

## THE DEVELOPMENT AND PLANNING COMMISSION

### Minutes

Minutes of the 2nd meeting of 2025 held remotely via video conferencing on 20th February 2025 at 9.30am

**Present:**

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

The Hon P Orfila (MH)  
(Minister for Housing)

The Hon L Bruzon (MIRCCS)  
(Minister for Industrial Relations, Civil  
Contingencies and Sport)

Mr H Montado (HM)  
(Chief Technical Officer)

Mr G Matto (GM)

Mrs C Montado (CAM)  
(Gibraltar Heritage Trust)

Mr A Brittenden (AB)  
(Land Property Services)

Mr L Linares (LL)  
(Gibraltar Ornithological & Natural History  
Society)

Mr C Viagas (CV)

Mrs J Howitt (JH)  
(Environmental Safety Group)

Mr C Freeland (CF)  
(Rep Commander British Forces, Gibraltar)

Mr P Cosquieri (PC)  
(Deputy Town Planner) (*Acting*)

Mr J Neale  
(Minute Secretary)

**Apologies:**

The Hon Dr J Garcia  
(Deputy Chief Minister)

The Hon Dr J Cortes

APPROVED  
20 February 2025

(Minister for Education, the Environment and  
Climate Change)

Mr K De Los Santos  
(Land Property Services)

Dr K Bensusan  
(Gibraltar Ornithological & Natural History  
Society)

## Approval of Minutes

### 34/25 - Approval of Minutes of the 1<sup>st</sup> meeting of 2025 held on 16<sup>th</sup> January 2025

Several Members raised issues/ concerns with the accuracy of the minutes.

Approval of the minutes was deferred so that they could be re-checked and any changes to be re-issued to Members.

## Matters Arising

None

## Major Developments

None

## Other Developments

### 35/25 - A/19190/24 - Ocean Village Main Entrance (Waterport Road) -- Proposed advertisement of Ocean Village and local eating establishments.

The application was deferred at the request of the applicant.

### 36/25 - F/19220/24 - Units D & E 36 Rosia Road -- Proposed extension and replacement of roof.

PC provided an introduction to the application, including its site and surrounding, as well as the current site's condition. Introduction and explanation of the proposal presented to members.

Proposed extension and roof replacement at Units D and E36 Rosa Rd which is part of the historic Victualling Yard complex at Rosia Bay. The single-storey pitched-roof storage building is in poor condition and requires urgent repairs.

Proposed roof replacement, extension, and refurbishment works. Initial submission sought approval for the increase of height and creation of a green roof. Following consultation with TPD and Heritage bodies the applicant produced a revised scheme which omitted the green roof and adapted the scheme to the historic character of the area.

The proposal sees the removal of internal walls, increase in height to meet storage operation needs, addition of a single storey extension. Proposal retains pitched roof, traditional fenestration, recessed window features, quoins and ground floor plinths to maintain the character.

Sustainability statement submitted – energy efficient; LED lighting, photo-electric and passive infra-red sensors for external lights. Solar panels, thermal acoustic flooring and retention of existing wall and foundations to reduce carbon footprint

Application was subject to Public Participation.

PC Noted that objections had been received and that the objectors were present to make representations to the commission.

Chairman Invited objectors to address the Commission.

Objector (Colin & Judith Marsh) addressed the Commission and stated that the affected building, The Hermitage, is one of Gibraltar's oldest houses, dating back to around 1793, and features in the Gibraltar Museum model. As a historic property, the proposed extension raises heritage concerns.

The roof extension will reach the gutter of their house, significantly reducing natural light. The kitchen window, located adjacent to the extension, will be particularly affected. The dining room (which is open to the living room) will also experience diminished light, impacting both spaces.

No clear plans have been provided on how the new extension will connect to their outbuilding (which contains a wet room, toilet, and utility room). Concerns about potential damage and lack of elevations showing the south-facing aspect of the project.

While they acknowledge that a view is not considered a legal right, it remains a personal concern. Further clarification on the structural impact and heritage implications of the proposal requested.

Chairman Invited members to ask questions.

JH enquired whether the Marshes would prefer the extension height to be adjusted and whether they had discussed concerns with the applicants or Heritage Trust.

Objector advised that no site inspection had been conducted from their perspective, and no one had visited their property or garden to assess the impact. They felt that a site visit is necessary, given the historic nature of their home.

JH noted previous development mistakes in the area and emphasized the sensitivity of Rosia Bay. While the specific building may not be of high heritage value, its location within a historically significant area should warrant a holistic review. She expressed surprise that no assessment had been made in relation to the Marshes' property and supported their call for further evaluation.

The Chairman then invited Stephen Martinez (SM) on behalf of the applicant to address the Commission.

SM advised that the building was abandoned in 2012/13 and was not officially recorded as it was a former MoD property. Initial restoration work did not address the roof, which is now in very poor condition. With regards to the design evolution and sensitivity to surroundings, the original plan was to replace the roof, with the initial submission including the proposal of extending the height of the building with a flat green roof over. The revised design was adjusted to better match the surroundings, following feedback from planners and the Heritage Trust. The redesign transformed the building from a deteriorating structure into one more in line with heritage aesthetics.

In terms of considerations for the neighbors, the roof angle was designed to mimic the sun's angle, reducing impact on the neighbor's kitchen window. Although legally, no obligation exists to preserve light for the window, the design avoids unnecessary obstruction. Efforts were made to maintain the shared roof structure and ensure both buildings remain in good condition.

SM advised that extensive photographic records were taken to assess visibility and impact. While no direct discussions were initially held with neighbors, feedback was incorporated into revised plans. Building Control will address issues like dust, noise, and work hours, which any competent contractor will follow.

SM concluded that the project underwent a significant redesign to align with planning and heritage requirements. The changes demonstrate a commitment to sensitivity and integration with the area's historic character. The original structure was an abandoned MoD shed, and this project aims to properly restore and integrate it.

Chairman invited questions from members.

CAM requested that the use classification be confirmed for the purpose of the records.

SM advised that the use would remain as a high-usage storage facility as has been in operation for 12 years. Due to limited space, maximizing storage capacity is a priority. The initial plan included a flat roof with additional height to increase storage volume, as items are pallet-loaded. SM advised that the Planning Department suggested the additional height, aligning with storage needs.

AB advised that he had personally been dealing with the matters surrounding this property and the leaseholder, and can confirm that the property did in fact suffer from considerable water ingress as a result of the state of the roof. Whilst the owner is obliged to remedy this under the lease/ underlease agreement, at no point is there a requirement for the roof to be raised as result.

SM clarified that the 1-metre height increase was actually suggested by the Town Planners, aiming to improve storage capacity while maintaining a pitched roof.

AB emphasized that when the lease terms were initially agreed upon, the requirement was only to repair or replace the roof, not to extend the building's height.

SM acknowledged that any changes are subject to planning approval, and if the Development & Planning Commission (DPC) does not approve the height extension, the leaseholder will have to proceed with only the originally required roof repairs.

AB advised that the landlord (Government) will review the leaseholder's request only after the DPC has made its decision.

JH raised a question about whether greater consultation is required when a proposed construction project directly joins or impacts a neighbouring property. Suggested that on-site discussions between both parties would help prevent miscommunication and unnecessary stress, rather than relying solely on exchanged letters.

SM responded that while boundary and construction issues are common in projects like this, the design team has addressed concerns by incorporating feedback into the revised drawings. Clarified that the roof will be cut back but remains within his client's designated property boundary. If the Development & Planning Commission (DPC) or planners do not approve the changes, the project will not proceed beyond what is permitted.

JH acknowledged the response, emphasizing that her concern was about proximity and whether it warranted greater planning scrutiny.

SM reaffirmed that the boundary remains unchanged and that the modifications should not impact neighboring light or living spaces.

CAM clarified that while the Gibraltar Heritage Trust would have preferred a straightforward restoration of the roof, the original proposal presented a flat roof with an increased height. The height increase was not purely at the suggestion of the Town Planning Department, but rather a design response aimed at reducing the visual impact of a flat roof while retaining the building's character.

