

THE DEVELOPMENT AND PLANNING COMMISSION

MINUTES

Minutes for the 14th meeting of 2024 held remotely via video conferencing on 17th December 2024 at 11.00am

Present:

Mr P Naughton-Rumbo (Chairman)
(Town Planner)

The Hon Leslie Bruzon (MICS)
(Minister for Industrial Relations, Civil
Contingencies and Sport)

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

Mr H Montado
(Chief Technical Officer)

Mr G Matto
(Technical Services Department)

Mrs C Montado
(Gibraltar Heritage Trust)

Mr A Brittenden
(Land Property Services)

Mrs J Howitt
(Environmental Safety Group)

Mr C Freeland
(Rep Commander British Forces, Gibraltar)

Mr C Key
(Deputy Town Planner)

Mr J Celecia
(Minute Secretary)

Apologies:

The Hon Dr J Garcia
(Deputy Chief Minister)

Mr K De Los Santos
(Land Property Services)

Dr K Bensusan
(Gibraltar Ornithological & Natural History)

APPROVED
17 December 2024

Society)

Mr C Viagas

Approval of Minutes

439/24 – Approval of Minutes of the 13th meeting of 2024 held on 12th December 2024.

The Minutes of the 13th meeting of 2024 held on the 12th December 2024 were approved.

Matters Arising

None

Major Developments

440/24 – D/19306/24 – Victoria Stadium, Winston Churchill Avenue -- Proposed demolition of sports stadium, petrol station, pumping station building and miscellaneous small structures.

Application Details:

- Proposed demolition of multiple structures, including the main stadium building, west and east stands, squash court building, AquaGib pumping station, boundary walls, former petrol station, and other ancillary structures.
- Retention of Tercentenary Hall including Dining 54 and the Gibtelecom building.

Planning History:

- Outline Planning Permission (OPP) granted in March 2023 with a condition requiring this demolition application.
- Full application for Stadium expected to be submitted in 2025.

Supporting documentation:

- Supporting documentation including an Engineer's Report which addressed Heritage concerns and a tree survey submitted in support of the application.

Representations:

- Notice of application served on LPS and Cepsa and no representations received.
- Letter of objection from Allan Asquez, Director of VSB submitted during standard period for submitting representations and addressed Commission.
- Written representations from Mr. Allan Asquez (AA) (Director of VSB and tenant of several affected premises) had been circulated to all members.
- AA addressed the Commission and raised concerned that:
 - Granting demolition permission would pre-empt the resolution of tenancy rights under the Landlord and Tenant Act.

- The lack of consultation despite the DPC recommending engagement during the outline planning stage.
- Potential trespass onto his premises during demolition.
- The impact on his business operations and family livelihoods, with his premises being integral to his business for 25 years.
- Legal and constitutional issues about the property ownership.
- AA urged the DPC to defer making a decision on the application until after all tenancy issues are resolved and emphasized the importance of transparency and fair treatment.

Consultee Comments:

- Bat and bird surveys are required before commencement of works;
- Various requirements from the Airport Authority to be addressed prior to works commencing;
- Tree preservation recommendations must be adhered to;
- Should any ground excavation take place during demolition the applicant would need to inform the Ministry for Heritage (MfH).

Planning Assessment and Recommendations:

- CK clarified that the TPD had sought legal advice which confirmed that land rights and tenancy issues are outside the DPC's jurisdiction and are not a matter for the Commission to consider.
- CK informed Members that the TPD has no objection to the demolition of the buildings, understands that a full application for the stadium is to be submitted in 2025, that the buildings are to be vacated soon and the demolition of them would not cause any blight.
- CK confirmed that the Town Planning recommendation is for Members to approve the application subject to:
 - Demolition permissions being issued on a phased basis once buildings have been vacated;
 - Conditions to address the requirements of the DCA, the DOE and the MfH; and
 - That the issuing of a Demolition Permission is not a reflection on the objector's legal rights which is a separate matter.

Discussion:

- CAM urged better coordination with tenants.
- Mr. Nick Culatto (NC) (Applicant Representative): Confirmed that meetings with the objector had taken place and committed to further engagement moving forward.
- JH expressed concerns about fairness and transparency.

- AB confirmed that the Government was separately looking at the issues that had been raised by AA.
- MEEC highlighted that there are swift nests in the roof of the Main Stand and that the roof panels must be removed before mid-February once swifts return and start actively nesting.

Decision:

- The Commission unanimously approved the application in line with the TPDs recommendations.

Other Developments

441/24 – BA09186 – 16/18 Main Street -- Proposed Shop Refurbishment.

Issue:

Removal of air conditioning screening which has led to an unsightly façade which the TPD are seeking to get reinstalled.

