

**APPROVED**

*DPC meeting 7/12*

*19/6/12*

**THE DEVELOPMENT AND PLANNING COMMISSION**

Minutes of the 7<sup>th</sup> Meeting of 2012 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 19<sup>th</sup> June 2012 at 09.30 am.

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- Present:
- The 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 G Matto (GM)  
*(Senior Architect)*
  
  - Mr C Viagas (CV)  
*(Heritage & Cultural Agency)*
  
  - Mr R Labrador (RL)  
*(Gibraltar Heritage Trust)*
  
  - Mr M Gil (MG)  
*(Chief Technical Officer)*
  
  - Dr K Bensusan (KB)  
*(Gibraltar Ornithological & Natural History Society)*
  
  - Mrs J Howitt (JH)  
*(Environmental Safety Group)*
  
  - Mr J Collado (JC)  
*(Land Property Services Ltd)*
- In Attendance:
- Mr P Naughton-Rumbo (Executive Officer) (DTP)  
*(Deputy Town Planner)*
  
  - Miss K Lima  
*(Minute Secretary (Ag))*
- Apologies:
- Mrs C Montado (CAM)  
*(Gibraltar Heritage Trust)*
  - Mr M Birchall (JP)  
*(Defence Land Agent, Rep Commander British Forces)*
  - Mr E Francis  
*(Minute Secretary)*

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**Approval of Minutes**

**328/12 - Approval of the Minutes of the 6<sup>th</sup> Meeting held on the 24<sup>th</sup> May 2012.**

The Commission approved the Minutes of the 6<sup>th</sup> Meeting held on the 24<sup>th</sup> May 2012.

**Presentation**

**329/12 – BA12068 – Unit 21B Ocean Village Promenade – Proposed pergola.**

This item was deferred as the applicant was not present at the meeting.

**330/12 – BA12077 – Secretary’s Lane – Proposed redevelopment with 8 storey office building and open space.**

The Commission welcomed Mr John Summerfield–Large (JSL) on behalf of the applicant.

JSL informed the Commission of the benefits such a development would bring to the old town area. He highlighted the economic benefits including the creation of two hundred plus jobs in the centre of Gibraltar and suggested that this would help re-vitalize the area and attract more people to shops and accommodation in the area. He also referred to public realm benefits which would be brought about by the retention of part of the site as open space and the linking of the area to Main Street through Cathedral Square (this however, is not part of the application). JSL suggested that the economic and public realm benefits justify demolition of the existing building and re-development.

JSL also highlighted that the historical context of Secretary’s Lane has already been substantially modified following changes made to the original architecture of the adjacent buildings. He added that the applicants are working closely with UK modern building design experts to ensure that building regulations are met and the long-life of the building. The building will be exclusively for office use and JSL suggested that this will address the current demand for office space.

JSL added that by adding varied building heights the impact of the overall massing of the building is reduced. He said that glazing of the facades with brise soleils will address the issue of transparency and overlooking. JSL said that his client would welcome further dialogue with the Commission regarding objections raised in relation to scale, size and height of the building.

MEH highlighted that one of the selling points of this project is the creation of a public open space but that the applicant cannot offer it themselves. JSL said that the potential for the creation of this open area is there but that interest from public individuals is necessary.

JH raised her concerns that from the drawings it is difficult to determine how much impact this building will have on residents, for example in relation to loss of light, and that she considers that the size of the building will affect the profile of the Rock. JSL said that within the town area most new buildings will impact loss of light. He said that with this project there will be some loss of light but not substantial, and added that the objections regarding overlooking can be addressed in the building design. JSL added that the benchmark they have stuck with is a 4:1 plot

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ratio and that it is a sentinel building for which the pros and cons of height are many. No objections to change of use from residential to office have been received.