PC confirmed that the initial proposal already included an increase in height, as the occupant required additional headroom for efficient storage operations. Following this, Town Planning and Heritage bodies reviewed the design, which led to a further slight increase due to the incorporation of a pitched roof. The Commission was advised to be clear that the applicant's primary motive was to optimize storage space, with the final height adjustment influenced by heritage and planning considerations.

GM enquired whether the existing roof tiles would be replaced or reinstated, given that the new roof would require updated materials.

MIRCCS advised that he shared GM's concerns.

SM responded, explaining that while ideally the original clay tiles could be salvaged, they are bedded in a cement mortar, making removal without damage very difficult. If the same clay tiles were to be reinstated, they would require a different cement mixture, which is not ideal due to structural concerns. He referenced a similar project, where an attempt to reuse old tiles resulted in roof failure due to improper installation. The proposed solution is to use matching replacement tiles that resemble the original but are nailed to battens instead of being cement-bedded, ensuring structural stability while preserving the historic aesthetic.

CAM responded to SM's comments advising that they would not be in agreement with the change in material due to the distinct character of the corner of the building in which efforts have been made in order to preserve it.

MH advised that she agreed with JH's comments with regards to further consultation. Questioned why an extra floor is necessary if the goal was only to create additional headspace. Expressed views that the change is sacrificing heritage for storage, even if it is not officially classified as a heritage site. Acknowledged the need for roof repairs and some increase in headroom but does not support adding an extra floor.

PC continued delivering the Planning Report.

Consultation feedback:

- Department of the Environment: Disappointed with the loss of the green roof; requested bat and bird nesting boxes and details on solar PV panels.
- Ministry for Heritage: No objections; supports the pitched roof for enhancing historical character. Requires further discussions on facade and roofing materials.
- Gibraltar Heritage Trust: Agrees with the Ministry for Heritage, has no objections but wants involvement in material discussions.
- Gibraltar Fire & Rescue Service, Gibraltar Electricity Authority, and Ministry for Transport: No objections to the proposal.

Assessment and Recommendations:

- The proposal adapts the building for modern use while preserving its historic character and reducing environmental impact.
- Initial objections did not raise significant planning concerns. The revised scheme reduces the heritage impact.
- Future adaptations could include an additional level, ensuring adaptability without compromising historic value.
- The pitched roof and architectural design better align with the local historic character.

Conditions for Approval:

- Detailed plans on roof treatment (traditional tiling or approved replacement) must be submitted.
- Roof connection details to the adjacent southern property must be approved.
- Facade and roofing material details must be submitted in consultation with the Ministry for Heritage and Gibraltar Heritage Trust.
- Interpretation panels must be agreed upon with Ministry for Heritage and Gibraltar Heritage Trust.
- Bat and Bird Surveys to determine final nesting locations with the Department of the Environment.
- Construction Management Plan and Sustainability Statement required.

Final recommendation: Approval recommended, subject to submission of required details before final permission is granted.

Chairman Invited questions from Members.

AB advised that they agreed with TPD's assessment and recommendations, however they remained firm on the opinion that there was no need for the increase of height as a result.

SM responded that the issue is that they are trying to provide additional headroom, and advised that the design now being considered by the DPC is considered to be more sympathetic to the context and surroundings than the alternative proposal.

CAM advised that they have been involved in the design process and have encouraged the pitched roof. Advised that success depends on materials and maintaining the building's character. Questioned whether terracotta glazed tiles or reused tiles can be used to achieve this. Advised that if character retention cannot be ensured, clarification is needed on whether permission would be reconsidered.

Chairman advised that the revised plans should be submitted, and should the conditions be met, then this could be ratified at Subcommittee, however, should they not satisfy the conditions set out, then the application would need to be re-tabled at a future DPC meeting.

MIRCCS enquired on the height, and advised that he agreed with CAM's comments.

SM advised that it was approximately 1 meter.

CV commented that should the roof specs for "The Mount" project be acceptable, then he is happy to forward those details onto the Agent and Heritage for the benefit of the development.

JH requested clarification on the exact height increase, as the visuals suggest it is more than a meter. Noted that the view of the sky from the tunnel entrance will be obstructed, creating a more enclosed "tunneling effect." Agreed with concerns about sacrificing heritage for storage, emphasizing that it should only be justified if necessary. Suggested that the proposal has been accommodated based on storage needs, rather than prioritizing heritage preservation. Advised that she believed the Museum image comparison highlights the need for closer assessment. Advised that she opposes the proposal on these grounds.

There was an extended discussion regarding the height of the roof as well as the actual proposed increase in height from the existing, and whether the pitched roof which is in keeping with the surrounding area may mitigate that impact from the increase in height.

The Chairman asked for a vote on the recommendation to approve.

- In favor: 6
- Against: 5
- Abstention: 0

The application was approved subject to TPD's recommendations and conditions, noting the requirements for approval of materials.

**37/25 - O/19291/24 - 16 Flat Bastion Road -- Proposed conversion of residential building into three Town Houses with single storey extension, landscape roof, car park and access bridge.**

PC explained that the site is located west of Flat Bastion Road in the Upper Town, below a cul-de-sac public passage. Surrounded by two- and three-storey residential buildings, adapted to the cascading topography and significant retaining walls. It features a pitched roof and a traditional west elevation with rhythmic fenestration and shutters. Access via an arched gate from the public passage, with Wilson's Ramp nearby but not directly connected due to elevation differences.



Proposed development: Outline planning permission sought for a one-storey extension and conversion of the existing building into three x four-bedroom townhouses (Class C3). The pitched roof will be replaced with a single-storey, setback contemporary extension, featuring a landscaped rooftop car park with solar panels and glazed balustrades. Homes accessed from the east via landscaped terraces and three lightwells. Includes cantilevered balconies, black metal railings, and a landscaped patio on the ground floor. Windows to be replaced with elongated double-glazed units with white aluminum/composite frames, shutters retained or replaced, and a beige/wood color scheme applied. Rooftop car park will provide 7 car and 4 motorbike spaces, including 6 for the townhouses and 1 for a neighbor. Access via a bridge over the public passage, which remains unchanged. Removal of internal walls, ad-hoc extensions, and corrugated iron sheds. East elevation façade to be demolished, while north, south, and west elevations are retained. Demolition Concept Study and Structural Statement submitted. Includes sustainability, landscaping, biodiversity, heritage, and construction management plans as part of the Design & Access Statement.

Application was subject to Public Participations and representations were received, with 3 valid sets of objection representations received.

Chairman Invited objector Jason & Katherine Ritchie to address the Commission.

Objector advised that the original tender specified refurbishment, but the plan now includes demolition and new construction, raising transparency concerns and sought assurances that demolition and construction will not compromise their home's stability or safety. Proposed balconies overlook their property, raising privacy concerns. The planned bridge lacks drainage, risking water runoff into their property. Requested adequate drainage solutions to prevent water accumulation and overflow.

Chairman Invited members to ask the objector questions. There were no questions.

Chairman Invited Agent, Jesus Espada (JE) to address the commission.

JE advised that the design statement has already outlined key aspects, so no further discussion on design would be needed. This is an outline planning application; detailed design, structural issues, and lease boundary wall concerns will be addressed in the next stage, and that a structural engineer will begin detailed design work soon. The shared walls and demolition aspects will be managed in the detailed design phase. The original tender by GoG was unsuccessful as refurbishing the existing studios was deemed unfeasible. The current applicants, three local families, stepped in and their proposal was approved in principle by LPS and the Government, pending DPC approval. Demolition of the existing building was in line with government and LPs approval, shaping the current scheme.

Chairman Invited members to ask questions.

JH asked for clarification regarding conversion. Raised concerns that this was a demolition rather than a conversion, as well as the significant implications which that carries.

JE on behalf of the applicant, advised that this is a partial demolition, and that some features will be retained, and that the building's use remains residential, with no change in typology or conversion to another function.

Further discussion regarding this matter between JH and JE.

JH advised that the responses from the Agent were in fact reassuring.

MH enquired if the building height was being increased. Raised concerns about glass paneling, referencing bird collisions. Enquired whether parking spaces would be lost or if provisions were being made.

