

THE DEVELOPMENT AND PLANNING COMMISSION

MINUTES

Minutes for the 2nd meeting of 202 held remotely via video conferencing on 19th February 2026.

Present:

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

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

The Hon Pat Orfila (PO)
(Minister for Housing)

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

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 C Key (CK)
(Deputy Town Planner)

Mr R Laposi (RL)
(Town Planner Officer)

Mr J Neale
(Minute Secretary)

Apologies:

The Hon Dr J Garcia
(Deputy Chief Minister)

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

Mr H Montado
(Chief Technical Officer)

Mr K De Los Santos
(Land Property Services)

Dr K Bensusan
(Gibraltar Ornithological & Natural History
Society)

Approval of Minutes

50/26 – Approval of Minutes of the 1st meeting of 2026 held on 22nd January 2026.

The Minutes of the 1st meeting of 2026 held on 22nd January 2026 were approved.

Matters Arising

51/26 – None

Major Developments

52/26 – MA/20110/25 – 9-15 Bayside Road -- Proposed construction of phase 2 of the development comprising the mixed-use development of residential accommodation, commercial office space, retail units and associated amenities.

Consideration of minor amendments including:

- *moving the balcony faces 40cm outwards;*
- *moving the inner façade outwards thereby increasing the net internal area behind the balcony that extends around the whole façade;*
- *moving some of the penthouse facades within Building A outwards;*
- *limited expansion of Building B; and*
- *amendment to apartment mix with the overall number of apartments increasing from 313 to 369 units.*

Background and Planning History

The application relates to a previously approved major development at the former Bayside School site. The scheme was approved in two phases:

- Phase 1 – Basement car park (Full Planning Permission June 2024 – currently under construction)
- Phase 2 – Above-ground mixed-use development (Full Planning Permission December 2025)

The current submission seeks minor amendments to Phase 2 only.

No objections were received in relation to the minor amendment submission.

Proposal and Supporting information

The amendments comprise outward relocation of balcony faces by approximately 0.4m with corresponding adjustments to inner façades to increase internal floor space. Certain penthouse façades are moved outwards and there is a limited outward extension to Building B. The overall number of residential units increases from 313 to 369.

Updated drawings, visualisations and photomontages were submitted. The applicant confirmed that parking provision, bicycle provision and EV charging infrastructure have been amended accordingly. An updated Energy Performance Certificate was submitted confirming continued NZEB compliance. An Addendum to the Aeronautical Study confirmed no implications for OLS. There are no changes to approved highways arrangements, waste strategy, façade materials or landscaping.

Consultation Responses

No objections were received following consultation. TSD provided technical requirements to be included as Informatives on the Supplemental Planning Permission if Members resolved to approve the Minor Amendments.

Planning Assessment & Recommendations

The Town Planning Department (TPD) advised that the original consented development was structured around clearly defined setbacks, open space and the modulation of building mass responding to surrounding urban context. The proposed amendments were assessed against those principles.

It was confirmed that there is no increase in height, no alteration to the approved skyline profile and no change to strategic views, whether local or long-distance. The continuous perimeter balconies continue to define the outer envelope and maintain strong horizontal articulation. The outward adjustment of inner façades was considered acceptable as it does not materially increase perceived bulk when read within the overall composition.

The selective outward movement of penthouse façades is confined to uppermost levels where visual sensitivity is reduced. Building A retains its approved hierarchy and volumetric relationship with the wider scheme. The limited expansion of Building B was considered within the overall massing strategy and was not regarded as disruptive to spatial clarity or separation distances.

The increase in residential units arises from internal reconfiguration and limited volumetric adjustments, with infrastructure provision updated accordingly. Compliance with NZEB requirements has been demonstrated.

The TPD concluded that the amendments represent controlled refinements that do not undermine the urban design principles of the approved scheme and are acceptable in planning terms.

Approval was recommended subject to a Supplemental Planning Permission transposing the original planning conditions.

Decision

Unanimously approved.

Outcome

Minor amendments approved subject to the submission of an updated accommodation schedule and parking schedule, together with the incorporation of the revised drawings and

transposition of conditions from the Planning Permission into the Supplemental Planning Permission.

