

APPROVED
DPC meeting 2/14
25/2/14

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 2nd Meeting of 2014 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 25th February 2014 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 H Montado (HM)
(Technical Services Department)

Mr G Matto (GM)
(Technical Services Department)

Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

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

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

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

Mrs J Howitt (JH)
(Environmental Safety Group)

Mr J Mason (JM)
(Rep Commander British Forces, Gibraltar)

In Attendance: Mr P Naughton-Rumbo (DTP)
(Deputy Town Planner)

Miss K Lima
(Minute Secretary)

Apologies: None

Approval of Minutes

46/14 – Approval of Minutes of the 1st meeting of 2014 held on 30th January 2014

The Commission approved the minutes of the 1st meeting of 2014 held on 30th January 2014, subject to the following amendments (in bold):

Minute 4/14 – last paragraph – page 6– BA12872 – Ex Royal Gibraltar Yacht Club – Proposed hotel and office development

The Chairman said that it is difficult to summarise the variety of opinions but that all considerations are recorded and welcomed. He said that although the site is an unbuilt area, adjacent buildings such as King's Wharf are already prominent features. The Chairman said that the site has to be developed, as mentioned by the Deputy Town Planner, as it has always been earmarked for development on the relocation of the ex-Yacht Club and that perhaps the solution is trying to achieve a better architectural form. He said that there is no design guide but that he trusts that the architect will take on the recommendations and revert with a better design. The Chairman thought that the box-like structure, does not give any credit to Gibraltar and that it is not the style adopted by Marriott elsewhere. **The Chairman also suggested to the applicant that it was preferable that a project such as this should be seen as an asset, enriching the area for all, including residents in the vicinity of the development to provide a sense of community amenity facility in both its open and communal areas of the site.** The Chairman recommended that the applicant be advised to resubmit an outline design and said that the public will again have the opportunity to submit their objections, if any.

Matters Arising

47/14 – BA10014 – Western Beach – Proposed construction of beach kiosk

DTP confirmed that a site visit was carried out to establish the location of the kiosk in relation to the sand dunes. During the site visit it was established that the construction of the new kiosk would not affect the sand dunes. DTP also said that at the previous meeting concerns were on the architectural character of the kiosk. DTP also expressed concerns over development of the whole footprint and the consequent likelihood of encroachment of the tables and chairs area on the beach. DTP recommended that the kiosk only covers half or two thirds of the entire footprint to avoid encroachment. DTP further commented that Government's future plans for this area should be borne in mind to ensure that the proposal did not prejudice these in any way.

JH highlighted that data readings for water quality at Western Beach are very concerning. She said that readings for February 2014 show that water quality levels are illegal. JH thought that this should be taken into consideration by the DPC.

KB concurred with JH saying that providing a kiosk sends the wrong signal for people to use the beach. KB thought that water quality should be a planning consideration.

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The Chairman said that he accepted that water quality should be a planning consideration but it's the responsibility of the Environmental Agency to determine if the beach is allowed to remain open or not, who he said, has not commented on this factor in the application.

MEH highlighted that the source of the water pollution is not Gibraltar. He said that the kiosk facility is available during the summer and that it can be used regardless of whether people bathe or not. MEH added that he shares JH and KB's concerns and said that HMGOG is constantly monitoring the water quality.

The Chairman said that HMGOG is offering a more permanent facility and that this is the only beach which does not have one at present. He said that the applicant had confirmed that he spends £1000 to lay the existing kiosk and base every year. He also said that the applicant is willing to use a timber cladded structure.

DCM thought that the new structure is an improvement and agreed with the recommendation that it should only cover two thirds of the area to allow for tables and chairs. With regards to pollution, DCM said that everyone shares the same concerns but that people do not only go to the beach to swim. DCM said that he supports the proposal.

KB clarified that he also supports the proposal despite his concerns over the water quality.

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

7 in favour

1 against

2 abstentions

The Commission approved the construction of a new kiosk covering two thirds of the area and the rest of the area to be used for tables and chairs.

48/14 – BA12837 – 17/17/19 Rocio House, Rodger's Road – Proposed alterations including proposed new garage and construction of lift within light well.

DTP advised that at the previous meeting the construction of a lift was approved but that the Commission requested further details on the turning circles for the proposed new garage. DTP said that details have been submitted and that although turning circles would be tight, there would not be a need to remove on-street parking spaces. DTP also said that concerns on the loss of character were also raised at the previous meeting.

CAM said that the Heritage Trust does not welcome the loss of features on the ground floor and that allowing this would create a precedent.

The Commission refused the proposal to create a new garage due to the loss of architectural features.

Major Developments

49/14 – BA12850 – Rosia Bay – Proposed redevelopment for leisure use

The Commission welcomed the applicant's architects, Mr Patrick Gomez and Mr Christian Revagliatte.

Mr Revagliatte told the Commission that Rosia Bay is a beautiful and historically important site which has suffered neglect over the years. He said that his client Europa Point Management Ltd is proposing to redevelop the site for leisure use and that the theme of the proposal derives from the physical nature of the area. Mr Revagliatte explained that the redevelopment will be done in three phases; the regeneration of the mole, the extension of the beach and a building on the southern boundary.

