

GIBRALTAR DEVELOPMENT PLAN

PARTS I & II

2009

Approved by the Chief Minister of Gibraltar, the Hon P R Caruana, QC, 25th September 2009.

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PART I

1 INTRODUCTION

General

- 1.0 This Development Plan is intended to guide land use planning in Gibraltar for the next ten years, although it is anticipated that it would be reviewed well before then and rolled forward.
- 1.1 The existing Development Plan for Gibraltar was published in 1991 and comprised three documents - a written statement containing general and area - specific policies and proposals; an Old Town Plan for the Old Town and a Design Guide for the Old Town. The Plan has served Gibraltar well in planning land uses, protecting the environment and, in particular, protecting the Old Town from inappropriate development. However, there is a need to bring the land use planning of Gibraltar up to date with the publication of a new Development Plan
- 1.2 As is to be expected, circumstances have changed since 1991. The 1991 Plan included provision for a reclamation project (referred to as Eurocity in that Plan) within the Northern part of the harbour. This reclamation has been completed and the land virtually fully developed. The growth of the Finance Centre has continued and is an important part of the Gibraltar economy creating demand for new office premises. Tourism has developed further and investor confidence has strengthened, resulting in various development projects coming forward or in the pipeline. The MOD downsizing has largely stabilised but consolidation of the MOD's land interests means that there is likely to be further land releases during the period of the new Plan. One of the largest MOD land releases was announced in spring 2004 with many of the areas of land being released on a phased basis over a number of years. Heritage and environmental issues have become increasingly prominent and the Government and the public alike wish to see these being taken into account in Gibraltar's future development.
- 1.3 This Plan takes into account these different competing demands on Gibraltar's scarce land resources and has created a co-ordinated set of policies and proposals to manage Gibraltar's future growth.
- 1.4 The nature of development in Gibraltar tends to be very opportunistic largely due to development frequently taking place on redevelopment sites and sites that become surplus to MOD requirements. By their very nature such sites are very difficult to identify as part of the plan process and therefore the Plan contains many criteria based policies that ensure that where such development is proposed its suitability is fully considered to ensure that Gibraltar benefits as a whole.

Status and Format of the Plan

- 1.5 This Development Plan constitutes a Planning Scheme as provided for by section 5 of the Town Planning Act 1999. It will be known as the 'Gibraltar Development Plan' and comprises:

- **Part I – general policies**
These policies apply throughout Gibraltar and set out planning policy in relation to a variety of topics.
- **Part II – area-specific policies and proposals**
Gibraltar has been divided into nine zones for land use planning purposes. Since the character and opportunities for each of these areas differs, specific policies and proposals have been formulated for each zone.
- **The Old Town Plan**
The Old Town is a zone as discussed above. However, the complexities of the issues involved in the Old Town are such that it is considered that a specific area plan is required that will provide detailed policy guidance and set out specific proposals for the zone. The significance of the zone requires that an area plan is produced at an early stage of the plan making process and hence it has been produced to come into effect simultaneously with the remainder of the Development Plan. In the future similar detailed plans may be prepared for other zones.
- **The Old Town Design Guide**
As discussed above the Old Town has a complex range of issues that need to be addressed, not least of which are design matters. This guide has therefore been produced to provide detailed policy guidance on this specific issue.

- 1.6 Proposal maps and plans are included and form part of the Plan. It should be noted that a number of the development plan zones extend into the sea. The sea boundaries to these zones have been drawn relatively close to the coastline for ease of presentation only. They are not intended to, nor do they, indicate the limit of planning controls in any manner or form, or to represent the extent of Gibraltar’s waters.
- 1.7 The format of the Plan is intended to be flexible so as to allow easy future review of any part of the Plan. Whilst at this stage it is only the Old Town that has a specific area Plan it is anticipated that other areas shall have detailed plans prepared wherever it is considered necessary.

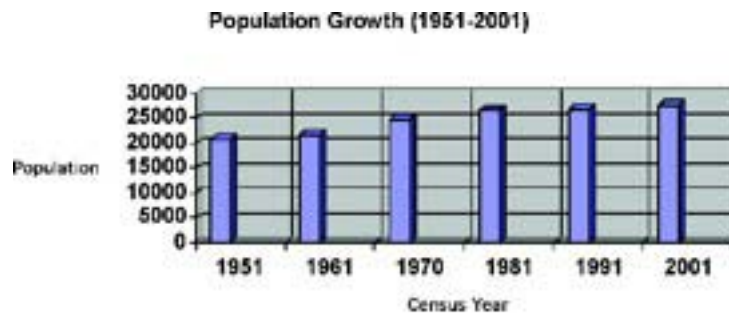
Use of the Plan

- 1.8 It is intended that this Plan should be used by developers, individuals, professional advisers, Government departments and agencies, voluntary organisations and interest groups. The purpose of the Plan is to provide a clear framework for the future planning of Gibraltar and to provide certainty in how development should take place in the future.
- 1.9 The Plan will therefore be an essential tool in development control and proposals will be expected to conform fully to the policies and proposals contained within it. As the Plan has been the subject of extensive public participation it must be seen as a plan that has the support of the community. Great weight will therefore be given to the contents of the Plan in determining applications and it is not expected that the policies and proposals contained within it shall be set aside without very significant reasons for doing so.

- 1.10 Users of the Plan should take careful note of the fact that THE POLICIES AND PROPOSALS CONTAINED IN THE PLAN ARE INTERRELATED. In considering the application of any policy or proposal to a particular proposed development it is important to remember that other policies or proposals may also be applicable and shall need to be complied with. The fact that a specific development proposal accords with one policy or proposal does not mean that this will take precedence if it conflicts with other policies and proposals of the Plan. To avoid duplication and in the interests of keeping the document concise, the requirement for any proposed development to be in accordance with all the Plan's policies and proposals is not repeated in the wording of each policy or proposal.

Context

- 1.11 Gibraltar's land area amounts to some 640 hectares but due to the topography of the Rock much of this is undevelopable. Much of the Upper Rock is designated as a Nature Reserve aimed at protecting its unique natural environment.
- 1.12 In terms of population, the latest population estimate for Gibraltar is some 29286¹. The population grew by some 27% between 1951 and 1981 but population growth since then has been very limited with only a 3.8% increase up to 2001¹. The graph below illustrates the trend in population growth.



- 1.13 Since 1961 the composition of the population has remained virtually constant with an even split between males and females. Life expectancy has been on the increase in the last two decades and in common with most developed societies the population is ageing.
- 1.14 Population forecasts are not produced for Gibraltar, however, based on past trends together with Gibraltar's geographical limitations it is not expected that there would be any dramatic changes in the local population during the next 10 years.
- 1.15 Gibraltar's economy has experienced significant structural change in the last half of the 20th century. Traditionally based on servicing the needs of the military the economy underwent significant changes in the 1980/1990s as a result of the scaling down of the military presence in Gibraltar. Economic diversification has resulted in finance, tourism and shipping being the mainstays of the economy.
- 1.16 The Government continues to promote economic diversification whilst strengthening those sectors that already form the mainstay of Gibraltar's economy.
- 1.17 Gibraltar has a rich heritage. The natural environment, both terrestrial and marine, boasts a wide variety of flora and fauna, many endemic to Gibraltar. European Environmental

¹ Census, 2001

protection legislation applies to Gibraltar and there are a number of European, as well as locally protected, species of flora and fauna. The Upper Rock Nature Reserve covers a land area of almost 200 hectares representing a significant proportion of Gibraltar's total land area.

- 1.18 Gibraltar's landscape is also of heritage value being a product of its geological development over millions of years. The interaction of humans with this landscape further contributes towards Gibraltar's unique heritage with evidence of occupation by pre-historic humans up to the present day. Further, Gibraltar's unique collection of well preserved fortifications and related naval and military sites is of international importance. Indeed Gibraltar's built environment is a reflection of its different periods of occupation and buildings and structures exist from the 8th century up to the present. Many of these buildings and structures are afforded legal protection under local legislation, as are archaeological remains.
- 1.19 This Plan aims to guide Gibraltar's future development for the next ten years and in so doing has taken into account Gibraltar's unique environment, population structure and economy. This is always a difficult balancing act and the strategy set out in the following section aims to achieve this balance by setting the strategic context for the detailed policies and proposals of the Plan that aim to encourage a stable population and economic prosperity whilst conserving those aspects of Gibraltar's environment and heritage that are most valuable.

Strategy

- 1.20 The timescale and statutory nature of the Gibraltar Development Plan make it a key document in the long-term development strategy for Gibraltar. As such the Development and Planning Commission will promote the use of the Plan as a means of assisting Government departments and agencies in the future planning of their own operations and activities.
- 1.21 In preparing this Plan consideration has been given to the many different and competing demands on Gibraltar's limited land area together with those aspects of Gibraltar that are considered of great value. A fine balancing act needs to be achieved that will allow for the future economic prosperity for Gibraltar without jeopardising those aspects of most value to Gibraltar. In seeking this balance the following strategic principles have been followed:

The following strategic principles have guided the preparation of this Plan:

Environment – to recognise the special character of Gibraltar's natural, built and cultural environment as a valuable resource and to ensure that this is not significantly adversely affected by new development.

Employment- to encourage and provide opportunities for the creation of new employment and the expansion of existing employment.

Population and housing – to ensure that Gibraltar's population remains stable and that sufficient housing opportunities to meet the different housing requirements and expectations of the community, are met.

Quality of life – to enhance the social, community, recreational and cultural facilities for the benefit of the local population and visitors.

Transport – to facilitate and encourage alternative means of transport including the use of public transport and to cater for the needs of private transport where appropriate.

Tourism – to ensure that tourist infrastructure and facilities are enhanced, and to ensure that the unique tourist attractions are protected and developed sensitively, so as to promote Gibraltar's attraction as a tourist destination.

Shopping – to ensure the provision of a quality shopping environment for the benefit of the local population and to further enhance Gibraltar's role as an important shopping centre in the wider area.

Strategic environmental assessment

- 1.22 Directive 2001/42/EC (the Strategic Environmental Assessment Directive) requires that certain types of plans and programmes be the subject of an assessment of their likely effect on the environment. The Directive's requirements came into effect on 21 July 2004.
- 1.23 With this in mind a Strategic Environmental Assessment (SEA) has been undertaken as part of the plan making process. This assessment has considered each policy against a range of environmental criteria to assess its potential impact from a global to a local scale.
- 1.24 This assessment allows the Development and Planning Commission to assess the sustainability of the Plan and to ensure that development takes place with the minimum impact on the environment.
- 1.25 The outcome of the SEA is contained in an Environmental Report that has been published in parallel with this Plan and which sets out how the SEA process has influenced the preparation of the Draft Plan.

EU Habitats Directive – Appropriate Assessment for Land Use Plans

- 1.26 The requirement for appropriate assessment of land use plans set out in the EU Habitats Directive (EC/92/43) has been transposed into local legislation under Part IIB of the Nature Protection Act. Section 17EE of the Act requires that the plan-making authority shall make an appropriate assessment of the implications of the Plan on any European site or European Marine site. In 2006 the European Commission accepted the two sites put forward by Gibraltar, the 'Rock of Gibraltar' and the 'Southern Waters of Gibraltar', as Sites of European importance
- 1.27 In light of the existence of two Sites of Community Importance a screening exercise was undertaken to assess the implications of the Consultation Draft Plan. The results of this exercise informed the plan-making process so as to minimise the potential for proposals to impact on the European sites. Where appropriate, detailed policies and proposals highlight the need for further assessment in the form of either, or both, Environmental Impact Assessment and Appropriate Assessments.

Precedence

- 1.28 This Plan sets out many policies relating to all aspects of development. It is recognised that throughout Gibraltar there will be many examples of development that currently exist and which do not accord with relevant policies contained in the Plan. Some of these may have been subject to the normal planning procedure whilst others may have taken place without permission.
- 1.29 The publication of this Plan marks a break from the past. The Plan sets out the Development and Planning Commission's current aspirations in terms of the future planning of Gibraltar regardless of what may have happened in the past. It is therefore important to understand that a line will be drawn under the past and that in future, development proposals will be assessed in the context of the policies and proposals contained in this Plan. The argument that development should be allowed merely because a precedent exists for it will not be accepted. To do so would imply that it would not be possible to improve on the status quo.

Data Collection and Forecasting

- 1.30 To be able to plan effectively it is important to have sufficient baseline data on which policies and proposals can be based. During the preparation of the Plan difficulties have been encountered in certain areas in collating data and in particular in forecasting future trends and projections whether for example this is in relation to population, housing demand or employment land demand. It is appropriate to highlight this issue as a matter that requires to be addressed so that steps can be taken to implement additional systems and procedures that will enable such data and forecasting to be used in future reviews of the Plan, and in the general long term planning of Gibraltar. The Development and Planning Commission will therefore work with relevant Government departments and agencies to review data collection and forecasting systems and to take the necessary steps to improve and refine these further.

2 GENERAL DESIGN AND STANDARDS

Introduction

- 2.0 Gibraltar's built and natural environment is unique and is what gives Gibraltar its own identity that is highly valued by its residents and is one of its attractions for tourists. The Development and Planning Commission therefore wants to ensure that this identity is not negatively affected by new development. This does not mean that there is an embargo on new development, but rather that any development that does take place must be designed so that it respects the character of the area and makes a positive contribution to the overall quality of the environment.
- 2.1 The Development and Planning Commission recognises the importance of design and the impact that buildings have on the character and appearance of an area. It is not only the buildings themselves that have an impact but also the treatment of spaces around them which is important in creating attractive, safe environments with their own identity and sense of place.

General design and standards

- 2.2 The Development and Planning Commission is keen to promote a high standard of design whether it is a new office block or a small extension - all development has an impact on the built environment. There is a need to shift away from bland and mediocre design to creating buildings of a high design standard. Good design benefits Gibraltar not only by creating an attractive environment in which to live and work, but also can have a positive effect on maintaining confidence and attracting further investment.
- 2.3 The protection and enhancement of Gibraltar's built heritage are important aspects of the Plan and are developed further through the section on the historic environment and the Old Town Plan. In addition, the Heritage Management Plan, currently being prepared by the Heritage Division, will provide further guidance on how the Government wishes to see the built heritage managed. The Development and Planning Commission therefore wishes to protect the best of our existing environment whilst allowing change to take place in a sensitive and constructive way. The policies of the Plan, the Old Town Plan and Design Guide are therefore aimed at ensuring that new development is of a high standard. Emphasis is placed on development proposals being designed sensitively with careful attention paid to the site's context.
- 2.4 The often poor quality of submissions received by the Development and Planning Commission through the planning process has been an indication of the lack of emphasis placed on good quality design in the past. The following policy therefore aims to improve the quality of submissions that will not only force applicants to take the matter of design more seriously, but will also assist the Development and Planning Commission in fully appreciating the nature and effect of the proposed development. This should enable the Development and Planning Commission to come to an early decision as it obviates the need for repeated requests for further information.

POLICY GDS1 - APPLICATIONS

APPLICATIONS FOR PLANNING PERMISSION WILL ONLY BE ACCEPTED WHERE THEY ARE ACCOMPANIED BY:

- A) A FULLY COMPLETED APPLICATION FORM;**
- B) A LOCATION PLAN AT 1: 1250 OUTLINING THE APPLICATION SITE;**
- C) AN EXISTING SITE PLAN TYPICALLY AT 1:200, SHOWING THE WHOLE PROPERTY INCLUDING ALL BUILDINGS, OPEN SPACES AND CAR PARKING, AND EXISTING TREES OR OTHER NATURAL FEATURES;**
- D) PROPOSED SITE LAYOUT TYPICALLY AT 1:200 SHOWING THE SITING OF ANY NEW BUILDING/EXTENSION, VEHICULAR/PEDESTRIAN ACCESS, CHANGES IN LEVELS, LANDSCAPE PROPOSALS INCLUDING TREES TO BE REMOVED, NEW OR ALTERED BOUNDARY WALLS, NEW HARD SURFACED OPEN SPACES;**
- E) APPROPRIATELY SCALED DRAWINGS, ELEVATIONS, FLOOR PLANS AND, IF RELEVANT, ROOF PLANS, SHOWING THE BUILDING AS EXISTING AND PROPOSED AND IN THE CONTEXT OF SURROUNDING BUILDINGS AND THE AREA;**
- F) APPROPRIATELY SCALED CROSS SECTIONS;**
- G) DETAILS OF PROPOSED MATERIALS AND COLOUR SCHEMES;**
- H) WHERE RELEVANT, DETAILS INCLUDING MAPS, INDICATING THE AREA OF ANY IMPORTANT FLORA AND FAUNA WITHIN THE APPLICATION SITE OR LIKELY TO BE AFFECTED BY THE PROPOSED DEVELOPMENT; AND**
- I) IN THE CASE OF MAJOR DEVELOPMENTS DESIGN STATEMENTS (TO EXPLAIN THE DESIGN PRINCIPLES AND DESIGN CONCEPT, AND TO EXPLAIN HOW THE DESIGN RELATES TO ITS WIDER CONTEXT) AND A STATEMENT ON ENERGY EFFICIENCY MEASURES PROPOSED;**

IN ADDITION, THE DEVELOPMENT AND PLANNING COMMISSION WELCOMES THE SUBMISSION, IN APPROPRIATE CASES, OF:

- I. PHOTOGRAPHIC MONTAGES;**
- II. PERSPECTIVES;**
- III. ARTISTIC IMPRESSIONS;**
- IV. COMPUTER GENERATED 3D IMAGES; AND**
- V. SCALE MODELS**

2.5 Good building design involves a well thought out design response to a variety of issues as set out in the preceding design policy. However, a well-designed building will also have included in the early design stage consideration of practical issues such as the various service requirements of the building. These include such matters as the siting of water

and electricity meters, sub station requirements (for larger developments), telephone infrastructure requirements, refuse storage and access issues, mail delivery services and gas storage. Early consultation with the relevant service provider is therefore important.

- 2.6 The following general design policy applies to all development proposals and will be used to assess the design aspects of any application. In considering applications therefore the Development and Planning Commission will need to be satisfied that the proposal is sensitive to its context, relates well to the character of the area, takes into account existing features and does not detrimentally affect the amenities of nearby occupiers to a significant level. The development will need to be accessible and landscaping will be required in appropriate cases.

POLICY GDS2 - DESIGN

THE DESIGN OF NEW DEVELOPMENT SHALL COMPLY WITH THE FOLLOWING CRITERIA:

- A) THE SCALE, MASSING AND HEIGHT MUST BE APPROPRIATE IN THE CONTEXT OF ADJACENT BUILDINGS, TOPOGRAPHY, THE GENERAL PATTERN OF DEVELOPMENT IN THE AREA, PUBLIC VIEWS, VISTAS AND LANDMARKS;***
- B) EFFECTIVELY RELATE TO THE CHARACTER, DENSITY, MIX AND FORM OF ADJACENT BUILDINGS AND SPACES, AND THE WIDER AREA;***
- C) TAKE INTO ACCOUNT, AND WHERE APPROPRIATE RETAIN, THE EXISTING FORM OF THE SITE AND FEATURES INCLUDING LANDSCAPE, SPECIES AND WILDLIFE HABITAT, BUILDINGS AND ARCHAEOLOGICAL, HISTORICAL AND CULTURAL FEATURES;***
- D) EFFECTIVELY INTEGRATE WITH THE LANDSCAPE AND RETAIN IMPORTANT VIEWS INTO AND OUT OF THE SITE, INCLUDING THE SKYLINE;***
- E) PROVIDE APPROPRIATE LANDSCAPING, BOTH HARD AND SOFT;***
- F) BE SYMPATHETIC IN MATERIALS AND DETAILING TO ADJACENT BUILDINGS AND THE WIDER AREA;***
- G) THERE MUST BE NO UNACCEPTABLE IMPACT ON LOCAL AMENITY IN TERMS OF VISUAL IMPACT, SIGNIFICANT LOSS OF PRIVACY, OVERLOOKING, DISTURBANCE, ODOURS AND TRAFFIC MOVEMENTS;***
- H) PROVIDE SATISFACTORY ACCESS; AND***
- I) WHERE APPROPRIATE, PROVIDE CAR PARKING TO THE SATISFACTION OF THE DEVELOPMENT AND PLANNING COMMISSION.***

The public realm

- 2.7 The public realm relates to those areas of Gibraltar, whether publicly or privately owned, that are available, without charge, for everyone to use or see, including streets, squares, parks and courtyards.

- 2.8 Well designed buildings can make a positive contribution to the public realm and can encourage people to stop and enjoy spaces rather than just pass through them. Poorly designed buildings can reduce the quality of the public realm by discouraging all but a narrow range of users and by creating an environment that is not conducive to its enjoyment by the public.
- 2.9 It is therefore important that buildings, spaces and routes, as well as surfaces (hard and soft), lighting and signage are well integrated so as to provide comfortable, attractive and secure places for people to use.

POLICY GDS3 – PUBLIC REALM

WHERE DEVELOPMENT IMPACTS ON THE PUBLIC REALM DESIGNS SHOULD ENSURE THOSE SCHEMES:

- A) IMPROVE PEDESTRIAN LINKAGES BETWEEN THE MAIN SPACES AND ATTRACTIONS;***
- B) THE LAYOUT FACILITATES SAFE AND CONVENIENT ACCESS AND MOVEMENT BY PEDESTRIANS, INCLUDING THOSE WITH PHYSICAL DISABILITIES AND MOBILITY DIFFICULTIES, AND CYCLISTS (WHERE APPROPRIATE), BOTH WITHIN THE DEVELOPMENT AND BETWEEN THE DEVELOPMENT AND THE SURROUNDING AREA;***
- C) INTEGRATE WITH ADJACENT AREAS TO PRODUCE SPACES AND SEQUENCES THAT RESULT IN QUALITY TOWNSCAPE;***
- D) LARGE DEVELOPMENTS SHOULD INCLUDE PUBLIC OPEN SPACE THAT IS DESIGNED TO ALLOW THE PENETRATION OF SUNLIGHT AND TO AVOID GENERATING EXCESSIVE WIND SPEEDS;***
- E) ACTIVITY-GENERATING USES SHOULD BE INCLUDED ON THE GROUND FLOOR OF NEW DEVELOPMENTS, ESPECIALLY AT FOCAL POINTS OF PEDESTRIAN MOVEMENT; AND***
- F) PROVIDE ATTRACTIVE DETAIL THROUGH THE USE OF MATERIALS, WELL-DESIGNED STREET FURNITURE AND LANDSCAPING.***

Open space

- 2.10 Throughout Gibraltar there are areas of open space of various size, form and character that are considered important for their contribution to the built environment. Such open spaces often have an important role to play in softening the appearance of built up areas, providing ‘lungs’ within the densely built up area and in providing settings to important buildings. Furthermore, open space often has an important role to play in enhancing the setting of the natural environment, providing a backdrop and generating vistas.
- 2.11 The Plan aims to protect these open spaces from development.

POLICY GDS4 – LOSS OF OPEN SPACE

THERE WILL BE A PRESUMPTION AGAINST THE LOSS OF OPEN SPACES THAT ARE CONSIDERED IMPORTANT IN TERMS OF THEIR:

- A) CONTRIBUTION TO THE CHARACTER AND APPEARANCE OF THE BUILT OR NATURAL ENVIRONMENT;***
- B) RECREATIONAL OR AMENITY VALUE;***
- C) ECOLOGICAL VALUE; AND/OR***
- D) HERITAGE VALUE.***

- 2.12 In order to assist in the implementation of the above policy it is proposed to produce supplementary planning guidance that will detail specific sites that will be subject to the above policy. An assessment of all open spaces will need to be undertaken that will consider such factors as nature conservation value, recreational and amenity value, landscape value and heritage value in determining the relative importance of these areas.
- 2.13 Until the above assessment has been undertaken and the supplementary planning guidance issued, proposals involving open spaces will be considered on their individual merits but with the above as guiding principles.
- 2.14 In addition to protecting existing open spaces the Development and Planning Commission will also actively encourage the creation of new open spaces, particularly ‘green’ areas. This may be achieved through the decision making process for permission for new developments, and in the case of public developments through the established consultation process.

POLICY GDS5 – CREATION OF NEW OPEN SPACE

WHERE APPROPRIATE, THE DEVELOPMENT AND PLANNING COMMISSION SHALL REQUIRE THAT NEW DEVELOPMENT INCORPORATES OPEN SPACES, PARTICULARLY ‘GREEN AREAS’.

Landscape Character

- 2.15 It is recognised that new development has the potential to change the character of Gibraltar’s landscape. Such development may have a long-term effect and can set a precedent for further development, changing the skyline and potentially affecting the strong visual relationship between, in particular, the Old Town and the waterfront. The Development and Planning Commission will take account of landscape character in considering planning applications and will, where it considers this necessary, request specific or general assessments to be carried out.

POLICY GDS6 – LANDSCAPE ASSESSMENT

IN CONSIDERING APPLICATIONS FOR DEVELOPMENT THE DEVELOPMENT AND PLANNING COMMISSION SHALL TAKE INTO ACCOUNT LANDSCAPE CHARACTER. IN APPROPRIATE CASES THE DEVELOPMENT AND PLANNING COMMISSION MAY REQUIRE THE SUBMISSION OF AN AREA-WIDE OR SITE-SPECIFIC DETAILED LANDSCAPE CHARACTER ASSESSMENT.

2.16 During the period of the Plan the Development and Planning Commission may from time to time identify strategically important vistas. Such vistas may be of landmark buildings, structures or landscape features which the Development and Planning Commission considers it is important to protect.

POLICY GDS7 – PROTECTION OF STRATEGIC VISTAS

PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED FOR DEVELOPMENT THAT IMPINGES, TO A SIGNIFICANT DEGREE, ON ANY IDENTIFIED STRATEGIC VISTA.

Landscaping

2.17 Soft landscaping can make a significant contribution to the built environment by softening its appearance and can often be of ecological value. New development will normally be expected to incorporate proposals for an appropriate landscaping scheme as part of the application. A thorough assessment of the development site will identify natural features that may be incorporated into a landscaping scheme. Existing landscaping and trees may need to be retained or re-instated and supplemented by additional planting to achieve a more attractive environment. Landscaping schemes should indicate how they will be managed to ensure that it is properly maintained and that it does not die off and left in a state of neglect.

2.18 Hard landscaping is also an integral component of the built environment and in appropriate cases must be considered early in the design process to ensure that the proposed development is effectively integrated into the surrounding area.

2.19 Careful consideration should be given to the choice of plant species to be used in any soft landscaping scheme. Drought resistant species should be used wherever possible in order to minimise the need for watering thereby assisting in combating climate change, reducing energy and water consumption and increasing the chances of the long term success of the landscaping scheme.

POLICY GDS8 – LANDSCAPING SCHEMES

WHERE APPROPRIATE, PLANNING APPLICATIONS WILL BE EXPECTED TO BE ACCOMPANIED BY LANDSCAPING SCHEMES THAT MUST FORM AN INTEGRAL PART OF THE PROPOSAL. THESE WILL NORMALLY BE APPROVED PROVIDED:

- A) THE SCHEME TAKES ACCOUNT OF EXISTING NATURAL FEATURES, AND RESPECTS THE CHARACTER OF THE AREA;***
- B) DETAILS ARE PROVIDED OF HARD AND SOFT LANDSCAPING, NATURAL FEATURES AND THE RETENTION AND MANAGEMENT OF IMPORTANT TREES;***
- C) APPROPRIATE MEASURES ARE INCLUDED FOR RAINWATER COLLECTION AND/OR RE-USE OF POTABLE WATER FOR IRRIGATION PURPOSES;***

- D) NECESSARY PROVISION IS MADE FOR THE FUTURE MANAGEMENT AND MAINTENANCE OF THE SITE; AND**
- E) IT CAN BE DEMONSTRATED THAT DUE CONSIDERATION HAS BEEN GIVEN TO THE SELECTION OF DROUGHT RESISTANT PLANT SPECIES IN ANY SOFT LANDSCAPING SCHEME.**

Energy efficiency

- 2.20 In 2006 the Government published its Environmental Charter that sets out its approach to securing a sustainable and healthy environment. The Development Plan has an important role to play in securing some of the objectives set out in that Charter. Action needs to be taken now to combat global warming, no matter how small that action may appear to be.
- 2.21 Energy consumption and emission of greenhouse gases are significant contributory factors to global warming. Whilst clearly action is required at the global level the Government is nevertheless committed to take whatever action is possible to address these concerns. The Government is currently drafting an Energy Efficiency Action Plan that will ultimately form part of a wider Environmental Action and Management Plan. The Action Plan will provide detailed advice and guidance on energy efficiency. The policies of the Development Plan can also assist in the achievement of reducing energy consumption through appropriate land use planning.
- 2.22 Buildings are one of the main sources of CO₂ emissions and one of the Plan's policy objectives is to aim to improve the energy efficiency of buildings thereby contributing towards sustainable development through the reduction in the use of natural resources for power generation and reducing greenhouse gas emissions. Simple changes can help reduce energy requirements in buildings, for example careful choice of building materials, site layout (orientation, landscaping), through solar gain and improvements to the microclimate. In new developments such measures should be taken into consideration at an early stage of the design process.

POLICY GDS9 – ENERGY EFFICIENT DESIGN

THE DESIGN OF ANY PROPOSED DEVELOPMENT SHOULD TAKE APPROPRIATE ACCOUNT OF BUILDING DESIGN, SITING, ORIENTATION AND LAYOUT TO MAXIMISE ENERGY EFFICIENCY.

- 2.23 A further measure that can be taken to ensure improved energy efficiency of buildings is to raise construction standards. This can best be achieved through the introduction of more stringent regulations in relation to such matters as for example, standards of materials or insulation, in new development. The Development and Planning Commission shall therefore encourage a comprehensive review of the Building Regulations to be undertaken and subsequent periodic revision, with a view to ensuring continuous improvement in construction standards that will have a positive impact on energy efficiency of buildings.

POLICY GDS10 - REVIEW OF THE BUILDING REGULATIONS

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE A COMPREHENSIVE REVIEW OF THE BUILDING REGULATIONS TO BE UNDERTAKEN WITH SUBSEQUENT PERIODIC REVIEW, THAT SHALL TAKE ACCOUNT, IN PARTICULAR, OF THE NEED TO IMPROVE THE ENERGY EFFICIENCY OF BUILDINGS.

2.24 Micro-renewable energy generation is a further way of reducing greenhouse gas emissions by the generation of electricity using natural and sustainable resources on a small scale. Examples of such technologies include those that harness wind, solar or geothermal energy. The use of such micro-renewable technologies is to be welcomed although careful attention is required to minimise possible adverse effects such as visual impact and impact on nearby uses by, for example, noise generation.

POLICY GDS11 – MICRO-RENEWABLE ENERGY PROPOSALS

PROPOSALS FOR DEVELOPMENT INCORPORATING MICRO-RENEWABLE TECHNOLOGIES WILL BE ENCOURAGED SUBJECT TO ENSURING THAT THE PROPOSED DEVELOPMENT HAS NO:

- A) SIGNIFICANT ADVERSE VISUAL IMPACT; OR*
- B) SIGNIFICANT ADVERSE IMPACT ON THE CHARACTER OF THE AREA; OR*
- C) SIGNIFICANT ADVERSE IMPACT ON NEARBY USES.*

2.25 It is recognised that there may be practical difficulties in the use of micro-renewable technologies. For example, in the case of an individual using such technology to generate electricity through say the use of photovoltaic cells, it would be desirable for that person to be able to feed any surplus electricity into the main electricity grid. Conversely, when that same individual requires additional electricity this could be acquired from the grid. The Electricity Authority would have to assess the practicalities of how this could be achieved together with how the purchasing/selling of electricity would be achieved. There is therefore a need for the relevant Government departments or agencies/authorities to assess the practical issues in accommodating small-scale micro-renewable technologies and to advise interested parties accordingly.

POLICY GDS12 – PRACTICAL EVALUATION OF MICRO-RENEWABLES

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE THOSE GOVERNMENT DEPARTMENTS, AGENCIES OR AUTHORITIES THAT WOULD BE INVOLVED IN THE PRACTICALITIES OF MICRO RENEWABLE TECHNOLOGIES TO INVESTIGATE HOW BEST TO ACCOMMODATE THESE.

2.26 The Government is well placed to promote the development of energy efficient buildings as well as the use of micro renewable technology, through its wide programme of development projects and infrastructure works. Thus for example, new development projects for schools, car parks and other public buildings should ideally be required to demonstrate the incorporation of energy efficient measures. The provision of new or upgraded infrastructure, such as street lighting, illumination of buildings or pumping stations all offer the opportunity for the use of micro-renewable technology. The Development and Planning Commission shall therefore encourage the Government to consider energy efficient measures and the use of micro-renewable energy technology within public development and infrastructure projects.

