to the letters that had been circulated prior to the meeting.

CV suggested that the photo montage of the proposed extension shows that it would provide a visual improvement to the development.

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JH said that impact on other residents and the points raised by the management company should be considered. The Chairman reminded the Commission that they should consider the planning grounds on which the management company is objecting but not what is included in their lease. He said that he would be minded to recommend an approval but noted JH's reservations.

MG suggested that TSD concerns with restricted access should also be considered.

The Commission took a vote with the following result:-

4 in favour

0 against

7 abstentions

The application was approved subject to clearance from TSD.

551/12 – BA12232 – Dutch Magazine, Rosia Road – Proposed alterations and change of use from store to media studio.

DTP informed the Commission that the applicant intends to partition the unit and create a glazed frontage. He said that wagons are still on-site and that the Ministry for Heritage wants to be advised on what these will be used for. The Ministry for Heritage has also recommended that the applicant be asked to refurbish and retain the timber doors. DTP recommended that the timber doors be retained and refurbished and that the glazed entrance could be set back slightly. This would provide double security whilst allowing the open aspect desired by the applicant. DTP advised that the original rail tracks were still in-situ. He recommended that at least part of these should be retained and could be incorporated into the floor space of the proposed reception area as a feature.

The Chairman said that he believed that the applicant should be asked to keep the entire track exposed. CV said that this would not be practical and would be a trip hazard; however, he did agree that the tracks should be kept visible where possible. JC said that the tracks run all the way down to the Dockyard and that since the unit is for private use, he did not see why there was a need to keep them exposed. RL disagreed saying that to some extent it is the DPC's responsibility to try to protect what is there. He also said that the Heritage Trust was under the impression that the wagon was going to be refurbished and kept there as a feature. CV suggested that the wagon could be incorporated into the scheme for storage purposes. GM then informed the Commission that he had been involved in the refurbishment of the unit on top of this one and that the full track had been retained.

RL added that the Heritage Trust would ask that the applicant retain the timber doors and windows.

The application was approved subject to the retention of the railway tracks with at least part exposed, and the retention of the timber doors.

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552/12 – BA12239 – 5 Prince Edward’s Road – Proposed demolition of existing pitched roof and construction of roof terrace

The Commission approved the application to create a flat roof accessible terrace.

The Chairman asked the Commission to recommend the relocation of the air-conditioning units which were visible in the photos shown. KB requested the inclusion of the standard condition for swift nests. This was agreed.

553/12 – BA12243 – The Deanery, 11 Bomb House Lane – Proposed refurbishment and extension, demolition of extensions

DTP informed the Commission that this is a proposal for various internal demolitions and alterations to layout for residential use. He said that the historical significance of the buildings had to be determined before allowing demolition. The applicant is also proposing to replace the windows with timber windows albeit with a upvc external cladding similar to those used recently in refurbishment projects at Irish Town. The shutters will be refurbished where possible or similar ones installed. The proposal also includes a courtyard area with an atrium over it, a swimming pool, home office and parking spaces.

DTP informed the Commission that the Ministry for Heritage has identified the area as of high archeological value and have said that any excavations would require a full watching brief. He said that some of the buildings date back to mid-18th century and the Ministry for Heritage has asked that the applicant submit modified plans taking this into account.

SA told the Commission that a Predictive Energy Assessment should be performed by a Government Energy Assessor to ensure that this scheme complies with regulations on energy performance of buildings.

DTP informed the Commission that no written feedback has been received from the Heritage Trust. The Chairman then asked if the Ministry for Heritage is rejecting demolition. DTP said that they are and that they have asked for the scheme to be revised. The architect, who was in the audience, confirmed that it was the applicant’s intention to note DPC comments and try to incorporate these in his scheme.

CV said that he applauded the scheme but did consider that it was important to note Heritage concerns and incorporate them in the scheme. He said that it is important to keep buildings if they serve a purpose. The applicant, who was also in the audience, told the Commission that architecturally they did not consider that the building made a significant contribution.

RL said that the Heritage Trust had been consulted by the applicant and that their views have been taken into account. He said that the Trust would recommend trying to preserve as much as possible. However, the Chairman suggested that there is not much evidence to justify retaining these buildings.

JH and DCM agreed that more time is required to consider this application. The Chairman said that this application had been passed to the relevant authorities giving them enough time to comment; he said it would not be fair on the applicant to delay a decision even further.