Mr Revagliatte told the Commission that the fortification wall of the current walkway is unsafe and not maintained. He said that repairs will involve the reconditioning of the breakwater and refortification. His client has identified the need to provide a boat rack for divers in the area and the area will also be used to drop off and collect passengers for the dolphin safari. Mr Revagliatte also said that the existing beach has been washed away and that measures will be implemented to ensure that this does not reoccur. He said that a preliminary study has been carried out on wave attenuators. Mr Revagliatte also informed the Commission that the proposal includes a floating play park and beach club. He said that these will be constructed over the water and that the beach club will include a sun deck, restaurant and a kiosk. He said that it will be built on timber decking and disabled access will be provided.

Mr Revagliatte said that the southern end of the site will be the location for the water theme park. He said that it will be a shallow building which will not extend over the fortification wall. It has been purposely designed as an attraction park within a building. Although it will be necessary to breach the wall by approximately 3 to 4 meters, Mr Revagliatte said that in consultation with the Heritage Trust, it has been agreed that the breach will be made in an area of the wall which is not original. The breach in the wall is necessary to provide disabled access. He explained that the building will have a double height space and a glass façade. He said that apart from the water park, the building will have rooms for parties, toilets and offices for the administrative staff of the facility. Mr Revagliatte also said that 29 car parking spaces will be provided for staff and that vehicular access will be limited to staff and emergency vehicles.

KB said that they claim that the beach has eroded away during the years but questioned whether the applicant has looked at historical records of what it was like in the past. Mr Revagliatte said that they have not looked at historical records of the beach. KB also asked whether they have looked into methods of keeping the beach clean if they are going to encourage mooring of boats in the area. Mr Gomez confirmed that engineers have been engaged to look into this.

The Chairman asked whether the boats which they foresee using the area will be private or public. Mr Revagliatte said that they have consulted the diving association but that they will probably mostly be private.

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CV welcomed the scheme as the area has been neglected throughout the years. With regards to the breach in the wall, he said that sometimes it is necessary to make sacrifices to redevelop an area. He also said that the business plan should consider repairing the mole. Mr Gomez confirmed that the part of the wall being breached is not original and that a full business model has been undertaken and studied by his client, whose project has full financial backing.

DTP asked how much access will be provided to the general public. Mr Revagliatte said that his client wants the area to be open 24 hours a day but that access to the building will be controlled. Mr Gomez said that the proposal has been prepared with the public in mind.

JH said that most Gibraltarians would welcome refurbishment of this area. She said that the ESG has cleaned up the area over the years and that it is an area which has suffered from vandalism. However, she said that she would have preferred HMGOG to carry out the restoration. She asked whether the bar over the water is necessary and requested more details on access. JH also said that parking is a huge issue in this area and that plans should mitigate traffic issues. From an environmental perspective, JH said that there is a storm drainage issue in the area and that this should be investigated. She suggested that Gibraltar needs a National Maritime Centre and that this would have possibly been an appropriate site.

CAM said that the Heritage Trust has been on site and discussed the proposal with the applicant. She said that the proposal is compatible with the area but that no reference is being made to the historical use of the site. She also said that the proposed breach location would be the natural place for it. She also said that perhaps the Century Walk link to Parson's Lodge could also be redeveloped.

The Chairman said that the proposal does not include much on historical interpretation. Mr Gomez said that they will look into introducing historical references in a subtle way, similar to the way it has been done in King's Bastion. He suggested working with the Heritage Trust on this.

DCM asked whether they would be providing premises for the diving associations. Mr Revagliatte said that there will be a dive shop in the building.

KB said that this proposal would require a full EIA and highlighted that biodiversity in the area is crucial for divers interests.

The Commission did not have any further questions and thanked Messrs Revagliatte and Gomez.

The Commission welcomed Mr Levy Attias who has objected to the proposal.

Mr Attias told the Commission that he is the lease holder of an apartment at Rosia Plaza and has objected to the proposal by way of letter. He said that it is important for the DPC to advocate a fitting use for the area and that the Commission should not be chained to support this application simply because there were no other applicants. He said that Rosia Plaza management echoes his objection. Mr Attias said that a Disneyworld-type proposal does not fit in to this area and that other historically important areas have not altered in this way. He said that the walls have

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historical and heritage value and that the project should preserve the calm, serenity and beauty of the area. Mr Attias thought that the project is not fitting in terms of height, size and depth and said that although he enjoys these types of entertainment areas, this is not a suitable location. He said that the project is ill-conceived and that Rosia Bay is an ill-fitting location.

The Chairman asked Mr Attias what he would propose for the area. Mr Attias said that he is not a developer but that the area needs to be redeveloped maintaining its peace, serenity and nature.

The Commission had no further questions for Mr Attias.

DCM clarified the procedure saying that HMGOG invited expressions of interest to redevelop the site and 18 applications were received. He said that a Committee was then set up who viewed the proposals and narrowed them down to three, out of which this one was selected. He said that this is an outline application and that the DPC is not forced to accept the proposal. DCM also said that from a personal perspective, he also thought that the heritage aspect should be introduced.