JE clarified that no parking spaces would be lost, as there were none in the immediate area. Stated that a small store was being demolished for access to the roof parking level belonging to a neighbor, who would be allocated a new parking space. Confirmed that seven parking spaces would be provided, exceeding the required six. Confirmed the building will increase by one story but emphasized that the overall height increase is minimized. Assured that the neighbor's view would not be significantly obstructed, as the design was developed in consultation with them. Noted that the glazed balustrade helps maintain views for both the neighbor and pedestrians. Addressed concerns about bird collisions, stating that a special type of glass would be used to prevent bird strikes.

Chairman noted that some concerns would be addressed in the planner's report and asked if there were any further questions for the applicants.

CAM asked for clarification on the entranceway in the drawings, specifically the interaction between the existing brick arch and the new ramp leading to the roof. Additionally, she enquired about how the arch integrates into the new east-facing facade.

JE confirmed that the arch remains unchanged.

Robert Matto (RM), for the applicant, confirmed that the archway will remain unchanged. Noted that earlier versions of the scheme involved alterations to the passageway, but after consultation with planners and the neighbour, it was decided to preserve it. The existing wall will be re-rendered and painted, but structurally, it will remain the same. The decision to keep the passageway untouched was made to ensure access to the existing ramp and stairs.

CAM asked whether the new car access ramp would overfly the archway or be positioned further north.

JE clarified that the car ramp is positioned further north and does not interfere with the archway. Pointed out the archway's exact location in the drawing, marked by a red dot.

There being no further questions PC continued with his report.

The application incorporated key architectural advice following pre-application consultations. The Town Planning Department acknowledges the applicant's efforts in addressing site challenges and refining the revised plans. Objections and concerns have been carefully considered, with mitigation measures proposed. Privacy concerns remain, but the applicant has agreed to install privacy screens to address them. The development aims to redevelop a dilapidated residential building while maintaining the historic urban fabric of the Old Town. While the number of units is reduced, the new homes will offer improved living conditions with larger spaces. Partial demolition has been justified and accepted in principle by the Ministry for Heritage. The proposed window and shutter proportions enhance the building's historic character. The juxtaposition of contemporary and traditional elements is supported, but

further refinements to the upper floor extension and fenestration are suggested for better architectural harmony.

The department recommends granting outline planning permission, subject to further pre-application consultation on the treatment of the contemporary extension before the full planning application. Conditions for Approval:

- Electric Vehicle Charging & Parking: 20% of total parking spaces to have active EV charging points. Remaining spaces to have passive EV charging points. Bicycle and e-bike parking to be at least one per household.
- Environmental & Wildlife Considerations: At least 5% of the total land area must be designated as green space per the Environmental Action & Management Plan. Integration of bird and bat nests, with Department of Environment approval for number and location. Bird-safe glazing measures to be approved by the Department of Environment.
- Refuse & Drainage: Refuse storage requirements to be determined in consultation with the Cleansing Superintendent or Department of Environment. Adequate drainage to be provided for the bridge structure.
- Construction Considerations: Construction-related disturbances will be addressed at later stages through Building Control regulations.

The applicant engaged in pre-submission consultations, and the design has undergone multiple iterations to address concerns before reaching this final proposal.

CAM raised concerns about the modern extension clashing with the surrounding Flat Bastion Mews. Suggested softening the glass balustrade and incorporating elements of traditional pitched roofs to blend better with the Old Town aesthetic. Proposed a shaded veranda-style feature to maintain the impression of a pitched roof, improving integration into the landscape.

Chairman acknowledged the suggestion and confirmed it could be discussed with the applicants if outline permission is granted.

JH questioned why, despite extensive pre-application discussions, the modern finish of the top floor was still present in the plans. Expressed confusion about the project's impact on the neighborhood, including the bridge and archway integration. Felt that the concerns raised by objectors had not been fully addressed. Agreed with concerns over the loss of a pitched roof and suggested that fenestration adjustments could help retain the historic character. Requested clarity on the next steps to resolve outstanding issues.

CAM wanted to ensure that heritage features within the existing building, such as a water pump, were properly retained and restored.

Chairman confirmed that heritage retention would be added as a condition if the application is approved.

Discussion held between Chairman and JH regarding the Bridge/ ramp as surrounding structural concerns. Chairman confirmed that further structural information would be provided in the full application stage.

Chairman asked for a vote on the recommendation to approve with conditions including reviewing the design of the modern extension to considering elements of pitched roofs and verandah type shading and retention of important heritage features.

- In favor: 8
- Against: 3
- Abstention: 0

Outline application was approved by majority vote.

**38/25 - F/19308/24 - Filomena House, Devils Tower Road -- Proposed installation of radio mobile equipment on the roof.**

PC provided an introduction to the application, including its site and surrounding, as well as the current site's condition. Introduction and explanation of the proposal presented to members.

Filomena House, Devil's Tower Road, is a residential building in a mixed-use area. North Front Cemetery towards the site's North and existing and under-construction residential buildings towards the East, South, and West. The proposal is for the installation of 4G telecommunication equipment on the roof, which is only accessible for maintenance. This proposal is part of a wider rollout by GibFibre, involving six sites across Gibraltar to improve 4G coverage. Section 22 Notice was served to the Management Company and LPS, and Section 25 Notice was placed on site.

Objection and counter representations had been received.

Chairman Invited objectors to address the commission.

Anne Francois Duran advised that she was presenting on behalf of herself and other residents of Filomena House. Advised that there were multiple breaches in the consultation process where residents were not properly notified by the Management Company. Public notice was not placed in a visible location, leading to residents only discovering the project at a late stage. Advised that residents felt that the process lacked transparency, and information was insufficient to fully understand the proposal.

Advised that no explanation provided for why Filomena House was chosen over other taller buildings without permanent residents nearby. The existing site was deemed unsuitable due to the construction of City Homes and advised that further clarification is needed.

No structural assessment was provided on the impact of the installation regarding fire safety, noise, roof penetration, and wind loads. Raised concerns that the building's integrity could be compromised. Low height of the building makes the installation visually intrusive compared to surrounding developments.

Concerns regarding potential long-term health effects of electromagnetic fields from telecom antennas. Request for evidence of compliance with Public Health and the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines. No assurances given on the safety of children, whose bedrooms are directly beneath the antennas. Residents question why the antennas were not placed on a nearby building with no permanent residents.

Chairman then invited the Agent to address the commission.

Agent (Sean Randal) SR advised that the application followed DPC guidelines, including proper notification placement on the building's notice board near the entrance. All engineering analyses and required standards were met, with information readily available. The equipment complies with all necessary safety and engineering standards. The applicant responded to residents' concerns multiple times prior to the application being tabled at DPC. Acknowledged that some residents are strongly opposed to the installation. The matter was intended to be voted on at the building's AGM, but it has been stalled pending GibFibre's license situation.

Chairman Invited members to ask questions.

MH enquired if there is another site where the antenna could be placed.

SR advised that there are other sites, however, access to these locations has been denied by Government, hence why other locations, namely private developments have been considered.

JH raised concerns regarding future developments affecting the effectiveness of the mobile equipment.

SR advised that this is an ever-changing landscape, which carries its own challenges and difficulties, however, there will still be significant coverage despite the planned development(s) in the area.

PC summarized additional objections received from other objectors.

PC provided comments received from consultees.

- Department of Environment: No objections but confirmed adherence to HM Government of Gibraltar policy is required.
- Gibraltar Fire Rescue Service, Ministry for Heritage, Technical Services Department, Environmental Agency, Director of Civil Aviation, and Environmental Safety Group: No objections.
- Electricity Gibraltar, Gibraltar Regulatory Authority, Gibraltar Electrical Authority, Gibraltar Heritage Trust, and LPS: Did not provide comments at the time of the report.

PC moved onto the assessment, advising that the site notice was correctly placed, with photographic evidence provided by the applicant. TPD has sympathy for objectors' concerns, but the applicant has addressed all points and confirmed compliance with HM Government of Gibraltar policy. Noted that ESG comments support the proposal. Town Planning Department considers the proposal unlikely to impact existing networks approved by the Commission.