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DTP reminded the Commission that the Planning Policy for demolition of old buildings in the Town Area was not to permit it if they made a positive contribution to the townscape unless there was sufficient justification. If it was considered that the buildings in question did not make a positive contribution then their demolition would not be contrary to the policy in question. The applicant then told the Commission that they have been waiting to move into the property since December 2011 and that they would be willing to remove the pool from their plans if they have to keep the building in question. The Chairman suggested approving the application but deferring the decision on the building in question until more information is provided by the Ministry for Heritage.

The application was approved as per the Chairman's recommendations.

554/12 – BA12245 – Buffadero Training Camp – Proposed installation of aerial array including fencing.

DTP informed the Commission that this application is for the installation of an aerial array for the Royal Navy. He said that the 10 metre high aerial array will replace the existing facility which is 5 meters in height. The increase in height is due to changes in technology which means that the range can be greater and therefore fewer sites are needed throughout the Mediterranean. DTP said that the intention is to run the associated infrastructure through existing trenches wherever possible although some of these might have to be made deeper.

DTP informed the Commission that concern about the height of the aerial arrays has been raised by the Director of Civil Aviation. He also said that the MOD report on EIA Screening still has to be considered by the Town Planner.

KB raised concerns with regards to migrating birds that might not see the cables in their flight path at night.

MB informed the Commission that the size of the new aerials reflects requirements and that the MOD is prepared to take into consideration any issues raised. He said that the MOD does recognise that there are issues with migrating birds and that these will be addressed. However, he said that they were limited in terms of design and requirements.

SA informed the Commission that the Department of the Environment recommended that a full EIA be carried out. KB agreed that this was necessary.

JH asked whether the MOD could be requested to submit drawings showing the visual impact of this scheme. The Chairman agreed and requested a photo montage showing the visual impact and true height of the arrays as seen from Lathbury Barracks Retrenchment Block and Jews Gate.

The Commission deferred further consideration pending the submission of the requested details and the Town Planner's Screening Opinion.

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555/12 – BA12256 – Gibraltar Botanical Gardens – Proposed demolition of existing building and redevelopment for use as botanical research and laboratory.

KB declared an interest as the Director of the Gibraltar Botanical Gardens but said that he would be available for questions.

DTP informed the Commission that the demolition and redevelopment would be contained within the complex of existing buildings. He said that Policy allows for this as it will be used for botanical research.

The Chairman recommended including swift nests at the rear of the building and glazing on the sides to allow a view of the gardens in the background.

This application was approved.

556/12 – BA12257 – Jew’s Gate, Upper Rock – Proposed conversion of existing storage into public toilets.

The Commission noted that there were no reservations from a Heritage perspective and approved the application to convert existing storage into public toilets.

557/12 – BA12258 – St Michael’s Cave, Upper Rock – proposed replacement footbridge.

DTP informed the Commission that the request is to replace the existing footbridge with a wider metallic one to accommodate larger functions and improve accessibility.

The Commission approved this application.

558/12 – BA12259 – Great Siege Tunnels, Upper Rock – Proposed toilets

DTP told the Commission that the proposal is to create an extension to house toilets for staff members. He said that the Ministry for Heritage has objected as the Great Siege Tunnels are a listed monument and have asked whether the toilets could be built further down the hill. RL said that the Heritage Trust would also object to this proposal.

The Chairman said that he would recommend to HMGOG that the walkway into the tunnel be shortened and the toilets built where the reception area is at the moment. The architect, who was in the audience, said that there was not enough width to do this.

CV asked whether one cubicle would suffice. The architect replied that this could be considered.

The DPC recommended that HMGOG revert with an improved scheme.

559/12 – BA12268 – Flat F, Devil’s Gap – Proposed single storey extension to dwelling.

DTP informed the Commission that the proposal did involve an encroaching window onto neighbouring property. However, he said that he understands that the applicant is communicating with the neighbour to obtain their permission. JC said that this permission was important with regards to Right to Light.

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The Chairman said that he would recommend approval of windows subject to an agreement between both parties. The application was approved with this condition.

560/12 – BA12274 – Giralda Gardens, Smith Dorrien Avenue – Proposed extension to Petanque Club Premises and disabled ramp

DTP told the Commission that from a planning perspective the recommendation would be to not allow extensions on a listed monument. He said that in the past DPC policy has been to de-clutter listed monuments and that approval of this application would allow permanent structures. He nevertheless, added that shrubbery in the area would not be affected by the development and that issues raised by the Heritage Trust have been considered in the design. He also said that the extension to the premises would be visible from road level.