Chairman asked JSL why the Commission should decide in favour of an office site. JSL explained that his client has been approached by one of the top firms in Gibraltar who are interested in being an owner occupier. He also said that there is a huge demand for office space in this area of Gibraltar and that investment in the employment sector in the old town will lead to investment in shops and other areas. He added that investment in the old town cannot be met by improvements on old facades alone; real public investment needs to be brought in.

DCM asked whether this project would be viable with fewer floors. JSL said that there is a limit but that there is scope to look into this.

There were no further questions.

**331/12 – BA12124 – Maida Vale, Engineer Road – proposed residential development comprising 5 villas and 3 townhouses, associated terraces, parking and landscaping.**

The Commission welcomed Mr Simon Evans (SE) on behalf of the applicant.

SE informed the Commission that the plot owner, Angela Miller, plans to turn this derelict site into a sanctuary. He said that in the 1960s planning permission was granted for the construction of a hotel in this area but that this never materialized and the site has become a dumping ground. He highlighted that the present proposal has reduced the density of the site considerably. Previously the proposal was to build 39 dwellings; now 5 villas and 3 town houses will be constructed instead. The development will cover a total of 0.4 hectares and will be 167 meters long and 30 meters at its widest and 12 meters at its narrowest. SE also made reference to the existing policy requiring 5% of land to be designated as green areas. He said that they would be designating 29% of the site as green areas. He also made reference to the curvature of the two buildings on the edge which has been designed to lessen the visual impact of the site. SE said that natural materials are being used in the construction and that massive screening of the lower levels will be achieved by planting. Great importance has been placed on the visual perspective of the building to ensure that it is in keeping with the contour of the Rock and to support the indigenous wildlife. SE also said that a planting platform will be created in between each villa and that they will be planting 166 mature trees and around 300 shrubs.

SE also made reference to sustainability measures catered for by their proposal including covered verandas, brise soleils, solar paneling and the use of organic timber. Roof gardens will also be included in this development and car parking spaces will be green spaces. A home automation ‘Lutron System’ will also be included. SE explained that a Security Lodge has been included in the development for security and maintenance purposes.

Chairman asked how they expect to sustain the vegetation in the corridors between the villas and what guarantee do they have that the irrigation system will be continued in 20 years time. SE confirmed that the construction team will offer their full support on this and that a maintenance plan will be given to the security and maintenance team.

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KB was interested in learning how much electricity will be generated by the solar panels. SE said that no calculation has yet been made and that it would depend on the size of the brise soleil block.

GM requested further information on the Lutron System. SE explained that this is a system of controllable lighting. He said this addresses necessities of smart homes, for example floor heating and the blinds system. He said that from an ecological perspective it is phenomenal.

JH made reference to previous concerns that the development would be visible from town and to loss of trees. She questioned what has changed. SE clarified that one Nettle Tree and one Bay Tree have been lost under consent. He confirmed that no more vegetation will be lost. He explained that two things have been added to their proposal:

1. The central villas have been brought forward by a meter to preserve Nettle Trees above.
2. Mesh cladding necessary to contain the rock face will have planting of Boston Ivy.

DTP asked whether the Nettle Trees behind the central villas will require pruning. The applicant who was in the audience confirmed that they would not.

The Commission raised concerns as to the size of the area in which the 3 town houses will be built. KB asked whether the boundary line would be extended to accommodate the town houses. SE confirmed that all three town houses fall within the boundary line. Members requested a plan of the area since they considered that this issue had not been addressed during the presentation.

JC asked SE whether he could give an indication of what they expect to sell the villas for. SE said that a valuation still has to be done.

There were no further questions.

**Matters Arising**

**332/12 – BA12037 – Ex-key Transport site, Ocean Village – Proposed 3-storey office building with retail or office on ground floor.**

Revised plans have been submitted by the applicant following DPC requests. DTP explained that the glazing has been wrapped round the elevation facing Waterport Road and Watergardens as requested.

The Commission approved the improved scheme.

**333/12 – BA12068 – Unit 21B Ocean Village Promenade – Proposed pergola.**

This item was deferred since representations have not been received.