POLICY GDS13 – GOVERNMENT PROJECTS – ENERGY EFFICIENCY/MICRO RENEWABLE TECHNOLOGY

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE THE GOVERNMENT TO GIVE DUE CONSIDERATION TO THE USE OF ENERGY EFFICIENT MEASURES AND/OR THE USE OF MICRO-RENEWABLE TECHNOLOGIES IN PUBLIC DEVELOPMENT AND INFRASTRUCTURE PROJECTS

Green Roofs

2.27 The Development and Planning Commission recognises that in appropriate cases the introduction of green roofs can be of social, environmental and economic benefit. Green roofs can reduce operational costs through energy efficiency and provide new sources of amenity and recreational space. They also contribute towards a healthier environment. In appropriate cases therefore the Development and Planning Commission will welcome proposals to incorporate green roofs into development proposals. Green roofs will be of particular relevance in developments that are situated in close proximity to natural areas, in particular the Upper Rock, and where they will serve to minimise the visual impact of proposed development as well as help maintain the ecological value of the area.

2.28 In order to minimise water and energy consumption careful attention is required to the choice of plant species for inclusion in any 'green roofs'. Drought resistant species should be selected to minimise watering requirements and to ensure survival during drought conditions.

POLICY GDS14 – GREEN ROOFS

WHERE APPROPRIATE, THE INCORPORATION OF GREEN ROOFS INTO DEVELOPMENT PROPOSALS WILL BE ENCOURAGED.

Tall Buildings

- 2.29 Tall buildings, suitably located and designed, can make a positive contribution to the urban environment. They affect the image and identity of an area as a whole, often serving as beacons of regeneration stimulating further investment. Tall buildings represent high-density development and thus can be seen to contribute, in a general sense, to sustainability principles. However, by virtue of their size and prominence such buildings can also harm the qualities that people value about a place. There is a need for such proposals to be carefully scrutinised and to balance up the positive and negative effects of such proposals.
- 2.30 Gibraltar’s limited geographical area, and overall scale, means that tall building proposals can easily have a major impact on the local landscape. Even within Gibraltar’s limited area, there are significant variations in the character of the landscape with consequent differences in the ability of local landscape to absorb such proposals.
- 2.31 As a general rule it is not considered useful to define rigorously what is and what is not a tall building. This will clearly depend on the particular circumstances of the context into which the building is to be placed. However, an exception has been made in the case of the Old Town where the Old Town Plan includes a specific policy on tall buildings that identifies these as being of 5 or more storeys. In this case it was considered appropriate to define tall buildings in the context of the general scale and height of buildings throughout the Old Town and the relative sensitivity of the townscape to the introduction of tall buildings.
- 2.32 As explained above tall buildings can have a major impact on the landscape and the Development and Planning Commission therefore expects applicants to provide a comprehensive design statement in support of any application. Applicants should also note that even where an outline application is submitted, the Development and Planning Commission shall require the proposal to be submitted in sufficient detail to enable a full assessment to be undertaken.
- 2.33 In considering such proposals, particular attention will be given to the relationship of the proposed development to its context, the effect on the whole environment (e.g. impact on historic building sites, landscapes and skyline), architectural quality, sustainable design and construction, contribution to public spaces and facilities, effect on local climate (microclimate) and provision of high quality environment.
- 2.34 In addition to the above considerations, tall buildings may also have implications on the safe operation of Gibraltar Airport. Section 8 provides further details.
- 2.35 The potential impact of tall building proposals on Gibraltar’s landscape is of such significance that in addition to obtaining the Development and Planning Commission’s permission the approval of the Government shall also be required.

POLICY GDS15 – TALL BUILDINGS

ALL APPLICATIONS FOR TALL BUILDINGS SHALL NEED TO BE ACCOMPANIED BY A COMPREHENSIVE DESIGN STATEMENT. IN CONSIDERING SUCH PROPOSALS CONSIDERATION SHALL BE GIVEN IN PARTICULAR TO:

- A) *THE RELATIONSHIP TO CONTEXT, E.G. NATURAL TOPOGRAPHY, SCALE, HEIGHT, BUILT FORM, STREETScape, ETC;*
- B) *ARCHITECTURAL QUALITY, E.G. SCALE, MASSING SILHOUETTE, MATERIALS, ETC;*
- C) *SUSTAINABLE DESIGN AND CONSTRUCTION;*
- D) *CONTRIBUTION TO PUBLIC SPACES AND FACILITIES PARTICULARLY THE CONTRIBUTION TO THE PROVISION OF A MIX OF USES AT GROUND FLOOR LEVEL AND THE CREATION OF HIGH QUALITY PUBLIC REALM;*
- E) *EFFECT ON LOCAL ENVIRONMENT – MICROCLIMATE, OVERSHADOWING, ETC;*
- F) *PROVISION OF HIGH QUALITY ENVIRONMENT; AND*
- G) *AIRFIELD SAFETY REQUIREMENTS.*

IN ADDITION TO PLANNING PERMISSION TALL BUILDING PROPOSALS WILL ALSO REQUIRE THE APPROVAL OF THE GOVERNMENT.

Accessibility

- 2.36 People with disabilities, mobility problems and people with young children in pushchairs, often have difficulty in accessing buildings. The Development and Planning Commission wishes to minimise the physical barriers to movement for such people and expects that their needs will be taken into account in the design of new buildings, alterations or changes of use. The following policy applies to buildings that are open to the public (such as shops, restaurants, hotels, banks, commercial premises, places of entertainment, leisure and community buildings), places of employment, education buildings and dwellings.
- 2.37 Some flexibility may be required in the implementation of the policy in relation to listed and other historic buildings to ensure that their character and appearance is respected, and also where the physical limitation of the site makes it impossible to provide such access.
- 2.38 As indicated earlier in this section the Development and Planning Commission is to encourage a review of the existing Building Regulations. Any such review will need to include consideration of the issue of access for people with mobility difficulties and once the revised regulations are implemented proposed development will need to be in full compliance.
- 2.39 It should also be noted that the Disabled Persons Act 1992, makes specific provision for “Access to and facilities at premises open to the public”. It should be further noted that the Equal Opportunities Act 2006 prohibits discrimination on the grounds of disability and that in certain circumstances this may require ‘reasonable adjustments to be made to premises (including access to the premises). The Act also includes provisions the effect of which is to require lessors not to unreasonably withhold their consent to an occupier making ‘reasonable adjustments’ to the premises.

POLICY GDS16 – DISABLED ACCESS

PROPOSALS FOR NEW DEVELOPMENT, ALTERATIONS OR CHANGES OF USE OF EXISTING BUILDINGS WILL BE REQUIRED TO PROVIDE SATISFACTORY ACCESS FOR PEOPLE WITH DISABILITIES, MOBILITY PROBLEMS OR PEOPLE WITH YOUNG CHILDREN IN PUSHCHAIRS AS CUSTOMERS, VISITORS, EMPLOYEES AND RESIDENTS.

Shopfronts

- 2.40 Shopfronts are an important feature of the streetscene and can provide interest for shoppers and the general public alike. Through sensitive design shopfronts, signs and associated features can significantly enhance the shopping environment. Conversely, poorly designed shopfronts can have a negative effect on that same environment. Shopfronts are an important part of the public realm and can add interest and vibrancy to the area. Shopfront design must therefore take this into account and proposals that work counter to this, such as the introduction of dead frontages through, for example, solid shuttering will not be permitted.
- 2.41 Over recent years there has been a tendency for standardised designs to be introduced, the extensive use of inappropriate materials and signage, all of which detract from the quality of the shopping environment. In future, more attention shall be given to ensuring that shopfront design respects the character of the building in which it is situated and the area generally, and to avoiding intrusive signage and detailing. This does not preclude good contemporary design where appropriate.
- 2.42 The Old Town Plan and Design Guide provide more detailed guidance on shopfronts in the town area, but the following policy applies to all such development:

POLICY GDS17 - SHOPFRONTS

PROPOSALS FOR NEW SHOPFRONTS OR THE REFURBISHMENT OF EXISTING SHOPFRONTS WILL ONLY BE PERMITTED WHERE:

- A) *THEY ARE SYMPATHETIC TO THE CHARACTER OF THE BUILDING, ADJACENT PROPERTIES AND THE SURROUNDING AREA;*
- B) *THE SCALE AND PROPORTION ARE APPROPRIATE TO THE LOCALITY;*
- C) *THEY DO NOT RESULT IN THE LOSS OF A TRADITIONAL SHOPFRONT;*
- D) *THE DETAILING, COLOUR AND MATERIAL ARE APPROPRIATE TO THE AREA;*
- E) *ANY PROPOSED AWNINGS ARE OF A SYMPATHETIC DESIGN, COLOUR AND MATERIAL;*

- F) THE FASCIA AND SIGNAGE ARE APPROPRIATELY POSITIONED AND LOCATED, AND, WHERE RELEVANT, APPROPRIATELY ILLUMINATED, WITH RESPECT TO THE LOCALITY; AND**
- G) SECURITY SHUTTERS, IF CONSIDERED ESSENTIAL, ARE NOT VISUALLY INTRUSIVE AND ARE FULLY PERFORATED TO ENABLE A CLEAR VIEW OF THE INTERIOR WHEN CLOSED.**

2.43 The above policy equally applies to premises located in shopping areas but may not be classified as shops, such as banks, building societies, commercial premises, etc.

Timber windows and Shutters

2.44 Buildings in Gibraltar have traditionally incorporated timber framed windows and timber shutters, the former being either vertical sliding sash or casements, whilst the latter have been side hung with viewing hatches on the lower half of each shutter.

2.45 Windows are an important feature in the elevation of any building and their replacement by unsympathetic designs can have a detrimental impact on the historic and architectural character of the building. The predominance of these features in Gibraltar's architecture means that their loss has a wider impact than just on the building itself. The streetscape and townscape can be affected by the loss of these features.

2.46 Over the years many buildings have had their timber windows and/or shutters replaced with modern alternatives such as upvc or aluminium. The Development and Planning Commission's preference is for existing timber windows and shutters to be repaired rather than replaced, however in some cases this is not feasible and replacement is the only option. In such cases, the preference will be for replacements to be of timber construction. However, where a building has already undergone significant change with the majority of the traditional windows and shutters already lost to alternatives, and provided that the building is not a statutorily protected building nor is it situated within a Conservation Area, then the Development and Planning Commission may permit the replacement of any remaining timber windows and shutters with non-timber alternatives.

2.47 The Government operates at present a scheme for 'Tax Relief On Façade Improvements' as a means of achieving improvements to the physical environment. The cost of replacement of windows and shutters is an eligible expense under the scheme and as an incentive to owners, applications involving replacement with timber windows and shutters will normally be approved. Conversely, replacements with non-timber windows and shutters will not normally be approved for tax relief.

2.48 It should be noted that where the building is a statutorily protected building or within a Conservation Area the relevant policies are set out in the Environment section of this Part of the Plan.

POLICY GDS18 - TIMBER WINDOWS AND SHUTTERS

PERMISSION FOR THE REPLACEMENT OF EXISTING TIMBER WINDOWS OR SHUTTERS BY NON-TIMBER REPLACEMENTS WILL ONLY BE GRANTED WHERE:

- A) THE BUILDING IS NOT A STATUTORILY PROTECTED BUILDING, AND/OR,**
- B) THE BUILDING IS NOT LOCATED WITHIN A CONSERVATION AREA; AND**
- C) THE MAJORITY OF THE BUILDING'S EXISTING WINDOWS (IN THE CASE OF WINDOW REPLACEMENT) OR SHUTTERS (IN THE CASE OF SHUTTER REPLACEMENT) ARE NOT OF TIMBER CONSTRUCTION.**

Advertisements

- 2.49 All advertising signs require consent under the Town Planning Act. The proliferation of signs can result in a cluttered and untidy appearance to the detriment of the streetscene. Care needs to be taken to ensure that signage does not appear to be out of scale, obtrusive or unsympathetic to the architectural qualities of the building or the area generally. Applications will be assessed in terms of visual amenity and public safety. Signs that could cause an obstruction or danger to either pedestrians or vehicles will not normally be permitted. Even in pedestrianised areas signs will not be permitted that could cause an obstruction to vehicles. This is because whilst the area may be pedestrianised, service vehicles and emergency vehicles still require unrestricted access, and special events may also necessitate the unrestricted passage of vehicles.
- 2.50 The illumination of signs can have a significant impact on the appearance of the shopfront, the building on which it is located and the area generally. High intensity illumination will not normally be permitted as it is not considered appropriate due to its obtrusive nature and potential disturbance to nearby occupiers. Similarly, intermittent lighting sources will not normally be permitted. Where shopfronts are to be illuminated through the use of external light sources, these should be discrete in appearance and limited in number.
- 2.51 Existing signs poorly designed or positioned on the building, or in the vicinity, will not be regarded as justification for further similar signs.
- 2.52 The following general policy applies to all advertising sign proposals, but in addition, further detailed advice is provided for the Old Town area in the Old Town Plan and the Design Guide.

POLICY GDS19 – ADVERTISING SIGNS

APPLICATIONS FOR ADVERTISING SIGNS WILL ONLY BE GRANTED WHERE THEY:

- A) ARE APPROPRIATE TO THEIR SURROUNDINGS IN TERMS OF SCALE, COLOUR AND MATERIALS USED;**

- B) RESPECT THE ARCHITECTURAL QUALITIES OF ANY BUILDING ON WHICH THEY ARE LOCATED;**
- C) ARE APPROPRIATE TO THE LOCATION IN TERMS OF THE METHOD OF DISPLAY, SUPPORT, AND THE TYPE AND INTENSITY OF ANY ILLUMINATION; AND**
- D) ARE ACCEPTABLE IN TERMS OF SAFETY TO BOTH PEDESTRIANS AND VEHICULAR TRAFFIC.**

Illumination of buildings and features

2.53 The illumination of buildings can have a dramatic impact on the night time environment and it is therefore important that the illumination of buildings is carefully controlled to ensure that the impact is a positive one. Such illumination is normally restricted to important public buildings, historic buildings and monuments, natural features and buildings of architectural importance.

2.54 A number of illumination schemes already exist including the floodlighting of the North face of the Rock, the Tower of Homage, parts of the City Walls and a number of other public buildings. The Development and Planning Commission is keen to extend such schemes so that other important buildings, monuments and features can be illuminated at night, which it considers makes a positive contribution to Gibraltar's night time environment. It shall therefore encourage the Government to continue to keep its programme of illumination schemes under review.

POLICY GDS20 – PROGRAMME OF ILLUMINATION SCHEMES

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE THE GOVERNMENT TO KEEP UNDER REVIEW ITS PROGRAMME FOR ILLUMINATION SCHEMES.

2.55 Proposals for illumination schemes for private buildings may come forward from time to time. Such proposals will be considered on their merits but the Development and Planning Commission will want to be satisfied that the building merits illumination, that the scheme is sensitive to the building and its surroundings, and that the proposed illumination intensity is the minimum required and will not result in unacceptable disturbance to adjacent occupiers. Furthermore, the Development and Planning Commission will seek to ensure that appropriate consideration has been given to energy efficiency and renewable energy sources as detailed below.

2.56 Whilst the Development and Planning Commission is keen to encourage appropriate illumination schemes, it is also conscious of the implications of such schemes on energy consumption. It will therefore encourage the proper consideration of the use of energy efficient measures and renewable energy sources where possible, in the design of illumination schemes.

POLICY GDS21 – ILLUMINATION OF BUILDINGS

PROPOSALS FOR THE ILLUMINATION OF BUILDINGS WILL NORMALLY BE FAVOURABLY CONSIDERED PROVIDED THAT:

- A) THE BUILDING THE SUBJECT OF THE PROPOSAL, MERITS ILLUMINATION BY VIRTUE OF ITS ARCHITECTURAL OR HISTORIC VALUE;**
- B) THE PROPOSED ILLUMINATION SCHEME IS SENSITIVE TO THE CHARACTER AND APPEARANCE OF THE BUILDING AND SURROUNDING AREA;**
- C) THE LEVEL OF ILLUMINATION IS THE MINIMUM REQUIRED AND THAT THERE WILL BE NO UNACCEPTABLE DISTURBANCE TO ADJACENT OCCUPIERS; AND**
- D) THE APPLICANT CAN DEMONSTRATE THAT PROPER CONSIDERATION HAS BEEN GIVEN TO THE USE OF ENERGY EFFICIENT MEASURES AND/ OR USE OF RENEWABLE ENERGY SOURCES.**

Enforcement

2.57 This Plan is intended to guide future development and consequently sets out the Development and Planning Commission’s policy in respect of a broad spectrum of planning -related issues. The implementation of many of these policies will largely be achieved through the planning application system. It is therefore self-evident that where unauthorised development takes place the opportunity to implement the Plan’s policies, and therefore its holistic objectives, is lost. This fact taken together with the illegality of unauthorised works, means that the Development and Planning Commission adopts a zero tolerance policy to such unauthorised works and will use all powers available to it under the Town Planning Act to tackle any such cases.

3 THE ENVIRONMENT

Introduction

- 3.0 One of the most important objectives of the planning system is to maintain the quality of the environment - to improve and preserve the quality of the natural environment, protect important wildlife habitats and to conserve our architectural and cultural heritage. This is one of the strategic principles underlying the preparation of this Plan and the Development and Planning Commission places great emphasis on it.
- 3.1 Whilst Gibraltar comprises only some 640 ha of land together with its coastal waters it nevertheless contains significant areas of environmental importance, such as the Upper Rock, yet also has a very densely populated urban area and a huge daily influx of visitors across the land frontier, which in 2008 averaged almost 26,500 people per day¹.
- 3.2 There is therefore a delicate balance to be struck in accommodating the requirement for development whilst preserving the environment.
- 3.3 Specific policies to protect the Upper Rock and to enhance the environment of certain areas e.g. The Old Town, are included elsewhere within the Plan in the section relating to the relevant zone. There is however, a need for a general policy on environmental matters that applies to the whole of Gibraltar.

POLICY ENV1 – EFFECT ON THE ENVIRONMENT

THE EFFECT ON THE ENVIRONMENT OF DEVELOPMENT PROPOSALS SHALL BE A PRIME CONSIDERATION IN DETERMINING APPLICATIONS.

- 3.4 The remainder of this section sets out general environmental policies under specified headings. However, it should be borne in mind that there are also general policies contained in the chapter on General Design and Standards that may be of relevance in considering environmental factors.

Environmental Impact Assessments

- 3.5 Environmental Impact Assessment (EIA) provides a structured assessment of the environmental effects of a proposed development on the environment, and helps to ensure that any impacts can be avoided or adequate mitigation measures and/or compensation measures are introduced. The Environmental Impact Assessment Regulations 2000 provide the legislative framework for EIAs and prospective developers should ensure that they comply fully with the Regulations.
- 3.6 There are a number of benefits to EIAs including:
- a) The provision of more details about major projects and their environmental consequences. This enables the Development and Planning Commission to fully consider the environmental effects in their decision making process.

¹ Derived from Tourist Survey, 2008

- b) The provision of detailed information on the environmental consequences is released into the public domain early in the planning process. This allows for full public involvement in the decision making process.
 - c) Developers must consider the environmental consequences of their proposal at the beginning of the project design process.
 - d) Environmental mitigation measures are introduced at the design stage of major projects
- 3.7 An EIA will be required where there are likely to be significant impacts on the environment. The Regulations provide more detail on the matter. The cost of preparing an Environmental Impact Assessment falls on the applicant and it should be carried out as early as possible in the design process.

POLICY ENV2 – ENVIRONMENTAL IMPACT ASSESSMENTS

APPLICATIONS FOR DEVELOPMENT PROPOSALS THAT ARE LIKELY TO HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT BY VIRTUE OF THE NATURE OF THE PROPOSED DEVELOPMENT AND ITS PROPOSED LOCATION, MUST BE ACCOMPANIED BY AN ENVIRONMENTAL IMPACT ASSESSMENT.

Soil

- 3.8 Soil is a very scarce resource and it is therefore important to ensure it is properly managed. Gibraltar’s unique circumstances mean that the main concern in relation to soil is its loss as opposed to its degradation. In this context wherever development involves the removal of significant amounts of soil every effort should be made to find a beneficial use for the removed soil. One of the most obvious uses for such soil is in landscaping schemes either related to the development or for general landscaping purposes. Applicants will be expected, in appropriate cases, to demonstrate that they have given serious consideration to the re-use of soil removed from the development site.

POLICY ENV3 - SOIL

WHERE RELEVANT, APPLICANTS WILL BE EXPECTED TO MAKE PROVISION FOR THE BENEFICIAL RE-USE OF SOIL REMOVED FROM THE SITE.

Contaminated Land

- 3.9 Contamination of land can occur through natural processes but is more commonly associated with previous uses or operations that have taken place on the land. Examples of potentially contaminated sites include land that has been used for industrial processes such as ship repair, where hazardous substances may have been used, or possibly land used for military purposes where hazardous substances or materials, or munitions may have been widely used.

- 3.10 The re-use of contaminated land is in line with sustainability principles as it effectively recycles land and minimises the need to utilise previously undeveloped land or to create new land through reclamation from the sea. Land is one of Gibraltar's scarcest resources and there is therefore a need to ensure that maximum use is made of the existing land stock. However, a balance needs to be struck between the desire to bring land back into beneficial use and the risks that contaminated land can represent to human health, property and the wider environment. The real or perceived costs of treatment of contaminated land may sometimes act as a barrier to successful development but where the contamination issues and their solutions are identified and integrated into the scheme at an early stage of the development process these concerns can be minimised.

POLICY ENV4 - CONTAMINATED LAND

PLANNING PERMISSION FOR DEVELOPMENT ON CONTAMINATED LAND WILL NORMALLY BE GRANTED PROVIDED THAT IT CAN BE DEMONSTRATED THAT MEASURES CAN BE TAKEN TO SATISFACTORILY OVERCOME ANY SIGNIFICANT RISK TO LIFE, HEALTH OR PROPERTY.

Land Instability

- 3.11 The geomorphology of Gibraltar is such that there are many exposed cliff faces, some of which can be of significant height. Rock falls and landslips from such cliff faces can occur and in considering new development proposals it is important to ensure that the proposal is not exposed to, or does not create, unacceptable risks from land instability.
- 3.12 The onus is on the applicant to demonstrate that the proposed development does not create, or is not exposed to unacceptable risks, and this will frequently necessitate the undertaking of a geo-technical engineering survey that will need to be submitted for consideration. The Government may subject any such survey to independent review, the cost of which will need to be met by the applicant. Any mitigation measures proposed as a result of such a survey will need to be carefully considered in the context of their effect on the ecology of the area and their visual impact.

POLICY ENV5 – LAND INSTABILITY

PLANNING PERMISSION WILL NOT BE GRANTED WHERE:

- A) THERE WOULD BE AN UNACCEPTABLE RISK TO LIFE OR PROPERTY ARISING FROM THE INSTABILITY OF THE PROPOSED SITE, OR OF ANY NEARBY LAND; OR***
- B) THE PROPOSED DEVELOPMENT ITSELF WOULD CREATE UNSTABLE GROUND CONDITIONS WHICH WOULD PRESENT AN UNACCEPTABLE RISK TO LIFE OR PROPERTY ON THE SITE OR IN ITS VICINITY.***

WHERE IT IS CONSIDERED THAT THERE IS A RISK OF INSTABILITY THE APPLICANT WILL BE REQUIRED TO ENGAGE A REPUTABLE GEOTECHNICAL ENGINEERING CONSULTANT TO UNDERTAKE A RISK ASSESSMENT AND PROVIDE ADVICE ON ANY WORKS THAT MAY BE CONSIDERED NECESSARY. THIS ASSESSMENT MAY BE SUBJECTED TO AN INDEPENDENT DESIGN REVIEW BY THE RELEVANT GOVERNMENT DEPARTMENT. ANY PROPOSED REMEDIAL WORKS WOULD NEED TO ENSURE THAT THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT.

Development and flood risk

- 3.13 The low-lying nature of many parts of Gibraltar means that there is potential for inundation by the sea. Much of Gibraltar’s low-lying land is situated within the protected harbour area and although specific areas within the harbour may be susceptible to large swells, this area is generally considered at low risk. The more exposed areas of Gibraltar’s shoreline, particularly the southern and eastern sides that do not benefit from the relative protection of the Bay of Gibraltar, are considered to be at greater risk.
- 3.14 It is commonly accepted that sea levels are likely to rise in the future as a result of global warming. The scientific community continues to debate the extent of such rises with predictions currently ranging from less than a metre to a few metres. Clearly proper consideration must be given to the impact of likely sea level rise and its resultant impact on areas likely to be at risk of inundation.
- 3.15 Where development is proposed in areas considered to be at risk, the applicant will need to demonstrate how the proposed development shall be protected from inundation. Consideration will need to be given to the environmental effect of any coastal defence works that are required, including possible secondary effects elsewhere along the coast. As already indicated predictions for future sea level rise do vary but a mid range prediction would be in the order of 5mm per year. This should be considered a minimum and may well vary with time as predictions are reviewed.

POLICY ENV6 – DEVELOPMENT AND FLOOD RISK

PLANNING PERMISSION FOR DEVELOPMENT IN AREAS CONSIDERED TO BE AT RISK WILL ONLY BE GRANTED WHERE THE APPLICANT CAN DEMONSTRATE THAT THE PROPOSED DEVELOPMENT WILL BE ADEQUATELY PROTECTED FROM INUNDATION. ANY PROTECTIVE MEASURES REQUIRED MUST NOT HAVE AN UNACCEPTABLE EFFECT ON THE ENVIRONMENT, INCLUDING POSSIBLE SECONDARY EFFECTS ELSEWHERE ON THE COASTLINE ARISING FROM THE PROPOSED PROTECTION MEASURES.

Air Quality

- 3.16 The Development and Planning Commission supports the Government’s aim of ensuring that Gibraltar’s air quality is of a good standard and meets the relevant EU requirements. The recent introduction of air monitoring stations at the southern end of Rosia Road, at

Bleak House, Europa Point, and at Witham's Road will enable more accurate recording of air quality than has been possible previously. Air quality can have a direct impact on human health as well as the environment generally. The objective therefore is to ensure that proposed development does not have a significant adverse effect on Gibraltar's air quality. In some cases a potentially polluting proposal may be acceptable where it can be shown that appropriate mitigation measures will be implemented to ensure that there is no unacceptable long-term effect on air quality.

Water quality

- 3.17 Potable water in Gibraltar is provided almost exclusively through a desalination process and the quality of Gibraltar's coastal waters is therefore of prime importance. In addition, Gibraltar's coastal waters are heavily used for recreational purposes, and to a certain extent for fishing. The rich marine environment found in Gibraltar's waters is also extremely susceptible to changes in water quality. The quality of Gibraltar's coastal waters has the potential to significantly affect these different interests. In addition the recent introduction of the Water Framework Directive (2000/60/EC) places an additional legal requirement on the Government to ensure that water quality reaches a 'good' status.
- 3.18 It is therefore important to ensure that new development proposals do not adversely affect water quality. Development has the potential to affect water quality through, for example, effluent discharges from industrial processes, from surface water run off which may be contaminated, and through the treatment and discharge of sewage.
- 3.19 It will therefore be necessary for applicants to demonstrate that where there is a risk of a proposed development resulting in an adverse effect on water quality, appropriate mitigation measures can be implemented to ensure that water quality is not seriously compromised.

POLICY ENV7 – AIR AND WATER QUALITY

PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT PROPOSALS THAT COULD POTENTIALLY HAVE A SIGNIFICANT ADVERSE EFFECT ON AIR OR WATER QUALITY IF IT CAN BE DEMONSTRATED, TO THE SATISFACTION OF THE COMPETENT AUTHORITY, THAT APPROPRIATE MITIGATION MEASURES CAN BE IMPLEMENTED TO MINIMISE SUCH EFFECTS.

- 3.20 It is of vital strategic importance that Gibraltar has more than one source of seawater for desalination to ensure security of supply. There should be at least two distinct sites with access to high quality seawater for Gibraltar's desalination plant located remotely from each other to safeguard against plant outage due to seawater pollution, algal blooms, etc. Similarly, access to good quality seawater is fundamental for the salt water system seawater pumping stations.
- 3.21 Currently desalination plant are located at the ex-MOD laundry at Governor's Cottage (with the source located at Little Bay) and at the North Mole (although this plant is nearing the end of its useful life – see sections 11 and 13). Saltwater pumping stations are located at Gun Wharf and North Mole.

3.22 Any proposed developments in the vicinity of any existing or future seawater intakes used for desalination or for saltwater distribution will need to pay particular attention to the need to ensure that there is no adverse effect on seawater quality.

POLICY ENV8 – PROTECTION OF WATER QUALITY IN THE VICINITY OF SEA WATER INTAKES

PROPOSALS IN THE VICINITY OF SEAWATER INTAKES, EXISTING OR FUTURE, WILL NEED TO TAKE PARTICULAR ACCOUNT OF THE NEED TO ENSURE THAT THERE IS NO ADVERSE EFFECT ON SEA WATER QUALITY.

Noise and dust nuisance

Noise

3.23 Noise can have a significant effect on the environment and on the quality of life of residents and the community generally. The noise generated by development can be short term, i.e. that generated by the physical construction process and use of associated plant and machinery, or long term, i.e. the actual development itself, once operational, generates noise.

3.24 The Development and Planning Commission recognises that much development that is necessary for job creation and for the construction and improvement of infrastructure will generate noise, as will the physical process of construction itself. Nevertheless, the Development and Planning Commission must ensure that disturbance is minimised as far as is practicable.

3.25 In considering applications for noise-generating developments the Development and Planning Commission will wish to be satisfied that due attention has been paid to minimising the impact of noise on surrounding receptors. This is particularly so where a noise-generating proposal is to be sited near existing noise-sensitive developments such as hospitals and schools. In addition, the Development and Planning Commission will wish to ensure that noise disturbance arising from the physical construction process is minimised and where appropriate conditions may be imposed on hours of working.

POLICY ENV9 – NOISE

IN CONSIDERING APPLICATIONS FOR NOISE-GENERATING DEVELOPMENTS DUE CONSIDERATION MUST BE GIVEN TO MINIMISING THE IMPACT OF NOISE ON ADJACENT AREAS THROUGH THE DESIGN AND LAYOUT OF THE PROPOSED DEVELOPMENT AND BY THE USE OF OTHER MITIGATING MEASURES SUCH AS PHYSICAL SCREENING OR HOURS OF OPERATION.

IN CONSIDERING APPLICATIONS FOR ALL TYPES OF DEVELOPMENT THE DEVELOPMENT AND PLANNING COMMISSION WILL CONSIDER THE LIKELY SHORT TERM IMPACT FROM CONSTRUCTION NOISE ON ADJACENT AREAS, AND WHERE THIS IS CONSIDERED TO BE SIGNIFICANT MAY IMPOSE CONDITIONS TO MITIGATE THE EFFECTS THROUGH, FOR EXAMPLE, LIMITING HOURS OF CONSTRUCTION WORK, OR LIMITING THE LOCATION OF CERTAIN PLANT AND MACHINERY WITHIN THE SITE.

Dust

- 3.26 As for noise, dust, particularly during construction work, can cause a nuisance to nearby residents and the community generally. The Development and Planning Commission will therefore seek to ensure that appropriate measures are taken to minimise dust nuisance.

POLICY ENV10 – DUST NUISANCE

IN CONSIDERING APPLICATIONS FOR NEW DEVELOPMENT CAREFUL ATTENTION WILL NEED TO BE PAID TO MEASURES TO ENSURE THAT DUST DURING CONSTRUCTION WORKS IS PROPERLY CONTAINED TO MINIMISE NUISANCE TO ADJACENT USERS. WHERE APPROPRIATE, THE DEVELOPMENT AND PLANNING COMMISSION MAY IMPOSE CONDITIONS AIMED AT MITIGATING THE POTENTIAL EFFECT OF DUST NUISANCE.

Natural environment

Biodiversity

- 3.27 It is important to conserve, manage and enhance Gibraltar’s biodiversity for the benefit of future generations, because of its contribution to the environment in which we live and as part of a global effort to reduce the loss of biodiversity.
- 3.28 Gibraltar has international obligations, by virtue of it being a European territory, to conserve and protect its unique wildlife and habitats. The EU Birds Directive, the Bonn Convention (on conservation of migratory wild animals), EU Habitats Directive and Natura 2000 Network are just some of the conventions, Directives and Agreements with which Gibraltar complies.
- 3.29 The Gibraltar Ornithological and Natural History Society has published “Biodiversity Action Plan, Gibraltar: Planning for Nature”, 2006, that provides useful information on Gibraltar’s biodiversity.
- 3.30 Development proposals can offer opportunities as well as represent a threat to biodiversity and it is therefore relevant for the Plan to provide guidance on this subject.
- 3.31 Development proposals should take every opportunity to protect, conserve and enhance natural features for their own sake but also to provide opportunities for the quiet enjoyment of nature. This includes the protection of important sites of ecological value and the provision of new habitat within new development. This can be achieved through careful landscaping

and by designing for biodiversity, through for example designing for nests and roosts within buildings, designing coastal revetments in land reclamation projects so as to create appropriate conditions for marine species, or through the provision of green roofs. Some of the more specific measures are covered by policies later in this section but the policy below is intended as a general over-arching policy that will apply to all development.