RL said that during a meeting between the Heritage Trust and the Minister for Heritage, the Minister suggested that relocating the club could be an option. Chairman suggested that the DPC recommend to Government relocating the club so that there is no more recurrent conflict of interests between the needs of the club and monument. It was suggested that perhaps a move to Commonwealth Park could be explored.

Representatives from the Petanque Club who were in the audience were invited to present their views to the Commission. They stressed that they have grown as a club and have converted what used to be a senior citizens recreational area for the benefit of all elderly people. They also highlighted the fact that they have competitions running throughout the year and therefore, require adequate covered facilities to accommodate their growing membership. Issues were also raised over the limited mobility of certain members and why it is not deemed suitable to change location for prize giving ceremonies or requesting that members cross a busy road for facilities.

DTP suggested that this proposal did not seem to be supported by all members of the Commission and that adding to listed monuments runs contrary to current policy. He said that the solution would be to relocate the club to more suitable accommodation elsewhere. It was stressed that the club had provided an excellent service which needs to be maintained.

DCM suggested arranging a site visit to the premises. This was agreed.

561/12 – BA12276 – Units 8 & 9 Sea Daffodil House, Waterport Terraces – Proposed change of use into an elderly day care centre.

The Commission approved the use of Units 8 & 9 Sea Daffodil House as an elderly day care centre. DTP highlighted that the design of the frontage of the units should comply with the current design of Waterport Terraces.

This was agreed.

562/12 – BA12278 – Harbour Views Road, Harbour Views – proposed dog park

DTP informed the Commission that the site in question is currently unused. He said that the suggestion is to enclose the area and divide it into two; one area for small dogs and the other for larger dogs. A 2 metre high fence would be erected.

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KB recommended that the same planting species as used on the promenade should be used in the landscaping.

The Commission raised issues as to how the site would be managed.

The Commission raised no objections.

563/12 –

BA12203 – 5 Ellerton Ramp, Buena Vista Estate – Proposed replacement and alteration of windows

BA12220 – 5 Chichester Ramp, Buena Vista Estate – Proposed internal alterations, replacement of windows

BA12237 – 2 Chichester Ramp, Buena Vista Estate – Proposed internal alterations, replacement of windows

BA12241 – 4 Ashbourne Ramp, Buena Vista Estate – Proposed internal alterations, replacement of windows

BA12246 – 1 Townsend Corner, Acland Avenue, Buena Vista Estate – Internal alterations, replacement of windows

BA12262 – 1 Chichester Ramp, Buena Vista Estate – Proposed internal alterations, replacement of windows

BA12265 – 4 Chichester Ramp, Buena Vista Estate – Proposed internal alterations, replacement of windows

BA12266 – 3 Chichester Ramp, Buena Vista Estate – Proposed internal alterations, replacement of windows

DTP recommended that the above applications be considered together as all of the applicants were requesting approval to carry out similar alterations to their properties.

DTP referred Members to the paper that had been circulated prior to the meeting. DTP informed the Commission that although applications are very similar there are various proposals with regards to the type of windows which residents want to install. He said that some of the residents want to remove the louvers which currently exist to the rear balconies, and to replace these with fixed/sliding/hinged windows/doors. Others want glass curtains and some wanted a masonry wall with windows above. Many of the residents had opted for UPVC white framework. DTP also advised the Commission that some applicants want to extend one or two bedrooms onto to the rear balcony. He added that some applications also include a proposal to change the size of the kitchen windows on the front elevation of the property.

DTP said that from a planning perspective the removal of the glass louvers was welcomed. He said that the recommended solution was for a white upvc framed system comprising 3 panes to the smaller bedroom and 4 panes to the larger bedroom. For those not wishing to extend onto the balcony and just want to enclose the balcony a frameless system would also be acceptable. The timber balustrades should be retained on all balconies. The current kitchen openings should also be retained. He said that there was no planning objection to the timber fences which some of the applicants want to install to their rear garden boundary walls. DTP also said that there are open

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landscaped areas outside the houses and that to preempt future applications; he would recommend that these be retained as open areas.

CV concurred with DTP's recommendations and concerns raised.

JC said that there must be consistency and that the residents should agree amongst themselves. He also said that he knows that many of the residents intend to use the green areas mentioned by DTP for parking. He said that refusing to allow them to use these areas as a car parking spaces would encourage them to park along the ramp.

The applications were approved as per the criteria set out by DTP, with the exception of BA12246 which was discussed further as it was slightly different.