**334/12 – BA12072 – Units 2, 3, 4 & 5 Little Genoa, Sir Herbert Miles Road – Proposed fitting out for use as cafeteria and convenience store.**

The applicant has requested that the Commission reconsider the decision taken at the last meeting regarding the license area for tables and chairs. The Commission had conditioned them to leave a minimum of 2 meters for the footpath between the wall and the tables and chairs. The applicant has now submitted a new plan rearranging seating so that the promenade goes through

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the middle of the seating area; a similar layout to that existing at the Village Inn restaurant. Concerns were raised as to servers having to cross the public promenade, and the potential for tables and chairs to jut into the promenade from both sides should this layout be approved. DTP asked the Commission to approve the new proposal or maintain their original decision.

The Commission agreed to maintain their original decision that the tables and chairs be kept to one side and a minimum of 2 meters for the footpath be left free.

**Major Developments**

**335/12 – BA12077 – 3 Secretary’s Lane – Proposed redevelopment with 8 storey office building and open space.**

DTP informed the Commission that many representations have been received from tenants of the area and welcomed Stuart Dunn (SD), representing a number of objectors, to address the Commission.

SD said that the biggest issue is with loss of privacy due to the height of the building. He said that there are currently garden areas used by the tenants and privacy in these will be lost. He said that there are also fundamental issues with security and parking brought about by the creation of 200 plus jobs. SD claimed that the proposal does not address issues of the development plan and that the project seems to have been brought forward with no specific plan for the future. He said that the residents of the area recognise that there is a need for office space in Gibraltar but not in this area.

Mr John Summerfield (JSL) was then given the opportunity to put forward his counter-representations.

JSL said that privacy within the old town is a quantitative thing. He said that design detail can address privacy issues. He added that the height of the building is also something that should be addressed in the design. Referring to the issue of traffic, JS said that this is already a constant issue in this area.

JH asked JSL how they consider that no parking provision within this development will affect mobility in the area. JSL said that the developer felt that the site should not attract more cars to the area, so their original plan to include 2 floors of parking was removed. He added that in any building within the old town area you will have people being dropped off and that the traffic problem stems from the existing narrow road and not due to this development.

DTP said that the main concerns from a planning perspective are with the mass of the proposed building and not the contemporary architecture approach. The idea of stepping up to break up the massing of the building was welcomed. DCM said that he was in agreement with the DPC paper and recommendations. DTP also informed the Commission that the Heritage Agency has objected on the grounds that the building does not fit into the character of the area. DTP also highlighted the general areas of concern expressed by objectors including:

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- Loss of privacy
- Loss of amenity
- Increased traffic flows and increased traffic/pedestrian conflict
- Contrary to planning policy – in particular design and scale, height, out of context
- Building should be set back from eastern boundary
- Loss of privacy and security concerns arising from creation of public open space to rear
- Overshadowing adjacent properties
- Loss of light and overlooking
- Risk of damage to adjacent properties
- Noise, nuisance, disturbance during construction
- Increase demand for parking spaces
- Existing building should be retained
- Loss of views and market value

TP asked the Commission to consider whether the existing building should be demolished or whether it has historical significance and should be preserved. KB suggested that the Commission should wait for recommendations from the Heritage Agency before taking a decision. RL said that the area in general has been retained and kept in a good condition by Government. He said that Leon House and the Seclane building should have never been allowed and that it would be a shame to allow the existing building to be destroyed. RL added that the Heritage Trust would object to its demolition. CV suggested that the value of the current building should be considered along with whether what we will be getting will be something to be proud of from a cultural point of view. CV said that he would not be comfortable with a building of that density in this area and that the impact which the building will have on the area should be considered, along with the fact that allowing this development will set precedent for the future.

MEH said that the general conclusion is that it is the concept that is not acceptable and not the possibility of constructing something there.