POLICY ENV11 - BIODIVERSITY

THE PROTECTION AND ENHANCEMENT OF BIODIVERSITY SHALL BE AN IMPORTANT CONSIDERATION IN THE DETERMINATION OF PLANNING APPLICATIONS. THE DEVELOPMENT AND PLANNING COMMISSION SHALL, WHEREVER POSSIBLE, SEEK THE:

- A) PROTECTION, MANAGEMENT AND ENHANCEMENT OF NATURAL LANDSCAPE, WILDLIFE AND WILDLIFE HABITAT, AND THE CREATION OF NEW WILDLIFE HABITAT;***
- B) APPROPRIATE PROVISION OF PUBLIC ACCESS TO NATURAL AREAS PROVIDED THAT SUCH ACCESS DOES NOT SIGNIFICANTLY PREJUDICE THE BIODIVERSITY OF THE AREA; AND***
- C) INCORPORATION OF APPROPRIATE NEW WILDLIFE HABITAT INTO LANDSCAPING AND BUILDINGS.***

Trees and Green areas

3.32 Trees and green areas make a valuable contribution towards the appearance of an area as well as being of significant ecological value. Such features are an integral part of the townscape or landscape and make a significant contribution to the character of the area. The Development and Planning Commission therefore wishes to retain such features wherever possible. Where there is no alternative to the loss of a tree as a result of development, and permission is granted, there will normally be a requirement for two new trees to be planted for each tree lost, as a compensation measure.

3.33 Where it is considered that specific control is required in relation to a tree(s) the Development and Planning Commission is empowered to make a Tree Preservation Order. The effect of this Order is to control virtually all kinds of works to the tree(s). The two largest concentrations of tree areas are the Upper Rock and Alameda Gardens, both of which are subject to specific policies that are set out in the respective sections of this Plan. Elsewhere the following policies apply.

POLICY ENV12 - TREES

PERMISSION FOR DEVELOPMENT INVOLVING THE CUTTING DOWN OR REMOVAL OF TREES WILL ONLY BE GRANTED WHERE:

- A) THE PROPOSED DEVELOPMENT IS OTHERWISE ACCEPTABLE; AND***

B) THE DEVELOPMENT AND PLANNING COMMISSION IS SATISFIED THAT THE DEVELOPMENT CANNOT BE REDESIGNED TO AVOID THE REMOVAL OF THE TREE(S).

WHERE THE REMOVAL OF A TREE(S) IS PERMITTED THE DEVELOPMENT AND PLANNING COMMISSION SHALL NORMALLY REQUIRE THE PLANTING OF TWO REPLACEMENT TREES FOR EACH TREE LOST, EITHER ON THE APPLICATION SITE OR ON AN ALTERNATIVE SITE IDENTIFIED BY THE COMMISSION.

POLICY ENV13 – TREE PRESERVATION ORDERS

TREE PRESERVATION ORDERS SHALL BE MADE WHERE TREES CONSTITUTE A SIGNIFICANT CONTRIBUTION TO THE ENVIRONMENT AND WHERE IT IS CONSIDERED DESIRABLE THAT THEY SHOULD BE PROTECTED.

Sites of ecological value

- 3.34 Gibraltar has significant areas of ecological value both terrestrial and marine. The Upper Rock Nature Reserve was formally designated as a Nature Conservation Area in 1993 under the Nature Protection Act. The Nature Protection Act also provides legal protection for many species of flora and fauna throughout Gibraltar. A marine Nature Reserve has also been proposed but is yet to be formally designated. Details of Special Areas of Conservation are given below. Specific policies relating to the Upper Rock are contained in the relevant section of Part II of this Plan.
- 3.35 Apart from their ecological value such sites can also be an important recreational and educational resource. The Development and Planning Commission will seek to ensure that such sites are not detrimentally affected either directly or indirectly, by development proposals.

POLICY ENV14 – SITES OF ECOLOGICAL VALUE

PLANNING PERMISSION FOR DEVELOPMENT THAT WOULD HAVE A SIGNIFICANT ADVERSE EFFECT ON IDENTIFIED SITES OF ECOLOGICAL VALUE WILL NOT NORMALLY BE GRANTED.

- 3.36 The Government has identified the Upper Rock area (including the Great Sand Slopes), Windmill Hill and part of the southern coastline as being of European Community importance based on the natural habitats and species they host, under the provisions of the EU Habitats Directive. The EU has accepted these proposals and as such these sites are classified as Sites of Community Importance (SCIs). The SCIs will in due course be designated as Special Areas of Conservation in accordance with the provisions of the Habitats Directive and the Nature Protection Act. Development proposals that are not directly connected with or necessary to the management of these sites and is, or are likely to have a significant

effect on such sites will need to be the subject of an ‘appropriate assessment’ to be carried out by the relevant authority. Development proposals that will have an adverse effect on the integrity of such a site will not normally be permitted.

POLICY ENV15 – SITES OF COMMUNITY IMPORTANCE/SPECIAL AREAS OF CONSERVATION

PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED FOR DEVELOPMENT THAT WILL AFFECT THE INTEGRITY OF A DESIGNATED SITE OF COMMUNITY IMPORTANCE/SPECIAL AREA OF CONSERVATION, AS SHOWN ON THE PROPOSALS MAP.

Bats and swifts

- 3.37 All bats and swifts are protected by virtue of the Nature Protection Act, 1991. The law protects the swifts, their nests and eggs and prohibits any disturbance to nesting birds on or near the nest. Thus for example, the erection of scaffolding, etc, on the side of a building near swift nests could interfere with the swift’s access to the nesting site. Bats too are given special protection because of their roosting requirements. It is therefore an offence to intentionally damage, destroy or obstruct access to any place that a bat uses for shelter or protection, including houses and outbuildings.
- 3.38 Building work represents a risk to both bats and swifts due to the possible loss of roosts and nests and the potential disturbance caused. It is therefore important for applicants to establish at an early stage whether their development proposal is likely to have an impact on either of these species. Advice is available from the Gibraltar Ornithological and Natural History Society.

POLICY ENV16 – BATS AND SWIFTS

DEVELOPMENT PROPOSALS THAT ARE LIKELY TO:

- A) AFFECT EITHER EXISTING BAT ROOSTS OR SWIFT NESTS, AND/OR***
- B) OFFER AN OPPORTUNITY TO PROVIDE SUCH ROOSTING OR NESTING SITES,***

WILL NORMALLY ONLY BE GRANTED PERMISSION WHERE SUITABLE PROVISION HAS BEEN MADE TO ACCOMMODATE THE ROOSTING AND NESTING REQUIREMENTS OF SWIFTS AND BATS AS RELEVANT.

- 3.39 Where a development proposal is likely to affect either bats or swifts, or where a proposal offers the opportunity to provide additional roosting or nesting sites, the Development and Planning Commission will expect the applicant to design into the proposal the appropriate facilities to accommodate roosts/nests.

Built and Historic Environment

Environmental Improvements

- 3.40 The Government has undertaken a programme of environmental improvements since the production of the 1991 Plan. Schemes that have been carried out include:
- Pedestrianisation and environmental improvement of Main Street and its side streets
 - Casemates Square and John Mackintosh Square
 - Environmental improvement of Waterport Road
 - Environmental improvement of Laguna Estate
 - Environmental improvement of Glacis Estate
 - Environmental improvement of Sir Winston Churchill Avenue
 - Environmental improvement of Sir Herbert Miles Road
 - Environmental improvement of Catalan Bay village (phases 1 and 2)
 - Harbour Views promenade.
- 3.41 Schemes such as those above have had a significant impact on Gibraltar's environment and it is intended to continue with a planned programme of Environmental Improvements.
- 3.42 In formulating environmental improvement schemes, the Development and Planning Commission shall actively encourage the introduction of new or additional tree planting on streets.

POLICY ENV17 – ENVIRONMENTAL IMPROVEMENT SCHEMES

ENVIRONMENTAL IMPROVEMENT SCHEMES SHALL CONTINUE TO BE UNDERTAKEN IN ACCORDANCE WITH THE GOVERNMENT'S PLANNED PROGRAMME THAT SHALL BE KEPT UNDER REVIEW.

Historic Environment

- 3.43 The Development and Planning Commission places great emphasis on the protection of Gibraltar's historic environment that it considers should be valued for its own sake, as a central part of our cultural heritage and our sense of national identity. The historic environment contributes to our understanding of both the present and the past and adds to the quality of life by enhancing the familiar local scene and sustaining the sense of local distinctiveness. The Development and Planning Commission wishes to ensure that Gibraltar's historic environment is managed properly and therefore in addition to this Plan that deals with the planning aspect of the historic environment, it welcomes and supports the Government's intention to prepare a Heritage Management Plan that shall provide guidance on the future maintenance and management of Gibraltar's heritage.
- 3.44 The Heritage Trust Act, 1999, provides the legislative framework for, amongst other matters, the conservation of listed buildings, structures, sites and land. The Government is in the process of reviewing the current legislation and it is expected that the revised legislation will come into effect during the early part of the life of this Plan. Some of the policies contained in the Plan will be dependent on the introduction of new legislation, namely policies relating to the designation and control of development in Conservation Areas.

3.45 This section contains general planning policies on the historic environment, but in addition there will be policies and proposals that apply to specific areas contained in Part II of this Plan, the Old Town Plan and the Design Guide for the Old Town.

Conservation Areas

3.46 A Conservation Area is an area of special architectural, scientific, historic or other cultural interest the character or appearance of which it is desirable to preserve or enhance. Conservation Areas will be designated under the provisions of a new Heritage Act once this has been enacted.

3.47 The designation of Conservation Areas shall be kept under review and alterations and additions shall be made where appropriate.

POLICY ENV18 – DESIGNATION OF CONSERVATION AREAS

THE DESIGNATION OF CONSERVATION AREAS SHALL BE KEPT UNDER REVIEW AND ALTERATIONS AND ADDITIONS SHALL BE MADE AS APPROPRIATE.

3.48 The designation of a Conservation Area does not preclude new development. Indeed, new development that positively contributes towards the character or appearance of a Conservation Area is to be encouraged. It is important that planning policy does not restrict essential change provided always that the change does not detract from the character or appearance that led to its designation in the first place.

POLICY ENV19 – DEVELOPMENT WITHIN CONSERVATION AREAS

PLANNING PERMISSION FOR DEVELOPMENT PROPOSALS WITHIN CONSERVATION AREAS WILL ONLY BE GRANTED WHERE THE PROPOSAL:

- A) RESPECTS THE HISTORIC CONTEXT IN SCALE, HEIGHT, MASSING, FORM AND LAYOUT;***
- B) IS SYMPATHETIC TO THE SITE, ITS SETTING AND SURROUNDINGS IN TERMS OF DETAILED DESIGN, USE OF MATERIALS AND COLOURS;***
- C) DOES NOT RESULT IN THE LOSS OF BUILDINGS THAT ARE EITHER OF HISTORICAL VALUE OR FORM AN IMPORTANT PART OF A GROUP OF BUILDINGS, THAT CONTRIBUTE TO THE SPECIAL CHARACTER AND APPEARANCE OF THE CONSERVATION AREA;***
- D) DOES NOT RESULT IN THE LOSS OF IMPORTANT BOUNDARY FEATURES SUCH AS TREES, WALLS, OR RAILINGS THAT CONTRIBUTE TO THE SPECIAL CHARACTER OF THE AREA;***
- E) PRESERVES OR ENHANCES IMPORTANT VIEWS INTO OR OUT OF THE AREA;***

F) PRESERVES OR ENHANCES IMPORTANT OPEN SPACES BETWEEN BUILDINGS; AND

G) PRESERVES OR ENHANCES ANY OTHER FEATURE THAT CONTRIBUTES TO THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA.

DEVELOPMENTS IN THE VICINITY OF A CONSERVATION AREA THAT WOULD HAVE A SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA WILL NOT BE PERMITTED.

3.49 Due to the particularly sensitive nature of Conservation Areas and the need to fully consider the impact of a proposal on its character and appearance, applications for development within Conservation Areas will need to be accompanied by detailed plans and drawings of both the 'as existing' situation and the proposed development, including elevations that show it in the context of its setting. For this reason outline applications will not normally be accepted for development proposals within Conservation Areas.

Protected monuments, buildings and properties

3.50 The Heritage Trust Act makes provision for the protection of identified monuments, buildings and properties including all of the City Walls and many individual properties. To justify protection under the Act these buildings or structures (that can be on land, sea or under the sea bed) must be of special architectural, scientific or historic interest the character or appearance of which it is desirable to preserve or enhance.

3.51 The designation of protected monuments, buildings and properties shall be kept under review and amendments and additions shall be made as appropriate.

POLICY ENV20 – DESIGNATION OF PROTECTED MONUMENTS, BUILDINGS AND PROPERTIES

THE DESIGNATION OF PROTECTED MONUMENTS, BUILDINGS AND PROPERTIES SHALL BE KEPT UNDER REVIEW AND AMENDMENTS AND ADDITIONS MADE AS APPROPRIATE.

3.52 Protected monuments, buildings and properties form an important part of Gibraltar's heritage and there will always be a presumption in favour of their preservation, protection and enhancement. It is recognised however, that the best way of securing the upkeep of historical structures is to keep them in active use. This may require adaptation through for example, alteration and extension. Such changes should be kept to a minimum and relate sensitively to the existing structure in terms of scale, layout, architectural detailing, materials and colour. Uses that are inappropriate or potentially harmful would not be permitted. Alternative uses need to be compatible with the fabric, interior and setting of the structure.

POLICY ENV21 – ALTERATIONS, EXTENSIONS AND CHANGE OF USE OF PROTECTED MONUMENTS, BUILDINGS AND PROPERTIES.

APPLICATIONS FOR THE ALTERATION, EXTENSION OR CHANGE OF USE OF A PROTECTED MONUMENT, BUILDING OR PROPERTY MUST CONTAIN SUFFICIENT INFORMATION AGAINST WHICH THE IMPACT ON THE FABRIC AND APPEARANCE OF THE BUILDING CAN BE ASSESSED. PERMISSION WILL ONLY BE GRANTED WHERE THE PROPOSAL:

- A) HAS NO SIGNIFICANT ADVERSE IMPACT ON THE EXISTING BUILDING OR STRUCTURE BY REASON OF ITS SCALE, DESIGN, LAYOUT, DETAIL AND USE OF MATERIALS;*
- B) SAFEGUARDS THE ARCHITECTURAL CHARACTER AND/OR HISTORIC FEATURES WHICH ARE IMPORTANT TO THE BUILDING (INCLUDING INTERNAL FEATURES);*
- C) SAFEGUARDS THE HISTORIC FORM AND STRUCTURAL INTEGRITY OF THE BUILDING OR STRUCTURE; AND*
- D) INVOLVES A USE THAT WOULD CONTRIBUTE TOWARDS THE LONG TERM RETENTION OF THE BUILDING OR STRUCTURE AND WOULD PRESERVE ANY HISTORIC, ARCHAEOLOGICAL OR SPECIAL ARCHITECTURAL FEATURES.*

3.53 It is important to consider the wider impact of any proposed development. The relationship between a protected monument, building or property, and its surroundings can often be as important as the detailing of the structure itself. This is particularly so when the relationship with nearby open spaces, prominent sites and other buildings is taken into account. Unsympathetic development that detracts from the appearance and/or setting of such structures shall not therefore be permitted.

POLICY ENV22 – SETTING OF PROTECTED MONUMENTS, ETC.

PROPOSALS THAT WOULD ADVERSELY AFFECT THE SETTING OR APPEARANCE OF A PROTECTED MONUMENT, BUILDING OR PROPERTY, WILL NOT NORMALLY BE PERMITTED.

3.54 The total or substantial demolition of a protected monument, building or property, or of any significant part of it, runs counter to the objective of preserving, protecting and enhancing such structures. There will therefore be a general presumption against such proposals. It is only in exceptional circumstances that such proposals will be considered favourably and the Development and Planning Commission, in coming to its decision will need to consider:

- a) The condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use;

- b) The adequacy of efforts made to retain the building in its use;
- c) The merits of alternative proposals for the site.

3.55 Permission for such proposals will not be granted until a satisfactory redevelopment scheme has been approved.

POLICY ENV23 – DEMOLITION OF PROTECTED MONUMENTS, BUILDINGS AND PROPERTIES.

THERE WILL BE A PRESUMPTION AGAINST THE TOTAL OR PARTIAL DEMOLITION OF ANY PROTECTED MONUMENT, BUILDING OR PROPERTY. PERMISSION WILL ONLY BE GRANTED IN VERY EXCEPTIONAL CIRCUMSTANCES AND DUE REGARD WILL BE HAD TO:

- A) THE CONDITION OF THE BUILDING, THE COST OF REPAIRING AND MAINTAINING IT IN RELATION TO ITS IMPORTANCE AND TO THE VALUE DERIVED FROM ITS CONTINUED USE;***
- B) THE ADEQUACY OF EFFORTS MADE TO RETAIN THE BUILDING IN ITS USE; AND***
- C) THE RELATIVE BENEFITS THAT REDEVELOPMENT WOULD BRING TO THE COMMUNITY AND THE EXTENT TO WHICH THIS WOULD OUTWEIGH THE LOSS OF THE BUILDING/STRUCTURE.***

PERMISSION FOR ANY DEMOLITION WILL NOT BE GRANTED UNTIL A SUITABLE REDEVELOPMENT SCHEME HAS BEEN APPROVED.

Sites of Archaeological importance

3.56 Gibraltar has a rich archaeological heritage, both land-based and marine, which is an essential source of information on Gibraltar's past, the history of humanity, contributes towards the sense of place and national identity and has educational, leisure and tourism value.

3.57 Heritage legislation makes provision for the designation of areas of archaeological importance within which any works will be strictly controlled. In such areas permission will be required under both the Heritage and Town Planning Acts. In addition there may be other areas that are not designated but may nevertheless contain important archaeological remains. Before schemes are approved the relative archaeological importance of the site will need to be assessed and therefore it is important that applicants establish at an early stage in the design process whether or not the site is likely to be of archaeological importance.

3.58 There will be a presumption against development that adversely affects important sites and their setting. Whilst there will be cases where the importance of the archaeological remains requires their preservation in-situ, in many cases, mitigation measures (through for example, the careful design of development, prior excavation and recording or an archaeological watching brief during construction) will provide adequate protection.

POLICY ENV24 – ARCHAEOLOGICAL SITES

THERE WILL BE A GENERAL PRESUMPTION AGAINST DEVELOPMENT THAT HAS A SIGNIFICANT ADVERSE EFFECT ON DESIGNATED SITES OF ARCHAEOLOGICAL IMPORTANCE.

ON OTHER SITES OF ARCHAEOLOGICAL IMPORTANCE PERMISSION WILL ONLY BE GRANTED WHERE THE IMPORTANCE OF THE PROPOSED DEVELOPMENT OUTWEIGHS THE VALUE OF THE REMAINS IN QUESTION. IN SUCH CIRCUMSTANCES ADEQUATE PROVISION SHALL BE REQUIRED FOR THE ARCHAEOLOGICAL EVALUATION, INVESTIGATION AND RECORDING OF SITES. THIS WILL NORMALLY BE ACHIEVED THROUGH THE USE OF PLANNING CONDITIONS.

4 HOUSING

General

- 4.0 Housing is a major land use and is a major determinant of the requirement and distribution of other land uses such as educational, community and recreational facilities. Housing policies and proposals invariably cause the greatest debate and interest since it affects every member of the community.
- 4.1 Due to the limited availability of land housing has always been a problem in Gibraltar and historically there has always been a shortage of suitable housing to meet the demands and needs of the local population.
- 4.2 There is a high demand for housing in Gibraltar with some of the more significant contributory factors being:
- Changes in aspirations of the local population who wish to have their own accommodation rather than sharing;
 - Decreasing household size - average household size has decreased from 3.4 in 1981 to 2.8 in 2001¹. Increasing numbers of single parents, increased divorce rates and increased life expectancy all contribute towards smaller household size and greater demand.
 - An increase in people wishing to purchase property in Gibraltar but who are only resident for part of the year.

The Housing Market

- 4.3 There are a number of distinct categories that make up Gibraltar's housing market:
- Government – rented housing
 - Private – rented housing
 - Owner-occupation – split into controlled and open market.
 - MOD housing
- 4.4 Whilst the Development Plan is only concerned with the civilian housing market the existence of MOD housing needs to be acknowledged. This is important because this has provided a source of housing stock (or at least housing land) in the past as it has become surplus to MOD requirements. Clearly, as a source of housing this was most important during the period that MOD was cutting back its operations in Gibraltar. Whilst the downsizing of the MOD in Gibraltar has essentially stabilised now, the Government continues to negotiate with the MOD with a view to obtaining sites or existing MOD housing stock that it no longer requires. The recent negotiations between the Government and the MOD has resulted in the phased release of various sites throughout Gibraltar, many of which will make an important contribution to Gibraltar's housing stock.
- 4.5 The structure of the housing market has undergone significant structural changes since the 1980s. In 1981 the Government rented sector accounted for 65% of households, private

¹ Census 2001

rented for 29.8%, and owner occupied for only 5.2%. By 2001 the figure for Government rented had dropped to 44%, private rented to 13.8% and owner occupation had risen to 24.4% and a new category of co-ownership accounted for 17%. Owner-occupation (either fully or co-owned) therefore accounted for over 41%¹.

- 4.6 This change in the housing market structure was largely due to:
- Government policy to promote home ownership;
 - Significant reclamation projects;
 - Downsizing of MOD and consequent release of MOD housing.
- 4.7 This Plan aims to continue the existing policy of encouragement of home ownership either through the open market or through co-ownership. In addition to the site –specific policies and proposals set out in Part II of this Plan the following general policies will apply.

POLICY H1 – HOME OWNERSHIP

INCREASED HOME OWNERSHIP BY THE LOCAL POPULATION WILL BE ENCOURAGED. THE HOME OWNERSHIP MARKET WILL BE DIVIDED INTO TWO SECTORS:

- A) THE CONTROLLED MARKET WHERE PRICES AND ALLOCATIONS WILL BE REGULATED UNDER AGREEMENTS WITH THE GOVERNMENT;**
- B) THE OPEN MARKET WHERE NO CONTROLS WILL BE IMPOSED ON THE SELLING PRICE.**

SITES SUITABLE FOR EACH OF THESE MARKETS WILL BE IDENTIFIED AS APPROPRIATE.

- 4.8 The main mechanism by which the Government can pursue the above policy objective is through its control of Crown land. Crown land may become available for development for a number of reasons. It could for example, be land previously occupied by the MOD and returned to the Government, it may be land that is currently vacant, or it may be land that becomes available as a result of the relocation of an existing user(s) to an alternative site. Obviously there are many competing demands for available land in Gibraltar but where the Government determines that it wishes to release the land for residential development it will need to determine the type of residential development that should take place. In reaching this decision the above policy objective should be taken into account together with any assessment of the current housing market. This Plan specifically allocates those sites that are currently known to be available for development, however, as circumstances change over time constant monitoring will be required and the results incorporated into any review of the Plan.
- 4.9 There is a need to cater for all sectors of the housing market. Private sector developments for sale in the open market will continue to be encouraged. Such developments are an important housing source for both the local population as they move up the property ladder and also for people who, whilst they may not reside in Gibraltar full time, do wish to have

¹ Census, 2001

residences in Gibraltar. For those on lower incomes, the Government will continue to make provision for ‘affordable housing’.

- 4.10 In order to cater for the full requirements of the housing market it is important to seek to ensure that a variety of accommodation is provided through new developments or conversions. In particular, the needs of the elderly and disabled need to be taken into account. Whilst the Government may be the main provider of such housing, it is expected that the private sector should also take into account these groups and incorporate their needs into the design of their proposals.

POLICY H2 – HOUSING RANGE

THE PROVISION OF A RANGE OF HOUSING TYPES AND SIZES, INCLUDING THOSE SUITABLE FOR THE ELDERLY AND DISABLED, WILL BE ENCOURAGED.

- 4.11 In considering housing development for the elderly, particular regard should be given to the desirability of locating such development close to public transport facilities and to local services and facilities.

POLICY H3 – HOUSING SCHEMES FOR THE ELDERLY

IN CONSIDERING RESIDENTIAL DEVELOPMENT PROPOSALS FOR THE ELDERLY PARTICULAR ATTENTION SHALL BE PAID TO PROXIMITY TO PUBLIC TRANSPORT FACILITIES, AND OTHER LOCAL SERVICES

Efficient use of existing residential stock

- 4.12 The general shortage of land in Gibraltar and high demand for housing means that existing residential stock is an important resource. However, the existing stock must be put to effective use if it is to make a contribution to meeting housing demand. Frequently the internal distribution of, generally, older residential stock may be unattractive to the present day housing market. This may be the case where residential buildings have been either built originally, or later sub-divided, so as to provide a number of smaller units which are now no longer attractive to the current market. Conversely, buildings constructed as single residences or very large units may similarly be unattractive to the current market. The Development and Planning Commission is therefore keen to ensure that the existing stock is put to effective use, providing accommodation of a type and standard that will be attractive to the current housing market.
- 4.13 In considering proposals that would result in the loss of accommodation for existing occupiers the Development and Planning Commission shall take into account all the particular circumstances of the occupiers, including (but not limited to) the length the occupier has been a tenant, the pattern of occupation of the premises and the prospect of re-housing for the existing occupiers.

4.14 The above represents the Development and Planning Commission’s general approach. However, the Old Town Plan provides specific policy guidance on proposals involving the change of use of existing residential stock and the Development and Planning Commission shall apply these policies as relevant.

POLICY H4 – EFFECTIVE USE OF EXISTING RESIDENTIAL STOCK

THE DEVELOPMENT AND PLANNING COMMISSION WILL ENCOURAGE THE EFFECTIVE USE OF EXISTING RESIDENTIAL STOCK. THE DEVELOPMENT AND PLANNING COMMISSION WILL, IN CONSIDERING ANY PROPOSAL THAT WILL RESULT IN THE LOSS OF ACCOMMODATION FOR EXISTING OCCUPIERS, TAKE INTO ACCOUNT ALL THE CIRCUMSTANCES INCLUDING THE PROSPECTS OF RE-HOUSING FOR THE EXISTING OCCUPIERS.

Conversion of residential buildings

4.15 As explained above the Development and Planning Commission is keen to ensure the effective use of existing residential stock. The conversion of houses into flats helps to increase the total housing stock available in the market as well as provide smaller units that are suitable for single people or smaller households. This is especially important when it can be seen that there are increasing numbers of single people and the average household size has dropped from 3.4 in 1981 to 2.8 in 2001.

4.16 Similarly, the amalgamation of two or more smaller units to create a single residence can ensure beneficial use of existing stock that may otherwise be unattractive to the housing market.

4.17 Whilst such conversions are acceptable in principle, it is necessary to ensure that a satisfactory standard of accommodation is provided and that there are no significant detrimental effects on surrounding properties or the area generally.

4.18 Conversion into multiple occupation – where the accommodation is shared rather than divided into self-contained units – will not normally be permitted. The multiple occupation of residential accommodation will not normally be consistent with the aim of improving the quality of the housing stock and avoiding detrimental effects on neighbouring occupiers.

POLICY H5 – CONVERSION OF RESIDENTIAL BUILDINGS

THE CONVERSION OF LARGE RESIDENTIAL UNITS INTO SMALLER UNITS, OR THE AMALGAMATION OF SMALLER UNITS INTO A SINGLE, OR A NUMBER OF LARGER UNITS, WILL NORMALLY BE ACCEPTABLE, SUBJECT TO:

- A) SATISFACTORY ACCOMMODATION BEING PROVIDED IN TERMS OF SIZE, LAYOUT AND PROVISION OF ADEQUATE FACILITIES; AND***

B) CAR PARKING PROVISION AND OTHER STANDARDS AS CONTAINED IN REGULATIONS BEING MET UNLESS THE DEVELOPMENT AND PLANNING COMMISSION CONSIDERS THAT THERE ARE JUSTIFIABLE REASONS FOR THESE TO BE RELAXED OR WAIVED.

HOWEVER, CONVERSIONS INTO MULTIPLE OCCUPATION WILL ONLY BE ALLOWED WHERE EXCEPTIONAL CIRCUMSTANCES CAN BE DEMONSTRATED.

Redevelopment of existing residential sites

- 4.19 In certain cases, it may be appropriate for an existing residential site to be completely redeveloped. This may be the case where, for example, an existing site is under-used and can be redeveloped to maximise its potential. Alternatively, there may be cases where an existing residential site is inappropriately located and there may be benefits in redeveloping the site for alternative use. However, where the development involves the demolition of existing buildings the Development and Planning Commission will want to be satisfied that these do not merit retention due to any heritage significance. The Development and Planning Commission will also need to be satisfied that the redevelopment proposal will not have any significant detrimental impacts on surrounding uses.
- 4.20 In appropriate locations, the Development and Planning Commission will encourage a mix of uses to ensure that the development makes a positive contribution to the vitality of the area.

POLICY H6 – REDEVELOPMENT OF RESIDENTIAL ACCOMMODATION

PROPOSALS FOR THE REDEVELOPMENT OF EXISTING RESIDENTIAL ACCOMMODATION WILL BE ASSESSED, IN PARTICULAR, AGAINST:

- A) THE SUITABILITY OF THE EXISTING RESIDENTIAL USE IN TERMS OF ITS LOCATION, SIZE, DISTRIBUTION, CONDITION AND GENERAL STANDARD OF ACCOMMODATION;**
- B) THE PROPOSED MIX OF USES AND THEIR COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT; AND**
- C) THE HERITAGE VALUE OF ANY BUILDINGS THAT WOULD BE DEMOLISHED AS PART OF THE PROPOSAL.**

Additional storeys

- 4.21 Additional residential accommodation can often be provided by adding to the height of an existing building. Such proposals will normally be granted permission provided that they do not have a significant detrimental effect on either the character and appearance of the building or the area in which it is located. Most proposals for this type of development occur in the town area. The dense nature of development in this area means that increasing the

height of one building will invariably have an effect on adjacent buildings. The potential effect of a proposal on adjacent occupiers must therefore be taken into consideration at an early stage in the design process to ensure that impact of the proposal on adjacent occupiers is minimised. It is also advisable for applicants to secure the advice of a structural engineer at an early stage in the process as many of Gibraltar’s older buildings, particularly those constructed of random rubble walls, may not be able to support additional loads.

POLICY H7 – INCREASES IN HEIGHT

PROPOSALS TO INCREASE THE HEIGHT OF EXISTING RESIDENTIAL BUILDINGS IN ORDER TO PROVIDE ADDITIONAL ACCOMMODATION WILL NORMALLY BE PERMITTED PROVIDED:

- A) IT COMPLIES WITH THE RELEVANT FLOOR SPACE INDEX AS SET OUT IN THE TOWN PLANNING ACT;***
- B) THERE IS NO DETRIMENTAL EFFECT ON THE CHARACTER AND APPEARANCE OF THE BUILDING OR THE AREA;***
- C) SATISFACTORY CAR PARKING ARRANGEMENTS CAN BE PROVIDED UNLESS THE DEVELOPMENT AND PLANNING COMMISSION CONSIDERS THAT THERE ARE JUSTIFIABLE REASONS FOR THE CAR PARKING REQUIREMENTS TO BE RELAXED OR WAIVED.***

Schemes for the elderly – car parking requirement

4.22 Car ownership levels amongst residents of schemes for the elderly tend to be lower than for standard residential accommodation. As such, a reduced car parking standard may be applied to such development proposals.

POLICY H8 – DEVELOPMENT FOR THE ELDERLY - CAR PARKING STANDARDS

PROPOSALS FOR RESIDENTIAL DEVELOPMENT FOR THE ELDERLY WILL BE SUBJECT TO A REDUCED CAR PARKING STANDARD OF ONE OFF-STREET PARKING SPACE PER 4 HOUSEHOLDS.

Beautification of residential estates.