JH noted ESG's prior campaigning and addressing concerns regarding masts in Gibraltar and advised that this case is no exception, prompting a site visit. Noted that the visit would include a technical advisor and an objector (who is not present today). Factors which were reviewed included distance of the mast from residents, material on which the mast would sit, and the direction of the antenna. In conclusion, there would be no significant impact on the residents of Filomena House. Raised possible treatment to reduce any downward directional impacts. Advised a concrete plinth is substantial and positioned away from flats. Advised that no direct impact was evident. Recognized the broader challenge of mast placement in Gibraltar due to

increasing demand for telecommunications. Advised that they were open to meeting other residents to discuss technical and public health concerns.

The application approved unanimously.

**39/25 - F/19369/24 - 3 - 4 Straits View Terrace Europa Point -- Proposed merging of no. 3 and 4 straits view into a single dwelling including the refurbishment and extension of the existing property.**

PC provided introduction to the application, including its site and surrounding, as well as the current site's condition. Introduction and explanation of the proposal presented to members.

The site is located at Gibraltar foreshore at Europa Point. The current structure is a two-story ex-MOD building with two separate apartments, a flat roof, and an ad hoc rear extension. Its surroundings are similar ex-MOD buildings (1-3 stories), Gibraltar University, Nature Reserve, and restaurant. Outdoor features include a patio, pool, BBQ area, and narrow passage.

The proposed development is for the merging of both units into a single dwelling with 3 double bedrooms, 1 master bedroom, and 1 single bedroom, and an open-plan kitchen, living area, and entertainment room. The proposal seeks to reduce exposure on the south side to minimize overlooking from the University Terrace and public stairs. The structural changes proposed include the demolition of west-facing ad hoc extensions, a new extension at the north end, stepped back to minimize visual impact, a traditional pitched roof, window surrounds, and shutters to blend old and modern styles. Additionally, the proposal seeks to relocate the existing main entrance and relocates the pool to the south for added privacy. No objections were received during the public participation period.

PC provided consultation responses:

- Department of Environment had no objections but requested that Energy efficiency measures, including solar panels, U-value compliance windows, and an EPC submission before construction, a saltwater pool, dust control measures, Bird & bat surveys with approved nesting locations, and a nature reserve works license be obtained due to location.
- Ministry for Heritage advised that they have no major concerns and that they support traditional materials & greenery. Recommended that an archaeological watching brief be implemented during groundworks.
- No objections from Gibraltar Fire & Rescue, Technical Services, Environmental Agency, or LPS.
- No comments from AquaGib, Gibraltar Electrical Authority, or Gibraltar Heritage Trust at the time of the report.

PC provided planning assessment in which he advised that the area has had unauthorized works in the past due to its hidden location. An adjacent property (to the north) was approved for two flats with no expected impact on the nature reserve. Previous application for an extension was refused due to concerns over density, massing, and visual impact on defence walls. Advised that the new proposal addressed these concerns by being positioned further South, and by using a sympathetic design that enhances the area's aesthetic.

Application recommended for approval subject to the following conditions:

- Submission of external finishes for approval.
- EPC submission before construction.
- Bird & bat surveys with approved nest locations.
- Nature reserve works licence prior to commencement.

JH commented that the development looks attractive in contrast to the existing, however this difference may be a concern as it is not in line with the existing aesthetic. Raised concerns regarding the potential development of the proposed green space to the rear.

Chairman advised that the color scheme blends in with the heritage wall and university and is therefore considered an improvement and would hopefully prompt other residents to follow suit.

Ruth Massias Greenberg (RMG) on behalf of the applicant, advised that the applicant valued their outdoor space and did not envisage future development in this area.

MH made comments regarding the color scheme.

The application was approved unanimously.

**40/25 - F/19436/24 - North East & North West Stair Cores Leisure Island Business Centre -- Proposed construction of two staff apartments within the stair cores.**

The applicant requested that this application be deferred.

Item deferred.

**41/24 - F/19441/24 - Cormorant Camber Boat Owner's Club Marina -- Proposed new berth extension.**

PC provided introduction to the application, including its site and surrounding, as well as the current site's condition.

The site is located at the end of the marina, between the Cormorant Camber Boat Owners Club berthing area and Queensway Quay residential development. The site is a water area owned by HM Government of Gibraltar, situated between the existing berthing area and Queensway Quay.

The proposal aims to increase the number of berths from 10 (previously used by the Royal Gibraltar Yacht Club) to 32, adding 22 new affordable berths. The Royal Gibraltar Yacht Club previously used the site temporarily while their new clubhouse facilities were completed. The remaining pylons from the former pontoon will be removed. The scope of works include the removal of the old pontoon, the installation of two new main pontoons with finger pontoons to accommodate individual boats. Noted that the applicant had advised that the expansion is considered to be critical for the club, as they have been seeking to expand for years and need to accommodate a long waiting list of members. The application was subject to public participation with a total of 6 representations received. Objector is present to address the Commission.

Chairman Invited objector to address the commission



Ian Farrell (IF), on behalf of the objector, Paul Butler. He advised that part of the area in question falls under his client's lease, and therefore has a right to unimpeded access. Other points raised included matters regarding the existing boundary line.

The Chairman then invited the applicant to address the commission.

Mr A Buhagiar (AB) as applicant, commented that the main aim is to increase affordable berths for resident boat owners. Private marina fees are unaffordable, and the expansion is supported by HM Government of Gibraltar (GOG). Advised that many members have been on the waiting list for over 10 years and that the proposed 23 new berths will be used year-round, benefiting local boat owners and their families. Advised that the Government has granted rights to the club over waters up to the Queensway Quay Marina (QQM) property line. Previously, berth sizes were flexible, but with new developments, the club must ensure vessels do not encroach beyond 10.9m (beam + fenders). Advised that safety and maneuverability concerns are addressed, leaving ample space for large vessels. Reviewed numerous measurements which would ensure safe navigation. Advised that Ocean Village and Peter Isola Promenade have underused superyacht berths, so Gibraltar would not lose business and that QQM's superyacht berth is not used daily, and the club's expansion does not prevent its use, and therefore larger vessels will continue to be able berth within existing restrictions.

With regards to the Port Authority's objections in regards to safety concerns and minimum requirements for navigation space, the objector questioned the Port's calculations, advising that there was in fact a miscalculation. Questioned if the port conducted a study on vessel safety in this tight space. Advised that Superyachts leaving or entering create a navigational hazard, affecting the club's boat access. Reiterated that the club's proposed maximum vessel beam is 9m, and using the Port's formula, the required navigational area should be 22.5m. The club's plan allows 21.1m, which they argue is sufficient. Advised that Captain of the Port wrote to QQM in support of their objection, which the club committee finds concerning. QQM has no intention of using the eastern seawall for vessel berthing, as it is too shallow for vessels over 12m, and no vessels have berthed there for years. The club believes QQM's real intention is to reclaim the sea area for high-end residential developments, as seen in their failed 2019 proposal, which was rejected due to strong GOG opposition. In conclusion, the club argues the expansion is necessary for local boat owners, is safe, and does not impact superyacht operations and that the Port Authority's objections are disputed, and the club believes QQM's real aim is to develop luxury accommodation rather than preserve berthing space.

Extensive discussion ensued between the members, applicant and objector during which matters such as the expansion beyond current pylons and additional space usage, the potential reduction of the pontoon and number of berths, environmental concerns including the responsibility of cleaning of the water, and legal and trespassing concerns from the Queensway Quay Marina. Ultimately it was concluded that further discussions may be needed to resolve objections, including potential berth reduction.

PC reported on comments received during consultation:

- Department of Environment: No objections but required precautions to prevent spillages during construction.



- Gibraltar Port Authority objected to the application advising that additional berths would create a navigational hazard for yachts and superyachts. Larger yachts already exceed the demised area of Queensway Quay. Safe superyacht berths in Gibraltar are limited, and their availability is crucial for commercial and tourism sectors.
- Land Property Services had no objections and confirmed that there is no encroachment as a result of the proposed works.
- Gibraltar Fire & Rescue Service, Gibraltar Electrical Authority, Ministry for Heritage, Technical Services Department, Environmental Agency, and Ministry for Transport had no objections.
- No comments were received from the Gibraltar Heritage Trust & World Heritage Site.