GM said that he does not see any significant architectural value to the existing building and that he would say yes to redevelopment but no to monolithic building.

The Commission agreed to arrange a site visit to the area and the item was deferred until the next meeting.

**336/12 – BA12124 – Maida Vale, Engineer Road – Proposed residential development comprising 5 villas and 3 townhouses, associated terraces, parking and landscaping.**

DTP informed the Commission that outline planning permission has been granted and that the applicant has addressed previous conditions set by the Commission, including the landscaping around boundaries and corridors, and the issue of trees being affected by excavation works. DTP also informed the Commission that rock protection measures are required in this development and that full details have been sent to the relevant consultants but feedback is pending. He said that rock protection measures would be required in the immediate excavated area but that this would also be planted and not visible from the front or above.

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JH suggested that it would be beneficial for the Commission to see a landscape view of the development from afar. The applicant who was in the audience claimed that it is difficult to see the site from any point and that the visual aspect has already been addressed in every way possible. Chairman requested that the applicant provide a photo montage of this in the next meeting so that the Commission can consider the impact of the development from afar.

DCM and MEH agreed that views from a distance should have been considered before granting outline planning permission and that the current proposal is definitely an improvement and a strong statement for an environmentally friendly development. DTP reminded the Commission that at the outline stage photomontages from a distance had been submitted and considered by the Commission before it granted outline planning permission.

GM suggested that the 3 townhouses seem to be a second phase of the development and questioned whether it would be possible to remove these from the plan and create one more villa instead. The applicant said that one more villa would not fit on the site. JH added that the townhouses will be located right at the entrance to the nature reserve and that they are too near to the road. RL asked whether 1 townhouse could be built instead of 3 but SE said that the commercial viability of the site is an issue.

Chairman also asked the Commission to consider whether they should condition the applicant to design the garage entrance of the townhouses through the rear to allow vegetation in the front. MEH agreed that more effort in screening of the townhouses would be beneficial. SE confirmed that natural and organic materials would be used for the facades to suit the location.

The Commission agreed that they have no objection to the main 5 villas but asked that the architects of the project meet with the town planners to discuss possible improvements to the 3 townhouses.

The Commission approved the application subject to tweaking with the architectural details for the 3 townhouses. A more detailed presentation on the townhouses was requested for the next meeting.

**Other Developments**

**337/12 – BA9852 – 3/4 George’s Lane – Proposed roof top extension.**

This item was deferred as it had not been possible to view the site.

**338/12 – BA11766 – 7 Europa Road – Proposed demolition of vacant Casino building.**

Chairman informed the Commission that representations have been received from AquaGib since one of their tanks is located in the area. MG also informed the Commission that the MOD also has a tank on site.

MEH said that this request has not been studied by the Department of the Environment and that he would ask for an adjournment. He said that demolishing a building with no project for the future is not ideal.

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DCM confirmed that as the Minister for Lands, he has not had any involvement in this development.

The Commission rejected the request for demolition on the grounds that there is no indication that they have plans for the future use of the site. The request will only be considered if a full planning application is submitted.

**339/12 – BA11849 – Container Berth, North Mole – Proposed tank farm.**

DCM informed the Commission that the screening direction is that a full EIA assessment has to be conducted.

Chairman said that the applicant will be given time to take the necessary steps towards having an EIA assessment carried out and that once the report is received, the application will be brought to the Commission.

This item was therefore, deferred.

**340/12 – BA12049 – Unit 13 7/13 Cooperage Lane – Proposed change of use from store to shop customer services CTS.**

DCM declared an interest as Chairman of Gibtelecom.

DTP informed the Committee that there are no planning objections to the change of use from store to CTS sales office. The Commission approved the request.

**341/12 – BA12051 - 3 Scud Hill – Proposed change of use offices/store into nursery.**

DTP informed the Commission that no objections have been received for the change of use from offices/store into a nursery. He said that concerns have been raised by the Technical Services Department (TSD regarding the request for two parking spaces for the nursery's private use, which would result in the loss of existing motorcycle parking spaces. The views of the Traffic Commission would also be required on this issue.

