

Approved

DPC meeting 3/19
26th February 2019

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 3rd Meeting of 2019 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 26th February 2019 at 9.30 am.

Present:

Mr P Origo (Chairman)
(Town Planner)

The Hon S Sacramento (MHE)
(Minister for Housing and Equality)

The Hon Dr J Cortes (MEHEC)
(Minister for Education, Health, the Environment, Energy
and Climate Change)

Mr E Hermida (EH)
(Chief Executive, Technical Services Department)

Mr G Matto (GM)
(Technical Services Department)

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

Mr I Balestrino (IB)
(Gibraltar Heritage Trust)

Mr K De Los Santos (KDS)
(Land Property Services)

Mr C Viagas (CV)

Mrs J Howitt (JH)
(Environmental Safety Group)

Mr M Cooper (MC)
(Rep Commander British Forces, Gibraltar)

In Attendance:

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

Mr. R Borge
(Minute Secretary)

Apologies:

The Hon Dr J Garcia
(Deputy Chief Minister)

Approved

DPC meeting 3/19
26th February 2019

Mr H Montado (HM)
(Chief Technical Officer)

Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

Approved

DPC meeting 3/19
26th February 2019

91/19 – Approval of Minutes

The Minutes for the 2nd meeting held on 11th February 2019 were approved.

Matters Arising

92/19 – F/15697/18 – 304C Main Street – Proposed refurbishment of existing ground floor and extension of first floor and attic floor to an existing house.

DTP explained that this application had previously been considered in September 2018 but had been deferred due to the applicant challenging the legality of the DPC consulting the Convent and due to the use of his Government work email in the context of correspondence relating to the application.

Some revisions had been made to the application; dormer windows that would have been overlooking the Convent Gardens had been removed and the skylights had been moved to the east elevation.

The Convent no longer had any objections following these revisions. DTP recommended approval with standard conditions.

The Commission approved this application unanimously.

Major Developments

93/19 – F/15668/18 – Signal Hill Upper Rock Cable Car Station and Grand Parade Lower Station and Upper Rock Intermediate Towers – Proposed demolition of existing upper and lower cable car stations and three intermediate towers and replace with new station buildings and two intermediate towers and installation new cable car system.

The developers were asking for permission to replace the upper and lower stations of the Cable Car. The lower station would now be a three-storey building covering 360 square meters. The Apes Den tower would be removed and the remaining existing two towers would be replaced. The upper station would be made up of five storeys. The capacity of each Cable Car would increase from 30 people to 80 people. This application had previously been deferred, in October 2018, by the Commission as there was concern with the uncertainty on the management of the increased number of visitors and that a Visitor Management Plan should be submitted before determining the application. Additionally, a report on the sewerage system would be submitted. A Visitor Management Plan had now been submitted as an addendum to the Environmental Statement, which had been subject to public participation. The sewerage report had also been submitted.

Mr James Montado (JM) from Isolac addressed the Commission representing the applicant together with Mr Thomas Amman, architect.

The design for the lift shaft of the Upper Station had been revised as the Commission felt that it would have a negative visual impact. The lift shaft would be a steel/glass structure; the ceiling had been lowered by 21 centimetres. The lift would have a speed of 1.6 m/s and a space had to be left above the cabin for health and safety purposes. The lift would have a capacity of 27 persons and

Approved

DPC meeting 3/19
26th February 2019

would be located at the centre of the building in order to not have to drill into the rock and minimise its visibility from town.

Further revisions had been made to the bottom station. The architects proposed to lift the concrete wall by 0.5m and set the building into the ground. It would have a metal “barcode” façade with openings on the first storey allowing light and air to circulate. Steel mesh would go up to the second floor. Green elements would be implemented on the eastern elevation. Anodized copper/zinc steel sheets would make up the cladding.

IB interjected that the Commission felt that a 3m construction for the stair core was excessive and had not been addressed.

JM replied that the stair core had been reduced to 2.42m.

MEHEC asked why they had chosen metallic cladding; he felt that it looked very industrial.

The architect replied that they were attempting to make the building look different, describing it as a piece of machinery, yet it would blend in well with its surroundings.

MEHEC asked whether it would change the energy performance and whether it would transmit heat into the building.

The architect responded that it would not as the lower part of the building would have opening that would allow natural ventilation.

GM commented that after inspecting the cladding panels he determined that the level of abrasion was not that good and could possibly be defaced. He asked how easily these could be replaced.