PC provided planning assessment advising that additional berths would increase the navigational hazard for yachts and superyachts at Queensway Quay and therefore, the proposal negatively impacts commercial uses and safety. Superyachts require 40.5m of open water space, but the proposal only provides 16.5m – 21.41m, posing significant risks. While there is a shortage of private berths, this proposal would harm existing superyacht berths, affecting commercial and tourism industries essential to Gibraltar's economy. TPD supports the Port Authority's concerns, which focus on navigational safety rather than water or berth rights disputes.

The recommendation is for the refusal of the proposal based on navigational hazards for yachts and superyachts at Queensway Quay, significant safety risks due to insufficient open water space for safe berthing, conflicts with existing approved uses, affecting marina operations, and that the scheme reduces the availability of superyacht berths, negatively impacting commercial and tourism industries.

Chairman asked IF whether the RGYC's previous temporary berths had caused any issues for QQM's operations.

IF advised that there were no issues at the time.

Chairman enquired if it would be possible to limit the proposed development to the extent of the existing piles that marked the extent previously used by the RGYC..

Applicant discussed issues with regards to safety, particularly the existing bottleneck.

Chairman advised that we cannot comment on legal matters, but must only comment on planning matters, as a Commission. Invited members to make comments on the proposal.

Further discussion ensued in regards to the potential impact of the proposed berths on the existing use. No agreement was obtained.

CV acknowledged that the discussion has shifted towards private legal issues, which should not be the focus. Noted that both the applicant and objector mentioned a lack of studies assessing the wave impact and vessel movement in the area. Suggested that the Commission should conduct or request such studies before making a decision. Recommended determining whether the Port Authority, an independent entity, or another organization should provide an impartial assessment. Emphasized that such studies would benefit the planning process, rather than focusing on landlord disputes or private legal matters. Advised he would be leaving the meeting due to other commitments and gave apologies.

CV Left meeting -12:41

Chairman acknowledged the points made and recognized their value.

HM noted that there seems to be more navigational assessment issue rather than anything else. Suggested that if the previous RGYC arrangement did not create issues, there might be scope for a compromise layout that benefits both parties. Highlighted the restricted entrance and the need for a proper navigational assessment to determine how far the pontoons can extend without affecting QQM's berthing operations. Suggested deferring the application until a navigational study is conducted.

GM questioned whether Queensway Quay Marina (QQM) had extended beyond its original lease. Noted that superyachts had been berthed in areas beyond the official boundary, potentially encroaching over time. Asked if any additional works had been done beyond the original agreed property boundaries.

IF confirmed Queensway Quay was expanded after its original lease. Stated he could not confirm encroachment claims but emphasized that the red line plans used in the Commission meeting are different from the official lease plans.

JH raised concerns that the area has been used for Government purposes, such as availability for berthing dredgers and impounded vessels, providing emergency berthing space in urgent situations, and expressed concern that approving new berths could permanently restrict its ability for future emergency needs.

Applicant disagreed, stating that aside from rare cases (e.g., impounded yacht Axioma), the space has not been actively used for emergencies. Noted that planned reclamation near Westview would create new berthing areas, compensating for any lost space. Highlighted that superyacht navigating stern-first create a hazard, sometimes blocking smaller boats for hours. Criticized the Port Authority's objection, calling it unclear and biased, especially given that the Captain of the Port sent a letter supporting QQM's objection.

IF reiterated that official lease boundaries differ from those shown in the meeting's plans, reinforcing QQM's claim over the space.

Chairman recommended deferring the application to allow a proper navigational safety assessment. Urged both parties to work together to explore a mutually acceptable compromise.

Members agreed with the recommendation.

Application deferred pending the completion of a navigational study. The Commission would review the findings before making a final decision.

This application was deferred.

**42/25 - F/19453/24 - 5 Straits Views Europa Point -- Proposed extension and subdivision of building into two residential units.**

PC provided introduction to the application, including its site and surrounding, as well as the current site's condition. The application seeks to extend and subdivide an existing building into

two residential units. The existing structure is a part-one, part-two-story dwelling located near the Gibraltar Nature Reserve and fortification walls, adjacent to Gibraltar University and Bistro Point restaurant. A previous proposal for a three-storey extension was refused due to concerns over visual impact, massing, and density.

The proposed changes include the previously proposed third floor that has been removed, a roof terrace to replace the second-floor structure, a bedroom to be relocated to the rear to create a setback, reducing its impact on the adjacent historic wall, and an external staircase introduced to avoid increasing the height of the structure. Noted that the design aligns with a similar approved scheme for a nearby property at 6 Streets View.

Noted that one objection was received from Mr. & Mrs. Villa (adjacent neighbors). Concerns included blocking of rainwater gullies that currently drain onto the applicant's property, and the usage of their boundary wall for structural support, stating they do not want it to be drilled or modified. They advised did not object to the extension itself, as long as it does not rely on their wall for support.

SM, on behalf of applicant, confirmed that a separate load-bearing wall will be built on the applicant's property and advised that the proposed extension is lower than the previous application, ensuring rainwater outlets will not be blocked.

PC provided comments received during the consultation period.

- The Department of Environment requested the installation of solar panels, energy meters, air conditioning conditions, and predictive EPC, and that no works allowed during the breeding season unless approved.
- Ministry for Heritage had no significant concerns.
- Technical Services Department stressed stability of retaining walls and access corridors.
- Gibraltar Fire & Rescue Service, and the Electrical Authority had no objections.
- No comments were received from the Environmental Agency, LPS, Gibraltar Heritage Trust, and Aquagib.

PC provided planning assessment advising that the area has suffered from poor planning and unauthorized works in the past due to its hidden location. The main concern was the use of the boundary wall for structural support, which has been resolved. Advised that the new proposal reduces visual impact by removing the second-floor structure and replacing it with a roof terrace, utilizing the rear patio space for living areas, and maintaining a setback from the historic stone wall. Noted that the mass, scale, and height of the new design are considered acceptable, and that a green roof has been incorporated, along with solutions for rainwater discharge.

The recommendation for the application is for approval, subjected to the following conditions:

- Material and design details of windows and doors must be submitted.
- Predictive EPC must show compliance with environmental requirements.

Noted that other conditions may be imposed as necessary throughout the planning process. It was also noted that the proposal has been modified to address concerns from the previously refused application.

CAM acknowledged that removing the top floor has improved the design, preserving views from Europa Batteries. However, she advised that she still finds the building blocky and suggested that introducing a different color scheme might help break up the mass and better integrate it with surrounding buildings.

PC noted that the applicant has tried to blend the extension with the existing buildings, which have minimal architectural detailing.

SM stated that the chosen color matches adjacent buildings (No. 6 and the applicant's grandfather's property). Expressed hesitation to change colors without the agreement of neighbors. Mentioned white would not be suitable due to staining from sea exposure. Confirmed that glass parapets were changed to solid walls to minimize bird strikes. Advised that they are open to reasonable suggestions on color adjustments.

CAM suggested that a palette variation could help reduce the perceived massing, as having multiple identical buildings amplifies the issue.

JH advised that she still finds the building too large and visually dominant, despite changes and has concerns about its proximity to the historic wall, unlike other projects which provided more breathing space. Expressed in seeing color alternatives to avoid the banded effect that makes the mass stand out. Asked whether the green footprint of the building has increased, in terms of solar panels, environmental impact, and water efficiency.

SM confirmed that solar panels and environmental efficiency measures have been addressed. Stated that the client works in the Ministry for Environment, ensuring compliance with sustainability standards. Agreed to consider color changes, suggesting a warmer tone (pink/red) to soften the look. Open to working with planners to finalize a suitable color scheme.

Chairman thanked participants and acknowledged the applicant's willingness to consider design refinements, particularly regarding color and environmental integration.

Chairman asked for a vote on the recommendation for approval, subject to a specific condition on colour scheme and standard conditions.

- In favor: 9
- Against: 1
- Abstention: 0

This application was approved.