With regards to BA12246 DTP informed the Commission that this application is slightly different as the property stands on its own and is marginally different to the other ones. He said that the proposal is to enclose the front terrace as well as the whole of the upper floor terrace. He said that the applicant is also proposing to add a window on the lower level, which he would not recommend as it would affect the neighbour's privacy. He added that the applicant is also requesting to add a window on the side of the property as they are relocating their bathroom.

RL and Chairman were of the view that the windows should not be permitted. It was agreed that the ground floor window on the side elevation would intrude on the neighbour's privacy. Concern was expressed that the small bathroom window on the 1st floor appeared out of character with the building. It was considered that a larger window would be in more in-keeping.

A vote was taken on whether an amended bathroom window design should be allowed, with the following result:

5 in favour
2 against
0 abstentions

The Commission approved the bathroom window but asked the architect to improve the design. The other alterations were also approved with the exception of the window on the lower level which was rejected by the Commission.

Minor Works – not within scope of delegated powers

564/12 – BA11430 – 29-33 Governor's Parade – Repainting of façade

DTP informed the Commission that the applicant has submitted an amended colour scheme which includes two options; a lighter and a darker option. The proposal includes a yellow façade, purple shutters and doors, and white features.

KB asked whether the Commission could make a condition that the hairdresser's banner seen on the photo be removed. This was agreed.

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CV asked for details on the existing colour scheme above the ground floor. DTP said that the existing glazed tiles had been painted white at some time in the past. CV then said that he did not consider that purple should be introduced and that he would rather keep within the palate of colours which is normally used in the Town Area. He also said that instead of painting the stone features, these should be cleaned. The applicant who was in the audience, agreed that if this was what the DPC preferred, then he was prepared to try to clean the stone. The applicant also said that he would be willing to tone down the colour scheme.

It was agreed that CV should meet with the applicant to discuss the colour scheme.

565/12 – BA12068 – Unit 21B (The Cuban) Ocean Village Promenade – proposed revision to extend thatch roof of pergola, install bar and storage cabinets

DTP informed the Commission that this application is a revision to a previously approved scheme. The applicant is now proposing to construct an exterior bar counter and extend the thatched area that was previously approved. There were also proposals to construct some exterior storage areas similar to those existing.

CV highlighted that concern had previously been expressed by members of the Commission who thought that if the previous application was approved, the applicant would revert with these proposals.

The Commission decided to reject the proposed extension of the pergola but allow the proposed storage cabinets.

566/12 – BA12199 – 1b Engineer Road – Proposed demolition of ground floor and 1st floor

This application was approved by the Commission as per the approved scheme.

567/12 – BA12207 – Castle Road – Proposed telecom cabinet

The Chairman made the recommendation that this issue be removed from the list of items to be considered by the DPC and to allow the relevant parties involved to discuss the matter between them, since the DPC would be willing to approve either option.

DCM raised the point that HMGOG has interest in both.

CV said that he has been in discussions with Gibtelecom with regards to improving these sites as they are visited by tourists, and provided an example of a branding (mural) in front of the cabinets which would also act as a tourist information point in the area.

The application was approved for whichever of the sites were possible.

568/12 – BA12208 – 2 Gardiner’s Road – Proposed Gibtelecom distribution cabinets

This application is similar to the previous one but DTP highlighted that there is an issue with loss of parking. Two different locations in which to install the cabinets were proposed. The latest was immediately adjacent to Charles V wall which is a listed monument.

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The Chairman proposed that the location of the cabinets return to their original place as parking spaces would not be lost thus taking into account the recommendation of the Highways Department, and would not affect the listed monument.

569/12 – BA12247 – Unit G1, Cornwall’s Centre (Cheers) – proposed windscreens to enclose terrace

DTP reported that the same proposal had been rejected by DPC in August 2011 on the basis that it would affect the architectural style of the area, the visual integrity and character of the open courtyard, would deprive other commercial users of public visibility of their premises to the benefit of a single commercial entity. He said that the proposal has now been resubmitted on the basis that a smoking area is required for clients. DTP reported that that from a planning perspective there was no change to the scheme that was refused last year.

The application was rejected for the reasons given previously.

570/12 – BA12250 – 35/37 Irish Town – Proposed lift to patio

DTP informed the Commission that a number of residents have mobility issues, hence the request. He said that no objections have been received.

The application was approved.

571/12 – BA12255 – Camp Bay Jetty – Proposed deepening of existing pump chamber

DTP told the Commission that this was a relatively minor project involving the deepening of the existing chamber to allow a greater head of water which was required to pump water to the plant.

The application was approved.