The architect responded that the area under the Cable Car would be enclosed.

The Chairman stated that the Top Station was excessively large and voluminous and asked why it needed to be so large.

JM replied that they would be providing staff mess rooms and other facilities including storage and catering. The increase in height from the tallest point was of 2.7m.

Ms Nicky Wood (NW) from Engain addressed the Commission to discuss the Visitor Management Plan. She explained that they had identified certain issues, namely disturbance to wildlife and litter. The applicants would be providing recycling bins and taking measures to inform and educate visitors in an attempt to manage their behaviour when visiting the nature reserve. Bins would be placed out of the applicant’s demise and they would not be selling any single use bottles. Audio information within the Cable Car, signage and interpretation boards will cover the history, macaques, sustainability and ticketing. NW added that visitor management would be in consultation with the Department for Environment, Heritage and Climate Change (DoEHCC) and that the plan was subject to public participation.

MEHEC interjected that DoEHCC did not accept the report and the numbers and calculations submitted. MEHEC asked for a deferment on the basis of the Visitor Management Plan.

JM replied that his clients were happy to defer to the figures held by the Ministry for Environment

Approved

DPC meeting 3/19
26th February 2019

and were happy to make the necessary changes as a condition as they were aware that the Ministry did not accept these figures.

MEHEC insisted that he considered it to be in the applicant's interests to hold this discussion elsewhere and as this was a Full Planning Application it would be better to defer the application. MEHEC explained that the offer of regular reviews to the plan was welcomed but that the issue is the starting point. He noted that the plan anticipated 25% of the 200,000 additional visitors would enter the Nature Reserve but that the figures given to him indicated that this could actually be as high as 75%, a difference of about 100,000, and this was a critical issue.

MEHEC also went to say that the plan was a good theoretical plan but not very good in a practical way. Does not tackle practical control of numbers and behaviour. This is a critical issue and needs more work. His department is not satisfied the plan properly tackles the practical issues that could potentially arise. His view was that it was not safe to take a decision on this application today.

The Chairman agreed with MEHEC's comments. There were no details on possible employment of wardens, and the visitor management effects beyond their site. The Visitor Management Plan did not seem very extensive and thorough explanations of the practical ways of applying it.

NW confirmed there would be a commitment to employment or contribution towards the employment of suitably qualified personnel. The Chairman pointed out this is not in the plan, nor are there details of qualifications, numbers, etc.

NW emphasised the plan sets out the principles and that they would expect further consultation to work up the details.

MHE said that these aspects of management are essential and it was strange that they were absent from the plan.

After some discussion, the applicant felt they had no other choice but to request to defer this application in order to enter into further discussions and make some possible revisions.

MEHEC commented that the Upper Rock is an internationally recognised nature reserve and it was imperative to sustain it and get this right. Therefore, the application had to be considered with the rigour that it deserves.

The application was deferred to allow the EIA process to be enhanced by reviewing the management plan further.

At 10:45 a fifteen-minute break was held.

94/19 – F/15973/18G – Europort Avenue / Queensway – Proposed construction of two new primary schools and new St Martin's school.

GoG Project

This application was for the construction of two new primary schools; Governor's Meadow First School and Bishop Fitzgerald Middle School. As well as a new St. Martin's School.

Approved

DPC meeting 3/19
26th February 2019

The primary schools would consist of three and four storey buildings. All buildings currently on site would need to be demolished. A 190-space garage would be at ground floor level. A slip road to allow access to the schools would be incorporated toward the south of the schools, as well as a pick-up/drop-off point. Provision for landscaping on site had also been included. A total of twenty-seven new trees would be planted. Re-configuration of the junction outside Regal House was indicative only and was in the process of being fully assessed. Classrooms and facilities would be situated on the ground floor. Further classrooms, open courtyards and playgrounds would be situated on the first and second levels.

Photo Montages were displayed showing the different elevations. The schools would be finished with an insulated rendered finish, decorative living walls and high-level windows. In order to allow ventilation into the garage there would be a louvered system in place.

DoEHCC required additional info on plans for improved pavements and the provision for a cycle lane.

Traffic Commission requested that this project be subject to a traffic study in order to assess any traffic implications.

DTP described the scale, massing and architecture of the proposed schools as acceptable. The architectural treatment unified this large site whilst still allowing separate identities for each school. The schools would be close to the city walls but would not overwhelm them. Setting back the buildings would allow for a wider public footpath and the possibility of soft landscaping which was to be welcomed. Details on renewable energy used at the schools had still not been submitted. DTP expressed some concern over the treatment of the car park façade as this would create a dead frontage.