Other Developments

53/26 – O/19137/24 – 27-31 Flat Bastion Road -- Proposed demolition of existing building and construction of a new residential development.

Background and Planning History

The site is located on the eastern side of Flat Bastion Road, below Baca's Passage, within the Upper Town. The area is characterised by a cascading roofscape, staggered building lines and vernacular architectural features typical of the Old Town.

The application had previously been considered by the Commission on 29 May 2025. On that occasion, the Commission deferred the scheme and established a framework for revision, which included:

- greater separation between the development and neighbouring properties;
- a meaningful gap between buildings;
- further reduction in massing, including the omission of an additional storey;
- safeguarding of structural stability of neighbouring properties;
- re-notification of revised scheme to objectors; and
- the undertaking of a Member's site visit.

A Member's site visit was undertaken on 11th February 2026, which included visits to neighbouring properties to the north and south of the site.

The principle of demolition was not expressly resolved at the previous meeting but was considered within relevant GDP and OTP policies, including demolition policy provisions.

Proposal and Supporting Information

The revised scheme incorporates:

- reworked primary elevation reflecting vernacular elements including shutters and articulated fenestration;
- increased setbacks at upper levels including a northern setback creating a break in the roofscape;
- reduced visual top-heaviness;
- improved relationship with Flat Bastion Road and Baccas Passage; and
- massing modification study to support the revised approach.

Representations by Objectors and Counter-representations

Mr Tom Finlayson addressed the Commission. His concerns included:

- loss of established vegetation and habitat (sparrows, blue tits, blackbirds);

- increased massing compared to the original building;
- loss of light;
- increased overlooking and privacy impacts due to the new terrace;
- blocking of ventilation grilles in cavity wall;
- structural risks from excavation into rock mass;
- proposed six storeys exceeds the Old Town height expectations; and
- loss of former housing stock.

Members asked no direct questions following the objector's address.

Mr C Revaglette on behalf of the applicant addressed the Commission, responding that:

- privacy issues are typical in Old Town context;
- screens or planting could be considered if required;
- ventilation solutions can be resolved at full application stage;
- geotechnical investigations would ensure safe excavation;
- six storeys justified in this instance by topography and site morphology; and
- structural report previously submitted indicating poor condition.

Consultation Responses

MfH acknowledged that the revised scheme represented a significant improvement in townscape terms but reiterated preference for adaptive reuse.

GHT maintained objection to demolition in principle but recognised the reduction in impact.

TSD confirmed no in-principle engineering objections subject to geotechnical assessment in support of any full planning application and construction management safeguards.

Planning Assessment & Recommendations

The TPD advised that the revised proposal responds positively to the Commission's previous recommendations. The massing has been recalibrated to better reflect cascading building levels which are a characteristic of the Upper Town. The introduction of upper-level setbacks reduces visual bulk and creates articulation consistent with surrounding roofscape breaks.

While six levels exceeds the typical five-storey expectation within the Old Town, the TPD considered that the specific topographical context and relationship to Baccas Passage provide a basis for justification under policy tests where urban design outcomes are demonstrably improved.

Long-distance views and skyline impact were reassessed and considered acceptable. The proposal retains vernacular references and improves façade articulation relative to earlier iterations.

Structural stability concerns were addressed through confirmation that TSD raised no in-principle objection subject to geotechnical investigation, dilapidation surveys and construction safeguards secured by condition. Ventilation and privacy concerns were considered capable of resolution at detailed stage.

The TPD concluded that, on balance, the revised scheme achieves a materially improved urban design outcome and satisfies policy requirements subject to conditions.

Approval was recommended subject to conditions including heritage mitigation, archaeological watching brief, geotechnical assessment, landscaping strategy, sustainability compliance and construction management plan.

Members Discussion

Members discussed:

- the evolution of the scheme from its earlier “top heavy” form;
- the improvement in roof articulation;
- the cascading roofscape and stepped setbacks;
- the demolition principle versus urban design gains;
- the importance of safeguarding neighbouring properties; and
- ecological considerations.

JH raised concerns regarding:

- the site having originally been issued as refurbishment under a Government Expression of Interest (EOI);
- the environmental value of established vegetation;
- vehicle access constraints in a narrow road; and
- structural risks and neighbour consultation.