4.23 Over the last few years the Government has undertaken a programme of environmental improvement works on some of the larger Government residential estates. These works have been aimed at improving the physical environment of the estates and to improving car parking arrangements. The Development and Planning Commission will encourage the Government to continue this programme of improvements through the Plan period.

Off-street car parking in residential estates

4.24 Many of Gibraltar's residential estates lack adequate off-street car parking spaces resulting in a negative effect on the environment generally, traffic congestion and may have an adverse effect on residents and visitors.

POLICY H9 – OFF-STREET CAR PARKING IN RESIDENTIAL ESTATES

THE PROVISION OF ADDITIONAL OFF-STREET CAR PARKING WITHIN OR ADJACENT TO EXISTING RESIDENTIAL ESTATES WILL BE REVIEWED.

5 EMPLOYMENT

Introduction

- 5.0 Gibraltar's economy has undergone significant structural changes over the last two decades. It has moved from an economy very much based on the presence of the MOD to a service economy based on the financial sector, tourism and shipping. These structural changes have come about mainly due to the downsizing of the MOD presence in Gibraltar, the re-opening of the land frontier with Spain and the consequent impact on tourism and the promotion of Gibraltar as an international finance centre.
- 5.1 During the early 1990s the total number of jobs in the economy declined from just over 14,900 jobs in October 1990 to just over 12700 in October 1995. Since then the number of jobs have gradually increased with the figure for October 2008 being 20,509¹. Of these some 5967² were held by cross frontier workers.

Economic development

- 5.2 The Development and Planning Commission's aim is to continue to develop and diversify the economy through making optimum use of land, labour and capital resources, together with encouraging private sector involvement in new projects.
- 5.3 In addition to specific policies and proposals contained in Part II of this Plan or the Old Town Plan, the following general policies shall apply.

POLICY E1 – ECONOMIC DEVELOPMENT

DEVELOPMENT PROPOSALS THAT WILL MAINTAIN, STRENGTHEN AND DIVERSIFY GIBRALTAR'S ECONOMIC BASE SHALL BE ENCOURAGED.

Office development

- 5.4 There is a demand for office floorspace to serve the needs of a range of office uses including financial and investment institutions and other businesses. During the 1991 Plan period significant new office floorspace was added to the stock, most notably at Europort where 47,000 sq metres was provided.
- 5.5 Site-specific proposals for further office development are included within Part II of this Plan.

Small scale office development

- 5.6 In addition to the demand for modern flexible accommodation there is also demand for smaller office accommodation, particularly within the town area. Proposals for such office

¹ Abstract of Statistics, 2008

² Employment Survey, October 2008

development often involve the conversion of existing buildings that has benefits in terms of sustainable development through the re-use of existing buildings, and often provides the opportunity for refurbishment of older buildings with the consequent improvement to the built environment. However, such uses must be compatible with the surrounding uses.

POLICY E2 – OFFICE DEVELOPMENT

PROPOSALS FOR SMALL SCALE OFFICE DEVELOPMENT WILL NORMALLY BE GRANTED PERMISSION PROVIDED THAT THERE IS NO SIGNIFICANT DETRIMENTAL EFFECT ON SURROUNDING USES.

5.7 Proposals for conversion of existing buildings in the Old Town for office development will be considered in the policy context of the Old Town Plan.

Light industrial/storage/distribution units

5.8 There is a constant demand for light industrial units to accommodate a range of such uses including light manufacturing processes, small workshops, starter units as well as storage and distribution units. During the 1991 plan period a number of developments have been carried out:

Name	No of Units	Total Floorspace (m²)
New Harbours	107	261,280
Europa Business Centre	26	63,917
Lathbury Barracks Industrial Park	28	17,633
Eaton Park	27	1,392
Governor’s Cottage Camp	39	12,124
North Mole Industrial Park	7	2,262

5.9 There is a need to accommodate future demand and the need for additional premises will be kept under review during the current Plan period and the development of suitable sites will be encouraged.

POLICY E3 – LIGHT INDUSTRIAL AND STORAGE

THE PROVISION OF LIGHT INDUSTRIAL AND STORAGE UNITS SHALL BE ENCOURAGED ON SUITABLE SITES WHERE:

- A) ACCESS AND PARKING ARRANGEMENTS ARE SATISFACTORY; AND*
- B) THERE IS NO UNACCEPTABLE DETRIMENTAL EFFECT ON THE AMENITIES OF NEIGHBOURING OCCUPIERS.*

Relocation of existing industrial/storage uses

5.10 For historic reasons there exist industrial/storage uses located within built up areas, particularly the town area. These are normally characterised by very constrained sites, adjacent to residential properties and where vehicular access through congested and narrow streets is very difficult. The Plan therefore aims to encourage the re-location of these sites away from residential areas to more suitable sites. Furthermore, proposals for the expansion of such uses in-situ are likely to exacerbate existing problems of traffic congestion and disturbance to adjacent residential uses and therefore proposals for such expansion shall not normally be considered favourably.

POLICY E4 – RELOCATION OF INDUSTRIAL/STORAGE USES

THE RELOCATION OF EXISTING INDUSTRIAL/STORAGE USES THAT ARE INAPPROPRIATELY SITED TO MORE SUITABLE LOCATIONS SHALL BE ENCOURAGED.

PROPOSALS FOR THE EXPANSION OF EXISTING INDUSTRIAL/STORAGE USES THAT ARE INAPPROPRIATELY LOCATED WILL NOT NORMALLY BE GRANTED PERMISSION.

Proposals for new industrial buildings, extensions and changes of use

5.11 New industrial buildings or redevelopment or extension of existing industrial buildings should be of a design and layout that promotes a high quality environment, minimise the impact on adjacent uses and the environment generally and maximises the use of the site.

POLICY E5 – NEW, REDEVELOPED OR EXTENDED INDUSTRIAL BUILDINGS

PROPOSALS FOR NEW INDUSTRIAL BUILDINGS, OR REDEVELOPMENT OF, OR EXTENSIONS TO, EXISTING INDUSTRIAL BUILDINGS WILL NORMALLY BE PERMITTED PROVIDED THAT:

- A) THE DESIGN IS OF A STANDARD THAT PROMOTES A HIGH QUALITY ENVIRONMENT;*

- B) SATISFACTORY ACCESS, CAR PARKING AND SERVICING AREAS CAN BE PROVIDED;**
- C) THERE IS NO SIGNIFICANT ADVERSE IMPACT ON NEARBY OCCUPIERS AND THE ENVIRONMENT GENERALLY; AND**
- D) WHERE APPROPRIATE, THE PROPOSAL INCORPORATES A SATISFACTORY LANDSCAPING SCHEME.**

6 TOURISM

Introduction

- 6.0 Tourism has a vital role to play in Gibraltar's economy. Tourism supports a wide range of local facilities such as shops, restaurants, bars, transport, etc, that otherwise may not be viable.
- 6.1 The re-opening of the land frontier between Gibraltar and Spain firstly for pedestrians in 1982 and then for vehicular traffic in 1985, had a massive impact on the tourism sector. Gibraltar became more accessible to a much wider market and day-trippers from the Costa Del Sol became a particularly important source of tourists. Gibraltar received, in 2008, some 9.6 million visitors¹. This compares to 140,000 in 1970, 132,000 in 1981 and some 4 million in 1991. Some 95% came across the land frontier, the remainder came by sea (3%) or by air (2%)¹.
- 6.2 The vast majority of visitors to Gibraltar are day visitors. However, hotel occupancy levels have been gradually increasing since 1996 with an occupancy level of 60.6% in 2008, and an average length of stay of 3² nights.
- 6.3 It is estimated that tourism was responsible for some 20-25% of the GDP in 2002. The Input-Output Study (undertaken by Bournemouth University)³ estimated that the tourism sector accounted for 1853 direct Full Time Equivalent jobs (FTE), and when the indirect effect (employment occurring in other sectors as a result of the demand generated by the tourism sector) is taken into account, it accounted for 2760 FTEs. In 2008⁶ a total of some £247 million was spent by tourists in Gibraltar, this compares to tourist spending of some £75 million in 1991, an increase of almost 330% since the last Plan was published. Of the total tourist spend in 2008 almost 80% was made by excursionists from Spain⁶, emphasising the importance of this source of tourism.
- 6.4 Gibraltar's attraction as a tourist destination can be classified into:
- Its unique historical and cultural interest;
 - Its shopping opportunities; and
 - Its increasing importance for niche tourism, e.g. scuba diving, weddings, sailing.
- 6.5 The Government is committed to developing Gibraltar's tourist potential further by:
- Developing strategies aimed at extending the length of stay of visitors, whether these are day trippers, short break or other visitors;
 - Consolidating existing, and promoting Gibraltar to new, source markets;
 - Encouraging the provision of further hotel accommodation and diversifying the type of accommodation available;

¹ Tourism Survey, 2008 (visitor arrivals by land include non-Gibraltarian frontier workers)

² Hotel Occupancy Survey, 2008

³ Input-Output Study of Gibraltar, ProfsJ Fletcher & S Wanhill, Bournemouth University, 2003

- Promoting Gibraltar as a destination for specialist tourism e.g. conferences, weddings, scuba diving, etc.
- Investment in tourist attractions – e.g. recent investments include lighting and sound system at St Michael’s Cave; ‘bringing to life’ Upper Galleries; restoration of the Tower of Homage.
- Investment in tourism infrastructure –e.g. cruise liner terminal, coach park, ferry terminal.

6.6 Major schemes to improve facilities and attractions for tourists have taken place over the last few years and include:

- Pedestrianisation and environmental improvement of Main Street and its side streets;
- Cruise terminal;
- Coach park and associated facilities;
- Ferry terminal;
- Air terminal refurbishment and extension;
- Land frontier building refurbishment; and
- Improvements to major tourist sites

6.7 Details of major schemes to improve facilities and tourist attractions are given in Part II of this Plan. More general policies aimed at contributing towards the achievement of the objectives stated above are set out in the remainder of this chapter.

Visitor Management Plan

6.8 Given Gibraltar’s limited size, the volume of tourists, the environmental sensitivity of parts of the Rock and its restricted road network, it is important to ensure that Gibraltar’s carrying capacity for visitor numbers at any one time is not exceeded The Development and Planning Commission will therefore encourage the relevant Government departments and agencies to keep under review total visitor numbers and the methods of monitoring these, to ensure that Gibraltar’s carrying capacity is not exceeded.

POLICY T1 – CARRYING CAPACITY

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE THE RELEVANT GOVERNMENT DEPARTMENTS/AGENCIES TO KEEP UNDER REVIEW TOTAL VISITOR NUMBERS AND THE METHODS OF MONITORING THESE.

Safeguarding tourist attractions

6.9 The importance of tourism to Gibraltar is such that it is vital to ensure that new development does not have a detrimental effect on the tourist product.

POLICY T2 – PROTECTION OF TOURIST ATTRACTIONS

PERMISSION WILL NOT NORMALLY BE GRANTED FOR DEVELOPMENT PROPOSALS THAT WILL HAVE A SERIOUS DETRIMENTAL EFFECT ON RECOGNISED TOURIST ATTRACTIONS.

Major tourist development

- 6.10 Clearly proposals for major new tourist attractions could have a positive benefit in terms of attracting people to Gibraltar. However, this has to be balanced against the impact on sites of environmental or heritage importance, and the potential impact on existing uses and residents in the area. Permission will normally be granted provided that the Development and Planning Commission is satisfied that the benefits of the proposed development outweigh any disadvantages.
- 6.11 By their very nature such proposals are likely to attract significant numbers of visitors and it is therefore important that such sites are easily accessible by foot or by public transport in order to minimise traffic generation.

POLICY T3 – MAJOR TOURIST DEVELOPMENT

PROPOSALS FOR MAJOR NEW TOURIST ATTRACTIONS WILL ONLY BE GRANTED PLANNING PERMISSION WHERE IT CAN BE SHOWN THAT:

- A) THERE IS NO SIGNIFICANT ADVERSE VISUAL IMPACT;*
- B) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY STATUTORY PROTECTED AREA, AREA OF NATURE CONSERVATION INTEREST OR OF HERITAGE INTEREST;*
- C) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON NEIGHBOURING USES OR THE LOCAL ENVIRONMENT BY REASON OF VISUAL INTRUSION, NOISE OR OTHER AMENITY CONSIDERATIONS;*
- D) THE PROPOSED DEVELOPMENT IS ACCESSIBLE BY FOOT AND/OR PUBLIC TRANSPORT; AND*
- E) THERE IS NO SIGNIFICANT ADVERSE EFFECT IN TERMS OF TRAFFIC GENERATION, AND THAT CAR PARKING REQUIREMENTS, IF APPROPRIATE, CAN BE SATISFIED.*

Hotels

- 6.12 There are a number of existing proposals in the pipeline for new hotel accommodation. Significant extensions are planned for The Elliott and Caleta hotels, new hotels are proposed at the site of Buena Vista and a site close to the airport and the potential for a number of new hotels is being considered at the Eastside reclamation.

6.13 The implementation of all these proposals will contribute significantly towards meeting demand. However, circumstances change over time and it will therefore be essential to continuously monitor the demand for hotel accommodation and take appropriate action where necessary.

POLICY T4 - HOTELS

DEMAND FOR FURTHER HOTELS WILL BE KEPT UNDER REVIEW AND SUITABLE SITES WILL BE IDENTIFIED IF NECESSARY.

Other tourist accommodation

6.14 To encourage overnight tourists and to make Gibraltar attractive to a wider market, it is important that a choice of accommodation is available to meet different budgets. Proposals to provide alternative accommodation to hotels will normally be favourably considered provided that they can be accommodated without any significant adverse impacts on surrounding uses. It is anticipated that such proposals will come about through proposals to convert existing buildings. This can often have a positive benefit in terms of restoration of Gibraltar's older buildings and will be encouraged.

POLICY T5 – TOURIST ACCOMMODATION

PROPOSALS FOR NEW TOURIST ACCOMMODATION OTHER THAN HOTELS WILL NORMALLY BE FAVOURABLY CONSIDERED PROVIDED THAT:

- A) THE PROPOSAL WILL NOT UNREASONABLY AFFECT THE CHARACTER AND AMENITY OF THE AREA;***
- B) WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON NEIGHBOURING USES AND THE LOCAL ENVIRONMENT; AND***
- C) WILL NOT LEAD TO UNACCEPTABLE PROBLEMS OF TRAFFIC GENERATION, CAR PARKING OR SAFETY.***

7 RETAILING

Introduction

- 7.0 The 1991 Plan policies have been successful in protecting the Town area as the main shopping area. During the late 1980s and the 1990s the high demand for office accommodation was seen as a threat to the shopping area. However, the policies of the 1991 plan for the town area, together with the development of the Europort reclamation area were effective in relieving the pressure on the town area and thereby protecting the shopping area.
- 7.1 Gibraltar acts as both an important local centre as well as a regional shopping centre, providing a range of small specialist shops as well as increasingly, multiple stores. As well as meeting the requirements of the local population retailing in Gibraltar is also heavily dependent on the tourist market. At the higher end of the spending spectrum Gibraltar is an attractive shopping centre for cruise visitors who tend to purchase high value goods, particularly electronic equipment and perfumery. At the lower end of the spending spectrum are the day visitors who although spend less per person are nevertheless important to the sector because of the large numbers who come to Gibraltar, many purely for shopping purposes.
- 7.2 The retail sector is therefore an important part of Gibraltar's economy with the sector responsible for just over 10% of the GDP (with the wholesale sector contributing another 10% to GDP)¹. The wholesale and retail sector account for 2878 employee jobs representing 14% of the total employee jobs in 2008.

Gibraltar's role as a shopping centre

- 7.3 Gibraltar's main shopping area is centred on the Old Town, along Main Street, Irish Town, Governor's Street and Engineer Lane. Other smaller local centres occur outside the main area, e.g. Watergardens, Marina Bay/Ocean Village, Queensway Quay and within some of the residential estates. Over the last few years limited retailing activity has taken place within some of the industrial estates, particularly at New Harbours. As would be expected larger supermarkets exist outside the Old Town, namely at Devil's Tower Road, New Harbours and Europort (superstore).
- 7.4 Gibraltar is well served by restaurants, bars and clubs that are concentrated in the Old Town and at the marinas at Marina Bay/Ocean Village and Queensway Quay. These businesses contribute towards the local economy and are important in the quality of life for residents as well as contributing towards the attractiveness of Gibraltar for tourists. Such businesses are normally located in close proximity to residential premises and potential problems such as noise disturbance and odours need to be taken into account and where possible appropriate mitigation measures should be implemented.
- 7.5 Since 1991, significant improvements have been made to the environment of the town area. These include the pedestrianisation and environmental improvement of Main Street and many of its side streets, the environmental improvement of Casemates Square and

¹ Input-Output Study of Gibraltar, Profs J Fletcher & S Wanhill, Bournemouth University, 2003

the development of Casemates Barracks as a restaurant/bar and shopping area, and the improvement and appearance of numerous privately owned buildings in the area which has been supported by the Government's Façade Tax Relief scheme. As set out in the Environment chapter, the aim is to continue the policy of Environmental Improvement. In addition, detailed policies and proposals are set out in the Old Town Plan that promote the improvement of the environment of the Old Town. These policies and proposals are inter-related with the policies on retailing and represent a comprehensive approach to the planning of Gibraltar.

- 7.6 This Plan therefore aims to maintain the primary retail role of Main Street and its surrounding area thereby maintaining the vitality and viability of the shopping area as a whole.

POLICY R1 – MAINTENANCE OF ROLE OF OLD TOWN

THE ROLE OF THE OLD TOWN AS THE PRINCIPAL RETAIL CENTRE WITHIN GIBRALTAR SHALL BE MAINTAINED AND ENHANCED.

RETAIL DEVELOPMENT PROPOSALS WITHIN THE OLD TOWN WILL BE CONSIDERED IN ACCORDANCE WITH THE POLICIES AND PROPOSALS OF THE OLD TOWN PLAN.

Superstores and other large retail outlets

- 7.7 The Old Town, comprising narrow streets and heavily built up and with restricted access is not a suitable location for superstore or other large retail outlets. It may be possible to locate such uses outside the Old Town on sites that are suitably accessible by car, public transport, on foot and bicycle, and which will not have a detrimental effect on the function of the Old Town as a shopping centre.

POLICY R2 – SUPERSTORES AND OTHER LARGE RETAIL OUTLETS

PROPOSALS FOR SUPERSTORES AND OTHER LARGE RETAIL UNITS OUTSIDE THE OLD TOWN WILL NORMALLY BE GRANTED PERMISSION PROVIDED:

- A) THE PROPOSAL WOULD BE CONSISTENT WITH THE DETAILED POLICIES FOR THE ZONE;***
- B) THE SITE IS EASILY ACCESSIBLE BY CAR, PUBLIC TRANSPORT, WALKING AND BICYCLE;***
- C) CAR PARKING PROVISION IS MADE IN ACCORDANCE WITH THE REGULATIONS AND SATISFACTORY SECURE CYCLE PARKING PROVISION IS MADE;***
- D) THERE IS NO SIGNIFICANT DETRIMENTAL EFFECT ON RESIDENTIAL AMENITIES; AND***
- E) THERE IS NO SIGNIFICANT DETRIMENTAL EFFECT ON THE VITALITY AND VIABILITY OF THE OLD TOWN AS THE PRIMARY SHOPPING AREA.***

Local shopping Centres

- 7.8 Local shopping centres have a vital role to play in meeting the day-to-day needs of local residents and thereby reduce the need to travel elsewhere, thus contributing towards the aim of reducing traffic congestion. Such provision can often be made part of new development projects and should be considered at an early stage in the design process.

POLICY R3 – LOCAL SHOPPING CENTRES

THE DEVELOPMENT OF LOCAL SHOPPING CENTRES WITHIN RESIDENTIAL AREAS SHALL BE ENCOURAGED. THERE WILL BE A PRESUMPTION IN FAVOUR OF THE RETENTION OF EXISTING SHOPS.

Take away outlets

- 7.9 Take away outlets include both hot and cold food take aways. Such businesses are important in serving the needs of both locals and visitors. Apart from the Old Town, demand also exists in areas where office development has taken place, such as Europort, where they attract the office worker market. However, take aways can often cause nuisance to nearby residents by virtue of noise and odours, and it is therefore important that where such a use is proposed adequate mitigation measures are taken to prevent any significant nuisance to nearby residents occurring. Such measures should be taken into account at an early stage since if the measures themselves cause environmental problems, for example the location of a steel flue on the frontage of a building, then permission would not normally be granted.

POLICY R4 – TAKE AWAYS

PERMISSION FOR TAKE AWAYS WILL ONLY BE GRANTED WHERE:

- A) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE APPEARANCE OF THE BUILDING OR CHARACTER OF THE AREA;***
- B) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE AMENITIES OF NEARBY OCCUPANTS; AND***
- C) IT WILL NOT RESULT IN UNACCEPTABLE TRAFFIC, CAR PARKING OR SAFETY PROBLEMS.***

Retailing within industrial estates

- 7.10 Industrial estates in Gibraltar traditionally have a mix of uses and are not limited to industrial activities only. Uses would typically include storage, distribution and warehousing, industrial, commercial and some retail particularly of bulk items such as furniture and DIY goods. Proposals for limited retail development in such areas is considered acceptable provided

that the use can be satisfactorily accommodated without detriment to other users of the area, adequate parking can be made available and there is no significant detrimental effect on the vitality and viability of the Old Town as the primary shopping area.

POLICY R5 – RETAIL USES IN INDUSTRIAL ESTATES

PROPOSALS FOR LIMITED RETAIL USES WITHIN INDUSTRIAL ESTATES WILL NORMALLY BE PERMITTED WHERE:

- A) THERE IS NO SIGNIFICANT DETRIMENTAL IMPACT ON THE AMENITY OF NEARBY OCCUPIERS;***
- B) ADEQUATE CAR PARKING PROVISION CAN BE MADE;***
- C) THERE IS NO SIGNIFICANT DETRIMENTAL EFFECT ON THE APPEARANCE OR CHARACTER OF THE AREA; AND***
- D) THERE IS NO SIGNIFICANT DETRIMENTAL EFFECT ON THE VITALITY AND VIABILITY OF THE OLD TOWN AS THE PRIMARY SHOPPING AREA.***

8 TRANSPORT

Introduction

- 8.0 Travel to, from and within Gibraltar, in all its forms, is an important consideration in planning terms. There is clearly an inter-relationship between land use and transport and this Plan aims to accommodate Gibraltar's needs in a balanced way.
- 8.1 Factors to be taken into account in any consideration of transport issues in Gibraltar include:
- The limited amount of road space available with parts of the network, principally within the Old Town, characterised by narrow and often steep streets;
 - In 2008 there were some 23,500 licensed vehicles in Gibraltar¹.
 - The heavy reliance on the private motor car for all trips, many of which are for short distances;
 - The impact of the massive increase in the number of visitors arriving by both land and air since the land frontier opened fully in 1985. In 1984 the number of visitors by land was 477,000, by 2008 it was 9.6 million².
 - The lack of off-street car parking facilities, particularly within the Old Town, but also within much of the surrounding area;
 - The implications of major developments on the public highway network.
- 8.2 The Development and Planning Commission welcomes Government policy to continue to monitor all issues relating to transport and to undertake improvements where these are considered necessary.
- 8.3 Set out below are various transport-related issues that are considered relevant for inclusion in the Plan.

Transport Study

- 8.4 The 1991 Plan indicated that a comprehensive transport study would be undertaken and a programme of traffic proposals would be established based on the results of this study. Although a comprehensive study has not yet been undertaken a number of traffic proposals have been formulated and implemented during the life of the 1991 Plan. The Development and Planning Commission however, supports the preparation of a comprehensive transport study that would provide the proper context for planning future programmes and ensuring an integrated approach to the issue of transport.

Alternative means of transport

- 8.5 The Plan's strategic principle in relation to transport is to facilitate and encourage alternative means of transport including the use of public transport, and to cater for the needs of private transport where appropriate. In relation to alternative means of transport the Development

¹ Abstract of statistics 2008

² Tourist Survey Report, 2008

and Planning Commission will continue to encourage proposals that will contribute to this aim and will encourage the Government to consider, at the strategic level, ways in which alternative means of transport can be promoted.

POLICY TR1 – PROMOTION OF ALTERNATIVE MEANS OF TRANSPORT

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE PROPOSALS THAT PROMOTE ALTERNATIVE MEANS OF TRANSPORT TO PRIVATE TRANSPORT. THE DEVELOPMENT AND PLANNING COMMISSION SHALL ALSO ENCOURAGE THE GOVERNMENT TO CONSIDER WAYS IN WHICH ALTERNATIVE MEANS OF TRANSPORT CAN BE PROMOTED.

Proposed new road schemes

8.6 The following are proposed road schemes. These are discussed in more detail in the relevant sections of Part II and the Old Town Plan.

- Link road from Europort to Coaling Island.
- Widening and improvement of Devil’s Tower Road.
- Link road to airport and land frontier.

Highway considerations for new development

8.7 Proposals for new development frequently have an impact on the local traffic situation including matters of safety for all users – pedestrians, vehicles and cyclists. It is important to ensure that new development meets all relevant safety standards and takes into account the traffic requirements of the proposed development. Car parking requirements for new development are set out in the Town Planning (Building Development Control) Regulations.

POLICY TR2 – HIGHWAY CONSIDERATIONS

PROPOSALS FOR NEW DEVELOPMENT THAT ARE OTHERWISE ACCEPTABLE WILL BE GIVEN FAVOURABLE CONSIDERATION PROVIDED THAT:

- A) WHERE RELEVANT, APPROPRIATE CYCLE PARKING PROVISION IS PROVIDED WITHIN THE SITE; ;***
- B) ANY NEW ROAD LAYOUT INCLUDING ACCESS ARRANGEMENTS ARE DESIGNED TO PROVIDE SAFE CONDITIONS FOR ALL USERS (CYCLISTS, PEDESTRIANS AND VEHICLES) AND MEET THE REQUIREMENTS OF THE HIGHWAYS DEPARTMENT; AND***
- C) CAR PARKING PROVISION HAS BEEN MADE IN COMPLIANCE WITH THE CAR PARKING STANDARDS AS CONTAINED IN THE REGULATIONS UNLESS THE DEVELOPMENT AND PLANNING COMMISSION AGREES TO THEIR RELAXATION.***

Construction Activities

8.8 During the construction stage of new developments there has been a noticeable trend over the last few years for contractors to appropriate public highway land, whether this be footpaths or parts of the roadway, in order to facilitate their construction activities. The Development and Planning Commission is concerned with this trend as it frequently results in major disruption and inconvenience to the general public by disrupting vehicular and pedestrian traffic flows. Applicants should give early consideration to the proposed method of construction, their plant siting requirements and material storage, so as to avoid the need to use land outside the application site. The Development and Planning Commission will normally require that all construction activities shall be restricted to the application site itself. In pursuance of this aim, the Development and Planning Commission shall seek the support of other relevant authorities involved in the construction process.

POLICY TR3 – CONSTRUCTION ACTIVITIES

IN GRANTING PERMISSION FOR NEW DEVELOPMENT THE DEVELOPMENT AND PLANNING COMMISSION WILL NORMALLY REQUIRE THAT CONSTRUCTION ACTIVITIES ARE LIMITED TO THE SITE OF THE APPLICATION.

8.9 Construction activity frequently involves the movement of HGVs and site plant and equipment within the local road network. Such vehicular movements, due to their low speed, often result in traffic congestion and where these movements coincide with peak traffic periods can result in significant traffic delays. The Development and Planning Commission will therefore encourage the relevant authorities to take the necessary measures to address this issue.

Public car parking

8.10 There is a general problem in Gibraltar with private car parking. The sheer number of vehicles, coupled with dense development, narrow streets and the lack of on site car parking all contribute towards the problem. This problem is exacerbated by the large number of tourist vehicles entering Gibraltar on a daily basis. In 2008 this amounted to an average of some 6900 vehicles per day³. The problem is most acute in the Town area. There are a number of public car parks around the town area the biggest ones being:

- Alameda Grand Parade;
- Commonwealth Parade;
- Queensway (ex football pitch);
- ICC Car park;
- Landport Ditch.

³ Tourist Survey Report 2008

8.11 Additional car parking has recently been provided at:

- Willis' Road;
- Sandpits;
- New Harbours.

POLICY TR4 - CAR PARKING

THE PROVISION OF PUBLIC CAR PARKING SHALL BE KEPT UNDER REVIEW

Provision of car parking for new development

8.12 New development proposals will often require the provision of associated car parking. The design solution often used is to provide car parking at ground floor with the remainder of the development above. The Development and Planning Commission is concerned that such a solution often results in a dead and unattractive frontage at ground level, and in some areas may be totally out of character with the streetscene. As set out in the General Design and Standards section of Part I of the Plan under the sub-section dealing with the 'Public Realm', the Development and Planning Commission wishes to encourage a high quality public realm with amongst other characteristics, developments containing activity-generating uses at ground floor. Dead frontages are not considered good design and the Development and Planning Commission encourages alternative solutions to be considered. These may involve the location of parking to the rear of ground floor uses or the provision of underground car parking.

POLICY TR5 – PROVISION OF CAR PARKING FOR NEW DEVELOPMENT

PERMISSION WILL NOT NORMALLY BE GRANTED FOR DEVELOPMENTS THAT INCORPORATE CAR PARKING AT GROUND LEVEL THAT RESULT IN DEAD FRONTAGES. THE DEVELOPMENT AND PLANNING COMMISSION REQUIRES CAR PARKING TO BE LOCATED SO AS NOT TO CREATE SUCH FRONTAGES AND IN PARTICULAR, WILL SEEK THE PROVISION OF UNDERGROUND CAR PARKING IN APPROPRIATE SITES.

Loss of public on-street car parking

8.13 On-street car parking for use by the general public is an essential source of parking and in many parts of Gibraltar is the only car parking available to residents and visitors in the area. The Development and Planning Commission therefore wishes to ensure the retention of such parking wherever possible.

8.14 Planning is about protecting the public interest against the private interest. This is frequently the central issue when considering proposals for development that would result in the loss of public on-street car parking in favour of a private development. The Development and Planning Commission would not normally approve proposals where there is a net loss of car parking. Thus, in the case of an individual who wishes to create a vehicular access

to a proposed garage or perhaps a yard for the parking of a car, and where as a result of the need for clear access to this area from the public highway together with the necessary visibility splays to ensure safe access and egress, means that more public car parking spaces will be lost than private spaces shall be gained, it is unlikely to receive permission.

- 8.15 In exceptional cases, there may be other considerations that the Development and Planning Commission need to take into account when considering such proposals. In particular, whilst a proposal may result in a net loss of car parking, this may be outweighed by environmental benefits such as a significant improvement in the built environment or perhaps the beneficial re-use of an existing building. However, for an exception to be made there will need to be very clear evidence of the benefits that would justify the exception to the policy.

POLICY TR6 – LOSS OF PUBLIC ON-STREET CAR PARKING

THERE WILL BE A PRESUMPTION AGAINST THE LOSS OF PUBLIC ON-STREET CAR PARKING. ANY PROPOSALS THAT WILL RESULT IN A NET LOSS OF PARKING WILL NORMALLY BE REFUSED. ONLY IN VERY EXCEPTIONAL CASES, WHERE THERE ARE CLEAR BENEFITS THAT OUTWEIGH THE PRESUMPTION AGAINST, WOULD SUCH DEVELOPMENT BE PERMITTED.

Parking within underground structures

- 8.16 The Development and Planning Commission wishes to encourage the use of redundant underground structures such as tunnels and air raid shelters for car parking purposes wherever possible. However, any proposals would need to be carefully assessed to ensure that there is no significant adverse effect on nature conservation interests, heritage or cultural assets and that safe vehicular access and egress is possible.

POLICY TR7 – PARKING PROPOSALS IN UNDERGROUND STRUCTURES

PROPOSALS FOR CAR PARKING WITHIN UNDERGROUND STRUCTURES WILL NORMALLY BE FAVOURABLY CONSIDERED PROVIDED THAT:

- A) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON NATURE CONSERVATION INTERESTS OR HERITAGE AND CULTURAL ASSETS; AND***
- B) ADEQUATE VEHICULAR ACCESS CAN BE PROVIDED.***

Parking for the disabled

- 8.17 The requirements of disabled persons needs to be taken into account in the provision of car parking and special provision in public car parks shall be encouraged.

POLICY TR8 – PUBLIC PARKING PROVISION FOR DISABLED PERSONS

SPECIAL PROVISION SHALL BE MADE IN NEW PUBLIC CAR PARKS FOR THE SOLE USE OF DISABLED PERSONS.