DTP recommended that there be some enhancement to ground floor façade of the car park and that the proposed louvre design be reviewed and an enhanced design developed; further details submitted on disabled parking spaces and electrical charging points, renewable energy, cycle lane, landscaping ,and on the final colour scheme

JH commented that a low level building in the area was welcome but asked whether the pitch on top of Bishop Fitzgerald School would be open to use by the public due to the loss of Victoria Stadium.

MEHEC confirmed that these pitches and those at Bayside Comprehensive School would be for public use.

IB suggested that an Archaeological Watching Brief be implemented.

The Commission approved that DTP's recommendations should be submitted to HM Government of Gibraltar Together with a recommendation that an archaeological watching brief would be required.

Other Developments

95/19 – F/15140/17G – Line Wall Road above Fountain Ramp – Proposed construction of a

Approved

DPC meeting 3/19
26th February 2019

fully enclosed refuse cubicle.

GoG Project

This GoG Project had previously come before the Commission in November 2017. The Commission had recommended that they reconsider this proposal as there were concerns of the cubicles having a negative visual impact on the street scene. It was also recommended that consideration be given to moving the proposed cubicles to Fountain Ramp. TSD and TC also had concerns that the bins would roll out onto the road, the loss of parking and the width of the pavement.

The layouts of the cubicles had now been revised and were separated as there was the possibility that some GibElec manholes would be covered. The cubicles would now extend further south that would result in the loss of a loading bay.

TSD and TC expressed concerns over the loss of parking spaces. TSD still had concerns that the bins could roll out onto the road, the risk of spillage onto the road, and the narrow width of the pavement.

The Cleansing Superintendent had replied that Fountain Ramp was the only viable location and that the surface inside the cubicles would incline inwards to avoid the bins rolling out.

Two objections to this proposal had been received and circulated to all members of the Commission. Health and Safety concerns were raised by the residents of the apartments opposite. There were also some visual concerns but the fact remained that these cubicles had to be placed somewhere in the area.

MEHEC explained that his Department had looked into a myriad of possibilities and that the objectors had been allowed to look into these plans but that this was a complex problem and it was not a possibility to allow these bins to be exposed as they had been previously.

The Chairman commented that GoG should recommend to business owners in the area to fold any cardboard waste, to recycle their waste, adding that the authority should look into fining any businesses that did not comply. He also mentioned that these structures should be embellished and possibly installed with a hatch so that only waste of a certain size could be deposited and avoid the indiscriminate commercial waste being deposited.

MEHEC added that any recommendations would be considered.

96/19 - F/15395/18 - Jetty No. 2 North Mole Port of Gibraltar - Proposed installation of additional storage tanks within existing tank farm and construction of concrete bund.

This application was for the installation of four 30,000-litre storage tanks within the existing tank farm. Each tank would be 8 metres high and would be used to store marine lubricant. There are currently sixteen tanks in place. In November 2018 an Environmental Impact Assessment (EIA) Screening Opinion was carried out in respect of the original proposal for a tank farm and it was concluded that an EIA was not required. The Minister for Planning subsequently issued a Screening Direction to this effect.

Approved

DPC meeting 3/19
26th February 2019

Installation of these four tanks was required by the applicant who has now taken over the contract from another company that was using IBCs for storage. Various studies and reports had been submitted with the application relating to management, health and safety.

DTP commented that there would be no visual impact and recommended approval of this application subject to the same conditions as previously imposed on the original application that deal with emissions, traffic and similar matters..

JH commented that due to feedback over the last six months ESG had put aside their objections. She added that there were high numbers of temporary containers around the area and that the applicant had previously advised them that 70% of ICB's will be removed. They would continue to work to continue to eliminate temporary storage.

The Commission approved this application unanimously.

97/19 - F/15830/18 - 13 Gavino's Passage / 44 Cornwall's Lane - Proposed conversion of building into a hotel, including construction of two storey extension and roof terrace, installation of new lift and associated works.

This application was to convert a residential building into a boutique hotel. The conversion would incorporate the store at the rear of the building.

The building is in poor condition and originally the developer wished to demolish the building but after discussions with Town Planning and heritage bodies decided to keep the building. The alley where the building is situated is public up to the archway. The developer wishes to construct two further storeys and install a lift.