MH clarified she was not Minister at the time of the original EOI and expressed support for refurbishment in principle.

MICS queried whether a structural report confirmed the building could not be saved. The applicant confirmed such a report had been submitted.

CAM reiterated concern about demolition process and suggested structural and heritage assessments should accompany future tender processes to avoid speculation and anxiety.

Members acknowledged improvements while noting demolition concerns.

Decision

The Chairman asked for a vote on whether to approve the application in line with the recommendation:

- In favour: 8

- Against: 2
- Abstentions: 1

The application was approved by majority vote.

Outcome

Outline Planning Permission granted subject to the following conditions:

- separate demolition app including Demolition Method Statement (DMS);
- materials and details including colour scheme to be submitted;
- privacy screening/planting along northern boundary with adjoining neighbour to address amenity concerns;
- predictive EPC;
- Sustainability and Renewables Assessment;
- photovoltaic panel maintenance plan if proposed as part of renewables;
- detailed geotechnical assessment;
- detailed landscaping strategy and maintenance plans including greening of Baca's Passage;
- bird and bat surveys;
- bird and bat nesting sites;
- detailed façade reconstruction strategy;
- Archaeological Watching Brief;
- means of car access including swept path analysis;
- relocation of lost motorbike bay;
- bicycle storage provision;
- 2 x car parking spaces with active EVCPs and 2 x car parking spaces with passive EVCPs;
- retaining walls;
- refuse requirements;
- Construction Environmental Management Plan (CEMP) including a Construction Traffic Management Plan (CTMP), a Noise Management Plan and a Vibration Management Plan; and
- other standard conditions.

54/26 – O/19973/25 – 24-30 Flat Bastion Road -- Proposed redevelopment of the site to provide 4 town houses, 3 flats and parking.

Background and Planning History

The site comprises an early 20th century vernacular residential building with dual aspects including:

- a two-storey façade addressing Flat Bastion Road;
- a lower elevation to the west revealing a basement level.

The site includes the historic Patio de la Palmera, a courtyard space with cultural and associative value, bounded by retaining walls. Beneath the site there is a cavity space accommodating public infrastructure.

The existing building is in poor condition, exhibiting:

- widespread cracking;
- material degradation;
- structural deterioration; and
- surface failures.

A Heritage Desk-Based Assessment (DBA) identified vernacular and architectural features of heritage value, including:

- Genoese-style timber shutters;
- an arched entrance and stair; and
- traditional façade detailing.

The site was previously subject to an EoI, which required rehousing of three existing tenants.

A separate demolition application (Item 55/26) associated with the proposed development had been submitted by the applicant and is to be determined by Members alongside this outline application.

Proposal and Supporting Information

The outline proposal seeks:

- demolition of the existing structure (retaining the arched entrance and stair);
- construction of a new 4-storey building (5 storeys when viewed from the west);
- four x semi-detached townhouses with roof terraces;
- three x basement flats (including rehousing provision);
- ground floor drive-through garage;
- four x car parking spaces (including one x accessible car parking space)
- eight x motorcycle spaces;
- installation of PV panels on the roof;

- sustainability measures including grey water recycling and heat pumps; and
- reinstatement of palm tree within Patio de la Palmera.

The scheme evolved significantly through pre-application and revision stages. The originally submitted design was considered excessive in scale. Following discussions with the TPD, the proposal was reduced in height and massing to better integrate with the cascading roofscape.

Massing studies and long-distance views were submitted showing reduction in height and improved stepping.

Consultation Responses

GHT objected to demolition in principle but acknowledged improvements in design.

MfH confirmed impacts could be mitigated through conditions including historic recording and archaeological watching brief.

No objections/ representations were received from the public.

Planning Assessment & Recommendations

The TPD advised that the scheme had evolved significantly from earlier iterations. Height had been reduced and roofscape articulation introduced to align with cascading Upper Town character. The proposed form maintains visual breaks and avoids an over-dominant ridge line.

Retention and reinstatement of key vernacular features, including the arched entrance, were supported and can be secured through detailed heritage conditions. The proposal improves urban grain consistency and removes a deteriorated structure in poor condition.