MEH said that the site has been derelict for many years, hence Government's decision to invite expressions of interest for redevelopment. He said that private investment is positive. MEH also said that the challenge is not to destroy nature and that he does not consider that the project will. He said that the sewage outlets would have to be diverted out of the area and that wave attenuators should not impact on water flow. He also said that cleaning and maintenance of boats cannot be done in this area, and that the dolphin safari boats should be berthed elsewhere. MEH also suggested that perhaps the roof of the building should be used to compensate for the loss of open space. With regards to biodiversity of the area, MEH said that this should be protected, enhanced and interpreted. MEH also advised that good public transport to the area should be considered, perhaps by providing shuttles or access by sea. MEH also noted that the restaurant should not have an impact on the sea bed as it will be built on stilts. He said that although the proposal needs tweaking, it has potential and that he would support it as an outline proposal.

KB highlighted that the replenishment of the beach might impact biodiversity. He said that the outline proposal could be tweaked and that any ecological concerns can be met with a full EIA. He said that it is in the divers' interest to promote sustainability. KB welcomed an increase in public amenity.

CAM said that she respected Mr Attias' view on a personal level and that the Heritage Trust often struggles with investment versus conservation.

DTP said that screening is required and that it is necessary to assess the construction of the beach club as there are protected limpets in the area. He also suggested that the introduction of a promenade in front of the building could be achievable and that water circulation also needs to be assessed.

DTP advised that the Ministry for Heritage is supportive of the project but has indicated that there is high potential for underwater archeology in the area, and has requested that an Archeological Watching Brief is carried out.

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DTP also told the Commission that TSD has requested further details on the reconstruction of the mole and wave regime of the area. They have highlighted that it would need to withstand a 1 in 200 year storm. TSD has also highlighted the need for a traffic management scheme.

From a planning perspective, DTP said that the project is generally in line with the Development Plan policy for the site. He said that physical intervention is limited mainly to the water park building which will be built on already reclaimed land. He said that the concept of glazing the building allows visibility and that although there is a breach of the wall, in the overall scale of the project this is limited. DTP said that more thought should be given to access, especially during hours when the pool building will be closed. DTP said from a planning point of view the scheme is welcome but that further studies should be carried out on ecology, wave regime and water quality.

JH asked whether details on services have been provided. DTP said that he does not have any details at present but that these would have to be designed sensitively.

The Chairman asked the Commission whether any member concurred with Mr Attias' objections.

CV said that he understood Mr Attias' point of view but that sometimes it is necessary to consider options in order to redevelop an area. CV said that he welcomed the scheme.

The Commission unanimously agreed that the scheme was acceptable subject to the outcome of an EIA covering such matters as ecology, heritage, wave regime, water quality, traffic and infrastructure.

50/14 – BA12904 – Caleta Hotel, Sir Herbert Miles Road – Proposed refurbishment of facade, construction of new 5 star hotel, car park, residential and serviced apartments and new residential units

DTP informed the Commission that the applicant had provided a scale model of the proposed development. He also said that this development would be subject to an EIA and that the applicant has already contracted an environmental consultant to conduct the assessment.

The Commission welcomed the applicant Mr Brian Callaghan and his architect Mr Mario Sequeria.

Mr Callaghan told the Commission that he considered that his proposal has enormous merit as an architectural scheme and that it will bring vast public benefit. He said that this is his response to HMGOG's interest in improving hotels in Gibraltar.

Mr Sequeria advised that the project will be divided in two; the Caleta Hotel renovation including construction of 40 new rooms and a car park and the construction of a residential apartment building, 50 serviced apartments and 5 sea view houses.

Mr Sequeria explained that 40 five star hotel suites will be constructed on 6 floors over the existing building on the corner of the hotel which currently houses their staff quarters. He said

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that they are also proposing to enclose the balconies and replace with windows. He said that the interior will be sophisticated and charming but that it is still work in progress.

With regards to the residential building, Mr Sequeria said that his client obtained outline planning permission in 2007 for an 11 storey residential building on the southern side of his site. He said that they would be demolishing the existing hotel annex and will construct a building with 50 apartments. He said that a gap will be left between the hotel and the residential building to provide access to the seafront. Mr Sequeria also said that they will create a natural pool below the building to prevent wave erosion. Mr Sequeria explained that at present 52.3% of sea views are blocked and that their proposal will only block 36% of sea view and allows 64% sea view. He said that a public sidewalk area will also be included increasing the available public area from 1398m² to 3554m². Mr Sequeria also told the Commission that the concept of the sea view houses is that they will be oval in shape with projecting balconies. He said that shadow studies show that their impact will be minimal.

Mr Sequeria said that the exterior facades will be constructed using cream Ataija Stone which will look similar to the limestone in the surrounding area. He confirmed that energy efficiency measures are being considered including ventilation, high performance windows, LED illumination, photovoltaic, solar hot water system, rainwater harvesting, intelligent energy management systems, etc.

DCM asked whether the parking being proposed will be for hotel guests only or whether it can be used by the public. Mr Sequeria said that 175 spaces will be provided; 66 will be public and 109 private.

JH questioned whether the whole project is necessary or whether the hotel alone would be viable. Mr Callaghan said that the whole area is in need of redevelopment. He also said that the intention is for the ground level of the apartment building to be used as commercial premises.

KB said that the area currently experiences problems with the macaques and asked whether this has been taken into account. Mr Sequeria said that this is the reason why they are proposing to enclose the balconies. He also said that other solutions are being considered and that features which would be problematic with the macaques, such as water features at the entrance of the hotel, are not being proposed.