The Committee raised concerns as to whether the area is appropriate for a nursery considering that there are no external playing areas and that it is a busy traffic area. However, DTP reminded the Commission that approval was given recently to another nursery in the center of town with no parking or external playing area.

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

4 votes in favour

3 votes against

2 abstentions

The Commission approved the change of use but rejected the request for 2 parking spaces.

**342/12 – BA12076 – King's Wharf – Proposed installation of "Sail" sunshade to pool area.**

The Committee approved the application to install "Sail" sunshade to the pool area.



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**343/12 – BA12078 – 17/4 Gardiner’s Road – Proposed garages for 4 cars.**

DTP explained that objections to the application to construct 4 garages in this area have been received from TSD and Land Property Services Ltd (LPS). TSD have advised that the entrance ramps of the garages as per the details submitted by the applicant encroach onto the public highway and cause restriction to water drainage. LPS have highlighted that the proposed project falls beyond their lease boundary.

DCM said that in the past there have been discussions about opening Green Lane to traffic and that this proposal should not affect that possibility.

GM suggested that the Commission could condition them to having stepped decks so that ramps are not necessary.

The Commission requested DTP to ask the applicant to redesign their proposal so that it did not encroach into the highway.

**344/12 – BA12085 – 10 Irish Town – proposed internal lift, conversion of apartment into two and associated works.**

DTP informed the Commission that the proposal is to install a lift in an internal light well and divide an apartment into two. External alterations would include the replacement of windows with new timber windows and shutters and the removal of old air conditioning units.

The application was approved by the Commission.

**345/12 – BA12090 – Unit 20, Watergardens – Proposed internal alterations and change of use to restaurant/takeaway.**

DTP explained that only minor internal alterations would be involved to enable the change of use to restaurant/takeaway. No major external alterations would be involved except for the inclusion of louvers for air conditioning which would be recessed behind window panels.

The Commission approved the application.

**346/12 – BA12093 – FP712, 329B Main Street – Proposed amalgamation of two shops into one and new frontage.**

The Commission approved the application to convert two shops into one and approved the request to change the shop frontage to have two display windows on either side and an entrance door in the middle.

**347/12 – BA12098 – 1B Engineer Road – Proposed conversion of 2 storey house into 4 storey house.**

DTP informed the Committee that this is a full application following granting of outline planning permission. The conversion includes the construction of a garage; setting back of main building; creation of terraced areas; terracing to the garden area; and a green roof. DTP said that the applicant has been asked to carry out a detailed tree survey so that there is a record of existing trees in the area and to ensure that these are retained.

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The Commission approved the application but that no permit was to be issued until the requested tree survey had been submitted.

**348/12 – BA12102 – 59 Europa Road – Proposed additional storey to rear and roof terraces.**

DTP explained that from a planning perspective the utility room on the front of the proposed rear extension does not fit in with the rest of the building and that the recommendation is that it should not be permitted.

JC highlighted that this is quite a big extension to the property and asked whether the intention is to later divide it into two houses. The applicant, who was in the audience, confirmed that this is not the intention.

The Committee approved the application with the exception of the utility room.

**349/12 – BA12104 – Ground Floor, Watergardens 6 – Proposed change of use from store to office.**

DCM declared an interest as Chairman of Gibtelecom.

The Commission approved the change of use from store to office.

**350/12 – BA12105 – Ex MOD Medical Centre, 36 Queensway – Proposed demolition of building.**

The proposed demolition of the Ex MOD Medical Centre was approved by the Commission.

**351/12 – BA12108 – 9 Willis's Road – Proposed additional storey with terrace and garage above with vehicular access from Calpe Road.**

DTP explained that the proposed additional storey and garage will not be visible from Willis' Road. He added that there are no planning objections but that since part of the wall on Calpe Road will have to be broken through in order to construct the garage, the application needs to be presented to the Traffic Commission. DTP highlighted that the proposed garage entrance from Calpe Road would be across the front of an existing garage and that the status of this land would need to be established.