Request:

TPD requested authority from the Commission to pursue any enforcement action that is necessary to be undertaken in this matter which may include issuing a Section 61 Notice for the preservation of amenities

Decision:

The Commission unanimously authorized the TPD to undertake any enforcement action that is required, including potential issuance of a Section 61 Notice.

Minor and Other Works– not within scope of delegated powers

(All applications within this section are recommended for approval unless otherwise stated).

442/24 – F/19384/24 – Pizza Express, Ocean Village -- Proposed change of use from Sui Generis to (Class A3) food and drink involving the erection of an additional deck structure to increase terrace size and installation of new pergola to match existing.

This application was approved.

443/24 – F/19404/24 – 18 Shrine Walk, Europa Walks Estate -- Proposed construction of a first floor extension and associated internal and external alterations.

This application was approved.

444/24 – F/19413/24 – 21 South Walk, Europa Walks -- Proposed construction of a first floor extension and enlargement of windows.

This application was approved.

445/24 – F/19443/24G – Europa Point Sports Complex -- Proposed expansion of spectator seating.

GoG Application

This application was approved.

Applications Granted by Sub Committee under delegated powers (For Information Only and Not For Discussion)

NB: In most cases approvals will have been granted subject to conditions.

446/24 – F/18189/22 – 24 Willis's Road -- Proposed refurbishment of an existing residential dwelling.

Consideration of revised West and North elevation omitting shutters and proposed solar panel on roof to discharge Conditions 2 and 3 of Planning Permission no. 8596

447/24 – F/18968/23 – Commercial Units on Eurocity Passage, Eurocity -- Proposed change of use of existing units to shops (Class A1) and-or food and drink (Class A3), fitting shop front and shelf on core fit-out.

Consideration of shopfront sample to discharge Condition 4 of Full Planning Permission No. 8838.

448/24 – F/19126/24G – Tankerville House, Tankerville Road -- Proposed refurbishment works installation of external wall insulation and render, installation of new windows and a new mono pitch roof, installation of new open 'baskets' for the air conditioning units and dryline clothes and minor reparations for the patio.

GoG Application

Consideration of installation of additional screening baskets on east and west elevations to discharge Conditions 2 and 3 of Planning Permission No. 8913.

449/24 – F/19141/24 – 33 Admiral's Place, Naval Hospital Road -- Proposed loft alterations and installation of velux roof window.

450/24 – F/19193/24 – 18 Admiral's Place, Naval Hospital Road -- Proposed installation of velux roof window.

451/24 – F/19200/24 – Flat 1C, 116 Main Street -- Proposed change of use from office (Class B1) to Residential (Class C3) and associated internal and external alterations.

452/24 – F/19251/24 – 18 and 19 The Island, Queensway Quay -- Proposed erection of boundary wall between the properties.

Consideration of revised plans to comply with Modification Order.

453/24 – F/19285/24 – Commercial Unit B, Hassan Centenary Terraces -- Proposed fit-out of commercial premises into a nursery.

454/24 – F/19303/24 – The Elliott Hotel, 2 Governors Parade -- Proposed conversion of conference facilities within hotel into a spa and wellness centre.

455/24 – F/19321/24 – 16 South Walk, Europa Walks -- Proposed extensions and alterations to property.

Consideration of revised plans to comply with Modification Order.

456/24 – F/19325/24 – Commercial Unit, Eurocity, Europort Avenue -- Proposed fit-out of vacant commercial unit into a Spa and Wellness Centre.

457/24 – F/19328/24G – 9 Devil's Tower Road -- Proposed enlargement of sub-station.

GoG Application

Consideration of revised plans reducing the size of the enlarged sub-station.

458/24 – F/19332/24 – 21 East Walk, Europa Walks -- Proposed extension and alterations to residence.

459/24 – F/19333/24 – 7 Bell Lane -- Proposed renovation of existing food and drink take-away and installation of signage.

460/24 – F/19344/24 – House 8 Shorthorn Farm Estate, Europa Road -- Proposed extension, conversion and ancillary works.

461/24 – F/19347/24 – 73 Rosia Dale -- Proposed loft conversion.

462/24 – F/19350/24 – 902 Europlaza, Harbour Views Road -- Proposed installation of glass curtains.

463/24 – F/19366/24 – 94-95 Ragged Staff Wharf -- Proposed amalgamation of two units and installation of safety grill on windows.

464/24 – F/19370/24 – 6-12 Cannon Lane, Gibraltar -- Proposed Installation of a new pergola structure on existing rooftop open terrace.

465/24 – F/19381/24 – Willis's Magazines, Willis's Road -- Proposed reinstatement of passive ventilators to roof and re-sealing of cracks on concrete roof structure.

466/24 – F/19388/24 – 3 Vancouver Court, Harbour Views -- Retrospective application for internal alterations and enclosure of balcony with windows.