MEH asked what their intended market for the residential building is. Mr Callaghan said that they intend to attract Gibraltar residents who are looking to upgrade, as well as attracting people looking to relocate to Gibraltar.

MEH said that he did not recall permission having been granted in the 2007 outline planning approval, for construction in the area furthest south where the five houses are being proposed. The Chairman said that approval was not granted by the DPC and that discussions were directly between the Landlord and the applicant. Mr Callaghan said that he was granted a lease for the area sometime in 2009 and that this was linked to the widening of Sir Herbert Miles Road. He said that he sold part of his land to Government and purchased this area from them at the same time.

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JH thought that the proposed frontage ignores the fact that hotel guests should be able to enjoy the views from the hotel. Mr Callaghan said that he did not consider that it detracts from the rock view and that it will provide a highly improved product.

KB requested details on the natural pool. Mr Sequeria said that the border of the pool will be done in a manner to prevent cliff erosion. He said that the pool will be cleaned and washed away by the natural movement of the sea.

GM said that the proposal masks the original façade of the building. He said that the architectural vocabulary proposed for the hotel extension is not in keeping with the original. He asked whether it would be possible to phase the development and whether redevelopment is possible without adding the extra hotel suites. Mr Callaghan said that the extra hotel suites are necessary as they do not want to demolish the existing staff quarters. GM also said that from a design perspective the residential units do not seem cohesive with the rest of the development.

CAM thought that the proposed architecture is stern and that there is scope to soften the architectural style. Mr Callaghan said that he would ask his architects to look into this.

The Chairman said that the box-like nature of the beach front façade is the worst part of the scheme. He said that the iconic nature of the Caleta Hotel when it was first built is not present in this proposal. He said that it lacks character and openness. Mr Sequeria said that he appreciated the Chairman's comments but that he thought that this façade creates shadows and that it is not a solid wall; he considered that this was the best solution that they had come up with but agreed to look into it.

GM suggested that perhaps the precedence set by the character of Catalan Bay village should be considered and incorporated. Mr Callaghan said that objections by residents of the village did not mention this but that he would look into this.

The Commission did not have any further questions and thanked Messrs Callaghan and Sequeria.

The Chairman advised that EIA documents will be circulated this month.

MEH agreed with comments made on fusion between the village and the development. He said that he does not have any issues with the hotel expansion but that he did not like the proposed sea view houses. He said that he would prefer the development to be more compact and concentrated in the area of the site by the village. MEH welcomed the energy efficiency methods being considered.

DCM commended the applicant for presenting a scale model to the Commission. He welcomed the planning gain in terms of parking for beach goers and people attending events at the hotel. He also said that he thought that the refurbished building looks better than the existing and welcomed the fact that the proposed building is lower than the 12 storey building for which the applicant obtained outline planning permission in 2007. DCM also thought that it was beneficial that people will be able to walk along the seafront.

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The Chairman said that this has always been a community hotel and welcomed the increase in open spaces and car parking.

KB agreed with MEH in that he would be opposed to the loss of natural coastline and would object to the 5 sea view houses. CAM concurred.

JH said that the massing is excessive within the natural setting of the area. She thought that the aesthetics of the refurbishment of the existing hotel could be redesigned as it is important to maintain its charming nature.

CV said that the hotel is in need of an upgrade and that the proposed massing could reduce pressure on having to provide further hotel rooms in the town area. CV also said that the EIA should take into consideration other developments in the area including the stadium at Europa Point. The Chairman told CV that he would need to provide details of the stadium project requirements.

A decision on this application was deferred pending the results of the EIA.

Other Developments

51/14 – Ref1225 – DPC Sub-committee – Delegated Powers

DTP advised that the Sub-committee is requesting that their delegated powers be extended to cover the following:

- Utility infrastructure – opening up of roads to lay new infrastructure. Would refer to Commission if any objections are raised.
- Internal lifts – subject to Section 19 and where there are no objections or external alterations.
- Centralised refuse cubicles by HMGOG – to speed up process of approving designs due to problems with the macaques.

The Commission agreed for the above to be dealt with by the Sub-committee.

52/14 – BA12243 – 11 Bomb House Lane – Proposed refurbishment and extension

DTP told the Commission that this application had previously been approved but that revisions have been made to the proposal. He said that the main changes are the garage area which the applicant is now proposing to enclose as a covered garage instead of having an open area and which involved the widening of the garage door; the relocation of the swimming pool and construction of a patio wall; terrace on the first floor; and the opening of door and windows to Baker's Passage to serve the self-contained apartment.

DTP said that no objections have been raised by the Ministry for Heritage other than on the widening of the vehicle entrance and the opening on Baker's Passage. DTP also said that the Heritage Trust has raised the same issues and said that although they have no objection to the terrace, swimming pool and patio wall, they are concerned with the widening of the garage door and the new entrance on Baker's Passage. DTP said that they have suggested allowing the door but not the windows.

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DTP said that from a planning perspective the widening of the garage door would impact on the street scene and that there was sufficient space utilizing the existing opening to provide access to the proposed double garage.

CAM said that the Heritage Trust could agree on a compromise for the back entrance if the windows are removed from the design. CAM confirmed that the Baker's Passage wall is a historical wall which is on the 1753 plan.