The Committee did not have any objections and approved the request.

**352/12 – BA12110 – St Andrew's Church of Scotland, Governor's Parade – Proposed re-roofing.**

DTP informed the Commission that the request is to replace asbestos sheeting with a new roof using a material which resembles zinc.

CV requested a sample of the material to ensure that it is in keeping with the building architecture.

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The Commission approved the proposal subject to detailed construction details being submitted by the applicant.

**353/12 – BA12113 – Vista Alegre, Europa Road – Proposed demolition of single storey garage and small wall. Part of approved scheme (BA11800).**

The Commission approved the request to demolish the single storey garage and wall.

MEH left the meeting as he had to attend to other duties. Before leaving he said that he was in agreement with application BA12119 Jew's Gate, Queens Road and Ref1281/33 Western Beach.

**354/12 – BA12115 – 2 Camp Bay Cottage, 51 Rosia Road – Proposed canopy on allocated parking spaces.**

DTP informed the Commission that the request to install a canopy on these parking spaces would not be physically attached to the listed Wall (10<sup>th</sup> Rosia Battery)'. He added that there have been representations from the Traffic Commission who would refuse the application if the parking spaces are on public highway. JC confirmed that the parking spaces were allocated to the residents of the area but were never regularised.

The Commission approved the request.

**355/12 – BA12116 – CP1282B, Comorant site, Queensway – Proposed temporary surface car park for 366 spaces.**

DTP said that this application was approved at the last meeting subject to plans being provided. He also said that recommendations have been made by the Traffic Commission as follows:-

- Inclusion of disabled bays;
- Provision for electric connection points for electric vehicles within the car park;
- Conversion of the zebra crossing near the car park into a pelican crossing;
- Placing of signage directing pedestrians into the town area.

MG confirmed that he will present the recommendations to Government.

GM asked what will be happening with the trees in the area and TP confirmed that they will all be retained.

DTP asked whether there would be provision for motorcycle parking within the car park. MG said that there will be no motorcycle parking within phase 1 but that it could be provided within phase 2. JH requested that bicycle racks be included within the car park.

Subject to the points raised the Commission had no objections.

**356/12 – BA12118 – 206/210 Main Street – Proposed internal office refurbishment.**

DTP explained that the proposal is to carry out internal works at 206/210 Main Street for use as offices for the Treasury Department.

CV explained that black shutters, stone cladding on the ground floor and a grey and white colour scheme are being considered for the external façade. A discussion on the most appropriate colour scheme ensued and CV agreed to present the Commission with a sample of the grey colour.

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The Commission had no objections to the proposal..

**357/12 – BA12119 – Jew’s Gate, Queens Road – Proposed refurbishment of cemetery.**

DTP informed the Commission that the proposal is to reconstruct the access stairs and introduce raised walkways around the site. Seating areas will also be added to the site. The Heritage Agency has asked that careful attention be given in ensuring that the graves are not affected during construction, and have offered their services for any necessary excavations.

CV confirmed that this is a project initiated by the Jewish Community and backed by Government. He confirmed that the materials will be fitting for the area.

The proposal was approved by the Commission.

**358/12 – BA12120 – Waterport Terraces – Proposed replacement of existing vehicle barriers with roller shutters.**

The Commission approved the request to replace the existing vehicle barriers with roller shutters at the entrances to garages in Waterport Terraces.

**359/12 – BA12122 – 3/4 Irish Place – Proposed internal fit out of offices with change of use of part of 3<sup>rd</sup> floor from residential to office.**

DTP explained that the applicant is proposing to retain a studio apartment and convert the rest of the area into offices. There will be no external alterations since the balcony area will not be enclosed.