Demolition was assessed in context of building condition and overall redevelopment quality. While adaptive reuse is generally preferable, the TPD considered that the replacement building, subject to conditions, would respond positively to context and that heritage impacts could be appropriately mitigated.

Concerns regarding structural damage were addressed through confirmation that TSD raised no objection subject to geotechnical assessment and construction safeguards.

On balance, the TPD considered that the proposal preserves the character of the area and provides appropriate residential typology within the Upper Town.

Approval was recommended subject to conditions including heritage recording, AWB, sustainability compliance, landscaping intensification, CEMP including CTMP and further exploration of roof articulation at detailed stage.

Discussion

MH expressed concern regarding:

- potential structural impact on neighbouring rent-and-repair buildings;
- assurance that demolition would not damage adjacent properties;

The Chairman noted:

- Building Control would assess demolition methodology;
- dilapidation surveys would need to be undertaken; and
- structural matters would be addressed at technical stage

CAM raised concern regarding roofline treatment and suggested further articulation could be explored at full stage. It was agreed that if approved, this could be included as a condition on the Outline Planning Permission.

JH raised concerns regarding:

- landscaping appearing tokenistic;
- broader market implications and affordability;
- legal implications if damage occurred to neighbouring properties.

The Chairman clarified that civil liability would lie between parties and contractor.

Mr S Martinez on behalf of the applicant confirmed:

- reputable contractor intended to be appointed;
- insurance would be standard practice;
- townhouses respond to Upper Town demand for family housing with parking; and
- scheme aimed at regeneration and quality housing.

Discussion acknowledged:

- improvement from earlier iterations;
- positive urban design integration; and
- importance of intensifying landscaping.

Decision

The Chairman asked for a vote on whether to approve the application in line with the recommendation:

- In favour: 9
- Against: 0
- Abstentions: 2

The application approved by majority vote.

Outcome

Outline Planning Permission granted subject to the waiving of the car parking regulations and the following conditions:

- applicant to review roofline treatment with a view to breaking up the massing further;

- details of any shading structures at roof terrace level to be submitted at full planning stage;
- detailed materials palette and colour scheme;
- retention/reinstallation of heritage features to be agreed with heritage bodies;
- Renewables and Sustainability Statement;
- predictive EPC;
- PV panel maintenance strategy;
- Landscaping Strategy and Maintenance Plan;
- Bat and Bird Surveys;
- re-siting of 2 x motorcycle spaces;
- bicycle parking to be provided in line with the Regulations;
- EVCPs;
- visibility splays / sight lines and Road Safety Audit;
- an AWB;
- Historic Building Recording;
- CEMP and CTMP;
- retaining walls;
- Sewerage statement; and
- Refuse requirements.

55/26 – D/19984/25 – 26 Flat Bastion Road -- Proposed demolition of three storey building.

Background and Planning History

This application relates directly to Item 54/26 and seeks demolition of the existing early 20th century vernacular residential building at 24–30 Flat Bastion Road.

The demolition forms part of the wider redevelopment proposal considered under the outline application.

The existing building is in a significantly deteriorated condition, exhibiting:

- structural cracking;
- degraded timber members;
- compromised retaining walls;
- surface deterioration; and

- loss of original fabric in various areas

However, the building retains elements of local and contextual heritage value, including:

- keystone arch entrance;
- external stair; and
- vernacular façade features.

The proposal seeks full demolition except for retention of the site access arch and stair, which are to be preserved in situ and integrated into the redevelopment scheme.

Proposal and Supporting information

The demolition method statement outlines:

- a top-down demolition approach;
- controlled dismantling sequence;
- protection of adjacent properties;
- dilapidation surveys to be undertaken prior to works commencing;
- an AWB; and a
- Historic building recording

The approach is intended to minimise vibration and risk to neighbouring structures, particularly given the constrained Old Town context and proximity to retaining walls.

Consultation Responses

DoE

- required bat and bird surveys prior to demolition;
- required compliance with Nature Protection Act; and
- required licence to be obtained if protected species identified.