The restaurant at ground level would be retained. The existing restaurant store at the rear would be converted into the entrance lobby and toilets and a new store for the restaurant provided within the underground water cistern. Six bedrooms would be provided at the first and second floor levels. The first floor abuts the façade of an adjacent stair core; a new light well is created in the south-west corner with two windows on each floor. On the new third floor there would be a one metre setback for front facing rooms to create a balcony and a further storey above. At roof level there would be a pool and terrace for use of hotel guests. The lift would be enclosed by glazing. The façade would be retained at ground, first and second floor level. Windows would be replaced by composite windows. The developer wished to introduce Juliet balconies. DTP explained that the new stories would respect the historical façade. No car parking would be provided at this development.

Mr Lionel Chipolina (LC) was invited to address the Commission to explain his objections. LC explained that this development abuts his building and due to the construction of two further storeys natural light will be blocked from entering his patio and the stairwell. He also mentioned that Gavino's Passage is very narrow and that the area would be further congested when deliveries are being made to the hotel. LC was also concerned with the amount of noise level, air quality and waste from construction materials. He explained that there are currently five stores inside Gavino's Passage, two of which are used by construction companies that load and offload during the night.

LC also objected on grounds that the hotel would be abutting his property and although there may

Approved

DPC meeting 3/19
26th February 2019

not be any windows on the façade, the roof terrace would be overlooking his property and there would be a loss of privacy.

JH expressed that she was inclined to go on a site visit.

The Chairman asked LC whether his privacy was not being affected by existing neighbours who could look into his patio.

LC replied that at the moment this was the only patch of sky he could appreciate from his property and that the new development would exacerbate the situation, adding that a setback of four metres would be welcome.

Mr Stephen Martinez (SM) who was representing the developer addressed the Commission to make his counter-representations. SM explained that they had been as considerate as possible to neighbours when designing this development but currently the building was in a dilapidated state. They would be retaining the historical walls and timber floors. He explained that the glazed enclosure for the lift would reflect the same setback on the building opposite. They were willing to take privacy measures on the staircase window that overlooks LC's patio. SM claimed that they would not be going any higher than the building on the rear or the neighbouring building and some neighbours understood that this was a part of development in Gibraltar. He further mentioned that the existing roads were there to be used by the public and that the A/C plant would be placed over the roof of the toilets. SM added that they would try and introduce energy efficiency measures such as PV Panels into the development, and placing Swift/Bat Nests.

IB commented that the Heritage Trust was pleased with the design but had recommended that the setback was up to two metres.

DTP reported that refurbishment and proposed use were welcome and can act as a catalyst and provides additional choice of tourist accommodation. He reported that some of the objectors concerns on privacy were justifiable and that in respect of the windows to the south-west corner lightwell that would be serving the hotel the windows could be conditioned to being opaque and fixed (or only allow the top section to be openable). Additionally, at the roof level screening should be provided around the perimeter of the lightwell to address issues of overlooking. He considered that blocking up the windows to the adjacent staircore would have a significant impact on light and ventilation to that property. DTP suggested that the applicant should engage with the neighbouring land owner to seek agreement or perhaps re-provide the windows to the east elevation. He added that if approved a Traffic Management plan should be submitted for approval which would set out how traffic would be managed during construction and operation.

DTP recommended approval, subject to agreement being reached with the adjacent landowner, with the following conditions:

1. The use of opaque/fixed windows to the south-west lightwell
2. Landscaping details to be submitted.
3. Traffic Management Plan to be in place during construction.
4. Archaeological Watching Brief.
5. Installation of Swift/Bat nests.
6. Repaving of public highway.

MHE commented that she was concerned with this application being for full planning with 6 or 7

Approved

DPC meeting 3/19
26th February 2019

conditions placed on its approval. She added that there were some neighbours who had not been consulted, even though they were not proprietors but tenants.

DTP explained that it was normal practice to apply conditions on full applications and that most of them were relatively standard.

MEHEC considered that this development could generate further urban renewal.

The Chairman asked the Commission whether they wished to approve this application subject to the conditions set out by DTP.

The Commission voted on approval of the application subject to DTP's recommendations as follows:

Approve: 8

Abstain: 3

This application was approved by majority.

98/19 - F/15833/18 - 3/1 Rosia Steps - Proposed redevelopment of residential areas, extension and installation of a new lift to residence.