The Commission approved the application subject to the existing windows on the east and west facades being replaced by windows that are in-keeping with the character of the building.

**360/12 – BA12125 – 9 Casemates Square – Proposed internal and frontage alterations to shop.**

DTP explained that the proposal is to change the shop frontage to have one display window and an off-set door. With regards to the ramp that has been included in the design, DTP said that they are awaiting a report from TSD. MG suggested that the ramp is out of character.

The Commission decided to approve the application but not the external ramp.

**361/12 – BA12126 – Motor Cycle Club, 1 Brian Navarro Way – Proposed installation of dish and antennae (Eazitelecom)**

DCM declared an interest as Chairman of Gibtelecom.

DTP informed the Commission that the proposal is to install the antennae on the roof towards the back of the premises. He said that the distance to the nearest residential building is approximately 162m.

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JC said that he would refuse the application given that this is a Government owned building for which the Motor Cycle Club do not pay a high rent and will now be receiving payment from Eazitelecom.

The Commission agreed that this was not a planning matter but something to be resolved between the landlord and tenants.

The Commission approved the application.

**362/12 – BA12127 – Royal Naval Hospital, Europa Road – Proposed conversion of Blocks C and D into Mental Health Hospital**

DTP informed the Commission that some alterations are being made to the building, mainly to internal areas. Alterations include glazing to balconies for safety reasons and a two storey glazed extension by the bridge to accommodate circulation requirements. CV explained that alterations are necessary to accommodate safety and means of evacuation. DTP added that the internal courtyards are being refurbished and that green measures are being put in place for example in recovering waste heat from the air conditioning units to produce hot water. Completion is expected by July 2013.

RL said that the Heritage Trust has not been on-site and that issues with the arches have been raised by them.

The Commission raised no objections.

**363/12 – Ref1281/33 – Western Beach – Proposed reclamation for beach car park.**

DTP informed the Commission that the Town Planner's Screening Opinion suggests that there is no requirement for an EIA assessment to be carried out.

Chairman confirmed that strict requirements are being placed on construction to ensure that the marine life in the area is not affected. He said that the coastal line will be altered slightly and that with regards to the environmental impact of the project, the Commission should consider that part of sea will be lost to create land but that this will allow for improvements to public amenities in the area. MG confirmed that there will be a gate preventing access to the car park at night and during the winter.

JH said that the Commission had not been given enough time to study this project and its impact on the area carefully. She questioned why construction had started during the bathing season. MG said that the works do not affect the road or car park currently used by the public and that a silt curtain has been placed to ensure that the public is not affected. He said that works should be finished before the end of the bathing season.

JH said that the original idea was for the land to be used by Toyota and asked whether this was still the case. DCM said that this was not the case at the moment.

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KB asked that Darren Fa be consulted in relation to the rocks used for the revetment. MG confirmed that they are already in consultation with him.

**Minor Works – not within scope of delegated powers**

**364/12 - BA11133 – Unit 2/3 Lighthouse Cottages – Revised proposal to add new window to extension.**

DTP informed the Commission that the adjacent neighbor did not object to the encroaching window subject to being of timber as she is keeping the timber windows in her property.

TP suggested that the timber windows to complement her back patio should be conditioned considering that she is permitting the encroachment.

The Commission considered that since the encroaching window would be seen in the context of the neighbour's property (as opposed to the applicant's) and that as the neighbour's existing and proposed windows are/would be of timber it would be appropriate for the new window to be of timber. The Commission approved the request to add a new window to the extension on the condition that it has to have a timber frame.

**365/12 – BA11507 – 13 Governor's Street – Proposed replacement of existing roof with terrace.**

The Commission approved the application.

**366/12 – BA11569 – 2 Casemates House: Application for Tables & Chairs**

DTP said that this was an error and this item should not have been included in the agenda as it had already been dealt with.