- 8.18 Private development proposals should take into account the needs of the disabled in the design of their car parking provision.
- 8.19 In addition to providing spaces for disabled persons within public car parks, designated spaces are also provided on-street and within residential estates where a need has been identified.
- 8.20 The European 'Blue Badge' scheme for disabled persons has recently been introduced in Gibraltar and as part of this a review of the provision of parking bays for the disabled throughout Gibraltar is to be undertaken. As a result of the review provision may be increased, particularly within the town area.

POLICY TR9 – PARKING PROVISION FOR DISABLED PERSONS IN NEW DEVELOPMENT

IN CONSIDERING DEVELOPMENT PROPOSALS ENCOURAGEMENT SHALL BE GIVEN TO THE INCORPORATION OF PARKING PROVISION FOR DISABLED PERSONS WITHIN THE PROPOSED PARKING SCHEME FOR THE DEVELOPMENT.

Cycling routes

- 8.21 Throughout Europe cycling, both as a recreational activity and a means of transport, is gaining in popularity. There are clear environmental benefits in cycling, but in addition there are general health benefits associated with it, and the provision of infrastructure and facilities is relatively inexpensive.
- 8.22 As a means of transport in Gibraltar, cycling is little used. The 2001 census for example, shows that less than 1% of people travelled to work by bicycle. On the face of it Gibraltar would appear to be an ideal location for cycling since the distance involved between destinations tends to be short and large parts of Gibraltar may be reached without having to overcome steep gradients. This Plan therefore aims to encourage cycling as a means of transport, and will encourage the provision of safe routes and facilities, and will require that in new development account be taken of the cycling requirements.

POLICY TR10 – CYCLING ROUTES

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE CYCLING AS A MEANS OF TRANSPORT. WHERE THE CIRCUMSTANCES ALLOW, THE PROVISION OF SAFE ROUTES AND FACILITIES SHALL BE ENCOURAGED.

Cycling facilities

- 8.23 The provision of cycling facilities is an important aspect in the success or otherwise in encouraging cycling as a means of transport. When cyclists reach their destination whether it be their office, school or shopping area, they require secure parking facilities. There is

a wide range of such parking facilities now available in the market ranging from simple functional designs to more innovative and themed designs for stands and racks, which can be both floor and wall mounted.

- 8.24 The Development and Planning Commission will encourage the Government to investigate the potential for the provision of secure parking facilities in existing public car parks and other suitable public areas. In designing new public car parks such facilities should be taken into account.

POLICY TR11 – CYCLE PARKING FACILITIES

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE THE GOVERNMENT TO INVESTIGATE THE POTENTIAL FOR PROVIDING SECURE CYCLE PARKING FACILITIES IN EXISTING PUBLIC CAR PARKS AND OTHER PUBLIC AREAS. SUCH FACILITIES SHALL BE INCORPORATED INTO THE DESIGN OF ANY NEW PUBLIC CAR PARKS.

PERMISSION FOR NEW OFFICE DEVELOPMENTS WILL ONLY BE GRANTED WHERE ADEQUATE PROVISION HAS BEEN MADE FOR SECURE PARKING FACILITIES EITHER WITHIN THE SITE OR NEARBY.

Coach Travel

- 8.25 Many of Gibraltar's tourists arrive by coach. Coach arrivals have seen a significant increase from 6610 in 1985 to just over 8700 in 2008⁴. In 2000 a new coach park situated at Waterport came into operation. This park currently has sufficient capacity to accommodate the demand. However, this needs to be kept under review to ensure that adequate facilities are available to meet the demand for coach travel.

POLICY TR12 – COACH PARK

THE OPERATION OF THE COACH PARK SHALL BE KEPT UNDER REVIEW AND APPROPRIATE ACTION TAKEN TO ENSURE THAT THE REQUIREMENTS OF COACH TRAVEL ARE ADEQUATELY MET.

Gibraltar Airport

- 8.26 Gibraltar Airport is an MOD airport and is jointly used for military and civilian flights. The Cordoba Agreement of September 2006 and to which the Gibraltar, British and Spanish Governments are all parties, allows for the enhanced use of the airport. The practical consequence of this aspect of the agreement is the increased use of the airport and associated expansion of existing ground facilities. Further details are given in the relevant section of Part II of this Plan.

⁴ Tourist Survey Report 2008

8.27 Gibraltar Airport is safeguarded in order to ensure that its operation and development is not inhibited by:

- a) buildings, structures, erections or works which infringe protected surfaces, obscure approach lights, have the potential to impair the performance of navigation aids or otherwise affect the safe operation of the airport;
- b) by lighting which has the potential to distract pilots; or
- c) by developments which have the potential to increase the number of birds or the bird hazard risk.

8.28 Proposals that are likely to affect the safe operation of Gibraltar Airport need to be assessed, and an aeronautical study may be required to be undertaken by the developer. The Development and Planning Commission shall take into consideration the results of any such assessment, including the views of the relevant airport authority, in reaching a decision on a proposed development that is subject to such an assessment. However, it is unlikely that development proposals that contravene the safeguarding requirements and are considered a serious risk to aeronautical safety, will be granted planning permission.

POLICY TR13 – GIBRALTAR AIRPORT

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT THAT CONTRAVENES THE SAFEGUARDING REQUIREMENTS FOR GIBRALTAR AIRPORT AND ARE CONSIDERED A SERIOUS RISK TO AERONAUTICAL SAFETY.

9 SOCIAL AND COMMUNITY

Introduction

- 9.0 The provision of education, health, religious and other community facilities all contribute to the well being of the community as a whole. Whilst the delivery of services in these areas is the responsibility of various Government agencies the land use requirements are of relevance to the Development Plan.
- 9.1 In general terms proposals for such facilities will normally be supported provided that they are appropriately located and comply with the other relevant policies of this Plan.

Education

- 9.2 Educational facilities are a significant land user. There are a total of 6 first schools, 4 middle schools, and 2 secondary schools. In addition are the College of Further Education, the Bleak House Training Institute, St Martin's Special School and a number of Government and private nurseries.
- 9.3 Over the last few years there have been changes in both the total number of pupils and their distribution. The development of residential units on the Westside reclamation that took place in the '90s had a marked effect on the distribution of pupils. As a result schools in the area have become overcrowded, namely Bishop Fitzgerald (Middle), Governor's Meadow (First) and St Paul's (First). An extension to St Paul's school at Varyl Begg Estate has recently been constructed to meet demand from the Westside area thereby reducing the pressure on Governor's Meadow, and to accommodate the expected demand from proposed development at Waterport Terraces (see Part II). Part II of this Plan includes a proposal for a new first/middle school to be located in the Queensway area. This will effectively result in the re-siting of St Mary's First school from Town Range, and the new school will also take children of middle school age to ease the problem of numbers at Bishop Fitzgerald and St Anne's schools.
- 9.4 With further significant planned developments, school provision needs to be kept under review to ensure that future land requirements are safeguarded and protected from other development.

Health

- 9.5 There are two civilian hospitals in Gibraltar, St Bernard's and the King George V hospital, the latter being a hospital for the treatment of mental illness. In addition there is a Government Primary Health Care Centre situated at Casemates Square. There are also various private doctor and dentists surgeries, and other medical offices mainly concentrated in the town area.
- 9.6 St Bernard's Hospital has recently been relocated from its original site in the Upper Town to more spacious and recently refurbished premises at Europort.

9.7 The Government is currently reviewing options for the possible relocation of the psychiatric hospital.

Religious facilities

9.8 Gibraltar has a diversity of religions and this is reflected in the range of buildings of worship found throughout Gibraltar. During the 1990s a mosque was built at Europa Point and a Hindu temple in Engineer Lane. A further Mosque is temporarily located in the ex-Parish Hall at the southern end of the boulevard at Line Wall Road. The location of this building is such that it prevents the linking up of Wellington Front and the wider defensive walls. This matter is dealt with in more detail in the Old Town Plan.

Other community facilities

9.9 Future development and changes in the distribution of population means that all community facilities, ranging from social halls to day centres for senior citizens, needs to be monitored and kept under review to ensure that available resources are fully utilised. This will be the responsibility of the pertinent authorities.

POLICY S1 – SOCIAL AND COMMUNITY USES

THE LAND REQUIREMENTS FOR EDUCATIONAL, COMMUNITY AND RELIGIOUS FACILITIES SHALL BE KEPT UNDER REVIEW IN ORDER TO TAKE ACCOUNT OF CHANGES IN NUMBERS AND DISTRIBUTION OF THE POPULATION.

HM Prison

9.10 The existing prison is located within the grounds of the Tower of Homage, one of Gibraltar’s most important historic buildings. As a result of the following factors the Government has taken the decision to relocate the prison:

- The site is of great historical value and the Government wishes to conserve the Tower and its environs and to maximise its tourist potential. More specific policies are set out in the Old Town Plan.
- The prison is located in the Upper Town that is densely populated and the prison use is not considered compatible with the residential use of the surrounding area.

9.11 A suitable site for the Prison was identified at Lathbury Barracks. Construction work on the new prison complex started in 2007 with completion in 2009.

Cemetery

9.12 The cemetery currently in use, is located immediately to the south of the runway and is segregated into areas serving the different religious sectors of the community. The MOD is to release an area of land adjacent to the existing cemetery that will allow for some

expansion (details are provided in Part II). In addition, a crematorium has been provided at Governor's Cottage Camp and it is expected that this new facility will help in reducing the demand for space at the cemetery during the period of this Plan.

- 9.13 The cemetery is an important site in terms of its ecology and contains a number of protected species. Any works in this area need to bear this in mind.

10 LEISURE AND RECREATION

Introduction

- 10.0 Leisure and recreation together with cultural activities are considered a vital part of modern life and the Development and Planning Commission recognises the benefits that such activities bring to the community. These include a healthier population, social benefits such as providing a sense of personal and community well-being and the benefits to the local economy through the hosting of recreational or cultural events that attract people from outside Gibraltar.
- 10.1 Activities may take the form of formal or informal activities. Formal activities such as organised sports are popular in Gibraltar and the provision of the necessary infrastructure to develop sporting activities is vital in enabling these sports to develop. Gibraltar sporting associations are increasingly participating in international events and their presence is beneficial to the promotion of Gibraltar in its widest sense. Informal recreation, such as walking, is a healthy pursuit and many residents take the opportunity of enjoying Gibraltar's Nature Reserve to follow this pursuit. The accommodation of such activities in the Nature Reserve is therefore important as is the provision of open areas and play areas generally where recreational activities can be carried out. Cultural activities are another form of recreation and Gibraltar has a wide and interesting mix of events throughout the year.
- 10.2 The demand for recreation and leisure facilities often translates into a demand for land and premises that, in Gibraltar where there is a limited area of land, can often be difficult to meet.
- 10.3 The planning approach to this issue needs to be clear and the following are the main elements:
- Make better use of existing facilities, including the joint use of facilities;
 - Secure leisure and recreation facilities within new housing developments;
 - Attract private investment into new leisure and recreational developments;
 - Protect existing leisure and recreational facilities.

Maximising existing facilities

- 10.4 In an area like Gibraltar where land is at a premium it is important to fully utilise existing facilities for the benefit of the community as a whole. In addition to publicly available facilities, e.g. Bayside Sports complex, other facilities exist within schools and clubs. The Government wishes to promote the co-ordinated use of such facilities and has established a statutory sports and leisure authority to secure this objective.

POLICY LR1 – MAXIMISATION OF FACILITIES

INCREASED PUBLIC ACCESS TO EXISTING RECREATIONAL FACILITIES SHALL BE MAXIMISED BY THE CO-ORDINATED USE OF FACILITIES THROUGH THE SPORTS AND LEISURE AUTHORITY.

New development - provision of facilities

- 10.5 It is often possible to secure the provision of additional leisure and recreational facilities as part of new development projects. Such provision, even if restricted to the residents, reduces pressure on public facilities. Developers should be encouraged to make appropriate provision within their proposed developments and this should be taken into account at an early stage in the design process so that such facilities become an integral part of the design of the development.
- 10.6 Furthermore, developers should be encouraged to give serious consideration to the possibility of sharing proposed recreational facilities with adjacent communities where the latter has no existing provision. Traditionally such an approach has not been adopted in Gibraltar, however, there are potential benefits of sharing such facilities, particularly in relation to the long-term maintenance costs as these can be shared across a larger number of residents.

POLICY LR2 – LEISURE AND RECREATIONAL FACILITIES IN NEW DEVELOPMENTS

PROPOSALS FOR SIGNIFICANT DEVELOPMENTS WILL BE EXPECTED TO INCORPORATE ADEQUATE LEISURE AND RECREATIONAL FACILITIES TO PROVIDE FOR THE NEEDS OF THE PROSPECTIVE RESIDENTS OF THE DEVELOPMENT.

ENCOURAGEMENT SHALL ALSO BE GIVEN TO THE SHARED USE OF PROPOSED RECREATIONAL FACILITIES WITH ADJACENT COMMUNITIES WHERE THE LATTER HAS NO EXISTING PROVISION.

Existing parks, playgrounds and informal open spaces

- 10.7 Existing public parks, playgrounds and informal open spaces are heavily used and as a result often suffer in their appearance and general condition. It is important to protect existing parks and open areas to ensure that they remain available for public use and to implement a programme of maintenance to ensure that they are kept in good condition for the benefit of the general public.

POLICY LR3 – PROTECTION OF PARKS, ETC.

EXISTING PARKS, PLAYGROUNDS AND INFORMAL OPEN SPACES WILL BE PROTECTED FROM DEVELOPMENT AND ENHANCEMENT OF THE FACILITIES SHALL BE KEPT UNDER REVIEW.

IN EXCEPTIONAL CASES, PROPOSALS INVOLVING THE LOSS OF PARKS, PLAYGROUNDS OR INFORMAL OPEN SPACES, MAY BE PERMITTED PROVIDED THAT THESE ARE RE-PROVIDED ELSEWHERE. THE RE-PROVISION MUST:

- A) BE FOR AN EQUIVALENT AREA OF LAND OR MORE;***

B) BE READILY ACCESSIBLE TO THE PUBLIC; AND

C) INCLUDE THE PROVISION OF AN EQUIVALENT OR BETTER LEVEL OF FACILITIES, COMPARED TO THAT BEING LOST.

Sporting facilities

10.8 The main concentration of public sporting facilities are situated at the Bayside Sports Complex where there is an extensive range of indoor and outdoor sports facilities.

Premises for sporting organisations

10.9 Historically, the Government has accommodated demand for premises from the various sporting organisations by allocating premises on an ad-hoc basis. This has led to a situation whereby sporting organisations have premises distributed all over Gibraltar, often not ideally located and often causing difficulties with the neighbouring area through, for example, causing parking problems during certain times or on certain days of the week. In addition, the premises often occupied by such organisations would be more suitable for alternative uses such as small-scale employment uses.

10.10 There is a need to assess the current situation and to establish whether it would be possible to provide some central facilities that could be used jointly by sporting organisations. If this is possible it would be beneficial to Government as it could free up premises that could then be used for income-generating activities, such as small-scale employment use for which there is a very high demand. In addition such an assessment should consider the social costs and benefits and sustainability issues in terms of accessibility by 'green' transport options.

POLICY LR4 – SPORTING ORGANISATIONS PREMISES

A REVIEW WILL BE UNDERTAKEN TO ASSESS THE EXISTING SITUATION AS REGARDS SPORTING ORGANISATIONS AND THE PREMISES OCCUPIED, WITH A VIEW TO PROVIDING CENTRALISED FACILITIES THAT COULD BE USED JOINTLY BY SPORTING ORGANISATIONS.

Youth Facilities

10.11 The youth service runs the following youth facilities:

- Montagu Youth Centre
- Dolphins Youth Club
- Laguna Youth Club
- Plater Youth Club

10.12 Additional youth facilities are provided by non-governmental organisations.

10.13 These facilities are invaluable in providing premises and activities to cater for the needs of the youth. However, with the changes in the distribution of the population in recent years and with potential further changes, it is important to ensure that such facilities are appropriately located and adequate to meet demand.

POLICY LR5 – YOUTH FACILITIES

THE PROVISION OF YOUTH FACILITIES SHALL BE MONITORED AND KEPT UNDER REVIEW TO ENSURE THAT DEMAND IS ADEQUATELY MET.

Informal recreation

10.14 In addition to informal open spaces the Alameda Gardens and the Nature Reserve provide the main opportunity for informal recreation. Specific policies for these areas are included in the policies for the respective zones in Part II of this Plan.

Beaches

10.15 The public beaches at Eastern beach, Catalan Bay, Sandy Bay, Western Beach, Camp Bay and Little Bay represent valuable areas for leisure and recreation that are used by both residents and visitors alike. There are Government proposals to extend the beaches at both Eastern Beach and, subject to consultation with residents, at Catalan Bay too. In this respect proposals have been formulated for the extension to these beaches to include long-term protection measures to ensure that the newly extended beaches are properly protected from the elements and thereby ensure their long-term survival.

10.16 Due consideration shall be given to the potential effect of the proposed beach nourishment plans on the marine environment, on current flows, sediment transport flows and on potential pollutants from the fill material.

10.17 To maximise the attractiveness of the newly extended beaches environmental improvement works are proposed for Eastern Beach whilst at Catalan Bay works have already been undertaken. In addition, the proposed mixed development at the Eastside reclamation will further contribute to the improvement of the area generally.

10.18 Development proposals that are considered to have an adverse impact on any of the beaches will not be permitted.

POLICY LR6 – PUBLIC BEACHES

THE ENHANCEMENT OF EXISTING, AND THE DEVELOPMENT OF NEW PUBLIC BEACHES WILL BE ENCOURAGED. PROPOSALS THAT WOULD ADVERSELY AFFECT PUBLIC BEACHES WILL NOT NORMALLY BE PERMITTED.

The Waterfront

- 10.19 Gibraltar is virtually surrounded by water yet historically public access has been limited, particularly on the west side in the harbour area, largely through MOD ownership of land. The situation has improved over recent years with public access being provided at Queensway Quay, Marina Bay/Ocean Village and the Harbour Views promenade.
- 10.20 The waterfront is an important recreational resource for both residents and visitors alike and can make an important contribution to the quality of life of residents and through the creation of an attractive environment assists in the promotion of Gibraltar as a tourist destination. An attractive and vibrant waterfront can also have important commercial value.
- 10.21 The overall policy objective is to maximise public access to the waterfront. Any development proposals on the waterfront will therefore be required to make adequate provision for unrestricted public access along the entire waterfront of the development site. It will be expected that such access comprises a promenade of substantial width, for use by pedestrians and where appropriate, cyclists. Public access must be available 24 hours a day and applicants should take account of this requirement from the outset of the development of their design concept. Wherever possible, waterfront promenades shall be required to link up with any existing (or proposed) adjacent promenades to form linear routes along the waterfront.

POLICY LR7 – WATERFRONT ACCESS

ALL NEW DEVELOPMENTS ON THE WATERFRONT WILL BE REQUIRED TO MAKE PROVISION FOR A PEDESTRIAN WATERFRONT PROMENADE. ANY SUCH PROMENADE MUST:

- A) BE FREELY AVAILABLE TO THE GENERAL PUBLIC AT ALL TIMES;***
- B) BE OF SUBSTANTIAL WIDTH;***
- C) IN APPROPRIATE CASES, MAKE ADEQUATE PROVISION FOR CYCLISTS; AND***
- D) WHERE THERE IS AN EXISTING PROMENADE ON AN ADJACENT SITE, OR WHERE ONE IS PROPOSED ON AN ADJACENT SITE, BE DESIGNED SO AS TO LINK UP WITH THE ADJACENT (EXISTING OR PROPOSED) PROMENADE.***

- 10.22 Whilst the above policy will address the provision of waterfront promenades within new schemes (new build or redevelopment), the issue of existing private developments on the waterfront with no public promenade needs to be addressed if the objective of a continuous waterfront promenade, particularly within the harbour area, is to be achieved.
- 10.23 The Development and Planning Commission will encourage all parties concerned to work towards providing waterfront promenades within these areas. It is recognised that this issue is problematical but a long-term vision is required and it is important that work on achieving this long-term goal starts now.

POLICY LR8 – EXISTING WATERFRONT SITES WITHOUT PUBLIC ACCESS

THE DEVELOPMENT AND PLANNING COMMISSION SHALL ENCOURAGE ALL PARTIES CONCERNED TO INVESTIGATE OPTIONS FOR THE PROVISION OF PUBLIC WATERFRONT PROMENADES ON SITES THAT ARE ALREADY DEVELOPED AND WHICH HAVE NO SUCH FACILITY. THE LONG-TERM OBJECTIVE IS TO PROVIDE A CONTINUOUS WATERFRONT PROMENADE, PARTICULARLY WITHIN THE HARBOUR AREA.

11 UTILITIES AND WASTE

Introduction

- 11.0 This section covers future development proposals by utility companies and Government, relating to water supply, sewerage and electricity. It also deals with the issue of waste management. The provision of utilities often requires land in terms of generation, storage and distribution of the product and thus can have a significant impact on the environment. The section also addresses telecommunications and the issue of renewable energy.
- 11.1 In Gibraltar the provision of utilities is carried out by a mix of private companies (albeit some partly Government owned), Government departments and Government agencies.
- 11.2 This section deals with specific requirements of the various utilities as appropriate and sets out planning policy in respect of these. However, on a general level, the provision of new infrastructure can have a detrimental impact on the environment. This impact is not limited to large-scale projects only but equally applies to small-scale projects. Much development carried out by the utilities does not require permission by virtue of the Town Planning Act. Nevertheless, it is appropriate to have a policy that aims to minimise the adverse effects on the environment, whether it be a new pumping station or a new meter boxes on the front of a protected building.

POLICY UW1 – NEW UTILITY SERVICES

IN CONSIDERING PROPOSALS FOR NEW UTILITY SERVICES, CAREFUL ATTENTION SHOULD BE GIVEN TO THEIR DESIGN AND LOCATION IN ORDER TO MINIMISE POSSIBLE ADVERSE EFFECTS ON THE ENVIRONMENT.

- 11.3 The Development and Planning Commission will encourage utility providers to give serious consideration to the siting of new utility services within the Rock wherever this is viable and appropriate. This option may be particularly relevant for new installations that may be unsightly or likely to cause disturbance.

Water supply

- 11.4 Gibraltar has a dual water supply system comprising potable water for human consumption and saltwater for sanitation, street flushing and fire fighting.
- 11.5 The water infrastructure, potable and salt water services including sewage pumping stations and mains, is managed by AquaGib on behalf of the Government. AquaGib is also responsible for ensuring developers adhere to the Public Health Act, Water Rules and best practice.
- 11.6 The payment for connection of any development into the water infrastructure is the developer's responsibility. Developers need to take into account, at an early stage, the potential impact on any existing infrastructure and the costs of the provision of water services to the development. In certain cases these costs may be significant.

Potable water

- 11.7 The collection of rainwater on the water catchments situated on the sandy slopes on the east side of the Rock for potable water was a feature of Gibraltar's water supply until the early 1990s. These catchments collected rainwater and channelled this into underground tanks where it was treated before entering the distribution network. This water was augmented by supplies from shallow wells located along the British Lines. Potable water is distributed throughout Gibraltar via a network of 80km of pipes.
- 11.8 From the late 1960s seawater desalination has provided the bulk of potable water supplies. There has been a move from thermal distillation to the more efficient reverse osmosis process of desalination so that currently virtually all of Gibraltar's potable water requirements are produced by this means. This follows the recent introduction of two new 1200m³/day plant that supplement the two 1000m³/day units installed in 2001 in the ex-MOD Laundry tunnels at Governor's Cottage Camp. The existing desalination plant at the North Mole site are nearing the end of their design life and will be de-commissioned when they become surplus to requirement.
- 11.9 The MOD has its own separate desalination plant that supplies all MOD properties.
- 11.10 Section 3 of the Plan emphasised the strategic importance of maintaining at least two saltwater intakes for desalination purposes that are remotely located from each other. Although, the current proposal involves locating all reverse osmosis units in a single location with a single source, this is an interim measure and the strategic case for separate water intakes remains. The possible production of potable water as a by-product of the energy from waste facility and from electrical generation are being considered and if feasible would effectively result in the creation of a separate saltwater intake for desalination purposes. However, since the location of these facilities are likely to be in the Governor's Cottage Camp /Lathbury Barracks area any new saltwater intake will not be that distant from the existing Little Bay intake.
- 11.11 If the option of producing potable water as a by-product of the energy from waste facility or from electrical generation is found not to be feasible then an alternative site will be required for a desalination plant. Section 11 of Part II of the Plan provides further details on the safeguarding of a potential site on reclaimed land off North Mole Road.
- 11.12 As referred above, some limited water extraction takes place from shallow wells at British Lines. The source of this water is an aquifer that lies at a depth of about 2 to 3m below ground level. The aquifer lies below the entire airport and extends into Spain to the North. The aquifer is one of two groundwater bodies, the Northern Groundwater Body (Isthmus Sands – Upper Aquifer) and the Southern Groundwater Body Aquifer (Aquifer in bedrock), defined under the Public Health (Water Framework) Rules 2004. The Northern water body has been identified as a Protected Area for drinking water, a consideration when assessing development proposals that may have an impact on this groundwater body.

Sea water

- 11.13 The saltwater system consists of raw seawater being pumped from two stations located at North Mole and Gun Wharf to various service reservoirs located around Gibraltar. The water is then fed by gravity through the distribution network comprising some 80 km of mains.

Water consumption

11.14 Over the last two decades water consumption has gradually increased. Clearly the greater the water requirements the greater the energy required to produce it, normally through the use of electrical power and fuel oil. The reduction of energy consumption and therefore the conservation of the earth's natural resources must be an objective for all Governments. With this in mind encouragement shall be given to the consideration of measures to reduce water supply in proposed development schemes including refurbishment works and building conversions. Such measures may include, but not be limited to, the collection and use of rainwater and re-use of potable water. These measures may be particularly useful in reducing water demand for irrigation purposes

POLICY UW2 – WATER CONSERVATION

DEVELOPMENT PROPOSALS WILL BE ENCOURAGED TO GIVE CONSIDERATION TO WATER CONSERVATION AND MANAGEMENT, FOR EXAMPLE THROUGH RAINWATER COLLECTION AND POTABLE WATER RE-USE TO REDUCE THE DEMAND FOR WATER.

Foul and surface water

11.15 Gibraltar's foul sewerage system dates back to the late 1800s with the main trunk sewer having been constructed in 1896. Much of the system works by gravity although a pumping system is required to pump sewage into the main trunk sewer, particularly from areas on the Northern and Eastern sides, and the reclaimed areas. The Government is currently undertaking a study of the sewerage system to evaluate its condition and capacity. The system discharges into the sea at the southern end of the Rock.

11.16 The Government is investing in a new Waste Water Treatment Works that shall treat Gibraltar's wastewater before discharging into the sea. This facility shall ensure that Gibraltar complies with its EU obligations in particular in relation to the Urban Wastewater Treatment Directive. A site has been allocated for this purpose and further details are provided in Part II of the Plan.

11.17 The surface water network is combined with the foul sewerage system in some areas, mainly in the Old Town. Where surface water is piped separately it is discharged at various points along the coastline or into Port waters.

Electrical generation

11.18 Gibraltar's electricity is provided by the Waterport power station supplemented by the privately operated OESCO station at the Europa Business Centre, whilst a separate power station currently located at the Naval Base, supplies electricity to the MOD.

11.19 All three existing power stations are being considered for decommissioning due to a combination of their age and condition and the environmental concerns arising from the operation of old generating sets in close proximity to populated areas. In addition, these

stations are nearing their maximum capacity and with additional development that is expected, generating capacity will need to be increased. There is some limited scope to expand the existing stations at their present sites, however, the extra capacity that could be accommodated would be limited. In addition, the location of the existing stations in close proximity to existing and proposed residential areas is not ideal and, taken together with the limited area of land available for expansion on the current sites, has led the Government to consider the feasibility of providing a new and enlarged generating station in a more appropriate location elsewhere thereby replacing all three existing stations. The Government has identified a preferred site at Lathbury Barracks and more details are provided in the relevant section of Part II of the Plan.

Telecommunications

11.20 Gibraltar’s limited geographical area means that the demand for telecommunication plant to meet local requirements is fairly restricted. From time to time however, there may be a requirement to replace existing or introduce new equipment. Telecommunication equipment, particularly masts, can have a significant impact on the environment. Whilst recognising the locational requirements for such equipment care must be taken to ensure that the visual impact is minimised. The location of such equipment on buildings will normally be the preferred option subject to other policies of this Plan, and serious consideration should be given to the sharing of existing masts wherever this is possible.

POLICY UW3 – TELECOMMUNICATION DEVELOPMENT

PERMISSION FOR TELECOMMUNICATION DEVELOPMENT WILL ONLY BE PERMITTED WHERE:

- A) ITS SITING AND DESIGN WILL NOT DETRACT FROM THE CHARACTER OR AMENITY OF THE AREA;***
- B) DOCUMENTARY EVIDENCE OF ALTERNATIVE SITES CONSIDERED FOR THE SITING OF THE EQUIPMENT AND FOUND TO BE UNFEASIBLE IS SUBMITTED; AND***
- C) THERE IS NO UNACCEPTABLE IMPACT ON RESIDENTIAL AMENITY.***

Renewable energy

11.21 Renewable energy covers those sources of energy, other than fossil fuel or nuclear fuel, which are continuously and sustainably available in our environment. There are various international agreements that aim to reduce energy consumption and promote renewable energy.

11.22 Within Gibraltar the potential for renewable energy generation exists particularly through wind, wave, tidal and solar power. Large-scale proposals, by their very nature, could potentially have a significant impact on the environment particularly as Gibraltar is such a small area. When considering proposals for renewable energy schemes a balance has to be struck between the impact of the proposal and its wider environmental benefits.

POLICY UW4 – RENEWABLE ENERGY SCHEMES

PROPOSALS FOR RENEWABLE ENERGY SCHEMES WILL NORMALLY BE PERMITTED PROVIDED THAT THEY:

- A) WILL NOT HAVE AN UNACCEPTABLE VISUAL IMPACT;**
- B) WILL NOT HAVE AN UNACCEPTABLE IMPACT ON THE CHARACTER OF ANY STATUTORILY DESIGNATED AREA, OR OTHER AREA OF NATURE OR HERITAGE INTEREST; AND**
- C) WILL NOT HAVE AN UNACCEPTABLE IMPACT ON NEIGHBOURING USES OR THE SURROUNDING ENVIRONMENT BY REASON OF NOISE, ODOUR, POLLUTION OR VISUAL INTRUSION.**

Waste

11.23 Waste generation represents mis-management of natural resources. In order to contribute towards sustainability objectives there is a need to reduce waste production through the use of longer lasting and recyclable products, by reusable products, by finding beneficial use for waste e.g. recycling of glass, energy recovery.

11.24 The amount of municipal waste collected has been on the increase and between 1993 and 2002 there was a 38% increase. In 2002 Gibraltar produced 22,700 tonnes of municipal waste¹.

11.25 Traditionally Gibraltar has incinerated its municipal waste and construction waste has been deposited in reclamation sites.

11.26 The existing energy from waste facility has been out of operation since 2000 following a major plant failure and municipal waste is currently transported to landfill sites in Spain. The existing energy from waste facility was designed with heat recovery to generate electricity and potable water from a thermal desalination process.

11.27 The disposal of municipal waste to Spain is a temporary measure and the Government requires that Gibraltar must be self sufficient in terms of municipal waste disposal. The Government has therefore decided to refurbish the existing energy from waste facility to enable the thermal destruction of municipal solid waste and sewage sludge on the existing site. The source of the sewage sludge will be the proposed Waste Water Treatment Plant referred to earlier in this chapter. A site for this purpose has been allocated at Europa, namely the Brewery Crusher site and further details are provided in Part II of the Plan.

11.28 Since 1988 construction waste has been deposited on the eastside reclamation site situated between Catalan Bay and Eastern Beach. The site is to be developed and there is therefore a need to identify an alternative site that can be used for the deposit of construction waste. Notwithstanding this, there are currently proposals to introduce rock-crushing facilities into Gibraltar that would be able to handle the majority of construction rubble and recycle this

¹ Gibraltar Waste Management Plan, 2004

for use in future construction projects. It may well be the case therefore, that there will be a reduction in the volume of construction waste that needs to be deposited, and this will be an important consideration in identifying any future site.

11.29 In order to avoid future issues of land contamination and to prevent contamination of surrounding areas, particularly the marine environment, it will be important to ensure that the proposed waste site is effectively managed to ensure that only 'clean' waste is deposited.

11.30 The use of land as a construction waste site has the potential to result in significant effects on the environment that would need to be assessed. It is therefore likely that the proposed construction waste site would need to be subject to an EIA.