JC asked why openings cannot be allowed on old walls. CAM said that this has always been a boundary wall and that it would affect the character of the area. She said that this is a medieval wall and that not many remain around Gibraltar. However, she said that the Trust understands what the applicant is trying to achieve and that for this reason they would not object to the door.

JC suggested that perhaps the applicant could be asked to restore the wall if permission is given for the door and windows on Baker's Passage.

The Commission approved the relocation of the pool, the terrace and the patio wall. The door and windows on to Baker's Passage were also approved on the condition that the applicant restores the external face of the boundary wall on Baker's Passage. The request to widen the entrance to the proposed garage was refused but the garage itself was approved.

53/14 – BA12471 – 3B Gardiner's Road – Proposed single storey front extension

DTP informed the Commission that following planning approval in May 2013, revised plans have been submitted by the applicant to extend the property along the whole frontage of the building. DTP said that the extension would be set back 0.5m and that an existing passageway would remain at a lower level.

DTP advised the Commission that there was an objection to the plans from the neighbour to the west who was concerned about their future development rights should this proposal be approved. He referred members to the copy of the objection letter previously circulated. The objector suggested that the extension should be set back by 2m and raised concerns about loss of light. DTP said that they had also suggested that the extension would breach building regulations but that following consultation with the Building Control section it had been confirmed that this would not be the case.

DTP advised the Commission that they need to consider overlooking and privacy issues. However, he said that the applicant's garden area already overlooks the property to the west. DTP also said that the proposed architecture is similar to the previous scheme and that the extension will be entirely within the applicant's property.

The Chairman said that he would rather see an open garden space rather than it being closed. DTP said that the applicant has an open area on either side of the building which is used as a garden area.

The applicant who was in the audience confirmed that all of the flowers will be transplanted and that greenery will remain on either side of the building. She said that the main reason for the

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extension is because she has four children and they live in a two bedroom 96m² house. She said that she requires a larger home for her family.

The Commission approved the revised application.

54/14 – BA12502 – FP711, 327 Main Street – Proposed alterations and change of use

DTP recalled that the Commission previously approved the refurbishment of the property and a change of use to office. However, he said that a revision has been submitted as the applicant has identified the need for additional floor space. The proposal is to construct an additional storey and provide a further almost 300m² of floor space. DTP said that the extension will be set back by 2m and will be a lightweight, modern design. He said that there are no objections to this proposal.

The Commission approved this application.

55/14 – BA12714 – North Mole – Proposed land reclamation – EIA Scoping Opinion

The Chairman said that his EIA Scoping Opinion had been circulated to members prior to the meeting. He referred to the various issues that should be reported on in the Environmental Statement including traffic, navigation, air quality, water quality, effects on tourism at the Cruise Liner Terminal, transboundary effects, cumulative effects and heritage. The Chairman advised that the report is being prepared by AMEC for HMGOG and that once it is received, it will be forwarded to the relevant consultees and brought to the DPC for consultation.

This matter was deferred.

56/14 – BA12871 – 22-25 Ragged Staff Wharf, Queensway Quay – Proposed extension of office space into the adjacent colonnaded area

DTP informed the Commission that the proposal is to extend the current office space in order to meet the company's requirements as a result of expansion of their business. He said that they have considered the possibility of constructing a mezzanine level but that this would not be practical due to limited head height. DTP told the Commission that there have already been some enclosures of the colonnades at Ragged Staff Wharf. DTP also said that objections have been received but that these were received out of the consultation period. Notwithstanding, copies had been circulated to members ahead of the meeting. He said that the objectors claim that the applicant had not served notice on individual owners. The objectors raise issues with the aesthetics of the property and claim that the colonnaded areas are part of the amenities of the area. The objectors also claim that no other offices have been extended and that bars/restaurants which have been extended are regulated by licences and are dismountable structures.

DTP also told the Commission that counter-representations have been received from the applicant highlighting that the objections were received outside the notice period and that there was no need for them to erect site notices on individual owners as per Section 19 of the Development Plan. They also claim that the extension will not detrimentally affect the aesthetics of the building and that they will not be encroaching on to areas used by the public.

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DTP said that this application could set a precedent for other areas in which the colonnaded areas have not yet been enclosed and that the impact on character should be weighed against the potential advantages in terms of the existing business. He also informed the Commission that letters of support from restaurants in the area had been received. DTP also said that the proposal is to set the new windows within the arch and that this would allow them to partially retain the arch effect.

CV said that he had mixed views on this application. He said that allowing slow encroachment on to the colonnaded area will have a negative effect and that enclosing the colonnades with glazing will create a greenhouse effect.

MEH said the shading element is a concern as cooling methods will have to be implemented as glazing the area will increase its energy profile. However, he questioned whether anyone really does make use of the colonnaded area as they walk through the area.

JH said that in her opinion all developments should be publicised on site and not just through the management company. She said that either the applicant or the Town Planning Department should ensure that notices are placed on site. DTP said that the Town Planning Department is working on e-planning and that hopefully by the end of 2014, all applications will be available to view online.

The Commission considered all the points raised and decided to approve this application.

57/14 – BA12893 – Leisure Island, Ocean Village – Sunborn Hotel – Proposed access bridges

DTP informed the Commission that the applicant had requested that this matter be deferred.