#### **43/25 - F/19524/24 - Road To The Lines -- Proposed single storey extension and refurbishment of buildings.**

PC provided introduction to the application, including its site and surrounding, as well as the current site's condition.

The site is located in the Historic Old Town, Gibraltar, near Main Street and Casemates Square. The site is a three-storey apartment block requiring significant refurbishment to meet modern living standards, safety, and energy efficiency, as it is currently considered to be in a

dilapidated state. The surrounding area is experiencing a decline, with poor accessibility and urban decay impacting the neighborhood's aesthetic and functionality.

The project aims to refurbish and redevelop a total of 17 buildings, starting with 5 in phase 1. The proposal seeks to enhance pedestrian accessibility and revitalize urban spaces whilst balancing heritage preservation with modern living needs.

Proposed changes include the following:

- Existing pitched roofs to be removed and replaced with a new floor & flat energy-efficient roofs.
- Shared laundry area & community amenities to promote sustainability.
- Reusing existing flagstones for a public plaza.
- Solar panels & LED lighting for energy efficiency.
- Insulated render system & windows for thermal performance.
- Green roofs and bird nest boxes to enhance biodiversity.
- Rainwater re-use for street cleaning/firefighting.

The application was subject to public participation. No objections received.

PC provided comments from consultees:

- The Department of Environment were supportive of the scheme but requires solar panels, energy meters, predictive EPC, and a green roof, and requested work restrictions during breeding season
- Ministry for Heritage opposes the current design until the following concerns are addressed: Flat roofs should be replaced with pitched roofs to align with Old Town architecture, clock feature should be removed as it does not fit the historical character, architectural details (window proportions, color scheme) should better reflect Old Town style, and an archaeological watching brief required.
- Technical Services Department have no objections but requests assessment of sewerage capacity.

PC provided planning assessment advising that TPD were in support of the redevelopment due to the poor condition of buildings and potential for area revitalization. However, advised that there were concerns with regards to the loss of pitched roofs impacting historic character, and that the proposed façade and colors do not blend well with Old Town's aesthetic. Suggested modifications to the scheme included the introduction of pitched roofs while maintaining the proposed height. The re-working of façade details to align with Old Town vernacular, and the removal of the clock feature.

The recommendation is for the Application to be approved subject to the following conditions being met:

- Revised plans incorporating pitched roofs within current height limits.
- Revised façade and color scheme in pastel tones for better integration.
- Submission of a windows schedule and energy efficiency measures.
- Green roof, rainwater reuse, & landscaping maintenance plan.
- Bird & bat survey with appropriate nesting boxes.
- Sewage capacity assessment before approval.

JH raised concerns about affordability of the proposed housing, asking for clarification on what makes these properties "affordable." Questioned the infrastructure and service provisions, as previous projects struggled with service costs and logistics. Expressed concerns about design uniformity, urging more variation to reflect the existing character of the area. Asked about green elements and landscaping feasibility, particularly mature trees in a constrained space with underground services.

PC confirmed that the properties are intended for public housing.

Franklin Van Kleef (FVK) (Agent) defined affordability as approximately half the market value of comparable properties on Devil's Tower Road. Confirmed units will be for sale to the local market, aiming to be accessible to middle-income residents. Emphasized no demolition, with existing building envelopes maintained and upgraded. Addressed infrastructure concerns, confirming that they have conducted extensive surveys and will install a new sewer system or reline the existing, new fresh and salt water line, new data cabling and hydrants and new paving and structural reinforcements. Clarified that trees in the design would be placed in large planters rather than planted in the ground due to underground services.

MH commented on previous efforts to assess infrastructure needs in Road to the Lines. Confirmed existing infrastructure is sufficient if building heights remain the same, but high-rise development would require major upgrades. Supported retaining pitched roofs, opposing the additional level. Expressed concerns about studio apartments, fearing they would make the area feel like a hotel rather than a residential neighborhood. Explained the Government's intended sale model, where properties would not be re-sold for profit but instead returned to the Government for redistribution, ensuring long-term affordability for the community. Supported vibrant color schemes, as long as they were not overly bold.

CAM confirmed that Phase 1 includes 5 buildings, with the remaining properties requiring separate applications. Strongly supported retaining pitched roofs and traditional facades as per Old Town conservation guidelines. Raised concern over conflicting requirements, as the Ministry for Heritage wants pitched roofs, while the Environment Ministry recommends green roofs. Suggested a hybrid approach. Suggested introducing small businesses or cafes along the street to enhance public activity and align with plans for the Northern Defenses. Worried that approving the application with many conditions could compromise historic authenticity if details were diluted over time. Stressed that shutters, window profiles, and materials must comply with heritage standards to maintain the area's character.

Chairman agreed with CAM and that a modification order should include these details.

CAM recommended that instead of approving with modifications, the applicant should resubmit a revised plan to the full DPC to ensure compliance.

Chairman confirmed that if a modification order is issued, the updated design must return to the DPC for final approval.

CAM warned against diluting conditions over time and emphasized that the applicant must fully comply or risk refusal.

Chairman asked if the applicant understood the required modifications.

FVK confirmed that he understood.

Members agreed that a modification order be issued detailing the required modifications that revised plans would need to come back to DPC for a final decision.

**44/25 - F/19472/24 - 24 West Walks, Europa Walks -- Proposed conservatory with roof terrace.**

PC provided introduction to the application, including its site and surrounding, as well as the current site's condition.

The application seeks approval for a conservatory extension with a roof terrace at a two-story residential dwelling in Europa Walks Estate. The conservatory will feature fixed and sliding aluminium windows and doors. The roof terrace will have metal railings, with an existing window converted into a door for access. The site is one of four similar properties along the seafront, with a public path running below the terrace and garden area. The application was subject to public participation. No objections were received.

PC reported the comments received from Consultees:

- Ministry for Heritage suggested a policy should be introduced for conservatories in the estate to prevent negative precedents.
- Department of Environment, Gibraltar Fire & Rescue Service, LPS, and Environmental Agency had no objections to the proposal.

PC provided assessment advising that there were no major objections as the proposal is small-scale with minimal visual impact. Acknowledged potential precedent for similar properties, though the cumulative effect would be minimal. Suggested restricting conservatories to southern terrace areas to maintain a visual break between properties and avoid solid massing along the elevation. Recommended approval with a modification requiring glass balustrades instead of metal railings, aligning with previous approvals within the estate.

PC said the planning application is recommended for approval, subject to a condition whereby the proposed railings to be modified to a glass balustrade as approved elsewhere in the estate.

JH stressed the importance that this proposed development be limited to the existing hard standing land.

The application was unanimously approved subject to conditions.

**45/25 - F/19473/24 - 10 East Walk, The Walks -- Retrospective extension to property and patio.**

PC provided introduction to the application, including its site and surrounding, as well as the current site's condition.

The proposal includes the covering of the existing southwest corner patio to be converted into a dining area. Existing patio access on the West elevation to be enclosed, matching the existing finish. Extension over the patio, including a new window on the West elevation overlooking the communal planter. First floor modifications include the enclosure of an area to create an ensuite bathroom and walk-in wardrobe. Elongation of windows on the South and



West elevations and addition of a smaller window on the East side. Flat roof with A/C units installed on top.

Similar applications in Europa Walks Estate have been approved, including:

- Removal of existing pitched roofs, replaced with flat roofs, terraces with glass balustrades or parapet walls.
- Construction of ground floor extensions with pitched roofs, in line with the Europa Walks design guide.
- Extensions with terraces and parapet walls, such as 11 Shrine Walk.
- First-floor extension approved at 30 Shrine Walk.

PC provided comments received from consultees:

- Department of Environment, Gibraltar Fire & Rescue Service, Ministry for Heritage, and Technical Services Department had no objections.
- No comments were received from other consultees.

PC provided planning assessment where he advised that there were no immediate neighbors to the east and large open space to the south (nearest property 10-15m away). Neighboring property to the west is separated by a 5m-wide archway. Proposed extension is set back 30cm from the archway's edge, avoiding a corridor effect. Proposed windows do not impact privacy as they do not directly overlook patios or terraces. Noted that there were concerns with regards to the proposed flat roof and AC units noting that neither had been allowed previously within the Walks.