**367/12 – BA12109 – Unit 66, New Harbours – Proposed installation of freestanding wash bay.**

DTP confirmed that the Environmental Agency has not made any representations and that the proposal will not affect drainage in the area. He also confirmed that there will be no loss of parking since the applicant will be able to park his vehicle on top of the wash bay at night.

The Commission approved the application.

**368/12 – BA12117 – Pavement, Eastern Beach Road (North end) – proposed seasonal kiosk.**

MG objected to the proposed kiosk on the pavement at the north end of Eastern Beach. He said that it has to be made clear that a license can only be given for the period of one year and that Government should retain the right to remove the concession at any time. The applicant who was in the audience said that he has a license for three months and that he has a place in which to store the kiosk once the license has expired.

DTP recommended that the permit should only be granted for the summer season and that the kiosk would need to be removed thereafter.

The Commission approved the application subject to it being limited to the summer season only and subject to subject to MG confirming there were no objections following discussions he would hold with the Ministry for Tourism.

**APPROVED**  
*DPC meeting 7/12*  
19/6/12

**369/12 – Ref1198/017/12 – Ju-jitsu Martial Arts: Application for banners. Decision by round robin: Approved.**

The Commission noted the approval by round robin of the application for banners by the Ju-jitsu Martial Arts.

**370/12 – Ref1225 – Sub-Committee Delegated Powers – sub division of units at Ocean Village**

DCM confirmed that he has no issue with this matter being dealt with by the sub-committee.

DTP confirmed that the units would have the same use just sub-divided as they are finding it hard to rent the larger units.

The Commission agreed that such applications could be dealt with by the sub-committee.

**Applications granted permission by sub-committee under delegated powers (For information only)**

**371/12 – BA11309 – 84/90 Main Street: Proposed additional storey.**

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

**372/12 – BA11805 – Jury’s Café, 275 Main Street – Proposed signage.**

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

**373/12 – BA12000 – 32 Somerset Court, Laguna Estate – proposed sign.**

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

**374/12 – BA12049 – Unit 13 7/13 Cooperage Lane – Proposed conversion into CTS offices/shops**

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

**375/12 – BA12094 – 30A Devil’s Tower Road – Proposed internal alterations to offices.**

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

**376/12 – BA12096 – Unit 7, ICC – Proposed awning.**

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

**377/12 – BA12101 – 137 Peninsular Heights: Application for glass curtains.**

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

**378/12 – BA12106 – 106 Peninsular Heights: Application for glass curtains.**

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

**379/12 – BA12106 – 106 Peninsular Heights: Proposed glass curtains.**

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

**APPROVED**  
*DPC meeting 7/12*  
19/6/12

**380/12 – BA12107 – 212 Cumberland Terraces – Proposed removal of internal partition.**  
The Commission noted the approval granted by the sub-committee.

**381/12 – BA12111 – 416 Cumberland Terraces – Proposed removal of internal partition.**  
The Commission noted the approval granted by the sub-committee.

**382/12 – BA12112 – Suite 941, Europort – Proposed internal office alterations**  
The Commission noted the approval granted by the sub-committee.

**383/12 – BA12114 – 18 Laburnum Lodge, Montagu Gardens – Proposed internal alterations.**  
The Commission noted the approval granted by the sub-committee.

**384/12 – BA12121 – 160 Main Street – Internal alterations to shop.**  
The Commission noted the approval granted by the sub-committee.

**385/12 – BA12123 G21 & G22 ICC Main Street – Application for internal amendments from BHS to Oasis Shop**  
The Commission noted the approval granted by the sub-committee.

**386/12 – BA12128 – Apt. 312 Watergardens III, Waterport Road – Proposed internal alterations.**  
The Commission noted the approval granted by the sub-committee.

**387/12 – Ref 1198/016/12 – Calentita Night 2012: Application for banners.**  
The Commission noted the approval granted by the sub-committee.

**Any Other Business**

**388/12 – Next Meeting**  
The Commission agreed to next meet on 26<sup>th</sup> July 2012.