POLICY UW5 – CONSTRUCTION WASTE

A SUITABLE SITE FOR THE DISPOSAL OF CONSTRUCTION WASTE SHALL BE IDENTIFIED.

11.31 Clinical waste is generated from sources such as medical, nursing, dental and veterinary practices with the main sources being St Bernard's Hospital and the Royal Naval Hospital. Clinical waste is defined as hazardous and is subject to specific disposal requirements. The Government has recently provide a local disposal facility and details are provided within the relevant chapter in Part II of this Plan.

Recycling

11.32 Currently there are no recycling facilities available in Gibraltar. Gibraltar's small size makes it difficult for such an operation to be viable. Nevertheless, the principle of recycling is to be encouraged and proposals for such a facility will be considered favourably subject to there being no adverse effects on the environment.

POLICY UW6 – RECYCLING FACILITIES

PROPOSALS TO DEVELOP RECYCLING FACILITIES SHALL BE FAVOURABLY CONSIDERED PROVIDED:

- A) THERE IS NO UNACCEPTABLE VISUAL IMPACT; AND***
- B) THERE IS NO UNACCEPTABLE IMPACT ON THE CHARACTER OF THE AREA, NOR ON THE AMENITIES OF THE AREA BY VIRTUE OF NOISE, DISTURBANCE, ODOUR, AND TRAFFIC MOVEMENTS.***

11.33 In order to encourage domestic recycling it is considered that a public central collection facility would be extremely beneficial. Such a facility would allow the organised collection of separated recycled waste that would subsequently be forwarded to an appropriate recycling facility, most likely in neighbouring Spain. A suitable site will need to be identified for this purpose.

POLICY UW7 – WASTE RECYCLING COLLECTION FACILITY***A SUITABLE SITE FOR USE AS A PUBLIC CENTRAL COLLECTION FACILITY FOR RECYCLED WASTE SHALL BE IDENTIFIED.*****Public Bin Stores**

- 11.34 Throughout Gibraltar bin stores or compounds have been provided to accommodate large refuse bins where residential and commercial refuse is deposited on a daily basis. This refuse is collected daily by the Government refuse service.
- 11.35 Such stores or compounds can be unsightly and often cause an odour nuisance. They also attract animals that forage in the waste frequently scattering waste that has not been securely contained. This exacerbates the unsightly appearance of such areas, results in littering of the area and can result in staining of the surrounding floor surfaces.
- 11.36 One solution to these problems would be the creation of underground refuse storage areas. These involve the creation of a void in which the large refuse containers are placed, and which can be accessed by means of a hydraulically operated platform. The only structure visible at ground level is the bin through which the refuse is deposited and as a result the street environment is greatly enhanced. In addition, the refuse is inaccessible to scavenging animals and since the whole structure can be sealed it virtually eliminates odour nuisance.
- 11.37 The technology for such facilities exists and is widely used elsewhere in Europe, and the Development and Planning Commission is keen to investigate the feasibility of introducing the concept to Gibraltar. In assessing the feasibility it will give particular attention to those areas where existing compounds have greatest negative visual impact, particularly in parts of the Old Town.
- 11.38 The Development and Planning Commission will encourage new development projects to consider the inclusion of such refuse facilities within their developments.

POLICY UW8 – REFUSE STORAGE***THE FEASIBILITY OF REPLACING EXISTING PUBLIC REFUSE STORES/ COMPOUNDS WITH UNDERGROUND STORAGE AREAS WILL BE INVESTIGATED.******NEW DEVELOPMENT PROPOSALS WILL BE ENCOURAGED TO GIVE SERIOUS CONSIDERATION TO THE INCLUSION OF SUCH REFUSE FACILITIES.***

PART II

12 ZONE 1 – THE OLD TOWN

General

- 12.0 The zone of the Old Town lies within the City Walls and includes the Northern Defences. It is a densely built up area with a population of some 6400 at the time of the 2001 census. The population of the Old Town has in fact been reducing in the recent past, mainly as a result of the movement of people out to the new residential areas constructed on the reclamation sites.
- 12.1 The Old Town contains Gibraltar’s principal shopping area centred on Main Street together with ancillary uses such as hotels, restaurants and bars. It also contains many small office premises usually within the shopping area on upper floors. Outside the shopping area the zone is almost exclusively residential in nature, providing a variety of accommodation from large ex-colonial houses to small bed-sits.

The Old Town – built environment

- 12.2 The Old Town has developed over hundreds of years and this development is reflected in its layout, street pattern, the architecture of its buildings and its open spaces. These elements when taken together give the Old Town its unique character and are one of the major attractions of Gibraltar.
- 12.3 The 1991 Development Plan policy objective was to conserve the character of the zone and improve its environment and facilities. This, in the main, has been successful and the policy will be carried forward and developed further in this Plan.
- 12.4 The development of this policy approach is set out in detail in:
- The Old Town Plan; and
 - The Old Town Design Guide
- 12.5 All development proposals within the zone will be required to comply with these.

POLICY Z1.1 – THE OLD TOWN

THE PRIMARY OBJECTIVE WITHIN THE OLD TOWN WILL BE TO RETAIN AND ENHANCE THE EXISTING CHARACTER AND LAND USE PATTERN THROUGH AN OLD TOWN PLAN AND DESIGN GUIDE. PLANNING PERMISSION WILL NORMALLY ONLY BE GRANTED FOR DEVELOPMENT PROPOSALS THAT ACCORD WITH THESE DOCUMENTS.

13 ZONE 2 – BAYSIDE/WESTSIDE

General

13.0 The zone extends from Marina Bay in the north to Gun Wharf in the south. It includes Gibraltar's existing marinas, significant residential areas, an extensive waterfront and commercial development.

Bayside

13.1 In the north of the zone is the Bayside Sports Complex that provides modern playing facilities for a wide range of sporting activities.

13.2 It is intended that the car parking requirements for the Sports Complex would be met by the development of a multi storey car park to be developed on land to the west of the Tercentenary Sports Hall. This facility is also intended to serve car parking needs for Marina Bay and for the area generally. A development proposal for this site involving a mixed multi-storey car park with limited commercial development has received approval. However, it is prudent for the Plan to make a specific allocation for this site to ensure that there is no doubt as to the future use of this site.

POLICY Z2.1 – CAR PARK, BAYSIDE SPORTS COMPLEX

LAND IS ALLOCATED ADJACENT TO BAYSIDE SPORTS COMPLEX, AS SHOWN ON THE PROPOSALS MAP, FOR USE AS CAR PARKING TOGETHER WITH LIMITED COMMERCIAL USE.

13.3 Marina Bay is an important recreational/tourist/commercial and residential development. Significant redevelopment of the area is underway and once complete should result in an attractive and vibrant development on the waterfront.

13.4 The policy objective for the area is to ensure the continued use of the area for recreational/tourist/commercial and residential use.

POLICY Z2.2 – MARINA BAY

THE RECREATIONAL/TOURIST/COMMERCIAL AND RESIDENTIAL USE OF MARINA BAY SHALL CONTINUE. PERMISSION FOR NEW DEVELOPMENT THAT IS COMPATIBLE WITH SUCH USE WILL NORMALLY BE GRANTED SUBJECT TO COMPLIANCE WITH OTHER POLICIES OF THE PLAN.

13.5 An area of land to the south of St Anne's School has outline permission for residential development with some limited commercial use at ground floor and is accordingly allocated in the Plan.

POLICY Z2.3 - SOUTH OF ST ANNE'S

A SITE OF APPROXIMATELY 0.24HA, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR RESIDENTIAL USE OR A MIXED RESIDENTIAL/COMMERCIAL USE.

Waterport Terraces

13.6 A major Government housing project known as Waterport Terraces, has been developed off North Mole Road. The project involves the provision of affordable housing and specialised accommodation for the elderly. In total some 400 affordable residential units are being provided, together with 140 units for the elderly in a sheltered environment.

North Mole Industrial area

13.7 To the North of North Mole Road is an area of land currently in industrial use. It comprises various storage sheds, the former components factory site and recently constructed Industrial Estate.

13.8 The former components factory site comprises a large building with open storage areas. It is intended to use the site to accommodate some of the existing industrial uses that currently occupy part of the site on the eastside that is allocated for development. However, since the site fronts the main access road to the Cruise Liner Terminal it is important that any development on the site takes into account the need to provide an attractive frontage to the road.

13.9 The Industrial Estate, developed by the Government, was designed to allow for a maximum of two additional floors in the future. It is therefore proposed to keep under the review the viability of adding further floors to provide additional car parking and/or units suitable for light industrial or storage use.

POLICY Z2.4 – NORTH MOLE INDUSTRIAL AREA

FAVOURABLE CONSIDERATION WILL BE GIVEN TO DEVELOPMENT PROPOSALS FOR:

- A) THE CONVERSION AND EXTENSION OF THE EXISTING BUILDING ON THE FORMER COMPONENTS FACTORY SITE FOR INDUSTRIAL USE;***
- B) THE PROVISION OF A MAXIMUM OF TWO ADDITIONAL FLOORS TO THE EXISTING INDUSTRIAL ESTATE.***

PROVIDED THAT THE DESIGN IS SYMPATHETIC TO THE SETTING AND IN PARTICULAR PROVIDES AN ATTRACTIVE FRONTAGE TO NORTH MOLE ROAD.

Waterport Power Station

- 13.10 In Part I of the Plan the need for increased electrical generation capacity had been identified and the Government is therefore proposing that a new electrical generation station be provided on an alternative site.
- 13.11 On the assumption that the existing generating station is relocated elsewhere, consideration will need to be given to the re-use of this site. The development of the site to the north for residential development, known as 'Waterport Terraces' and to the east on the ex-MOT site, for office development, are both important considerations in planning the future use of the site. The proximity of the site to The Port will be particularly attractive to Port-related businesses although a general industrial use for the site is not considered compatible with the adjacent uses referred to above. The use of the site for commercial purposes is considered to be a more compatible land use and will still be attractive to Port businesses as well as other commercial businesses. However, the possible relocation of the existing desalination plant immediately to the west of the generating station site opens up a unique opportunity to create a comprehensive development covering both sites.

Waterport desalination plants

- 13.12 The Waterport desalination plants are reaching the end of their design life. AquaGib identified a site on reclaimed land off North Mole Road as a suitable alternative site with access to bay water as opposed to harbour water. Outline planning permission was granted for a new desalination plant on this site however, due to the need for coastal protection works to adequately protect the site AquaGib has decided to increase capacity at its existing site at the ex-MOD Laundry Tunnels at Governor's Cottage Camp. This option was selected as it was immediately available. If a second desalination plant is required the reclaimed site off North Mole Road may still be an option provided the necessary coastal protection works are undertaken.
- 13.13 It is therefore appropriate to safeguard the site from other development until a final decision is taken on whether it is required for a second desalination plant. The site is located within Zone 3 and a specific policy is included in that section of the Plan.
- 13.14 Should the site not be necessary for desalination purposes, its location within the Port and ease of accessibility remote from sensitive uses means that it would be well suited to Port/light industrial/warehousing uses.
- 13.15 Once the existing North Mole plant has been relocated the existing site would become available for redevelopment. An assessment would need to be undertaken to verify whether the site is contaminated and if so what remediation works would be required to enable its redevelopment.
- 13.16 This site, when taken together with that of the electricity generating station immediately to the west, represents an opportunity to undertake a comprehensive development covering both sites. It is therefore proposed that both sites be developed as a mixed use development comprising primarily office and storage/distribution uses although some

residential development may be permitted at the eastern end of the site. Conceptually, any residential element should be “buffered” from the storage/distribution element by office use. Additionally, the storage/distribution uses should be set back within the site with the other uses (office and residential) developed along the site frontage. In this way the more “industrial nature” of the storage/distribution use will be visually screened from the road and some distance from nearby residential developments thereby minimising any likely disturbance to residents. This approach would comply with the policy objective of seeking to achieve attractive frontage development to North Mole Road.

POLICY Z2.5 – EXISTING SITES OF DESALINATION PLANT/ GENERATING STATION

THE SITES OF THE EXISTING DESALINATION PLANT AND ELECTRICITY GENERATING STATION, AS SHOWN ON THE PROPOSALS MAP, ARE ALLOCATED FOR MIXED RESIDENTIAL, OFFICE AND STORAGE /DISTRIBUTION USE. THE FRONTAGE OF THE SITE WOULD BE RESTRICTED TO RESIDENTIAL AND/ OR OFFICE USE ONLY WHILST STORAGE/DISTRIBUTION USE WOULD BE CONCENTRATED TO THE REAR.

Reclaimed area

13.17 The 1991 Plan made provision for a major reclamation scheme comprising a mix of residential, commercial and office development. This development area has now been largely completed.

13.18 Additional land reclamation is being undertaken to the south of Europort, known as the ‘Mid Harbour’ project. This reclamation serves two purposes:

- i) to provide land for development purposes, and
- ii) to enable a new road to be constructed from Europort Avenue to Coaling Island to relieve traffic congestion at the junction between Europort Avenue and Queensway.

13.19 The reclamation scheme will provide some 3.45ha of land. In addition, existing uses on the Northern side of Coaling Island will be relocated, thereby releasing a further 0.95ha of land to enable a comprehensive development to take place.

13.20 The Government has identified the need to provide land for a significant amount of Government-rented accommodation and having identified the Mid Harbour area as an appropriate location for such development commenced construction in 2008. With careful layout and design, including open space and the provision of a public waterfront promenade to link up with existing and proposed promenades to the north and south of the site, a new and attractive waterside environment will be created that is easily accessible and within easy walking distance of the town centre with its many services and facilities.

13.21 On completion, the Mid-Harbour project will eventually provide for some 500 Government rented apartments, a new school, a new link road and appropriate open space including a waterfront promenade.

POLICY Z2.6 – MID-HARBOUR RECLAMATION

AN AREA OF APPROXIMATELY 4HA IS ALLOCATED FOR DEVELOPMENT BETWEEN EUROPORT AND COALING ISLAND, AS SHOWN ON THE PROPOSALS MAP, AND SHALL MAKE PROVISION FOR:

- A) A NEW LINK ROAD FROM EUROPORT ROAD TO COALING ISLAND;**
- B) THE RE-PROVISIONING OF EXISTING USES AFFECTED BY THE RECLAMATION;**
- C) A TOTAL OF SOME 500 GOVERNMENT RENTED RESIDENTIAL UNITS;**
- D) A NEW SCHOOL;**
- E) APPROPRIATELY DESIGNED AND LANDSCAPED OPEN SPACES, AND**
- F) A WATERFRONT PROMENADE.**

Naval grounds No. 1 and 2

13.22 These two ex-sports pitches together with the land in-between them, represent a significant development opportunity in close proximity to the city centre.

13.23 The MOD is due to transfer the Naval Ground No 1 to the Government in the near future.

13.24 The open nature of this site introduces an important open area into the otherwise built up area of the Old Town to the east and residential areas to the west. This open character further allows for views of an important section of the City Walls and from which there is direct access to the centre of the Town. This is also an important dropping off point for buses on the frontier-city centre bus route, and as such is a well-used entry point to the town for many visitors to Gibraltar.

13.25 Naval Ground No 2 currently contains an unsightly multi-storey car park that was initially constructed as a temporary measure to meet the demand for additional car parking outside the City Walls. This structure has a significant visual detrimental effect on the setting of the historic city walls immediately to the east.

13.26 In-between the two grounds are a number of buildings that are currently vacant or occupied by temporary uses.

13.27 The proposal is to undertake a comprehensive redevelopment of the entire site. In doing so the following factors need to be taken into account:

- the setting of the City walls;
- recognition that the area is an important 'gateway' into the City;
- the Government's desire to create a significant public open space; the need to provide significant areas of public car parking in addition to any parking requirements arising directly from any new uses on the site;
- the need for a sensitive landscaping scheme.

13.28 It is therefore proposed that the following uses shall be incorporated into any redevelopment scheme for this site:

- Provision of underground car parking – this would assist in alleviating the current car parking shortage for residents of the town area whilst also providing visitor parking for tourists in a location that would be easily accessible and would avoid the need for tourist traffic to enter the town area;
- A public park, suitably landscaped shall be provided on the site of the existing Naval Ground No 1 – this would create an important open area within the centre of the built up area for the benefit of the general public, retain the views and appreciation of the City Walls and provide an attractive entry point to the centre of the town.
- A mix of residential and office use shall be provided on the site of the Naval Ground No 2. Such a use is considered appropriate for the site and would benefit from the locational advantages of the site, being well located in terms of public transport and private transport, close to both the Finance Centre at Europort and the Town Centre.

POLICY Z2.7 – NAVAL GROUNDS NO 1 AND 2 – REDEVELOPMENT

THE SITE OF NAVAL GROUNDS NO.1, AND 2, AS SHOWN ON THE PROPOSALS MAP, SHALL BE REDEVELOPED AS FOLLOWS:

- A) A PUBLIC LANDSCAPED PARK SHALL BE CREATED ON THE SITE OF NAVAL GROUND NO 1;***
- B) UNDERGROUND PUBLIC CAR PARKING SHALL BE PROVIDED;***
- C) THE EXISTING MULTI-STOREY CAR PARK SHALL BE REMOVED AND THE NAVAL GROUND NO 2 SHALL BE REDEVELOPED AS A MIXED USE SCHEME COMPRISING RESIDENTIAL AND OFFICE WITH ASSOCIATED UNDERGROUND CAR PARKING;***

ANY SCHEME FOR THE MIXED USE DEVELOPMENT SHALL BE DESIGNED SO AS TO BE SYMPATHETIC TO THE SETTING OF THE CITY WALLS AND SHALL INCORPORATE A SUITABLE LANDSCAPING SCHEME.

Queensway Quay/Gun Wharf

13.29 Queensway Quay was developed during the 1990s and comprises apartments, commercial units and a marina. Additional apartments were constructed along Gun Wharf at the southern end of the quay as part of a later phase. The development of the Queensway Quay area envisaged a mix of uses comprising residential, leisure, tourist and commercial, and this policy will continue. The development of Queensway Quay has opened up part of the waterfront to the general public and provides an attractive recreational amenity. The existing waterfront promenade extends from the western end of Gun Wharf along Queensway Quay itself and to the southern boundary of Cormorant Wharf, thus providing the potential to continue the promenade to the North when the opportunity arises.

- 13.30 More recently, an 'island' has been constructed across part of the marina and a total of nineteen houses have been constructed. In addition to providing a site for development, the 'island' has improved the marina facility by creating a breakwater that protects the marina from the swell that previously affected it. In accordance with the objective of providing public access to the waterfront this development is required to accommodate public pedestrian access along the length of its eastern waterfront.
- 13.31 Planning permission has been granted for a residential development on the site of the northern camber of the marina and construction is underway.

POLICY Z2.8- QUEENSWAY QUAY

THE AREA OF QUEENSWAY QUAY COMPRISES A MIX OF RESIDENTIAL, LEISURE, TOURIST AND COMMERCIAL USE. THIS MIXED USE SHALL CONTINUE AND ANY DEVELOPMENT PROPOSALS FOR THIS AREA SHALL NEED TO BE COMPATIBLE WITH SUCH MIXED USE.

- 13.32 Sitting in-between Queensway Quay and the Naval Base to the south is Gun Wharf. Part of this site has been developed for residential purposes (on the northern side), however, the remainder of the site has remained vacant for a number of years, including the existing stone buildings and boat shed that are of historical significance. Although outline planning permission was previously granted for a residential scheme on this site, the site is now to be transferred to the MOD to accommodate the MOD's Gibraltar Squadron and Joint Physical Development Unit (which will need to be relocated from No 4 dock and Coaling Island to allow the Mid-Harbour reclamation to be fully implemented). The Development and Planning Commission will encourage the MOD to ensure that any development proposals on this site are sympathetic to the character and appearance of the existing buildings and that no activities are carried out that would have a detrimental effect on the residential amenities of the residents in the vicinity.

POLICY Z2.9 – GUN WHARF

THE DEVELOPMENT AND PLANNING COMMISSION WILL ENCOURAGE THE MOD TO ENSURE THAT ANY PROPOSED DEVELOPMENT ON THE SITE OF GUN WHARF ASSOCIATED WITH ITS MARINE USE, IS SYMPATHETIC TO THE CHARACTER AND APPEARANCE OF THE EXISTING STONE BUILDINGS AND THAT NO ACTIVITIES ARE UNDERTAKEN ON THE SITE THAT WOULD HAVE A SIGNIFICANT DETRIMENTAL EFFECT ON THE AMENITIES OF RESIDENTS IN THE VICINITY.

Coaling Island

- 13.33 Coaling Island currently accommodates a mix of uses. Its western arm contains the ex-ambulance station, a small social club and an ex-MOD cold store, whilst on the eastern side is a site previously accommodating temporary MOD residential properties (referred to as

The Cormorant). Further to the south of this site is the MOD dental and health centre that adjoins Cormorant Wharf on its South side.

- 13.34 The area provides an opportunity for a redevelopment scheme that is situated on the waterfront, that is in close proximity to the town centre, and which could link up with the existing waterside development at Queensway Quay and the future proposed development to the North of Coaling Island, known as ‘Mid-Harbour’ When all these disparate developments are linked up in this way an attractive, accessible and vibrant waterfront can be created that will benefit Gibraltar as a whole.
- 13.35 Planning permission has been granted for a phased residential development on this site, to be known as ‘King’s Wharf’, which incorporates the desired waterfront promenade along the eastern edge of the basin. The first phase of this development is under construction.
- 13.36 It is intended that the western arm of the basin should be redeveloped for residential purposes. There may also be scope for the inclusion of a commercial element within the development, particularly for example, in the form of cafés and restaurants. It is important that any such development incorporates an appropriate waterfront promenade that can link in to that to be provided at King’s Wharf, and furthermore, will need to link in with the proposed waterfront promenade to be provided within the Mid Harbour proposals.
- 13.37 The demand for additional land during the Plan period may require an assessment of potential areas suitable for reclamation to be undertaken some time during the life of the Plan. The area around Coaling Island is likely to be included in any such assessment.
- 13.38 The Government has recently completed a small boats mooring facility within the Coaling Island basin, allowing the re-location of the vast majority of vessels that were previously moored at Western Beach.

POLICY Z2.10 – COALING ISLAND

THE WESTERN ARM OF COALING ISLAND COMPRISING AN AREA OF SOME 1.2HA IS ALLOCATED FOR RESIDENTIAL USE ALTHOUGH DEVELOPMENT PROPOSALS THAT INCORPORATE SOME LIMITED COMMERCIAL USE WILL BE ENCOURAGED. ANY PROPOSAL MUST MAKE PROVISION FOR:

- A) A WATERFRONT PROMENADE AROUND THE ENTIRE LENGTH OF THE WATERFRONT, CONNECTING TO EXISTING AND PROPOSED PROMENADES TO THE SOUTH AND NORTH RESPECTIVELY;***
- B) THE PROMENADE IS TO INCORPORATE A CYCLE ROUTE.***

14 ZONE 3 – PORT AND HARBOUR

General

14.0 This zone covers the historical naval dockyards with many examples of fine 19th century buildings and structures. With the MOD cut backs of the 1980s and 1990s areas of the dockyards became surplus to MOD requirements and were handed over to the Government. The zone now includes the Naval Base including its wharfage, the ship repair yard and the New Harbours Industrial park. It is very much a working environment and this is expected to continue during the life of this Plan.

The Port

14.1 In accordance with International Ship and Port Security Code (ISPS) adopted by the Diplomatic Conference of the IMO in December 2002, since July 2004 the Port area has been more clearly defined through the introduction of ‘Controlled’ and ‘restricted’ areas. The total area covered by these designations is shown on the Proposals Map and within this area port related uses are expected to continue.

POLICY Z3.1 – PORT USES

WITHIN THE PORT AREA, AS DEFINED ON THE PROPOSALS MAP, FAVOURABLE CONSIDERATION WILL BE GIVEN TO DEVELOPMENT PROPOSALS FOR PORT-RELATED USES.

14.2 In considering proposals for development within the Port particular attention shall be given to the design of buildings that front onto North Mole Road, or are visually prominent from this route. North Mole Road is the only route for tourists disembarking from cruise liners to access the rest of Gibraltar. It is therefore important that these visitors are not confronted with an industrial and unattractive landscape. Significant investment has been made in the environmental improvement of this important access route from the Western Arm to Casemates and the Development and Planning Commission does not wish to see this investment eroded by the construction of unsightly buildings.

POLICY Z3.2 – POTENTIAL IMPACT ON NORTH MOLE ROAD

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT THAT FRONT ONTO, OR ARE VISUALLY PROMINENT FROM, NORTH MOLE ROAD, PARTICULAR ATTENTION SHALL BE PAID TO:

- A) THE ARCHITECTURAL CHARACTER AND APPEARANCE OF THE BUILDING;
AND***
- B) THE VISUAL IMPACT OF THE PROPOSAL ON NORTH MOLE ROAD.***

14.3 As discussed in the preceding chapter that deals with Zone 2, land at the Western end of North Mole Road is to be safeguarded for possible future use as a desalination plant.

POLICY Z3.3 - DESALINATION PLANT – SAFEGUARDING

A RECLAIMED SITE TO THE NORTH-WEST OF NORTH MOLE ROAD SHALL BE SAFEGUARDED FOR USE AS A DESALINATION PLANT. SHOULD IT BE DECIDED THAT THE SITE IS NOT REQUIRED FOR THIS PURPOSE ALTERNATIVE USES FOR PORT-RELATED ACTIVITIES, LIGHT INDUSTRIAL OR WAREHOUSING WILL BE FAVOURABLY CONSIDERED. ANY PROPOSAL SHALL PAY DUE REGARD, IN THE LAYOUT AND DESIGN OF BUILDINGS, OF THE SITE’S PROMINENT POSITION.

14.4 The operational requirements of the Port shall be kept under review to ensure that the Port of Gibraltar can compete effectively in the shipping market. In particular, there may be a need to create more land area within the Port to enable the more efficient and effective handling of vessels and cargo.

POLICY Z3.4 – PORT OPERATION REQUIREMENTS

THE OPERATIONAL REQUIREMENTS OF THE PORT SHALL BE KEPT UNDER THE REVIEW.

14.5 In addition to commercial shipping activities the port also contains Gibraltar’s cruise terminal. The Government has invested in the refurbishment of the terminal and has plans to further extend the facility. The southern end of the existing building which houses the Cruise Terminal is occupied by an existing port operator for storage purposes. The Government will seek to relocate this use elsewhere within the Port to enable this area to accommodate an extension to the existing terminal.

POLICY Z3.5 – EXTENSION OF CRUISE TERMINAL

THE CRUISE TERMINAL IS HOUSED WITHIN A LARGER BUILDING. THE REMAINDER OF THIS BUILDING, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR USE AS AN EXTENSION TO THE CRUISE TERMINAL.

HM Naval Base

14.6 The MOD has been concentrating its activities into two main areas, the Naval Base and North Front, for a number of years now. It is therefore unlikely that land within the Naval Base will become surplus to their needs during the life of the Plan. However, should any land become available it would provide a much needed opportunity to provide land/premises for employment use.

- 14.7 The MOD's electricity generating station is located within the Naval Base. This station causes a noise nuisance to residential areas nearby, particularly on Rosia Road. However, the Government's proposed new power station would also serve the electrical generation requirements of the MOD and once operational the existing station would become redundant.
- 14.8 Whilst the MOD is exempt from the normal planning process the Government shall seek to ensure that the MOD consult with the relevant Government departments and the Development and Planning Commission on any new development proposals.

New Harbours Industrial Estate/Europa Business Centre

- 14.9 These two industrial areas were developed during the 1990s providing much needed premises for warehousing, light industrial use and office space.
- 14.10 Within the Europa Business Centre is the OESCO generating station. Recent improvements to the sound insulation of the facility have reduced noise emissions to the benefit of residents of the local area. The proposed new power station, as described later in this Part, is intended to meet all Gibraltar's electrical generation requirements and once operational will mean that the OESCO station will no longer be required and the site will be available for alternative uses.

Ship Repair Yard

- 14.11 The ship repair yard is an important facility for Gibraltar and is important in attracting business to Gibraltar. The yard offers three dry docks, 3500 m² of workshops and 900 metres of deep wharfage. In 2000, a fully retractable cover was installed over No. 3 dock to provide a dedicated facility for super yachts making this the largest covered facility in the Mediterranean.
- 14.12 Development within the ship repair yard will normally be acceptable where it is required for uses directly related to the yard and subject to it not having a significant detrimental impact on any historical building or structure, and subject to a review of the impact of noise, air and water pollution.

POLICY Z3.6 – SHIP REPAIR YARD

WITHIN THE SHIP REPAIR YARD PROPOSALS FOR DEVELOPMENT DIRECTLY RELATED TO THE OPERATION OF THE SHIP REPAIR YARD SHALL NORMALLY BE PERMITTED PROVIDED THERE IS NO SIGNIFICANT DETRIMENTAL IMPACT ON ANY BUILDING OR STRUCTURE OF HISTORICAL VALUE AND SUBJECT TO A REVIEW OF THE IMPACTS OF NOISE, AIR AND WATER POLLUTION.

15 ZONE 4 – EASTSIDE

General

- 15.0 This zone extends from Eastern Beach in the North to Europa Advance Road in the South. It contains Gibraltar's eastside beaches, the prehistoric sand dunes previously covered by the water catchments, the lower shores of the Rock and the small-developed areas of Catalan Bay and Sandy Bay. In contrast to the west side, this side of the Rock has been largely left undeveloped. The natural coastline, particularly south of Catalan Bay remains largely intact.
- 15.1 Although covering a relatively large geographic area this zone had a population of only 429 people at the time of the 2001 census, almost all of whom are concentrated at Catalan Bay village and Both Worlds. One of Gibraltar's main hotels is also located within the zone at the southern end of Catalan Bay.
- 15.2 Between Catalan Bay and Eastern Beach is an area that has been used for a number of years, for the disposal of inert construction waste.

The Eastside development

- 15.3 The construction waste site has been identified as a site for a major mixed development and the zone will therefore be the location for major growth during the Plan period.
- 15.4 The proposed development for the construction waste site is a mixed development of residential, commercial, tourist and recreation/leisure use including yacht marina.
- 15.5 The site shall be serviced by a direct access from Devil's Tower Road, most likely from a new junction at the existing Eastern Beach/Devil's Tower Road junction. Proposals for improvements to Devil's Tower Road together with the proposed new route to the airport/frontier should ensure that the site is easily accessible.
- 15.6 It is envisaged that the development of this site will provide an attractive environment in which to live, and will also act as a major tourist and recreational/leisure attraction. The location of the site, situated to the south of Eastern Beach and north of Catalan Bay, offers a unique opportunity to create a continuous waterfront promenade linking Eastern Beach to Catalan Bay. Such a promenade would be a valuable recreational and leisure resource for residents and visitors. It is therefore essential to ensure that provision is made for such a promenade at the early design stage for the development of the construction waste site.
- 15.7 The development of the construction waste site offers the opportunity to provide a comprehensively planned and designed urban development. Set against the backdrop of the dramatic cliff face the design of this development should make a dramatic contemporary architectural statement and be a reflection of confidence in Gibraltar. The urban design of this site, the layout, form of buildings, provision of public open space, the interrelationship between buildings and space, the architectural treatment of buildings, will all be expected to be of the highest standard, in order to achieve a development that will be impressive and positively enhance the image of Gibraltar worldwide.

POLICY Z4.1 – THE EASTSIDE PROJECT

A SITE OF APPROXIMATELY 16HA, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR A MIXED DEVELOPMENT COMPRISING RESIDENTIAL, COMMERCIAL, TOURISM, RECREATIONAL, AND LEISURE USES INCLUDING YACHT MARINA. ANY PROPOSED DEVELOPMENT IS EXPECTED TO MAKE PROVISION FOR:

- A) A WATERFRONT PROMENADE TO CATER FOR PEDESTRIANS AND CYCLISTS, TO PROVIDE A CONTINUOUS PROMENADE WITH EASTERN BEACH TO THE NORTH AND CATALAN BAY TO THE SOUTH;*
- B) PUBLIC CAR PARKING FACILITIES TO MEET THE REQUIREMENTS OF THE DEVELOPMENT TOGETHER WITH PUBLIC CAR PARKING TO SERVE AS BEACH CAR PARKING;*
- C) ADEQUATE PROVISION FOR PUBLIC TRANSPORT FACILITIES AND FOR PEDESTRIAN AND CYCLE MOVEMENT WITHIN THE DEVELOPMENT; AND*
- D) THE URBAN DESIGN ASPECTS OF THE DEVELOPMENT TOGETHER WITH THE ARCHITECTURAL TREATMENT OF THE INDIVIDUAL BUILDINGS ARE EXPECTED TO BE OF THE HIGHEST QUALITY AND OF A CONTEMPORARY NATURE.*

Eastern Beach/Catalan Bay

15.8 The leisure and recreation section of Part I of the Plan has already made reference to the proposed replenishment of the beaches at Eastern Beach and Catalan Bay. The proposal involves the construction of underwater breakwaters and the subsequent deposit of sand to the landward side to create much larger beaches at both Eastern Beach and Catalan Bay. Studies have been undertaken to ensure that the proposed works would be sustainable in the long term so that the newly extended beaches are not gradually eroded by the action of the sea.