467/24 – F/19393/24 – 17 Trafalgar Heights, Europa Road -- Proposed installation of glass curtains.

468/24 – F/19395/24 – 1602 Grand Ocean Plaza, Ocean Village Ocean -- Proposed installation of glass curtains on balcony and a glass partition wall in the middle.

469/24 – F/19396/24 – 4 Rock Rose House, Waterport Terraces -- Proposed replacement of windows and balcony doors.

470/24 – F/19397/24 – Cafe Cyberworld, Unit 14-16 Ocean Heights Gallery -- Proposed extension of current kitchen facilities to include hot food preparation area and the installation of an extraction unit.

JH expressed concern about the potential impact of the proposed installation of an extraction unit on nearby residents, particularly those above the unit. JH highlighted that similar issues with noise and odors have arisen in other locations and requested assurance that these impacts are being carefully assessed.

471/24 – F/19423/24 – 19 East Walk, Europa Walks Estate -- Proposed installation of a fence within the north-facing patio.

472/24 – F/19435/24G – Harding’s Battery Lookout -- Proposed installation of meteorological and visibility sensor with one microwave dish.

GoG Application

473/24 – A/19353/24 – Opposite Cathedral of the Holy Trinity and Balustrade End of Queensway, Bottom of Ragged Staff -- Proposed installation of banner to advertise music festival.

474/24 – A/19447/24G – Ragged Staff Fences -- Proposed installation of banner to advertise Magic festival.

GoG Application

475/24 – A/19448/24G – Morrisons Roundabout -- Proposed installation of banner to advertise Magic festival.

GoG Application

476/24 – A/19449/24G – St Joseph’s Road -- Proposed installation of banner to advertise Magic festival.

GoG Application

477/24 – A/19450/24G – Children’s Park by Holy Trinity -- Proposed installation of banner to advertise Magic festival.

GoG Application

478/24 – A/19474/24 – 22-24 Town Range -- Proposed installation of signage on building façade to advertise building project.

479/24 – MA/18551/22 – Eastern Beach, Eastern Beach Road -- Proposed pedestrian promenade and stores.

Consideration of minor amendments including:

- ***raising the proposed promenade and stores up to the existing parapet wall level.***

JH raised concerns that raising the height of the stores could create hidden pathways. CK confirmed that the amendments were related to regularising a change of height of the parapet wall that had been built on site and no other changes had been sought by the applicant.

480/24 - MA/18721/23 – 7 Europa Road -- Proposed demolition of derelict casino and bund wall to provide a new apartment block of 111 high quality residences with multi storey car park and amenities.

Consideration of Minor Amendments including:

- *removal of lower and upper basement car parking;*
- *redesign of car parking levels including half levels and one additional level of parking;*
- *adjusted section heights for car park and accommodation levels so overall height is within the height approved in the original planning;*
- *removal of rear condenser terraces; and*
- *lower level planter added to Europa Road in front of the historic tanks.*

Consideration of render sample for approved concrete elements of eastern façade to partially discharge of Condition 7 of Supplemental Planning Permission No. 7506B.

JH and MEEEC raised concerns about commitments to the "living building" design and sought assurances that significant facade changes would be reviewed by the full DPC.

The Chairman confirmed that a separate Minor Amendment submission dealing with these aspects had been submitted by the applicant and it would be tabled at a future DPC meeting.

481/24 – MA/18899/23 – 49-51 Engineer Lane -- Proposed extension, conversion and refurbishment work to building.

Consideration of minor amendments including:

- *addition of railings to roof;*
- *amendments to stair core; and*
- *change of colour scheme.*

482/24 – MA/19120/24 – 107 - 108 Cumberland Terraces -- Proposed amalgamation of two apartments and associated internal alterations.

Consideration of minor amendments including:

- *retention of flats as a single dwelling and associated internal alterations.*

483/24 – MA/19268/24 – 94 Devil's Tower Road -- Proposed construction of a two storey protective canopy with an adjoining 'link tunnel' providing pedestrian access from Devil's Tower Road to the entrance of the inner rock tunnels.

Consideration of minor amendments including:

- *removal of planter to mezzanine level; and*
- *replacement of the translucent curtain wall with block-work wall on ground floor level.*

JH raised concerns over the scheme that is being built on site including the streetscape aesthetics. The Chairman confirmed that the scheme had been approved by the Commission, is under construction and that the project incorporated landscaping.

484/24 – MA/19352/24 – Europa Business Centre & Old Power Station, Chimney Corner, Dockyard -- Proposed refurbishment of three areas of the dockyard for use as workshops and storage.

Consideration of minor amendments including:

- ***various internal alterations to the layout of the buildings.***

485/24 – Any other business

The meeting concluded and the next meeting was confirmed for 16th January 2025.

Chris Key

Secretary to the

Development and Planning Commission