TPD recommended the application for approval subject to the following conditions being met:

- Submission of modified roof details to incorporate a false pitched roof.
- False pitched roof should include a gap at the back to conceal A/C units.
- Plans for the first-floor extension should align with the Town Planning Department's assessment and Section 28 of the Town Planning Act.
- Revised plans will be reviewed at a future subcommittee meeting for final ratification before planning permission is issued.

JH expressed shock at the state of the development, calling it "horrendous". Raised concern about frequent retrospective planning applications within the estate. Highlighted that the estate management should be aware of the requirement to apply for planning permission before carrying out works. Asked when the work was done to provide context, noting that the estate has been poorly controlled. Questioned if the development was built on communal green space, which would make the issue even worse.

PC confirmed that the works were carried out in mid-2023. Clarified that the extension was built on an existing patio and utility room, not on a communal green area.

JC expressed frustration at the high number of retrospective applications in the estate. Called for stronger enforcement and penalties to deter such actions.

GM agreed with Janet, stating that he would not support the application due to the repeated issue of unauthorized developments in the estate.



Chairman invited the applicant, Kayleigh Anne Buhagiar (KB), to respond.

KB apologized for the retrospective application. Stated that they mistakenly believed they had planning permission when they started building. They understood they had approval for both the ground and first-floor extension. Stopped construction immediately once informed that they lacked permission. They acknowledged their mistake and expressed regret over the situation.

JH expressed frustration that multiple residents in the estate seem to believe committee approval alone is sufficient. Suggested that the estate's management committee should be reminded that planning permission is legally required.

Chairman confirmed that the planning department will write to the estate's management committee again to reinforce the requirement for proper planning approval.

GM asked the applicant if they had hired a consultant to handle the application.

KB confirmed that Stephen Martinez was their Agent. Reiterated that they thought the planning application covered both the bottom and top extensions. Noted that the estate's management committee approved the works, but they lacked formal building control approval.

Chairman clarified that planning permission and building control approval are separate processes. Emphasized that planning permission must be granted first before seeking building control approval.

Chairman asked for a vote on the recommendation to approve subject to the modification of the scheme as per TPD assessment.

- In favor: 8
- Against: 2
- Abstention: 0

This application was approved by majority vote.

**46/25 - F/19477/24 - 62B Flat Bastion Road -- Proposed refurbishment and remodeling of house.**

PC provided introduction to the application, including its site and surrounding, as well as the current site's condition.

The application pertains to a three-storey, five-bedroom house on Flat Bastion Road, built in the mid-1990s. The property has a double-pitched roof, terracotta tiles, and rendered facades. There is a basement-level covered seating area leading to a garden patio, and a lock-up garage on Flat Bastion Road. The site is surrounded by residential properties in the upper Old Town.

Provided details on the planning history of the site advising that Full planning permission was granted for the construction of an additional storey in July 2023, including a new pitched roof with solar panels, three car parking spaces and bicycle parking (modified to avoid loss of on-street parking), revised fenestration and setbacks to integrate with the Old Town surroundings and traditional design elements on the east facade to blend with Flat Bastion Road.

Due to high construction costs, the applicants removed the additional storey and are now focusing on refurbishment and remodeling. The updated design maintains the previous principles but prioritizes the following:

- Internal reconfiguration for improved space and functionality.
- Addition of off-street parking, reducing congestion without affecting existing spaces.
- Relocating the front entrance to the side, requiring a porch for sufficient headroom.
- Terracing of the garden, allowing direct access from each floor.
- Reconstruction of the pool on the second-floor terrace, as per the original approval.

No public participation was required

PC provided summary of comments from consultees:

- Department of Environment advised that Energy efficiency measures required. Solar panels must be detailed and approved. Predictive EPC to meet target emission rate. Saltwater recommended for the pool. No works during the breeding season unless approved. Landscaping scheme required with consultation. Bird and bat survey with nest locations approved by the department.
- Technical Services Department requested that the stability of retaining walls must be ensured.
- Ministry of Transport requested that the entry /exit must conform to sight line requirements, with mitigation measures introduced.
- No objections from Gibraltar Electricity Authority, Fire Rescue Service, and Ministry for Heritage:
- No comments received from other consultees.

PC provided assessment advising the revised scheme was submitted due to financial constraints on the previously approved extension. The main design principles, access, and finishes remain the same as before. No changes to the building's existing height, focusing only on energy efficiency improvements and refurbishments.

PC recommended the application for approval subject to the following conditions:

- Clearance of parking proposals by the Traffic Commission.
- Submission of detailed landscaping plans.
- Management details of the pergola below the boundary wall.
- Bird and bat survey with nest locations approved.
- Other standard conditions to regulate development.

This application was approved subject to conditions as per TPD's assessment and recommendation.

#### **Minor and Other Works– not within scope of delegated powers**

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

**47/25 - F/18505/22 - 2, Ashbourne Ramp, Buena Vista Estate -- Proposed front and rear extension with basement conversion and internal alterations.**

This application was approved.

**48/25 - F/19298/24 - La Mamela Restaurant -- Proposed installation of telecommunications equipment.**

This application was approved.

**49/25 - F/19300/24 - Sunrise View House, Eastern Beach -- Proposed installation of telecommunications equipment.**

This application was approved.

**50/25 - F/19301/24 - Rock Hotel, 3 Europa Road -- Proposed installation of telecommunications equipment.**

This application was approved.

**51/25 - F/19360/24 - Both Worlds Complex -- Proposed installation of telecommunications equipment.**

This application was approved.

**52/25 - F/19383/24 - 13 College Lane -- Proposed installation of telecommunications equipment.**

This application was approved.

**53/25 - F/19522/24 - 25 Admiral's Place -- Proposed extension and internal alterations works**

This application was approved.

**54/25 - F/19523/24 - Elliot Hotel, 10-12 Governor's Parade -- Proposed deployment of mobile radio equipment for 4G, 5G and emergency communication services including the erection of three antenna masts.**

This application was approved.

**55/25 - MA/19411/24 - 22-24 Town Range -- Proposed refurbishment and redevelopment with new residential units, stores, swimming pool and ancillary areas.**

***Consideration of Minor Amendments including:***

- ***Extension on fourth floor towards Town Range which has been set back creating an additional residential unit;***
- ***Relocation of swimming pool and pump room from ground floor to roof terrace;***
- ***Relocation of solar panels;***
- ***Inclusion of glass balustrade; and***
- ***Relocation of AC units.***

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.**

**56/25 - F/16355/19 - 12 South Walk Europa Walks Estate -- Proposed extension and internal alterations.**

**57/25 - F/16894/20 Units 12,14,16 & 18 Cemetery Road -- Proposed demolition of existing warehouse to allow extension of adjacent warehouse including new offices.**

***Renewal request of full planning permission no.7750a***

**58/25 - F/18427/22 - 51B Europa Road -- Proposed loft conversion, extension and other works to residence.**

***Discharge of condition 2 (colour scheme) of planning permission no.8544***

**59/25 - F/18494/22 - 23 Shrine Walk, Europa Walks Estate -- Proposed replacement of existing external door, conversion of window to patio door and creation of new window of residential property.**

**60/25 - F/19196/24G- Scud Hill Adjacent to Scud Hill Steps -- Proposed construction of an electrical/meter cabinet.**

***Consideration of updated plans to address commission feedback.***

**61/25 - F/19259/24 - Unit G15, Europa Business Centre Queensway -- Proposed minor works and mezzanine deck.**

**62/25 - F/19261/24 - UNIT 3, 18 Castle Street -- Proposed change of use of store B3 to residential premises C3.**

**63/25 - F/19273/24 - Villa 2, The Sanctuary, 3 Maida Vale Engineer Road -- Proposed modifications to the pool area, including landscaping and the addition of a free-standing sauna and steam room.**

***Ratification of final landscaping plans in conjunction with F-19281-24***

JH Raised the following concerns:

- Is the Department of Environment, GONHS, or another body overseeing the proposed plans?
- Who is responsible for ensuring the landscaping is properly maintained?
- Will the maintenance schedule be enforced to ensure it meets the environmental needs of the site, especially given its proximity to the nature reserve?