15.9 The creation of larger beaches will represent a great improvement and provide recreational beaches that would compare favourably with the beaches of the neighbouring Costa Del Sol. This would be of benefit to residents of Gibraltar and would also assist in the promotion of Gibraltar as a tourist destination.

15.10 The replenishment of the beaches is however, only part of the strategy to improve Gibraltar’s beach facilities. Linked to the beach replenishment plan is the need to improve the general environment bordering the beaches and to create areas that act as attractions throughout the year. Thus, it is proposed that an environmental improvement scheme be prepared for Eastern Beach. This scheme will aim to create an attractive promenade that will need to link into that proposed for the construction waste site, introduce appropriate landscaping, both soft and hard, and create the opportunity for bars and restaurants to be established along the beach front. The viability of introducing dedicated beach-playing areas for activities

such as beach volleyball and football with associated facilities will also be assessed as part of the scheme. In the case of Catalan Bay, environmental improvement schemes have recently been completed.

POLICY Z4.2 – EASTERN BEACH – ENVIRONMENTAL IMPROVEMENT

AN ENVIRONMENTAL IMPROVEMENT SCHEME SHALL BE PREPARED FOR EASTERN BEACH.

POLICY Z4.3 – EASTERN BEACH – COMMERCIAL DEVELOPMENT

PROPOSALS FOR LIMITED COMMERCIAL DEVELOPMENT ALONG THE PROPOSED PROMENADE AT EASTERN BEACH WILL BE PERMITTED PROVIDED THAT THE PROPOSAL IS SYMPATHETIC TO ITS BEACH SIDE LOCATION BY VIRTUE OF ITS DESIGN, SCALE, FORM, COLOUR AND USE OF MATERIALS.

Sandy Bay

- 15.11 The area of Sandy Bay has remained largely undeveloped other than the Both Worlds complex built in the 1970s as an apart hotel. The complex has now been refurbished and converted into a mixed residential retirement complex and open market housing. The occupation of the complex on a more permanent basis has resulted in a serious shortage of car parking in the area. During the summer season this problem is exacerbated by the increased demand arising from beach goers.
- 15.12 The developer of the refurbished Both Worlds complex has proposed the provision of car parking to satisfy the demands for the complex. A site has been identified at the southern end of the complex for a multi-storey car park for this purpose. Any provision over and above the residential requirement should be made available for use by beach goers. The site is however, on the beachfront and as such it shall be a requirement that the design of the car park is sensitive to this setting.

POLICY Z4.4 – BOTH WORLDS CAR PARK

A SITE IS IDENTIFIED AT THE SOUTHERN END OF THE EXISTING BOTH WORLDS COMPLEX, AS SHOWN ON THE PROPOSALS MAP, FOR USE AS A MULTI STOREY CAR PARK PRIMARILY FOR USE BY RESIDENTS OF BOTH WORLDS, SUBJECT TO THE DESIGN OF THE BUILDING BEING SYMPATHETIC TO ITS SURROUNDINGS, PARTICULARLY ITS BEACHFRONT LOCATION. ANY PARKING PROVISION IN EXCESS OF THE RESIDENTIAL REQUIREMENT SHALL BE MADE AVAILABLE FOR USE BY BEACH GOERS.

- 15.13 An area of land to the west of Sir Herbert Miles Road is the subject of historical development rights granted by the Government for residential use. Any proposal for this site however, would have to pay particular attention to the natural setting of the site, the potential visual impact of any proposed development and the risk of rock falls and land slides in the area.

15.14 Following a fatality as a result of a rock fall in 2002 that occurred at the entrance to Dudley Ward Tunnel, the Government commissioned an assessment of the cliff face in the area. As a result of this assessment the Government will be carrying out works to reduce risks to an acceptable level and will include the construction of a protective structure wherever this is considered necessary. The design of this structure will need to ensure that there is minimal impact on the environment.

The Great Sand Slopes

15.15 The eastern slopes of the Rock were once used as water catchments and were Gibraltar's main source of potable water. The catchments comprised corrugated sheeting placed over the existing sand dune. As the maintenance of the catchments became increasingly uneconomical alternative means of water production were explored leading to the introduction of water desalination as the best way for Gibraltar to ensure constant potable water supplies. Consequently the catchments became redundant and have now been removed and the exposed area replanted to allow its reversion to its natural state. In ecological terms this project has provided an important new habitat for flora and fauna with many new species having been established in the area since the rehabilitation works started. The slopes lie within the Upper Rock Site of Community Importance. Due to the ecological importance of the sand slopes, their undeveloped state and the difficulties associated with the stability of the slopes, no development will be permitted on the slopes, with the possible exception of the site west of Sir Herbert Miles Road referred to earlier in this section.

POLICY Z4.5 – THE WATER CATCHMENTS

WITHIN THE AREA OF THE CATCHMENTS AS DEFINED ON THE PROPOSALS MAP, PLANNING PERMISSION WILL NOT BE GRANTED FOR ANY DEVELOPMENT.

16 ZONE 5 – NORTH FRONT

General

16.0 This zone covers the narrow isthmus that separates Gibraltar from Spain. It is centred on the airport and adjacent MOD areas and includes Western Beach.

The Airport/Frontier

- 16.1 The airport is a joint military/civilian airport. There are currently daily scheduled flights to the UK and Spain. Arrivals by air have been gradually increasing since a low of 70,000 in 1994 and reaching almost 165,000 in 2008¹.
- 16.2 The Transport section of Part I of this Plan made reference to the Cordoba Agreement of September 2006 to which the Gibraltar, British and Spanish Governments are all parties. Amongst other matters the agreement allowed for the enhanced use of the airport the practical consequence of which will be the need to upgrade the facilities at Gibraltar Airport.
- 16.3 Construction has commenced on a new larger terminal that will handle all airport, passenger and flight services. It is envisaged that the terminal will also make appropriate provision for bus, taxi and car parking facilities. The new terminal will be physically linked to the edge of the frontier fence to enable passengers from Spain access to and from the terminal.

POLICY Z5.1 - AIRPORT

LAND IS ALLOCATED FOR THE CONSTRUCTION OF A NEW AIR TERMINAL INCLUDING AIR SIDE FACILITIES AND OTHER ANCILLARY AIRPORT USES. THE TERMINAL SHALL HAVE A PHYSICAL LINK TO THE EDGE OF THE FRONTIER FENCE.

- 16.4 In the long term, the current access arrangements to both the airport and frontier, involving the crossing of the runway by both vehicles and pedestrians, would not be compatible with increased use of the airport. The Government will therefore be providing an alternative access route. This route will run under the eastern end of the runway within a tunnel emerging in the vicinity of the Aerial Farm where it will link to Devil's Tower Road, which it is proposed to upgrade. Construction work on this new road has now commenced.

POLICY Z5.2 – NEW AIRPORT/FRONTIER ACCESS ROAD

A NEW AIRPORT/FRONTIER ROAD SHALL BE CONSTRUCTED AS SHOWN ON THE PROPOSALS MAP. IT IS ENVISAGED THAT THIS ROAD SHALL CROSS UNDER THE RUNWAY AT ITS EASTERN END AND SHALL CONNECT TO DEVIL'S TOWER ROAD.

AS PART OF THE DESIGN OF THE ABOVE ROAD PROPOSALS THE OPPORTUNITY SHALL BE TAKEN TO RATIONALISE THE VARIOUS COMMERCIAL GOODS CLEARANCE ACTIVITIES AT THE FRONTIER INCLUDING LORRY PARKING AND CUSTOMS AND CLEARING AGENTS FACILITIES.

¹ Tourist Survey Report 2008

- 16.5 Immediately west of Sir Winston Churchill Avenue and North of the runway is the site of the existing Rotunda Shopping Centre. This centre is largely vacant and has been for a number of years. The owners of the site have submitted an outline planning application for a redevelopment scheme comprising an apart-hotel with retail use and basement car parking that is currently going through the planning process. However, the location of the site adjacent to the airport and in close proximity to the frontier, and close to a possible land reclamation site at Western Beach means that the site could also be suitable for a variety of uses including light industrial/storage, office, retail and car parking.
- 16.6 The site is fronted by Sir Winston Churchill Avenue to the east and the runway to the south and is almost opposite the air terminal. As such, the site is prominently situated and any proposal will need to ensure that the form and architectural treatment of the proposed development enhances the overall appearance of the area.
- 16.7 The proximity of the site to the runway also means that airfield safety and operating requirements will need to be taken into account in formulating the design.

POLICY Z5.3 - SITE OF ROTUNDA SHOPPING CENTRE

PROPOSALS FOR THE REDEVELOPMENT OF THE SITE OF THE ROTUNDA SHOPPING CENTRE, SIR WINSTON CHURCHILL AVENUE, WILL BE FAVOURABLY CONSIDERED. APPROPRIATE POSSIBLE USES INCLUDE, BUT ARE NOT LIMITED TO, HOTEL USE, RETAIL, AND LIGHT INDUSTRY/STORAGE. ANY PROPOSAL WILL NEED TO ENSURE THAT THE DESIGN OF ANY SCHEME TAKES ACCOUNT OF:

- A) THE PROMINENT NATURE OF THE SITE ADJACENT TO THE RUNWAY AND OPPOSITE THE AIR TERMINAL, AND***
- B) THE PROXIMITY OF THE SITE TO THE RUNWAY AND ANY CONSEQUENT AIRFIELD SAFETY REQUIREMENTS.***

Western Beach – reclamation

- 16.8 It has been recognised that there is a need for land for open storage use. Currently such uses are distributed throughout various sites in Gibraltar and it is considered that if a single site could be created for such uses it would be of benefit to the operators of these sites as well as releasing numerous sites which could be better utilised. In addition the need for yacht repair and associated facilities to cater for both visiting and local yachts and boats has been recognised. Furthermore and notwithstanding the proposal to provide a small boats mooring at Coaling Island, there remains a need for additional mooring facilities for small boats.
- 16.9 In response to the above demands for land an assessment of the feasibility of carrying out a land reclamation project off the area of Western Beach shall be undertaken. This would create a suitable waterside facility together with a large area of land that would be suitable for open storage use. The proximity of the site to the airfield means that it is subject to strict

height limitations and the proposed open storage use would be one of the few potential uses of land in this area. Furthermore, the site has specific locational benefits being situated close to the land frontier. Goods arriving by road across the land frontier can easily be delivered to the site without the need to travel through other parts of Gibraltar thereby minimising the impact on the existing road network and traffic levels. Careful consideration would need to be given to the possible impact of any such reclamation on Western Beach and the compatibility of any proposed uses with the safe operation of the airport and with the protection of biodiversity.

POLICY Z5.4 – WESTERN BEACH

THE FEASIBILITY OF A LAND RECLAMATION PROJECT OFF WESTERN BEACH, AS SHOWN ON THE PROPOSALS MAP, WILL BE UNDERTAKEN. CAREFUL CONSIDERATION WILL NEED TO BE GIVEN, IN PARTICULAR, TO:

- A) POTENTIAL IMPACT ON WESTERN BEACH; AND***
- B) COMPATIBILITY OF PROPOSED USES WITH THE SAFE OPERATION OF THE AIRPORT.***

Aerial Farm

16.10 As part of the land agreement on the transfer of land from the MOD to the Government the majority of the site of the Aerial Farm has been returned to the Government.

16.11 Immediately to the north of this site the MOD is constructing an integrated health care facility and a new sports and recreational facility. To the east is Eastern Beach where environmental improvements are planned and to the southeast is the boundary of the Eastside development where a mixed development comprising residential, commercial and marina shall be developed.

16.12 Part of the site will be required for the proposed new airport/frontier route however the remainder of the land could be appropriate for a number of uses such as residential, recreational, leisure, tourist, office and public parking. Until the exact extent of land available for development is known it is considered appropriate to apply a policy that would safeguard the land from permanent development.

POLICY Z5.5 – THE AERIAL FARM

THE FUTURE USE OF THIS SITE WILL BE DETERMINED ONCE THE AIRPORT/ FRONTIER ROUTE AND THE IMPROVEMENT TO DEVIL'S TOWER ROAD HAVE BEEN FULLY DEVELOPED.

16.13 The Aerial Farm is known to contain a number of plant and animal species of conservation value including the Sea Daffodil and a declining species of beetle that provide a food source for various bird species including Little Owls. Prior to any development of the site there should be a planned programme of translocation of some of this flora and fauna to alternative sites such as the ex-MOD wireless station site, the Great Sand Slopes, Talus and Cemetery.

17 ZONE 6 – NORTH DISTRICT

General

17.0 This zone extends from Glacis Estate in the west to the entrance to Eastern Beach in the east. It contains a mix of residential uses, commercial, storage and light industrial. The Laguna and Glacis estates are long established residential areas having been developed in the 1950s and 1960s respectively. The area bounding both sides of Devil's Tower Road has traditionally been used for industrial and storage uses with some residential and commercial uses interspersed amongst them. During the period of the 1991 Plan additional residential development has taken place along Devil's Tower Road, particularly Wellington Court and Northview Terrace.

Devil's Tower Road

17.1 Devil's Tower Road is the only access route to the eastern side of the Rock providing access to the beaches and the residential developments at Catalan Bay and Both Worlds. The appearance of the area has always suffered from the concentration of industrial uses in the area and their associated activities. During the 1990s some of these uses relocated out of the area to more appropriate premises in some of the industrial estates that have been developed. In recent years, the area has seen a number of commercial uses moving in, particularly car showrooms that have helped to improve the frontages to Devil's Tower Road.

17.2 The proposed new access to the airport and land frontier is to be routed around the eastern end of the runway and feed into Devil's Tower Road. In addition Devil's Tower Road will become the main access road to the eastside construction waste development site. As a consequence there is a need to increase the carrying capacity of this road and the feasibility of widening the road to accommodate two lanes in each direction is being investigated. Due to the limited space available it is likely that any such road widening will necessitate the removal of much of the existing on-street car parking and there will therefore be a need to re-provide this parking within the general area. Such a road-widening scheme shall also offer the opportunity for environmental improvement as part of a comprehensive road scheme.

17.3 The policy objectives for the area are therefore to:

- Encourage residential development along Devil's Tower Road;
- Encourage existing industrial, commercial and storage uses, particularly those fronting Devil's Tower Road, to re-locate to more appropriate locations;
- Any new industrial/storage uses should be limited to sites to the rear of frontage properties and adequate provision for parking and service areas should be provided within the site;
- Avoid the introduction of any heavily industrial uses into the area;
- Implement a comprehensive road improvement scheme incorporating road widening, environmental improvement and re-provision of public car parking.

POLICY Z6.1 – DEVELOPMENT FRONTING DEVIL’S TOWER ROAD

PROPOSALS FOR RESIDENTIAL DEVELOPMENT FRONTING DEVIL’S TOWER ROAD WILL NORMALLY BE GIVEN FAVOURABLE CONSIDERATION.

POLICY Z6.2 – INDUSTRIAL/STORAGE USE

PROPOSALS FOR NEW LIGHT INDUSTRIAL OR STORAGE USES WILL ONLY BE PERMITTED WHERE:

- A) THEY ARE LOCATED TO THE REAR OF PROPERTY FRONTING ONTO DEVIL’S TOWER ROAD;**
- B) ADEQUATE CAR PARKING AND SERVICE AREAS ARE PROVIDED WITHIN THE SITE: AND**
- C) THERE IS NO UNACCEPTABLE ADVERSE EFFECT ON THE AMENITIES OF ADJACENT USERS, PARTICULARLY RESIDENTIAL.**

POLICY Z6.3 – ROAD IMPROVEMENT

A COMPREHENSIVE ROAD IMPROVEMENT SCHEME SHALL BE DESIGNED AND IMPLEMENTED FOR DEVIL’S TOWER ROAD AND SHALL INCLUDE ROAD WIDENING, ENVIRONMENTAL IMPROVEMENT AND RE-PROVISION OF PUBLIC PARKING.

17.4 The site of the ex-hostel and MOD Quartermasters/Royal Gibraltar Regiment depot have already been identified as appropriate sites for multi-storey car parks. Construction work on a multi-storey car park has now commenced on the latter of these two sites. In respect of the former, the Plan makes provision for use of the site as a car park.

POLICY Z6.4 –DEVIL’S TOWER ROAD CAR PARK

THE SITE OF THE EX-HOSTEL, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR CAR PARK USE.

17.5 With the proposed routing of the new frontier/airport road through Devil’s Tower Road the opportunity has been taken, as proposed in the earlier Consultation Draft of this Plan, to provide a ‘park and ride’ scheme on Devil’s Tower Road where tourists arriving by private car could leave their vehicles and transfer to a bus or taxi. Such a facility would assist in keeping tourist traffic well away from the town area. The facility is to be provided within the multi-storey car park currently under construction on the site of the ex-MOD Quartermasters and Royal Gibraltar Depot as referred in the above section.

17.6 It is considered that the park and ride scheme could also potentially service the beaches at Catalan Bay and Sandy Bay during the summer months by providing a shuttle bus service for beach users.

Cemetery

- 17.7 There is agreement between the Government and MOD for the transfer of an area land adjacent to the cemetery to the Government. The intention is to utilise this land as an extension to the existing cemetery. Appropriate landscaping shall be incorporated into any extension to the cemetery.

POLICY Z6.5- EXTENSION TO CEMETERY

AN AREA OF LAND TO BE TRANSFERRED FROM THE MOD TO THE GOVERNMENT ADJACENT TO THE CEMETERY SHALL BE USED AS AN EXTENSION TO THE CEMETERY. THE DESIGN OF ANY SUCH EXTENSION SHALL INCORPORATE APPROPRIATE LANDSCAPING.

- 17.8 The Cemetery is of ecological importance providing a habitat similar to meadow as well as harbouring one of the last areas of sandy isthmus habitat. The uniqueness of these habitats is reflected in the flora and fauna found in the area. The site hosts rare plant species (e.g. Sea Daffodil) and invertebrate fauna, and is an important site for migrating songbirds and for other bird species such as Hoopoes, Red-necked nightjars, and Scops Owls.
- 17.9 To ensure that the ecological importance of the site is properly maintained it is considered that an appropriate long-term environmental management plan should be devised and implemented. Such a plan would benefit Gibraltar's biodiversity and would also result in aesthetic improvements to the cemetery that would be of benefit to visitors.

POLICY Z6.6- CEMETERY - ENVIRONMENTAL MANAGEMENT PLAN

AN ENVIRONMENTAL MANAGEMENT PLAN SHALL BE PREPARED AND IMPLEMENTED FOR THE CEMETERY.

18 Zone 7 - Europa

General

- 18.0 This zone extends from Europa Point in the South to Lathbury Barracks in the North and is bounded on its south, east and west sides by the coastline. In general terms the zone contains a mix of land uses including residential, recreational, industrial and MOD estate.
- 18.1 At a more localised level land use within the zone varies. In this respect, the area of Europa Advance Road on top of the east side sea cliffs and the Lathbury Barracks area situated on the higher plateau above, are one of the few areas of Gibraltar that are sparsely populated. The other significant sparsely populated area being the Upper Rock that is largely protected due to its ecological and recreational value and is a designated Nature Reserve. In addition, this part of the zone has previously seen development that could be termed as 'bad neighbour development'.
- 18.2 The Plan needs to make adequate provision for a number of bad neighbour developments, namely sites for a wastewater treatment works, refurbished energy from waste facility, and electrical generating station. In the case of the wastewater treatment works the choice of its location is geographically limited due to its need to be located at the outlet of Gibraltar's sewerage network i.e. Europa Point. Taking into account the context of the area as described above and the geographical limitation on the location of the wastewater treatment works, a strategy of concentration has been adopted for the location of such uses. The benefit of this strategy is that the negative effects of this type of development particularly noise, odour and emissions, are concentrated in an area where their impact on local residents will be minimised. However, it is acknowledged that the cumulative impact of such concentration may be greater than if a dispersal strategy were adopted. It will therefore be necessary to ensure that the adverse effects of these developments are carefully assessed including the potential for cumulative effects.
- 18.3 Clearly, one of the effects of these types of development is the visual impact. In particular, careful attention will need to be paid to the impact of some of these developments from the sea, and from the area of Europa Point which is a tourist destination and which, as set out below, is proposed for environmental improvement.

Europa Point

- 18.4 Europa Point is a major tourist destination and consequently is included in most tourist itineraries. It is a largely open area dominated by the Trinity lighthouse and providing magnificent views of the North African coastline. The area has historic significance as well with defensive walls and batteries situated along the cliff top and the site of Nun's Well nearby.
- 18.5 Areas of Europa Point also provide valuable habitat for important plant species. Furthermore, located at the southern end of the Rock it is also an important location for bird watching being directly located on important bird migration routes.
- 18.6 The area is also heavily used by local residents for recreational purposes.

18.7 The area is in need of environmental improvement and the Government is committed to undertaking an appropriate scheme to improve the area to the benefit of tourists and residents.

POLICY Z7.1 – EUROPA POINT ENVIRONMENTAL IMPROVEMENT

AN ENVIRONMENTAL IMPROVEMENT SCHEME SHALL BE IMPLEMENTED FOR THE EUROPA POINT AREA AS SHOWN ON THE PROPOSALS MAP AND SHALL PAY PARTICULAR REGARD TO PROVIDING:

- A) AN ATTRACTIVE ENVIRONMENT;***
- B) APPROPRIATE TOURIST FACILITIES;***
- C) INTERPRETATION OF HISTORIC AND NATURAL FEATURES AND INTERPRETATION OF THE NATURE CONSERVATION VALUE OF THE SITE;
AND***
- D) RECREATIONAL FACILITIES.***

18.8 Gibraltar’s sewage outlet is situated at Europa Point. The Government is to provide a new Waste Water Treatment Works in the area to ensure that sewage is properly treated before entering the sea and the plant shall meet the requirements of EU Directives, in particular the Urban Waste Water Treatment Directive.

18.9 The plant shall be located on the site of the Brewery Crusher. The site is situated at a lower level than the road and part of the plant shall be situated within existing caverns. In addition, appropriate screening and landscaping of the site shall be included to further reduce any possible visual impact. The proposed development of the wastewater treatment works is likely to require both an EIA and Appropriate Assessment to fully assess any potential significant environmental effects arising from the development.

POLICY Z7.2 – WASTE WATER TREATMENT WORKS

THE SITE OF THE EX BREWERY CRUSHER, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR THE DEVELOPMENT OF A WASTE WATER TREATMENT WORKS.

Europa Advance Road

18.10 An area of land west of Europa Advance Road has previously been developed for industrial purposes including an energy from waste facility that is no longer operative.

18.11 The Government is to refurbish the existing energy from waste facility to enable thermal destruction of municipal solid waste and sewage sludge. It is proposed that energy recovery from the plant will be used to:

- i) Produce up to 200,000m³ of potable water by thermal desalination;
- ii) Dry approximately 1100 tonnes of sewage sludge per year for thermal destruction. The sewage sludge shall be supplied from the proposed new wastewater treatment works to be built at the nearby Brewery Crusher site as detailed in the preceding policy.

18.12 The proposed refurbishment of the energy from waste facility is likely to require an EIA and Appropriate Assessment to fully assess any potential significant environmental effects arising from the development. In particular, consideration will need to be given to wind direction, height of plumes and adjacent land uses within the direction of the prevailing wind.

POLICY Z7.3 – ENERGY FROM WASTE FACILITY

THE EXISTING ENERGY FROM WASTE FACILITY SHALL BE REFURBISHED.

18.13 Immediately to the south of the existing energy from waste facility is a site known as Governor's Cottage. The Government identified this site for use as a clinical waste incinerator and crematorium. The facility has now been completed and is in operation.

18.14 Whilst the clinical waste incinerator and crematorium share the same site and there is some sharing of plant, the two facilities are operated independently from each other.

Lathbury Barracks

18.15 A mix of telecommunication and industrial development has taken place on the site of the former army quarters and associated buildings. The Government has provided a total of 28 industrial units in Phase 1 of the Lathbury Barracks Industrial Estate and a second phase is planned to provide additional units.

POLICY Z7.4 – LATHBURY BARRACKS - INDUSTRIAL ESTATE

SOME 0.2HA OF LAND IS ALLOCATED AS AN EXTENSION TO THE EXISTING INDUSTRIAL ESTATE FOR LIGHT INDUSTRIAL/STORAGE/WAREHOUSING USE.

18.16 The Lathbury Barracks guardroom complex is currently lying vacant and has redevelopment potential. Any proposal would need to be sensitive to its location but it is considered that this site could be used for light industrial use or storage and warehousing.

POLICY Z7.5 – LATHBURY BARRACKS GUARDROOM COMPLEX

THE SITE OF THE LATHBURY BARRACKS GUARDROOM COMPLEX COMPRISING APPROXIMATELY 0.18HA, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR LIGHT INDUSTRIAL/STORAGE/WAREHOUSING USE.

- 18.17 To the east of the guardroom complex and south of the industrial estate is the Retrenchment Block. The Government identified this building as being suitable for the accommodation of sports and leisure clubs and associations. The building has been sensitively refurbished and will provide accommodation for a variety of clubs and associations.
- 18.18 To the north of the existing first phase of the industrial estate are two areas of land either side of Windmill Hill Road, previously used as residential quarters for the military. The site to the west of Windmill Hill Road has recently been developed for residential use whilst the site to the east has outline planning permission for use as a residential care and nursing home.

Site for HM Prison

- 18.19 An area of land to the east of the ex-Junior Ranks Mess site was identified as being a suitable site for the relocation of the Prison and the new building is substantially complete. The extent of the site is shown on the proposals map.
- 18.20 In considering development proposals in the vicinity of the new prison special consideration shall be given to any security issues that the new development may have for the prison.

POLICY Z7.6 – PROPOSALS AFFECTING HMP

IN CONSIDERING DEVELOPMENT PROPOSALS IN THE VICINITY OF THE PRISON SPECIAL CONSIDERATION SHALL BE GIVEN TO ANY SECURITY IMPLICATIONS OF THE NEW DEVELOPMENT IN RELATION TO THE PRISON. PERMISSION WILL NOT BE GRANTED WHERE THE PROPOSAL IS CONSIDERED TO JEOPARDISE THE SECURITY OF THE PRISON.

Windmill Hill Road

- 18.21 The road leading from the junction with Europa Road to Jews Gate within the Upper Rock Nature Reserve is considered to provide a better access route to the Upper Rock Nature Reserve than the current access along Engineer Road. All development proposals will need to take this into account and no development shall be permitted that would prejudice the use of this road as the main access road to the Nature Reserve.

POLICY Z7.7 – WINDMILL HILL ROAD

WINDMILL HILL ROAD, AS SHOWN ON THE PROPOSALS MAP, SHALL BE USED AS THE MAIN ACCESS ROAD TO THE UPPER ROCK NATURE RESERVE. NO DEVELOPMENT SHALL BE PERMITTED THAT WOULD PREJUDICE THE USE OF THIS ROAD AS THE MAIN ACCESS ROUTE. THE DESIGN OF ANY DEVELOPMENT IN THIS AREA WILL NEED TO TAKE INTO ACCOUNT THE FACT THAT THIS SHALL BE THE MAIN APPROACH TO THE NATURE RESERVE.

Lathbury Barracks Parade Ground

- 18.22 As set out in the 'Utilities and Waste' chapter of Part I of the Plan, the Government has decided to construct a new power station to replace the existing Government facility at Waterport, the private OESCO station and the MOD station at the Dockyard. The current proposal under consideration is for a 42 megawatt plant but with room for future expansion up to 70 megawatts should this be necessary.
- 18.23 The Parade Ground has been identified by the Government for this purpose and detailed assessments, including both an Environmental Impact Assessment and an Appropriate Assessment of any potential environmental impacts, have been carried out.
- 18.24 As with other developments in this area, the design of the station will need to take account, as far as is practicable, of the setting, being in close proximity to historical defensive walls and to the Upper Rock Nature Reserve.
- 18.25 The Plan makes provision for a number of uses in the Lathbury area whilst acknowledging the particular sensitivities of the site in relation to its proximity to the historic structures in the area and to the Upper Rock Nature Reserve. In this context it is important to note the inter-relationships that exist between the fauna and flora of Windmill Hill and the Upper Rock. In particular, there is the potential to isolate the natural populations of Windmill Hill, notably the Barbary Partridge and Red Fox (currently part of a re-introduction programme) from the Upper Rock. In the future development of the area the Development and Planning Commission shall seek to ensure that where appropriate green corridors and green or brown roofs are provided to assist in maintaining the natural links between the two areas.

POLICY Z7.8 – LATHBURY – NATURAL LINKAGES

THE DEVELOPMENT AND PLANNING COMMISSION SHALL SEEK TO ENSURE THAT APPROPRIATE PROVISION IS MADE IN FUTURE DEVELOPMENT IN THE LATHBURY BARRACKS AREA FOR GREEN CORRIDORS AND GREEN OR BROWN ROOFS TO ASSIST IN MAINTAINING THE NATURAL LINKAGES BETWEEN WINDMILL HILL AND THE UPPER ROCK.

19 ZONE 8 – SOUTH DISTRICT

General

19.0 This zone extends from Charles V wall at the southern end of the zone to Little Bay at its northern end. The land use pattern of the zone is predominantly residential together with significant recreation and leisure uses at the Alameda Gardens and along the coastline at Rosia Bay, Camp Bay and Little Bay.

Alameda Gardens

- 19.1 The botanical gardens were opened in 1816 and provide an attractive area of exotic plants, trees and shrubs. The gardens cover an area of some 5.5 ha and is Gibraltar's biggest park.
- 19.2 The gardens act as a 'green lung' in the otherwise built up area of the lower slopes. It is an attractive element of Gibraltar's landscape and contributes significantly towards the setting of the Upper Rock. The gardens are well used by residents for recreational and leisure purposes, as well as increasingly becoming an attraction for tourists.
- 19.3 The gardens are gaining an international reputation for its range of exotic plants and are increasingly becoming an important research centre. In addition to flora, the gardens are also developing an animal breeding centre with the purpose of re-introducing endangered Species back into Gibraltar's wild areas.
- 19.4 The gardens are therefore important in landscape, recreational, tourist, leisure, and ecological terms. The overriding objective is therefore to conserve the area and to further promote it as a both a local and visitor attraction. Development within the gardens themselves will therefore be strictly controlled and only proposals relating to the operation of the gardens or to improve its facilities and attractions will be permitted. Furthermore, development proposals in the vicinity of the gardens will be carefully assessed to ensure that there are no significant adverse effects on the gardens themselves.

POLICY Z8.1 – ALAMEDA GARDENS

THE ALAMEDA GARDENS, AS DEFINED ON THE PROPOSALS MAP, SHALL BE CONSERVED AS A MAJOR LEISURE AREA. PLANNING PERMISSION FOR NEW DEVELOPMENT WITHIN THE GARDENS WILL NOT NORMALLY BE PERMITTED EXCEPT FOR:

- A) ESSENTIAL ACTIVITIES RELATED TO THE OPERATION OF THE GARDENS;
OR**
- B) APPROPRIATE RECREATIONAL AND TOURIST USES.**

WHERE A PROPOSED USE ACCORDS WITH THE ABOVE CRITERIA ANY PROPOSED BUILDINGS OR STRUCTURES MUST MINIMISE THEIR IMPACT ON THE CHARACTER AND APPEARANCE OF THE GARDENS BY VIRTUE OF THEIR SITING, DESIGN, MASSING, SCALE, FORM, COLOUR AND USE OF MATERIAL.

POLICY Z8.2 – PROPOSALS IN THE VICINITY OF ALAMEDA GARDENS

IN CONSIDERING PROPOSALS IN THE VICINITY OF THE ALAMEDA GARDENS CONSIDERATION SHALL BE GIVEN TO THE IMPACT OF THE PROPOSED DEVELOPMENT ON THE GARDENS. WHERE SUCH IMPACT IS CONSIDERED TO BE UNACCEPTABLE PLANNING PERMISSION WILL BE REFUSED.