58/14 – BA12900 – 4 South Barrack Road – Proposed fit out for stores/light industrial units

DTP advised that the proposal is to convert a garage into a mix of small lock up stores for domestic/commercial use and a few workshops. Vehicular access would be from South Barrack Road and the larger units would be located on the west side of the premises. DTP said that an objection has been received from the tenants association of Matilde Francis Building, on the basis of disruption to the residents' enjoyment of the building, traffic disruption and claims that the area would be better suited to residential parking. Counter-representations have also been received from the applicant who claims that the area is not being proposed as a car park and that there has been no objection to similar proposals in other areas of Gibraltar. The applicant also claims that the storage units will be mainly for domestic use which means that they will be rarely visited; hence no traffic issues are envisaged. DTP referred members to the copies of these letters circulated to members

KB asked where there are similar facilities in Gibraltar. The Chairman said that similar facilities exist on Corral Road and Garrod Road.

DTP said that from a planning point of view the proposed use is not dissimilar to the current use. He recommended that an area for short term parking is provided within the premises and said that the industrial units would have to abide by statutory requirements and that it is not envisaged

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that they will create any major nuisance or disruption. Subject to these it was recommended that the application be approved.

The Chairman recommended that the vehicle turning area within the premises is widened to avoid further traffic congestion on South Barrack Road.

KB asked what type of light industry will be carried out in the workshops. The applicant who was in the audience, told the Commission that at present there is only one interested party in having a small carpentry workshop. He said that the premises will mostly be used for storage and confirmed that he has been looking into creating a larger entrance to provide a wider turning circle and the provision of some additional parking within the site.

The objectors who were also in the audience said that if allowed the development will cause problems for residents of the area, especially traffic and noise issues.

JH asked whether parking facilities will be provided for the users of the storage units. The Chairman said that loading and unloading should be done within the premises. KB suggested that if parking is provided, the premises will be used as a car park rather than a storage facility. MEH said that this would cause traffic issues.

The Commission approved this application on the condition that the turning circle inside the premises is enlarged and space provided for loading/unloading.

59/14 – BA12902 – 3/8 Bright Cottage, Charles V Ramp – Proposed single storey extension to existing roof terrace

DTP told the Commission that the proposal is to create a sun room and a terrace area. He said that glazed concertina doors and fixed glazing will be used. DTP also said that it will be difficult to view the extension from anywhere in the immediate vicinity. He said that there are no planning objections.

DTP said that the Ministry for Heritage had commented saying that the property is located within the old town area but the proposal exhibits vernacular architecture and a modern design. However, they did not object to the proposal and welcomed the retention of the balustrades.

DTP also said that the Heritage Trust suggested that materials which are more in keeping with the existing style of the exterior of the property could be used.

The Chairman suggested that a green roof and swift nests should be a condition of the permit. CV said that perhaps this should be encouraged but not imposed as it would increase the cost significantly.

The Commission approved this application and requested that the applicant introduces a green roof and swift nests.

APPROVED

DPC meeting 2/14

25/2/14

60/14 – BA12903 – South Pavilion Road – Proposed removal of existing planters and replacement with new boundary wall and fence

DTP informed the Commission that the proposal is to remove the existing planters and create a new footpath, boundary wall and fence. DTP said that from a planning perspective the wall and railings will create a hard appearance and recommended that planting is introduced behind the railings.

KB asked why planters cannot be used instead of the fence. JC said that the residents have requested the fence to increase security.

The Chairman advised that the footpath could not be built on the other side of the road due to the location of the pedestrian crossing. He said that this location was recommended by the Traffic Commission and that the scheme has been designed by the Highways Authority.

The Commission approved a parapet wall and hedging for security. The railings were not approved.

61/14 – BA12910 – Waterport Place, North Mole Road – Proposed rooftop extension for office use

DTP said that the proposal is to construct an extension on the south west corner of the building which will be set back from the front façade in order to comply with aviation requirements. The south and west elevations will be paneled and the rest glazed, and there will be roof lighting. There will also be a terrace area which will be partially sectioned for a particular office and the rest for communal use.

DTP advised that the Director of Civil Aviation requires the applicant to demonstrate that the extension fits within the airfield's transition slope and that a bird management plan would be required as would a crane management plan if tower cranes were to be used..

MEH suggested that solar panels should be provided on the roof as a way of meeting the legal requirements for energy efficiency in new developments. CV said that he would leave it up to the applicant to decide what type of energy efficient measure they introduce in order to comply with legal requirements.

The Commission approved this application.

62/14 – BA12913 – 11 Genoa House, Catalan Bay Village – Proposed construction of new maisonette with flat roof terrace and open covered lean-to roof

DTP told the Commission that this proposal includes internal alterations to the existing property and an extension. He said that the property is located on the top floor of a Government housing property and that the Housing Department has been consulted but there has been no response. DTP also said that there have been similar extensions in the area and that the only difference would be that there are pitched roofs throughout this particular building.

JH asked whether there would be any privacy issues. DTP confirmed that the property overlooks the church and an internal patio.

The Commission approved this application.

APPROVED

DPC meeting 2/14

25/2/14

63/14 – BA12922 – 25/25A Naval Hospital Road – Proposed installation of lift and proposed extension to the rear of the existing property

DTP reminded the Commission that outline planning permission for this application was approved last year. He said that there have not been any changes to the elevations since outline planning permission was granted. DTP said that lightweight grey roof panels and UPVC sash windows will be used. The extension will be set back 1.5m from the retaining wall.