Chairman advised that would be that would need to be overseen between ourselves, the Town Planning Department and the Department of Environment.

**64/25 - F/19281/24 - Villa 2, The Sanctuary, 3 Maida Vale Engineer Road -- Proposed rooftop pergola and extension including landscaping.**

***Ratification of final landscaping plans in conjunction with F/19273/24.***

JH Raised the following concerns:

- Is the Department of Environment, GONHS, or another body overseeing the proposed plans?
- Who is responsible for ensuring the landscaping is properly maintained?
- Will the maintenance schedule be enforced to ensure it meets the environmental needs of the site, especially given its proximity to the nature reserve?

Chairman advised that would be that would need to be overseen between ourselves, the Town Planning Department and the Department of Environment.

**65/25 - O/19310/24 - 55 Europa Road -- Proposed social club with restaurant, gym, recreational, residential and sporting facilities.**

*Consideration of revised plans omitting nw balconies and creating a setback as requested by dpc.*

**66/25 - F/19336/24 - Flat 2a, Second Floor, 16 Main Street -- Proposed internal alterations and refurbishment of premises**

**67/25 - F/19346/24 - 30 Shrine Walk, Europa Walks Estate -- Proposed alterations to existing external door, window openings, installation of new windows and construction of a new first floor ensuite bathroom extension.**

**68/25 - F/19354/24 - Flat 802, Basha Lodge, Mons Calpe Mews North Mole Road – Proposed installation of glass curtains and internal alterations.**

**69/25 - F/19355/24 - Flat 707, Seagull Lodge, Mons Calpe Mews North Mole Road -- Proposed internal changes to the property and retrospective balcony enclosure with glass curtains**

**70/25 - F/19367/24 - 20 Governor's Street -- Retrospective change of use from shop A1 to office A2.**

**71/25 - F/19387/24 - Pent House 2d Cormorant Wharf -- Proposed Installation Of Glass Curtains.**

**72/25 - F/19403/24 - Waterport Terraces, North Mole Road, Phase 2 Central Motorcycle Parking -- Proposed removal of low-level brickwork wall surrounding motorcycle parking in order to increase parking capacity.**

**73/25 - F/19412/24 - Rodney House Unit 1A&B, Laguna Estate -- Proposed installation of two single ac condenser units above entrance canopy and signage.**

**74/25 - F/19418/24 - Unit 5.27/5.29, World Trade Center, Bayside Road -- Proposed amalgamation of two office units.**

**75/25 - F/19420/24 - 5C Cornwall's Parade -- Proposed change of use from residential C3 to office B1/storage B3.**

**76/25 - F/19421/24 - 501 Forbes 1848 Devils Tower Road -- Proposed installation of glass curtains.**

77/25 - F/19422/24 - Flat 47, Cormorant Wharf Queensway -- Proposed installation of glass curtains.

78/25 - F/19425/24 - 21, Main Street -- Proposed division of one residential unit into two.

79/25 - F/19434/24 - 7 Ocean Village Promenade -- Proposed refurbishment and change of use from class A3 (food and drink) to an office in class A2 (financial and professional services).

80/25 - F/19439/24 - 1 Casemates House, Casemates Square -- Proposed replacement of existing windows.

81/25 - F/19440/24 - Flat 808, Basha Lodge, Mons Calpe Mews North Mole Road -- Proposed installation of glass curtains.

82/25 - F/19446/24 - 207 Both Worlds, Sandy Bay -- Proposed change of door and windows.

83/25 - F/19451/24 - 20 Walnut Lodge, Montagu Gardens -- Proposed changes to balcony door and internal alterations.

84/25 - F/19456/24 - Flat 208, Aegean Sea, 43 Marina Club Ocean Village Promenade -- Proposed installation of glass curtains.

85/25 - F/19464/24 - 23 Melbourne Court, Harbour Views -- Retrospective application for double-glazed windows and internal alterations.

86/25 - F/19465/24 - 10 Library Gardens -- Proposed conversion of cistern below the patio adjacent to house into habitable space.

87/25 - F/19468/24 - 121-122 Mauritania House, Sandy Bay -- Proposed change of front door and windows.

88/25 - F/19469/24 - Flat 618, Seashell House, Beach View Terraces Devil's Tower Road -- Proposed installation of glass curtains.

89/25 - F/19478/24 - 1 West Walk, Europa Walks -- Proposed internal & external alterations.

90/25 - F/19485/24 - 4 Abyla Lodge, Mons Calpe Mews -- Proposed installation of glass curtains.

91/25 - F/19493/24 - 5/2 Jumper's Building Witham's Road -- Retrospective application for glass curtains, balustrade and internal alterations.

92/25 - F/19501/24 - 117 & 119 Main Street -- Proposed shop front refurbishment.

93/25 - F/19502/24 - Flat 303, Neptune House, Marina Bay Bayside Road -- Proposed installation of glass curtains and glass balustrade.

94/25 - F/19504/24 - Flat 901, Ocean Spa Plaza, 17 Bayside Road -- Proposed installation of glass curtains.

95/25 - F/19506/24 - Flat 211, West One, Europort Road -- Proposed installation of glass curtains.

96/25 - F/19511/24 - 9, Grafton House, Ordnance Wharf, Queensway Quay -- Proposed installation of glass curtains.

97/25 - F/19512/24 - Unit 802, Euro Plaza -- Proposed installation of glass curtains.

98/25 - F/19519/24 - The Shack Kiosk, 6 Harbour Views Road, Westview Park – Retrospective application for the proposed extension of use to include the sale of hot and cold food and drink for consumption (Class A3).

JH Raised concerns about the Kiosk stating that it has been serving hot food without Planning Permission for the past year. JH explained that, despite obtaining a license from the Environmental Agency, the kiosk never received planning approval. Pointed out that the application is listed as a proposed extension, but it should be a retrospective application since the kiosk has already been operating. They request that the entry be amended to reflect this properly.

99/25 - F/19533/24 - 30 Kings Wharf, Quay 27 -- Proposed installation of glass curtains.

100/25 - F/19539/25 - Flat 14a, Elliott's Battery Elliott's Close -- Proposed installation of air conditioning unit.

101/25 - F/19546/25 - 1b Engineer Road -- Proposed lift extension to access roof terrace.

102/25 - A/19482/24 - Bell Lane -- Proposed sandwich board (only during working hours).

103/25 - A/19492/24 - Unit 9, Casemates House -- Proposed replacement of shop signage as per existing signage.

104/25 - A/19567/25 - Fencing Children's Park Cathedral Square -- Proposed event banner placed from 01 May to 04 July 2025.

105/25 - A/19568/25 - Gustavo Bacarisas Gallery Casemates -- Proposed banner for event during the week of the event 21-27th April 2025.

106/25 - MA/19408/24 - 19 Prince Edward's Road -- Proposed construction of additional storey, roof terrace with decking and metal railings, pergola structure and shed, as well as alterations to façade and fenestration.

*Consideration of Minor Amendments including:*

- *Addition of external kitchen on roof terrace;*
- *Omission of window at third floor level within bedroom; and*
- *Proposed window facing Johnstone's Passage.*

107/25 - MA/19415/24 - North Gorge, Europa Road -- Proposed construction of a new eco-sustainable residential development, comprising 48 no. residential units, access roads, footpaths, storerooms, landscaping and other associated site works.

*Consideration of Minor Amendments including:*

- *Amendment to design of the family pool area updated to suit existing topography, including access arrangement.*

108/25 - MA/19429/24 - 56 Governor's Street -- Proposed installation of a lift to the residential units.

*Consideration of Minor Amendments including:*

- *Removal of door and window and block up the openings;*
- *Removal of window in patio;*
- *Remove the section of wall at bottom of window to form new door opening*

109/25 Any other business

There was no other business. The Chairman Thanked members for their attendance.

Meeting concluded at 14:18pm.

**Peter Cosquieri**

**Secretary to the**

**Development and Planning Commission**