This property is adjacent to Rosia Dale and behind properties fronting Rosia Steps. The proposal involved various internal alterations to the ground floor, installation of new windows and lift, and construct an extension. A small patio would be created on the first floor and a window on the east elevation. On the 2nd floor it was proposed to extend onto an existing open terrace and a frameless glass balustrade would be installed on the west elevation of the second floor. New high level and frosted windows were proposed for the north façade. The third floor would have lift and staircore access and a new roof terrace with Jacuzzi. Objections were received and had been circulated to all members.

Mr Glen Banda (GB) was invited to address the Commission to detail his objections. He explained that the proposed extension would be to the south of his property, separated by a party wall. The party wall would extend over his property and would have an overlooking window. This would constitute a loss of privacy and would affect his possibilities of also constructing an extension in future. GB had sent the applicant two emails but had not received a reply.

At 12:47 MHE excused herself from the meeting.

Mr Stephen Martinez (SM) approached the Commission to make his counter-representations. SM was the agent for the applicant and explained that he had asked his client to speak to neighbours in order to reach an agreement and possibly get an encroachment licence. He added that the proposed window would be three meters above GM's property. This window would be for a bathroom.

The Chairman commented that the extension was quite extensive and the architect/ designers could have been placed the bathroom elsewhere.

Approved
DPC meeting 3/19
26th February 2019

DTP reported that the following comments had been received from consultees:

- DoEHCC – Required Bird and Bat surveys. The external alterations contrasted negatively with the rest of the area and the applicant should consider the architectural treatment of the Guard House.
- HT – If the application was approved an AWB would be required. External alterations would be out of character with the rest of the architecture in the area.

DTP added that there were no in principle objections to the proposed works but the property would lose its character. He explained that there would be an encroachment on the north elevation above GB's current roof level. Frosted fixed windows would solve privacy issues but future development rights are not a planning matter. DTP described the design of the south elevation as fairly bland and recommended some embellishment. DTP recommended approval of this application with standard conditions.

IB commented that this proposal was not in-keeping with the area; there was a loss of character and of semi-sloping roofs. JH and KB concurred with IB.

The Chairman stated that the south elevation should be rendered or embellished and that the window on the east elevation should not be approved. The Chairman asked SB whether he wished to defer the application in order to discuss further with his client and to address the issues raised

SB agreed to defer the application.

The application was deferred.

99/19 – F/15906/18 – 22-24 Town Range – Proposed refurbishment and extension to existing premises, demolition of the existing dilapidated buildings to the rear and construction of four mews houses.

In 2007, an eight storey building was proposed for this site and refused. In 2017, a six storey residential building had been approved and in 2018 a similar sized scheme for assisted living had been approved. The developer had revised his application that was now for only part of the previous site and was now proposing the refurbishment of the front 4 storey building with an additional part-storey to the top that would be set back and incorporate a roof terrace. The rear 2 storey building would be demolished and 4 4-storey mews houses constructed.

The third floor of the front building would be a maisonette with roof terrace and a sedum roof on the part storey extension. The traditional façade would be retained. DTP reported that a desk-based archaeological assessment had been undertaken and that an archaeological watching brief was recommended. A Swift survey had been undertaken and proposed nesting sites identified.

GHT had commented that mews type housing was more compatible than the previously proposed building but objected to the proposed Juliet balconies on the front building.

Objections had been received from members of the public and circulated to all members.

Approved

DPC meeting 3/19
26th February 2019

Mr Aaron Seruya (AS) from Massias & Partners addressed the Commission on behalf of Mr and Mrs Watson from 15C Milton House. They were objecting to the elevation on the part storey extension as they claimed it would affect their right to light and a loss of privacy as they use sunbeds on their roof. AS also claimed that parking should be provided.

SM was again invited to address the Commission on behalf of the developer. He explained that the applicant felt that Juliet balconies were found elsewhere in the old town and that the building was twelve meters away from the objectors and their loss of sunlight and privacy would not be affected.

DTP reported that the refurbishment was welcomed and that there were no objections to demolishing the rear building. Four storey mews buildings would have a minimal visual impact and noted that a six storey building had already been approved previously. The site is very constrained but the street façade would have to change if parking was to be provided. DTP mentioned that there would be a minimal loss of privacy due to the distance between the buildings. He recommended approval with conditions on:

1. The bathroom window to the 3rd floor should be opaque and fixed.
2. Shutters being made of timber
3. Details of features to be retained to be submitted to MH and GHT.
4. Inclusion of Swift/Bat nests.
5. Landscaping and green roof details to be submitted.
6. Swift and bat nests locations to be agreed.
7. Traffic management plan to be agreed
8. Archaeological watching brief.