HM said that TSD was concerned about future access to the retaining wall for maintenance. He said that they would require confirmation on who is responsible for maintenance of this wall. HM and JC agreed to clarify this by arranging a site visit.

The Commission approved this application subject to clarification on who is responsible for the retaining wall.

64/14 – BA12930 – 30 Ocean Village Promenade – Proposed change of use from retail (class A1) to insurance office (class A2)

DTP advised that the proposed change of use would be acceptable as it is in a retail area. He said that permission had previously been granted for a similar insurance office on the promenade.

The Chairman recommended that screening of the glass frontage is not allowed. The Commission concurred.

The Commission approved this application subject to no screening of the glazed frontage.

65/14 – BA12934 – Grand Battery, Smith Dorrien Avenue – Proposed demolition of various structures and removal of trees – HMGOG Project

DTP said that this application follows outline approval. He said that various individual structures will be demolished and that both the Heritage Trust and the Ministry of Heritage are in agreement to their removal following a site visit. DTP also said that all existing trees will be removed as some are causing structural damage to the building and others are not compatible to the use of the area as a military parade ground.

The Chairman said that the area should not be closed to the public. CV said that the intention is to open the area to the public but that there will be security and management issues to deal with. MEH agreed that public access should be allowed and asked whether the Department of Environment has been consulted. DTP advised that the Department of Environment had been present at the site meeting.

KB said that a tree assessment has not been carried out. He said that the trees are incidental. MEH said that the Environmental Protection of Trees Act applies and that the process should be followed. KB said that the upper town area is in need of further trees and recommended that trees are planted in this area to compensate for the loss of trees at Grand Battery.

CAM said that the two westerly embrasures that had World War Two modifications should be retained.

Subject to retention of the features referred to by CAM and the compensatory planting of trees in the general area, the DPC found the proposal acceptable.

APPROVED

DPC meeting 2/14

25/2/14

66/14 – BA12937 – 3 Transport Lane – Proposed car parking area

DTP said that the proposed car parking would involve the relocation of one car parking space slightly further up the road. He said that there are no planning objections or objections from the Heritage Trust. DTP also said that the Traffic Commission confirmed that they would not object to this three years ago but that this would need to be confirmed.

The Chairman said that the remaining area which will not be used as a car park should be retained as a garden. The Commission agreed.

The Commission approved this application subject to no objections from the Traffic Commission.

67/14 – BA12950 – Four Corners – Proposed installation of vehicle barriers, security gates and vehicle inspection building – HMGOG Project

DTP told the Commission that works planned are to provide security and control in respect of tobacco smuggling. He said that works will be done in three phases:

- Installation of barriers and security gates – a gate will be erected along the airport underpass which will be closed at night for security purposes.
- Installation of vehicle barriers at the end of the frontier loop – barriers will be controlled from within the Customs building. A search bay will also be created. DTP said that the same architectural features as the public toilet are being proposed for the search bay.
- Extension of the customs area canopy and introduction of two new lanes so that there are four green lanes and one red lane.

DTP said that the Director of Civil Aviation recommended that the security gate is moved as far west as possible to avoid cars stopping within the underpass. An agreement between the Customs and Airport would also be required with regards to the control of the gates.

The Commission considered that the architecture proposed for the search did not need to reflect the style of the public toilet building and that this should be reconsidered.

68/14 – BA12951 – 6 Convent Place – Proposed office refurbishment and extension – HMGOG Project

DTP informed the Commission that there has been one minor change in the proposal since outline planning approval, as the wall being extended at the rear of the building will encroach on to a small section of the public highway.

DTP said that the Heritage Trust has welcomed the reduction in height of the extension and the retention of the balustrades.

DTP also said that to compensate for the loss of trees, he would recommend that alternative planting is introduced. MEH said that the original plans include four new trees. KB highlighted that the trees were not removed to accommodate the extension and that there was a recommendation that these trees should be removed since 2010.

The Commission did not raise any other issues with this application.

APPROVED

DPC meeting 2/14

25/2/14

69/14 – BA12957 – Albany House, Town Range – Proposed Conversion to flats with commercial area on ground floor and no basement

DTP recalled that outline planning permission was granted in 2013. He said that the proposal is for the demolition of the existing building and redevelopment with a 6 storey residential building with commercial use on the ground floor. DTP said that there will be recessed windows and balconies on the south elevation, windows on the east and windows and terraces on the west elevation. The height and massing of the development remains as previously approved.

DTP said that an objection was received from the owner of the property at the rear who is concerned about the excessive increase in height and the new windows on the rear elevation. DTP said that the objector is concerned that the rear windows will impact on her privacy and her future rights to development. She has also requested that no air-conditioning units are installed on the rear elevation and highlighted that she will have problems accessing her garage during construction. The objector is also concerned on the loss of value of her property as a result of this development.

DTP said that counter-representations suggest that the existing property already overlooks the objector's property and that loss of light will be marginal. The applicant also suggests that it will be unlikely that the objector can redevelop her property in the future due to the restrictive covenants of the Garrison Library lease. DTP also said that the applicant has confirmed that the air-conditioning units will be placed on the roof and that traffic management during construction will be as per the usual requirements. DTP referred members to copies of the letters previously circulated.

DTP said that the Heritage Trust had not raised any issues when consulted.