572/12 – Ref 1198/025/12 – 209 Main Street – Relocation of existing sign to 1st floor level

DTP informed the Commission that the sub-committee recommended not allowing relocation of the sign to the upper floor as stated in the Development Plan. This was agreed.

Applications granted permission by sub-committee under delegated powers

573/12 – Ref 1198/027/12 – Street Lamps (various locations) – proposed banners for ‘Think Green Day’

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

574/12 – Ref 1198/025/12 – 209 Main Street – proposed shop signs (fascia sign only approved)

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

575/12 – Ref 1198/023/12 – 7 King Street – Propose shop sign

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

576/12 – Ref 1198/022/12 – 202-204 Main Street – Proposed shop sign

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

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577/12 – Ref 1196 – Café Madeleine, 256 Main Street – Proposed extension to tables and chairs area

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

578/12 – Ref 1196 – My Wines, Chatham Counterguard – proposed tables and chairs area

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

579/12 – Ref1196 – The Clipper, Irish Town - Application for tables & chairs

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

580/12 – Ref 1196 – Gallo Nero, Irish Town - Application for tables & chairs

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

581/12 – BA11659 – 74/75 Governor’s Street – Revised plans on internal alterations

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

582/12 – BA11718 – 59/61 Irish Town – Dispensing of disabled ramp condition

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

583/12 – BA11970 – Gibtelecom, Mount Pleasant, South Barrack Road - Minor revision to approved scheme – Proposed cylinders for FM gas suppression system

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

584/12 – BA12050 – Units 21 and 21A Ocean Village Promenade (Bridge Bar & Grill) – Proposed revision to roof over terrace area

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

585/12 – BA12221 – 128-129 Discovery, Both Worlds, Sir Herbert Miles Road - proposed air-conditioning unit

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

586/12 – BA12224 – Flat 8, 3 Serfaty’s Passage – Proposed internal alterations

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

587/12 – BA12226 – 4 St Christopher’s Close – proposed internal alterations

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

588/12 – BA12228 – G1 Bayview Terraces, Rosia Road - Proposed internal alterations

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

589/12 – BA12229 – Netgear, 12 & 13 Waterport Terraces – Proposed fit out and frontages

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

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590/12 – BA12230 – No 2 Camp Bay Cottages, Rosia Road – Proposed construction of shed within yard

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

591/12 – BA12233 – 221 Peninsular Heights – Proposed glass curtains to balcony

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

592/12 – BA12234 – 11 St Christopher’s Court – Proposed internal alterations

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

593/12 – BA12240 – Buena Vista Barracks, 40 Europa Road – Proposed temporary show garden

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

594/12 – BA12242 – Arengo’s Palace – Proposed partial demolition of building

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

595/12 – BA12248 – 68 Main Street – Proposed internal alterations to shop and interconnecting staircase between ground & 1st floor and repainting façade.

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

596/12 – BA12251 – 3rd Floor, Unit 3CA, Ocean Village Business Centre – Proposed internal alterations

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

597/12 – BA12261 – 26/28 Ocean Village – Proposed internal alterations to shop

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

598/12 – BA12272 – 8 Collingwood Tower – Proposed internal alterations to residential unit

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

Any Other Business

599/12 – BA12296 – O’Hara’s Battery Upper Rock

The Commission was informed that the proposal is to set up a repeater station at the top of the rock for a period of two weeks, to be able to carry out a bathymetrical survey on the eastside of Gibraltar. This project is being led by the Ministry for the Environment.

This application was approved.

600/12 – BA12124 – Maida Vale

DTP reported that works at the Maida Vale site were halted last week as the developer had not yet been issued with a full permit and had been carrying out significant excavation works without permission. The applicants are requesting permission to continue with certain identified investigatative works whilst the various geotechnical assessments are being considered by the

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relevant Government departments. DTP said that investigation is still ongoing as they have not established where the bedrock lies on the scree section of the site DTP pointed out that the works being requested would need to be carried out at some point to enable the scheme that had been agreed to by DPC to progress. This request had been referred to both TSD and the Department of the Environment. DCM advised that he been made aware that same day, that TSD had no objections.

The Commission felt that it was best to issue a permit for the works on stabilization to continue whilst the other permit issues are resolved.

601/12 – Other matters

On other matters CV requested clarification on the issue of the railway tracks in application BA12232. He was told that issues raised were that the applicant would need to retain the tracks with at least part of these exposed.

602/12 – Next meeting

The Commission agreed to next meet on Thursday 22 November at 9:30a.m.