The Chairman asked the Commission whether they were in favour of approving Juliet balconies on the façade.

IB replied that the development had been presented as retaining the façade but the inclusion of Juliet balconies would change the central column.

The Commission voted on the application as submitted, subject to DTP's recommendations and with the inclusion of the Juliet balconies:

Approve: 4
Against: 3
Abstentions: 4

The application was approved by majority.

At 13:40 KDS excused himself from the meeting.

100/19 – F/15913/18 – Ocean Village Marina, Ocean Village – Proposed demolition of existing piers and pier office, provision of new floating pontoons and reconfiguration of Marina layout.

This application was proposing demolishing the side piers to replace them with floating pontoons as part of a new development. The proposed pontoons would give better connectivity between

Approved

DPC meeting 3/19
26th February 2019

both marinas. Extractable piles would secure the pontoons in place. The following comments were received from consultees:

- DoEHCC – An ecological survey was required; there should be no spillage to the aquatic environment during construction and a pollution management plan would be required.
- Port Authority (PA) – There should be no effect on transit of boats into the marina during construction; the Port should be notified of the commencement of each phase and piles should be lit at night.
- MH – No in principle objections but may be some remains on seabed.
- Civil Aviation (CA) – considering proposals. Main issue likely to be management of cranes and other machinery.

The owner of the Sunborn had submitted comments as they had concerns that the ship may be blocked from leaving. The developer submitted counter representations claiming that piles were extractable and could be removed within a week. Considering the Sunborn could not be easily removed and permission would be required from HMGOG and Port Authority there would be sufficient time to remove the piles and they would not prevent any movement. Ultimately a lot of the comments related to the private contract between Sunborn and Ocean village.

DTP explained that this proposal was part of the developer's commitment to enhance the marina as part of their new residential development in the marina. Some of the objections relate to private contractual matters but clearly there would need to be provision to allow for the exit of the ship if required and this should be conditioned. . DTP recommended approval subject to CA's comments.

The Commission approved this application unanimously subject to the conditions referred to above.

At 13:50 MEHEC excused himself from the meeting.

101/19 – F/15916/18 – 26 Prince Edwards Road – Proposed single storey extension to building and conversion into apartments.

This building is partly two and partly three storeys, one being below road level. The proposal is to provide nine apartments; three one-bedroom and six studios. At basement level the applicant proposes to construct a small extension into the lightwell to provide for bathrooms and this would extend up the full height of the building. Internal alterations are proposed at ground floor with a small extension into an internal lightwell. . At 1st floor the existing pitched roof is replaced by a full storey and at 2nd floor there is an extension onto the existing terrace, stair access and a terrace over the new storey at 1st floor level the garage is retained.

Objections were received from a resident of the building opposite concerning loss of light and privacy. An objection from Carters Ltd was also received claiming they had not been notified, loss of light and ventilation and that there was a passageway which was used by both properties. These objections had been circulated to all members of the Commission.

GHT had submitted comments recommending that the extension should have a pitched roof and shutters and fenestration should be in line with the current façade.

Approved

DPC meeting 3/19
26th February 2019

DTP explained that there was a significant distance between the proposal and the building opposite and unlikely to have a significant effect on light or overshadowing. There was some merit to the objections made from the neighbour in the adjacent building as the distance from their windows was less than two meters and this may need to be addressed. The proximity of the terrace to the window opposite should be pulled back from the boundary line. If the Commission was minded to agree with comments made by GHT to provide a pitched roof for the extension this could provide a solution to the objector. Opaque windows would also appease the objector. Flat roofs had previously been allowed within the old town.

DTP considered that the loss of the pitched roofs affected the character of the building which was in a particularly prominent location. Requiring a pitched roof to the 2nd floor extension would help. Secondly, the terrace to the front wing resulted in the loss of pitched roof and raised privacy issues. DTP suggested that if the terrace was pulled back on the south side and incorporated a small pitch between the boundary and the terrace parapet it would minimise the impact. He also suggested that if this partial pitch was continued around the front wing on the east façade it would provide more of a transition from the pitched roof form to the terrace thereby addressing the issue of the effect on character.