Grand Parade

- 19.5 To the south of Alameda Gardens is Grand Parade, currently used as a large surface car park. The car park is heavily used by residents living in the vicinity and the wider area, by people working in the Town and by tourists. Its location outside the City Walls contributes towards the aim of encouraging traffic to remain outside the Old Town.
- 19.6 The importance of Grand Parade as a car park, and as an open area that allows for an appreciation of the setting of the Alameda Gardens, is recognised and the existing use shall continue. However, it is also recognised that the car parking potential of this site could be increased through the development of underground car parking. Any such proposals would be favourably considered provided that there was no significant permanent adverse impact on the setting of the Gardens, on traffic flows in the area and that there was an overall improvement in the environment of the surface car park.

POLICY Z8.3 – GRAND PARADE

PROPOSALS FOR UNDERGROUND CAR PARKING AT GRAND PARADE WILL BE FAVOURABLY CONSIDERED PROVIDED THAT:

- A) THERE IS NO SIGNIFICANT ADVERSE IMPACT ON THE SETTING OF THE ALAMEDA GARDENS;*
- B) THERE IS NO SIGNIFICANT ADVERSE TRAFFIC IMPACT; AND*
- C) THERE IS AN OVERALL IMPROVEMENT IN THE ENVIRONMENT OF THE SURFACE CAR PARK.*

Cumberland Road/Rosia Road/Victualling Yard tanks

- 19.7 The sites of the ex- Tower and Cumberland Buildings on Rosia Road and Cumberland Road respectively, together with the ex-water tanks at the Victualling Yard are currently being developed for affordable housing.

Rosia Bay

- 19.8 Rosia Bay has significant historical importance being the bay into which HMS Victory was towed after the Battle of Trafalgar. There are two important gun batteries dating from the 18th Century sited above the bay, including Parson’s Lodge which occupies a dominant position. Opposite Parson’s Lodge is the Victualling Yard dating back to 1808.

- 19.9 The surrounding area is predominantly in residential use with some light industry and storage uses around the historically important Grand Magazine that fronts onto Rosia Road.
- 19.10 The area around the Grand Magazine is currently being developed for residential purposes. The scheme includes the sensitive restoration and re-use of the Grand Magazine. Rosia Bay has been identified as being suitable for redevelopment for tourist, recreation and leisure use subject to proposals being sensitive to the historical elements of the area. In keeping with the policy of opening up Gibraltar's waterfront to the general public, any proposal must ensure public access to the waterfront at Rosia Bay.

POLICY Z8.4 – ROSIA BAY

THE SITE OF ROSIA BAY, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR TOURIST, RECREATION AND LEISURE USE. ANY PROPOSAL SHALL HAVE TO:

- A) ENSURE THAT THE CHARACTER AND APPEARANCE OF ANY HISTORICAL BUILDINGS WITHIN THE AREA ARE NOT SIGNIFICANTLY DETRIMENTALLY AFFECTED; AND***
- B) PUBLIC ACCESS IS PROVIDED TO THE WATERFRONT.***

Camp Bay and Little Bay

- 19.11 Camp Bay and Little Bay are west-facing beaches and as such enjoy longer hours of sunshine as compared to the beaches on the eastern side. The beaches are well used providing an important recreational amenity particularly for residents of the South District. The beaches are also well used out of season as an open area for recreational purposes and the small ball playing area and children's park are popular.
- 19.12 Whilst both Camp and Little Bays are well used they require environmental improvement to maximise their recreational potential. An environmental scheme for Camp Bay has already been prepared implemented. A similar scheme is to be prepared for Little Bay.

POLICY Z8.5 – ENVIRONMENTAL IMPROVEMENT FOR LITTLE BAY

AN ENVIRONMENTAL IMPROVEMENT SCHEME FOR LITTLE BAY SHALL BE PREPARED.

- 19.13 The existence of steep cliffs at either end of the bays and to the rear has meant that there has been little development in this area. The planned land use for this area is to continue the existing pattern of recreational, leisure and tourist use. Only proposals that would encourage these uses will be permitted in these areas.

POLICY Z8.6 – CAMP BAY/LITTLE BAY

PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR DEVELOPMENT PROPOSALS FOR TOURIST, LEISURE OR RECREATIONAL USES WITHIN THE CAMP BAY AND LITTLE BAY AREAS PROVIDED THEY ARE SENSITIVE TO THEIR SETTING.

Former Casino, Europa Road

19.14 The former Casino located at Europa Road, has recently relocated to a new site within the Ocean Village development at Marina Bay. The relocation of the Casino has resulted in the current site becoming available for an alternative use. Bearing in mind the surrounding land use pattern it is considered that a sensitively designed residential development would be appropriate. Any proposal would need to pay particular attention to the impact on the setting of the Upper Rock and the Alameda Gardens that lie east and west of the site respectively. It should also be borne in mind that the site is located immediately below an area of the upper Rock that is heavily visited by tourists and residents. It is therefore important for any proposed design to pay particular attention to the treatment of the roof area.

19.15 The site contains two saltwater reservoirs that are of strategic importance. It is essential that adequate access to the reservoirs for maintenance and operational purposes is provided and that there is no detrimental impact on the structural integrity of the reservoirs as a result of additional loading imposed by any new development above. It is therefore essential that these matters are adequately addressed, to the satisfaction of the Government, in the design of any scheme for this site.

POLICY Z8.7 – THE FORMER CASINO SITE, EUROPA ROAD

THE SITE OF THE FORMER CASINO, AS SHOWN ON THE PROPOSAL MAP, IS ALLOCATED FOR RESIDENTIAL USE. ANY PROPOSAL FOR REDEVELOPMENT WILL NEED TO PAY PARTICULAR ATTENTION TO:

- A) POSSIBLE IMPACT ON THE SETTING OF THE ADJACENT UPPER ROCK;***
- B) POSSIBLE IMPACT ON THE SETTING OF THE ADJACENT ALAMEDA GARDENS;***
- C) APPROPRIATE TREATMENT TO ALL ROOF AREAS; AND***
- D) THE NEED TO RETAIN OR RE-PROVIDE THE EXISTING WATER RESERVOIRS TO THE SATISFACTION OF THE GOVERNMENT***

IF THE RESERVOIRS ARE TO BE RETAINED, AS OPPOSED TO REPROVIDED, THE FOLLOWING ARE APPLICABLE:-

- E) THE NEED TO PROVIDE ADEQUATE ACCESS FOR MAINTENANCE AND OPERATIONAL PURPOSES TO THE SATISFACTION OF THE GOVERNMENT; AND***
- F) THE NEED TO DEMONSTRATE TO THE SATISFACTION OF THE GOVERNMENT THAT ANY PROPOSED SCHEME WILL NOT HAVE A DETRIMENTAL IMPACT ON THE STRUCTURAL INTEGRITY OF THE RESERVOIRS OR ITS WATER TIGHTNESS.***

Maida Vale, Engineer Road

19.16 The site commonly known as ‘Maida Vale’, accessed from Engineer Road, would be considered to lie within a buffer area adjacent to the Upper Rock Nature Reserve. However, this constitutes a ‘brownfield’ site where development has previously taken place. Construction started on the site in the 1960s with the construction of foundations and parts of the structure to ground floor level. Since then the site has been left dormant in an unsightly and untidy state with a consequent detrimental impact on the appearance of this part of the Nature Reserve. It is therefore proposed to allocate the site for residential development purposes. Any scheme would need to be designed carefully to ensure that the development can be assimilated successfully into the landscape.

POLICY Z8.8 - MAIDA VALE

A SITE OF APPROXIMATELY 0.3HA, AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR RESIDENTIAL PURPOSES AT MAIDA VALE. ANY SCHEME WILL NEED TO BE DESIGNED SO AS TO MINIMISE THE IMPACT ON THE LANDSCAPE AND ECOLOGY.

King George V Hospital

19.17 It is planned to relocate the existing George V psychiatric Hospital to an alternative site and it is likely therefore that the current site will be vacated during the life of the Plan. In such an eventuality it would be appropriate for the site to be redeveloped for residential purposes and the site is allocated accordingly.

POLICY Z8.9 – KING GEORGE V HOSPITAL

THE SITE OF KING GEORGE V HOSPITAL AS SHOWN ON THE PROPOSALS MAP IS ALLOCATED FOR RESIDENTIAL USE.

Buena Vista and North Gorge

19.18 Outline planning permission has been granted for the redevelopment of the site of Buena Vista Barracks and adjacent land for residential purposes. The actual Barracks building itself does not form part of the permitted development scheme and any proposals for this building would need to take account of its historical significance.

19.19 North Gorge has been identified as a suitable site on which to develop affordable housing. The Gorge is an important natural landscape feature and parts of the Gorge, particularly the cliffs contain areas of ecological value. There are also natural caves under the parts of the site and an underground cold store of heritage interest. The Plan allocates the site for residential use subject to these various matters being adequately addressed.

POLICY Z8.10–NORTH GORGE

THE SITE OF NORTH GORGE AS SHOWN ON THE PROPOSALS MAP, IS ALLOCATED FOR RESIDENTIAL USE. ANY PROPOSALS SHALL NEED TO TAKE PARTICULAR ACCOUNT OF THE POTENTIAL LANDSCAPE IMPACT, AFFECT ON NATURAL AND HISTORICAL FEATURES, NATURE CONSERVATION AFFECTS AND CLIFF STABILITY ISSUES.

The Mount

19.20 The gardens of the Mount have been an important landscape feature of Gibraltar for several hundred years with some of the individual trees within the gardens estimated at being over 500 years old. The wooded nature of the gardens is of ecological value as it supports a small community of woodland plants and animal species. The site also has great built heritage value with the original building dating from the 19th Century. The fact that the site had traditionally been home to a senior military official has helped to preserve the gardens.

19.21 Since the site was transferred to the Government by the MOD it has been used on an occasional basis for official functions, however, there is a need to secure a sustainable long-term future for the site that will conserve the buildings and the gardens. The site is considered appropriate for a wide variety of uses such as office use (for example as a corporate headquarters), recreational, tourist, research and development and educational use. The limiting factor is that any proposed use does not detrimentally affect the character or appearance of both the existing buildings and the gardens.

POLICY Z8.11- THE MOUNT

ANY DEVELOPMENT PROPOSALS FOR THE MOUNT WILL NEED TO DEMONSTRATE THAT THERE WILL BE NO ADVERSE EFFECT ON:

- A) THE CHARACTER AND APPEARANCE OF THE EXISTING BUILDINGS;*
- B) THE CHARACTER, APPEARANCE AND ECOLOGICAL VALUE OF THE SITE AND THE WIDER UPPER ROCK AREA; AND*
- C) THE SETTING OF THE EXISTING BUILDINGS OR THE GARDENS, OR THE WIDER UPPER ROCK.*

Royal Naval Hospital

19.22 The Royal Naval hospital comprises a complex of buildings dating back to the early 20th century situated on a cliff top site with panoramic views over the bay. The vast majority of the complex has been vacant for a number of years as the MOD requirement has reduced and the physical fabric of many parts of the buildings has deteriorated rapidly. The property has now been transferred to the Government and is available for alternative uses.

19.23 Due to the historical and architectural value of the hospital, the preference would be for the retention of the existing buildings and their conversion for an alternative use that respects their character and appearance. Only in the eventuality that the Government is satisfied that it would not be feasible or viable to retain the buildings would a new build scheme be considered for this site. The Government is considering options for the future use of the site including institutional uses. The re-use of the site for residential purposes would be another potential use that would offer an opportunity to provide a spectacular residential development that would fit into the predominately residential character of the area.

POLICY Z8.12 – CONVERSION/REDEVELOPMENT OF THE FORMER ROYAL NAVAL HOSPITAL

THE FORMER ROYAL NAVAL HOSPITAL IS TO BE RE-USED FOR APPROPRIATE ALTERNATIVE USES. ANY DEVELOPMENT PROPOSAL WILL NEED TO PROVIDE FOR THE RETENTION OF THE EXISTING BUILDINGS UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT IT WOULD NOT BE FEASIBLE OR VIABLE TO DO SO.

ANY PROPOSAL WILL NEED TO DEMONSTRATE THAT IT HAS TAKEN INTO ACCOUNT THE SETTING OF THE SITE AND, IN THE CASE OF CONVERSION, THAT IT RESPECTS THE CHARACTER AND APPEARANCE OF THE EXISTING BUILDINGS.

20 Zone 9 – Upper Rock

General

- 20.0 The most visually prominent part of Gibraltar is the Upper Rock – a Jurassic limestone outcrop that rises to a height of 424 metres. The Upper Rock dominates virtually every vista in Gibraltar as well as being a very dominant feature in the wider landscape.
- 20.1 The eastern side of the rock comprises sheer cliffs rising up from the beaches. In contrast, the western side comprises a series of gentle undulating slopes and terraces that are accessed by a network of narrow winding roads.
- 20.2 The vast majority of the zone is uninhabited although there are a few areas of isolated development particularly around the lower slopes in the vicinity of The Mount and Devil's Gap Battery.
- 20.3 The Upper Rock is a largely unspoilt area that contains many important habitats and historical sites. The sedimentary rock is relatively rare in the region and when combined with the local climatic conditions of the 'Levanter', or east wind, it produces a unique flora and fauna.
- 20.4 The alkaline soil encourages the growth of a variety of trees, shrubs and wild flowers. By far the most extensive shrubs are the wild olive, but there are other aromatic species such as Rosemary and Thyme.
- 20.5 The Gibraltar Biodiversity Project that started in 2004 and aims to identify and systematically categorise all Gibraltar's flora and fauna, has identified over 600 species of flora, the vast majority of which are found in the Upper Rock.
- 20.6 The area is of international importance for its birdlife, particularly in terms of migrating birds. During the main migration seasons (end of February to mid-May and end of August to beginning of November) many species of bird can be observed migrating north/south. In addition to migrating species there are important resident species including the Mediterranean Shag, Barbary Partridge and Peregrine Falcon.
- 20.7 The Upper Rock is also the home of the world-famous Barbary Apes that roam the area wild, but there are also many other mammals and reptiles found in the area, such as bats and lizards.
- 20.8 In addition to the flora and fauna, the Upper Rock also contains St Michael's Cave. This is one of the most spectacular natural grottos in Europe and is a major tourist attraction.
- 20.9 The prominence of the Upper Rock in relation to the surrounding landscape has meant that throughout Gibraltar's long history, the area has been used to construct defensive positions to protect Gibraltar from its enemies. Many of these installations are important tourist attractions such as the Siege Tunnels that began to be excavated during the Great Siege of 1779-83. They contain many gun emplacements that overlooked the Spanish positions on the isthmus. Other defensive batteries are scattered across the western slopes and the Charles V wall is a prominent feature in the area running from the top of the rock down to the Old Town on the western slope.

20.10 The Upper Rock provides an important recreational resource for local residents and is a popular area for walking. The winding road network provides for vehicular access to the area although there are only limited areas for car parking. Many parts of the slopes are criss-crossed by paths providing ideal routes for walking. Many of these paths provide spectacular views of the surrounding area and enable the general public to observe the flora and fauna.

The Upper Rock Nature Reserve

20.11 In order to ensure the preservation of this important area for future enjoyment by residents and visitors alike, a Nature Reserve was designated in 1993 covering the vast majority of this zone. The boundary generally follows the ‘unclimable fence’ and the 90m contour line.

20.12 The designation of the Nature Reserve has been extremely effective in protecting the area from inappropriate development. During the Plan period it will be important to keep the boundary of the Nature Reserve under review to ensure that the objectives of the designation of the Nature Reserve continue to be achieved.

POLICY Z9.1 – UPPER ROCK NATURE RESERVE BOUNDARY

THE BOUNDARY OF THE UPPER ROCK NATURE RESERVE SHALL BE KEPT UNDER REVIEW.

20.13 Visitor management strategies for the nature reserve will be kept under review to ensure that the fragile environment is not damaged by excessive numbers of visitors. The GONHS and others have recently prepared management strategies for the Upper Rock. The Government is considering these strategies with the aim of ensuring that the area is managed in a sustainable way for the benefit of Gibraltar as a whole.

20.14 There may be a need to accommodate some limited development within the Nature Reserve where this can be shown to be appropriate to the area. The planning objective will therefore be to limit such development to that which is essential, has no significant adverse effect on the preservation and enhancement of the character and appearance of the area, and is of limited size.

POLICY Z9.2 –NON-RESIDENTIAL DEVELOPMENT IN THE UPPER ROCK NATURE RESERVE

PLANNING PERMISSION FOR NEW (NON-RESIDENTIAL DEVELOPMENT) WITHIN THE UPPER ROCK NATURE RESERVE WILL ONLY BE GRANTED WHERE IT CAN BE DEMONSTRATED THAT:

- A) IT IS AN APPROPRIATE USE COMPATIBLE WITH THE DESIGNATION OF THE AREA AS A NATURE RESERVE. APPROPRIATE USES INCLUDE:***

- I) *RECREATIONAL USES THAT MAINTAIN THE OPEN CHARACTER OF THE NATURE RESERVE;*
 - II) *EDUCATIONAL FACILITIES RELATED TO THE NATURAL ENVIRONMENT;*
 - III) *TOURIST USES RELATED TO THE NATURAL OR HISTORICAL VALUE OF THE UPPER ROCK;*
 - IV) *SMALL-SCALE HOTEL USE.*
- B) *IT IS COMPATIBLE WITH THE PRESERVATION AND ENHANCEMENT OF THE EXISTING CHARACTER OF THE AREA;*
- C) *THERE IS NO SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECT; AND*
- D) *ANY PERMANENT BUILDINGS ARE:*
- I) *ESSENTIAL;*
 - II) *OF LIMITED SIZE;*
 - III) *IN KEEPING WITH THEIR SURROUNDINGS BY VIRTUE OF THEIR FORM, BULK, USE OF MATERIALS, COLOUR AND GENERAL DESIGN.*

20.15 Due to the ecological importance of the Nature Reserve and its visual prominence the planning policy is not to permit further residential development within the reserve. However, there are existing clusters of isolated residential development within the nature reserve and there needs to be a clear policy in relation to development proposals for these areas. The primary objectives of this policy are to ensure that there is no increase in the number of dwellings in the nature reserve and that there is no extension or consolidation of existing built up areas. Very small-scale development associated to an existing residential use will be permitted subject to there being no unacceptable impact.

POLICY Z9.3 – NEW DWELLINGS WITHIN THE NATURE RESERVE

PLANNING PERMISSION FOR NEW DWELLINGS WITHIN THE NATURE RESERVE WILL NOT NORMALLY BE GRANTED EXCEPT FOR THE REPLACEMENT OF EXISTING DWELLINGS SUBJECT TO THE FOLLOWING:

- A) *THE PROPOSED DWELLING IS OF A SIMILAR SIZE TO THE ORIGINAL, AND IN ANY EVENT MUST NOT HAVE A VOLUME GREATER THAN 20% MORE THAN THE VOLUME OF THE ORIGINAL DWELLING, NOR MUST BE ANY HIGHER THAN THE HIGHEST PART OF THE ORIGINAL DWELLING;*
- B) *APPLICATIONS FOR PERMISSION MUST INCLUDE DETAILED DRAWINGS CLEARLY SHOWING THE VOLUME AND HEIGHT OF THE ORIGINAL DWELLING;*

- C) *THE PROPOSAL MUST NOT HAVE A SIGNIFICANT DETRIMENTAL IMPACT ON THE CHARACTER OR APPEARANCE OF THE SURROUNDING AREA OR THE NATURE RESERVE IN GENERAL;*
- D) *THERE IS NO INCREASE IN THE NUMBER OF DWELLING UNITS;*
- E) *THE REPLACEMENT DWELLING IS ON THE SITE OF THE EXISTING DWELLING;*
- F) *THE EXISTING DWELLING IS SUBSTANTIALLY INTACT AND IS CAPABLE OF BEING INHABITED; AND*
- G) *THE PROPOSED DWELLING IS OF A DESIGN, COLOUR AND BUILT OF MATERIALS THAT ARE IN-KEEPING WITH THE CHARACTER AND APPEARANCE OF THE SURROUNDING AREA AND NATURE RESERVE GENERALLY.*

FOR THE PURPOSES OF THIS POLICY, "THE ORIGINAL DWELLING" MEANS THE DWELLING THAT STOOD ON THE SITE AT THE TIME THIS POLICY WAS ADOPTED AND DOES NOT INCLUDE ANY REPLACEMENT OR NEW DWELLING GRANTED PERMISSION UNDER THIS POLICY, NOR ANY EXTENSION OR ALTERATION GRANTED PERMISSION UNDER POLICY 9.4 OF THIS PLAN.

20.16 Development proposals for extensions, alterations and other development within the curtilage, and ancillary to the dwelling house, will be considered in a similar way.

POLICY Z9.4 – EXTENSIONS, ALTERATIONS OR IMPROVEMENTS TO DWELLINGS WITHIN THE NATURE RESERVE

PLANNING PERMISSION FOR THE EXTENSION, ALTERATION OR IMPROVEMENT OF AN EXISTING DWELLING HOUSE, OR FOR DEVELOPMENT WITHIN THE CURTILAGE OF AN EXISTING DWELLING HOUSE, WITHIN THE NATURE RESERVE, WILL ONLY BE GRANTED WHERE:

- A) *THE PROPOSAL DOES NOT EXCEED 20% OF THE VOLUME OF, NOR IS HIGHER THAN THE HIGHEST PART OF, THE ORIGINAL DWELLING ;*
- B) *THE PROPOSAL RESPECTS THE CHARACTER AND APPEARANCE OF THE ORIGINAL DWELLING AND THE SURROUNDING AREA BY VIRTUE OF ITS DESIGN, FORM, SCALE, LOCATION, COLOUR AND MATERIALS;*
- C) *THERE IS NO SIGNIFICANT DETRIMENTAL EFFECT ON NEIGHBOURING PROPERTIES BY OVERSHADOWING, OVERBEARING EFFECT OR LOSS OF PRIVACY; AND*
- D) *THE PROPOSAL WILL NOT RESULT IN AN OVER-INTENSIVE OR CRAMPED FORM OF DEVELOPMENT.*

FOR THE PURPOSES OF THIS POLICY, “THE ORIGINAL DWELLING” MEANS THE DWELLING THAT STOOD ON THE SITE AT THE TIME THIS POLICY WAS ADOPTED AND DOES NOT INCLUDE ANY EXTENSIONS OR ALTERATIONS GRANTED PERMISSION UNDER THIS POLICY, NOR ANY REPLACEMENT OR NEW DWELLINGS GRANTED PERMISSION UNDER POLICY Z9.3 OF THIS PLAN.

20.17 There may be a need for utility providers to undertake development within the nature reserve. The service providers will be expected to make every effort to avoid developing within the nature reserve. However, where it has been shown that there is no possible or feasible alternative then permission will normally be granted provided that the proposed development is sensitively designed and located so as to minimise the impact on the character, appearance and ecology of the nature reserve.

POLICY Z9.5 – UTILITY DEVELOPMENT WITHIN THE NATURE RESERVE

PROPOSALS FOR DEVELOPMENT RELATED TO THE PROVISION OF UTILITY SERVICES WITHIN THE NATURE RESERVE WILL NORMALLY BE GRANTED PROVIDED THAT:

- A) SATISFACTORY EVIDENCE IS SUBMITTED JUSTIFYING THE NEED TO LOCATE WITHIN THE NATURE RESERVE AND DETAILS OF THE ALTERNATIVE SITES INVESTIGATED AND THE REASONS FOR THEIR REJECTION; AND**
- B) THE PROPOSAL IS SITED AND DESIGNED SO AS TO MINIMISE ITS IMPACT ON THE CHARACTER, APPEARANCE AND ECOLOGY OF THE NATURE RESERVE.**

20.18 There are areas of the Upper Rock that are still within the control of the MOD. However, the recent agreement between the MOD and Government over land holdings has resulted in large areas of land in the Upper Rock being handed over to the Government. Nevertheless areas of the Upper Rock do remain in MOD ownership, such as at Rock Gun at the Northern end of the Rock. Whilst development by the MOD may currently be outside the control of the planning system, the MOD shall be encouraged to abide by the established policy in relation to development within the area.

20.19 The profile of the Rock of Gibraltar is very recognisable and is of great cultural value to its residents as well as being of landscape value. Consequently development that materially interrupts the ridgeline of the Upper Rock is considered to have a detrimental impact and will not normally be permitted.

POLICY Z9.6 – PROTECTION OF RIDGELINE

PROPOSALS FOR DEVELOPMENT THAT WILL MATERIALLY INTERRUPT THE RIDGELINE OF THE UPPER ROCK WILL NOT NORMALLY BE PERMITTED.

Buffer areas

20.20 There are areas of land within the zone but which lie outside the boundaries of the Nature reserve. These areas form an important part of the setting of the Upper Rock and generally act as a buffer between the nature reserve and the more built up areas such as the Old Town and the South district. These areas often act as important wildlife corridors, particularly in the area of the lower slopes in the vicinity of the Alameda Gardens.

20.21 The planning policy for these areas is normally to limit the amount of development in order to retain the existing land use pattern, preserve the setting of the Upper Rock and protect areas of ecological value. Limited development may be considered provided that there is no excessive adverse impact on the Reserve.

POLICY Z9.7 – DEVELOPMENT ADJACENT TO THE NATURE RESERVE

***WITHIN AREAS ADJACENT TO THE BOUNDARIES OF THE NATURE RESERVE
PLANNING PERMISSION FOR NEW DEVELOPMENT WILL ONLY BE GRANTED
WHERE:***

- A) THERE IS NO EXCESSIVE ADVERSE IMPACT ON THE RESERVE; AND***
- B) THE PROPOSAL IS FOR ESSENTIAL INFRASTRUCTURE WORKS; OR***
- C) THE PROPOSAL INVOLVES VERY LIMITED LOW DENSITY RESIDENTIAL DEVELOPMENT; OR***
- D) THE PROPOSAL IS FOR TOURIST OR RECREATIONAL PURPOSES.***

PROVIDED THAT THE PROPOSAL WILL NOT HAVE A SIGNIFICANT DETRIMENTAL IMPACT BY VIRTUE OF ITS DESIGN, SITING, SCALE, FORM OR USE OF MATERIALS, ON THE CHARACTER OR APPEARANCE OF THE SURROUNDING AREA OR ON THE SETTING OF THE UPPER ROCK, NOR WILL IT HAVE ANY SIGNIFICANT DETRIMENTAL IMPACT ON ANY SITE OF ECOLOGICAL VALUE.

21 IMPLEMENTATION, MONITORING AND REVIEW

Implementation

- 21.0 The preparation of this Plan is only the first step in establishing a sound planning framework that can guide the future development of Gibraltar. The Plan provides the basis for rational and consistent decision making, and offers certainty to the general public and prospective developers of what will and what will not be permitted. It is therefore important that everybody involved in shaping the future of Gibraltar, whether they be public sector departments or agencies, private developers or voluntary organisations, are familiar with the contents of the Plan.
- 21.1 Implementation of the Plan's policies will largely be achieved through the Development and Planning Commission's determination of planning applications and the use of conditions attached to permissions. In addition, the Plan has identified policy areas for further consideration and site-specific proposals for implementation, which must be implemented if the objectives of the Plan are to be realised. Much of this work will be public sector driven and it is therefore essential that all public sector organisations that have a role to play in the implementation of the Plan ensure that they fully assess the deliverables expected of them and allocate their resources accordingly.
- 21.2 Table 1 summarises those aspects of the Plan that require specific action. The table identifies the relevant policy, action required and the organisation that will be mainly responsible for its implementation.

Monitoring

- 21.3 Monitoring of relevant indicators is important to be able to measure the success of the Plan. It is through constant monitoring that it is possible to identify where policies need to be strengthened, changed, or even removed from the Plan.
- 21.4 The Development and Planning Commission intends to develop a series of indicators to assess the performance of the Plan. The basis of monitoring is derived from data availability and it is therefore important to identify appropriate sources of relevant data.
- 21.5 The development control system itself will provide much data relevant to the monitoring of the Plan. The recent introduction of a new computerised applications database should make the collection and analysis of data relating to planning applications easier to achieve.
- 21.6 Data on other external factors such as population changes will need to be collected from sources outside the Town Planning section.

Review

- 21.7 This Plan has been formulated in the context of current circumstances. However, circumstances do vary over time and there are many factors that influence the use of land. For a Plan to remain relevant and to act as an effective tool in land use management it is important that periodic reviews are undertaken. In this way, changes in circumstances that

affect land use can be considered and incorporated into a new plan that will effectively guide future development. The monitoring system set up to monitor the success of this Plan will be a valuable source of information when reviewing the Plan.

Table 1 - IMPLEMENTATION

POLICY NO	ACTION REQUIRED	RESPONSIBILITY FOR EXECUTION
GDS4	Important Open Spaces – Identification	ENV
GDS10	Review of Building Regulations	BC/LSU
GDS12	Practical implementation of micro-renewable technologies	ENV/AQ/GEA
GDS20	Keep illumination schemes under review	T
ENV13	Designation of Tree Preservation Orders	TP
ENV17	Plan a programme of Environmental Improvement Schemes	TSD
ENV18	Designation of Conservation Areas to be kept under review	H/TP
ENV20	Designation of protected monuments, buildings and properties	H
H9	Review of off-street car parking within/adjacent residential estates	HSG/TSD
T1	Monitoring of visitor numbers	T/ENV
T4	Keep under review demand for new hotels	T
TR1	Promotion of alternative means of transport	ENV
TR4	Provision of public car parking to be kept under review	TSD
TR9	Provision of disabled parking spaces in new car parks	TSD/Private sector
TR11	Investigate potential to provide secure cycle parking facilities in existing public car parks and incorporate in new	TSD/ENV

TR12	Keep under review operation of coach park	T
S1	Keep under review land requirements for education, community and religious facilities	ED/MHYS
LR1	Increased public access to existing recreational facilities	MHYS/ED/MOD
LR3	Enhancement of existing provision and need for recreational space	MHYS
LR4	Assessment of sports organisations premises	MHYS
LR5	Monitoring and review of youth facilities	MHYS
UW5	Identification of new construction waste site	TSD/EA/ENV
UW8	Investigate feasibility of underground storage areas	TSD/EA/ENV
Z3.4	Keep under review the operational requirements of the Port	MTEC/PD/PA
Z4.2	Environmental Improvement scheme for Eastern Beach to be prepared	TSD/T
Z5.4	Investigate the feasibility of land reclamation off western Beach	MEDTT
Z6.3	Prepare comprehensive road improvement scheme for Devil's Tower Road	TSD
Z6.6	Preparation of Environmental Management Plan for the Cemetery	ENV/GONHS
Z7.1	Prepare Environmental Improvement scheme for Europa Point	TSD/T
Z8.5	Prepare Environmental Improvement scheme for Little Bay	TSD/T
Z9.1	To keep under review the boundary of the Upper Rock Nature Reserve.	ENV/GONHS

NB: For the purposes of this summary table the Town Planning section has only been listed in the last column as being 'responsible for execution' where it would be taking a leading role. The Town Planning section would expect however to be involved in all the above to varying degrees and the responsible body should therefore ensure that appropriate consultation procedures are put in place so that the Town Planning section is fully involved in the implementation of the policies and proposals of this Plan.

Abbreviations:

AQ	AquaGib Ltd
BC	Building Control
EA	Environmental Agency
ED	Department of Education
ENV	Department of the Environment
G EA	Gibraltar Electricity Authority
GONHS	Gibraltar Ornithological and Natural History Society
H	Heritage Division
HSG	Housing Department
LSU	Legislation Support Unit
MEDTT	Ministry for Enterprise, Development, Technology and Transport
MHYSC	Ministry of Heritage, Youth, Sport and Culture
MOD	Ministry of Defence
PA	Port Authority
PD	Port Department
T	Tourism
TSD	Technical Services Department

PROPOSALS MAPS

Key to Maps

Development Zone Boundaries

Zone 1 – Old Town – Proposals for this zone are detailed in ‘The Old Town Plan’.

Zone 2 – Bayside/Westside

Zone 3 – Port and Harbour

Zone 4 - Eastside

Zone 5 – North Front

Zone 6 – North District

Zone 7 - Europa























Zone 8 – South District

Zone 9 – Upper Rock

Overall Plan of Sites of Community Importance

KEY

Policies and Proposals

 Residential	 Nature Reserve	 Waterfront Promenade
 Mixed Residential/ other uses	 SCI-Terrestrial	 Upper Rock Access
 Industrial	 SCI - Marine	 Waste Water Treatment Plant
 Mixed commercial/ car park	 Port Area	 Waste
 Recreation/ Leisure	 Airport Extension	 Safeguarded land
 Tourist/Recreation	 Great Sand Slopes	 School
 Primary Shopping	 Park	 Cruise Terminal Extension
 Secondary Shopping	 HMP	 Car Park
 Other use	 Road Schemes	 Environmental Improvement
 Ship Repair	 City Wall Trail	 Key Site
 Study Area	 Upper Town Tourist Route	 Restoration