DTP suggested that perhaps the windows on the east elevation could be reviewed, especially the one on the ground level which would be directly overlooking the objector's patio and will lead to loss of privacy. He also said that the rooms have alternative windows so perhaps the windows on the east elevation could be removed or filled in with glass blocks.

The applicant, who was in the audience, confirmed that he could look into removing the window on the ground floor but that he would not like to change too much.

The Chairman suggested that if the upper windows were not full height, the issue of overlooking would be addressed. The applicant agreed to look into this.

The Commission approved this application on the condition that the ground floor window on the east elevation is removed and the upper floor windows are not full length windows.

Minor Works – not within scope of delegated powers

70/14 – BA12870 – 2 Mount Road – Proposed refurbishment and extension of existing property

DTP told the Commission that the applicant is requesting permission to remove a tree which has grown over their electricity cabling. He said that as part of works to remove the electricity cabling, the workers have cut through the roots of the tree. DTP said that the tree has been assessed and that it will not survive even if it is relocated.

KB confirmed that the tree will not survive in its present condition as the primary roots have been severed. He said that no permission had been requested to carry out these works and that the applicant should have applied for a tree assessment.

MEH highlighted that this would have been an offence had it happened after the Environmental Protection of Trees Act comes into force. He said that the applicant should be conditioned to plant other trees in the area.

The Commission agreed that the applicant should be conditioned to plant two new trees in the same location.

71/14 – BA12932 – Gibraltar Airport – Proposed extension to covered area to create vehicle workshop and mess facilities – HMGOG Project

The Commission did not have any issues with this application.

72/14 – BA12944 – Ex Coach Park, North Mole Road – Proposed demolition of ex coach park terminal – HMGOG Project

The Commission did not have any issues with this application.

73/14 – BA12959 – Unit 12, 45 North Mole Road – Proposed mezzanine and installation of windows – HMGOG Project

The Commission did not have any issues with this application.

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

74/14 – REF 1198/051/13 – 9 Convent Place – Proposed signage

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

75/14 – REF 1425/484 – 49 Governor's Street – Proposed façade improvements

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

76/14 – REF 1198/002/14 – Saffron Restaurant 15/A Parliament Lane – Proposed signage

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

APPROVED

DPC meeting 2/14

25/2/14

77/14 – REF 1198/001/14 – Units 1 & 2 Watergardens, Motorama – Proposed new shop sign

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

78/14 – BA11755 – Buena Vista Parade Ground – Residential development – Discharge of certain conditions

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

79/14 – BA12679 – Mons Calpe Road, North Mole, GJBS – Revised location of disabled Ramp

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

80/14 – BA12782 – 2 Currey House – Proposed internal alterations

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

81/14 – BA12808 – 8 Rosia Court – Demolition of internal walls for open plan kitchen

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

82/14 – BA12856 – 26B Elliot's Battery – Proposed construction of porch

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

83/14 – BA12887 – 293 Main Street – Proposed balcony to 2nd floor

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

84/14 – BA12890 – 19 Main Street (New Chemist Ltd) – Proposed alterations to entrance frontage and new access ramp

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

85/14 – BA12891 – Suite 3C Eurolife Building – General fit-out of commercial unit as office space and repositioning of internal partitions

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

86/14 – BA12911 – Willis' Road – Installation of new active telecommunication cabinet

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

87/14 – BA12912 – 1 Little Genoa, Sir Herbert Miles Road – Proposed internal alterations

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

88/14 – BA12915 – 4 Europa Mews – Proposed structural modifications

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

89/14 – BA12916 – 4 Stagioni, 16-19 Jumpers Bastion – Replacement of doors and windows

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

90/14 – BA12918 – Piccadilly Gardens, 3B Rosia Road – Replacement of doors

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

APPROVED

DPC meeting 2/14

25/2/14

91/14 – BA12919 – Unit C2, Milton House, 15 Town Range – Minor alterations

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

92/14 – BA12920 – 150 Main Street – Proposed refurbishment

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

93/14 – BA12924 – 40 Gibraltar Heights – Proposed alterations

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

94/14 – BA12927 – 31/1 & 31/2 New Passage – Proposed alterations

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

95/14 – BA12928 – 29A Admiral's Place – Proposed alterations

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

96/14 – BA12929 – Lloyd's Bank, Royal Ocean Plaza – Internal alterations

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

97/14 – BA12933 – 7 Cornwall's Lane – Proposed refurbishment of existing takeaway outlet

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

98/14 – BA12936 – 4/5 Ragged Staff Wharf, Queensway – Proposed internal alterations, partial demolition of mezzanine, changes to windows and external spaces

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

99/14 – BA12940 – 11 Merlot House, Vineyards Estate – Proposed internal alterations

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

100/14 – BA12942 – Hospital Ramp (Junction) – Proposed new pillar post box

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

101/14 – BA12943 – Units 3 & 4 Barham Tower, Brympton – Proposed amalgamation of two apartments into one

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

102/14 – BA12948 – 61 Governor's Street – Proposed external signage, new windows to top of arched windows and air conditioning unit

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

103/14 – BA12949 – 22 Main Street – Proposed new stock room within existing shop

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

Any other business

104/14 – Next meeting

The Commission agreed to next meeting on Tuesday 18th March at 10:30a.m.