In addition to the above he also recommended that the 2nd floor south facing window should be fixed and opaque to address privacy issues.

The Commission approved this application as per recommendations by DTP.

102/19 – F/15932/18 – 30-32 Engineers’ Lane – Proposed redevelopment of property into apartments, with provision of commercial unit at ground floor level.

This building is adjacent to a building which is currently being refurbished. This building is a part three and part four storey building. Retail use was being retained on the ground floor and the access to the building was via the building adjacent. On the 1st floor three encroaching windows on the west elevation would be replaced with glass blocks and this is repeated up the building. An extension would be constructed but would be set back on the fourth and fifth floors, as they would be on the building adjacent.

GHT had commented that timber windows and shutters should be installed and that a different colour should be chosen for the façade to distinguish it from the separate building adjacent.

DTP recommended approval with conditions that the fascia sign on the ground floor should be more sympathetic, cabling should be removed from the main façade, the colourscheme should distinguish the building from the adjacent one and this would need to be approved and that windows and shutters were to be timber..

The Commission approved this application as proposed by DTP.

103/19 – O/15963/18 – Europlaza, Harbour Views Road – Proposed external structure over perimeter road for communal swimming pool.

DTP explained that structural columns would be installed to hold up this cantilevered deck which

Approved

DPC meeting 3/19
26th February 2019

would also provide wheelchair access to the proposed communal swimming pool. Planters would be placed on both ends of the deck. Frameless glass balustrading would be installed. A similar application had previously been refused primarily on the grounds that it restricted access to the revetment for maintenance. This had now been resolved. This deck would have a minimal visual impact when viewed against the background of the complex.

DTP confirmed that TSD did not have any objections to the proposal.

This application was approved unanimously by the Commission.

104/19 – A/15954/18 – 68 Main Street – Proposed replacement of two existing projecting signs above ground floor level.

This application for an advertisement sign was to replace the existing vertical projecting Rolex sign together with the existing clock. Development Plan policy does not currently allow for signs to be placed above the level of first floor window sills. Whilst acknowledging that there was an existing sign in breach of the policy by allowing a new sign the DPC would in effect be allowing a further breach of that policy and it may set a precedent. DTP explained to members that they could make an exception but other businesses may want to do the same in future.

DTP explained that it had been suggested to the applicant that they should just replace the content of the sign rather than the whole sign but they did not want to do this. DTP commented that there were no issues with the relocation of the clock.

The Chairman explained that every proposal was assessed on its own merits.

The Commission voted as follows:

Approve: 6

Against: 3

The Commission approved this application.

105/19 – F/15651/18 – Units G02 and G03 West One, Europort road – Proposed installation of moveable glass screens to pergolas.

Request for reconsideration.

The Chairman had circulated this application to members prior to the meeting requesting that they reconsider the decision which approved the applicant's proposal to install moveable glass screens. Due to inadvertent advice given by the Chairman the applicant had carried out works that were not in accordance with the approved scheme.

JH commented that at the time this application had been debated at length and the Commission had agreed to allow moveable glass screens at the premises.

GM also commented that landscaping proposals had been submitted by the landlord which was a more holistic approach to the area. He added that the Commission had acquiesced, allowing the

Approved

DPC meeting 3/19
26th February 2019

applicant to install part enclosures and if they approved the works as completed which had resulted in the complete enclosure of the area it could create a precedent. GM stated that the structure was similar to a conservatory rather than a pergola.

Other businesses in the same area have a uniform canopy to cover their outside areas. The applicants had enclosed the pergola as the area is very windy making the space outside unusable. After some discussion the Commission decided to vote on whether the application should be reconsidered favourably.

The Commission voted as follows:

Approve: 6

Abstentions: 3

The revised scheme was approved.

Minor and other Works – not within scope of delegated powers.

106/19 – BA13431 – Les Olives, 2B Gardiner’s Road – Proposed store, garden terrace and basement extension.

This application was approved by the Commission

Consideration of request for a relaxation of Part E of the Building Rules 2017.

107/19 – F/16014/19 – 4 Sunrise Court, Catalan Bay Village – Retrospective application for the installation of glass curtains.

This application was approved by the Commission

108/19 – D/15927/18 – 22-24 Town Range – Proposed demolition of two storey building to the rear of the site.

This application was approved by the Commission

Applications Granted by Sub Committee under delegated powers (For Information Only)

109/19 – F/14582/16 – Fremantle House, St Christopher’s Alley – Proposed extension and refurbishment of a residential dwelling.

Consideration of boundary wall specifications to discharge Condition 4 of Planning Permit No. 5938A.

110/19 – F/14781/17 – Clifftop House, Windmill road – Proposed construction of a one-bedroom apartment over existing external parking area and a caretaker’s store and ground level.

Approved

DPC meeting 3/19
26th February 2019

Consideration of revised drawings for the extension of the approved balcony to vary Condition 1 of Planning Permit No. 6154.

111/19 - F/15106/17 - 56-58 Main Street - Proposed extension of shop premises into rear patio.

112/19 - F/15730/18G - Front of Building 4, St. Bernard's Hospital, Harbour Views road - Proposed extension at the front of Building 4 with associated internal alterations to ground and first floor levels of Building 4 to accommodate the new Primary Care Centre.

Consideration of minor revisions to external appearance of North Elevation and internal alterations to ground and first floors.

GoG Project

113/19 - F/15733/18G - Level 4, Building 1, St. Bernard's Hospital, Europort - Proposed internal alterations and repositioning of curtain walling to create new Theatre 5 and alter existing Theatre 3.

Consideration of revised plans consisting of internal alterations relating to proposed new Theatre 5 and confirmation that previously proposed works to south elevation on Theatre 5 and all alterations to existing Theatre 3 are no longer proceeding.

GoG Project

114/19 - F/15957/18 - 6 Woodford Cottage, 22 Europa Road - Proposed alterations and extensions to property and construction of swimming pool.

115/19 - F/15986/19 - 513 Cumberland Terraces, Cumberland Road - Proposed internal alterations.

116/19 - F/15987/19 - 105 Express Lodge, Mons Calpe Mews - Proposed internal alterations.

117/19 - F/15993/19 - Charlie's, 4/5 Britannia House, Marina Bay - Proposed internal alterations and minor external alterations.

118/19 - F/15995/19 - Unit G8 I.C.C., 2A Main Street - Proposed internal alterations.

119/19 - F/16004/19 - 2a Mediterranean Terraces, Library Ramp - Proposed replacement of two existing window and patio door with new uPVC windows and door.

120/19 - F/16015/19 - 618 Sand Dune House, Beach View Terraces - Proposed installation of glass curtains.

121/19 - F/16020/19 - 1001 Ocean Spa Plaza, Bayside Road - Proposed internal alterations.

122/19 - F/16021/19 - 12, Prince Edward's Gate Views, Prince Edward's Road - Proposed internal alterations.

Approved

DPC meeting 3/19
26th February 2019

123/19 – F/16025/19 – 611 Royal Ocean Plaza, Ocean Village – Proposed installation of glass curtains.

124/19 – F/16027/19G – 11 Winston Churchill Avenue – Proposed internal alterations.

GoG Project

125/19 – F/16029/19G – Keightley Way, Camp Bay – Proposed refurbishment of existing beach facilities building.

GoG Project

126/19 – F/16033/19 – Victoria Stadium, 18 Winston Churchill Avenue – Proposed installation of temporary UEFA compliant floodlights for upcoming international fixtures.

127/19 – F/16046/19G – Tercentenary Sports Hall, Bayside Complex – Proposed replacement of metal balustrades in the Tercentenary Sports hall.

GoG Project

128/19 – A/16036/19 – U-Mee, Suite 303 Eurotowers – Proposed installation of replacement fascia signage.

129/19 – N/15723/18 – 47 Prince Edward’s Road – Proposed removal of Dracaena Draco.

This tree application sought to remove a maturing Dracaena Draco of very good form. The tree had caused significant damage to the retaining wall, and following the submission of a report undertaken by a Structural Engineer it was considered that the tree could be removed subject to it being replaced with another Dracaena Draco to be planted elsewhere within the property.

130/19 – N/16043/19 – 2 Windmill Hill Road – Proposed removal of Olea Europaea.

This tree application sought to remove an Olea Europaea of average form that is growing out of a retaining wall alongside a very busy road. The roots of the tree have caused substantial damage to the wall which has potential to cause an accident. It was considered that the tree should be removed immediately to avoid masonry from falling onto the busy road and that the adjacent trees growing on the same retaining wall should be monitored, as there are signs of damage to the wall here too.

131/19 – Any other business.

132/19 – Next Meeting

The next meeting will be held on 26th March 2019.

Approved

DPC meeting 3/19
26th February 2019