MfH

- recognised heritage value as local and contextual;
- maintained general presumption against demolition in Old Town;
- accepted that, in this specific case, demolition may be justified;
- required historic building recording;
- required an AWB; and
- required works to be undertaken in accordance with the submitted DMS.

TSD

- confirmed no objections;

- noted retaining walls and slope conditions; and
- required careful management of stability during works.

No public objections were received.

Planning Assessment & Recommendations

The TPD considered demolition alongside the approved redevelopment proposal. The existing building was described as being in poor structural condition with significant degradation. Demolition would not result in urban blight given the approved replacement scheme.

Subject to compliance with the submitted DMS, Bat and Bird surveys, AWB and historic building recording, impacts could be appropriately managed.

Approval was recommended subject to conditions.

Members had already discussed the merits of demolition in the previous item which was for the redevelopment of the site.

Decision

The Chairman asked for a vote on whether to approve the application in line with the recommendation:

- In favour: 8
- Against: 3

Application approved by majority vote.

Outcome

Demolition permission granted subject to confirmation of GEA clearances and the following conditions:

- works to undertaken in accordance with DMS;
- Bat and bird surveys;
- require license under NPA;
- no works breeding season without prior consent;
- retaining walls/slopes;
- programme of Historic Building recording including a photographic record; and
- AWB.

56/26 – F/20070/25 – El Kasbah, 5 Castle Street -- Proposed installation of platform on Castle Street.

Background and Planning History

The application relates to an area of public highway located outside El Kasbah restaurant on Castle Street. The site forms part of Castle Street, designated as a Secondary Shopping Frontage within the Old Town and identified as a key link between the Main Street commercial area and the predominantly residential Upper Town and Nature Reserve beyond.

Castle Street is characterised by its stepped topography, openness and strong relationship between buildings and public realm. The route is frequently used by residents and tourists as a primary pedestrian connection.

El Kasbah previously obtained a tables and chairs licence permitting three tables in defined areas adjacent to the unit. A previous request to expand the tables and chairs area was restricted due to concerns regarding encroachment into the public highway and narrowing of the pedestrian route.

It was noted during the meeting that the applicant had temporarily installed the platform prior to the submission of the application. Following intervention by the TPD, the structure was removed pending determination.

Proposal and Supporting Information

The proposal seeks installation of a raised timber platform deck extending from the restaurant frontage across part of the stepped public highway to the existing railing.

The stated objectives of the platform are:

- to create a level and accessible seating area;
- to accommodate additional tables and chairs;
- to enhance vitality and encourage pedestrian dwell time; and
- to improve accessibility for patrons.

Two options were submitted, one involving relocation of the handrail to maintain a pedestrian walkway width of approximately 2.16m.

The existing ramped access on the opposite side of the steps would remain.

Public Participation

The application was subject to full public participation.

Eleven representations objecting to the proposal were received.

Objectors raised concerns including:

- narrowing of a principal pedestrian route linking Main Street to the Upper Town and Nature Reserve;
- creation of pinch points affecting two-way pedestrian flow, particularly at peak times;
- impact on children, elderly persons, wheelchair users and prams;
- visual intrusion within a historic stepped route;
- harm to the openness and character of Castle Steps;
- risk of precedent for similar encroachments;

- loss of public highway for private commercial benefit; and
- concerns regarding permanence and cumulative impact.

Eleven representations supporting the proposal were received, including a petition containing 279 signatures.

A supporter, Mr Kaylan Lucas, addressed the Commission. He stated that the proposal would help transform Castle Street from a transitional pedestrian route into a destination space, encouraging tourists to dwell longer, enhancing vibrancy and promoting Gibraltar through increased visitor engagement. He suggested that similar arrangements exist in other historic European cities and argued that the decking would add character and economic vitality.

Mr S Linares on behalf of the applicant addressed the Commission and stated that:

- the proposal would improve accessibility;
- sufficient pedestrian width would remain available;
- the structure is modular and reversible, having been removed within two hours;
- Highways, Fire Services and Technical Services had not raised objections regarding access; and
- the intervention would enhance the character and vitality of the area.

Consultation Responses

DOE

- objected to further encroachment onto public land, particularly in proximity to existing public planters.

MfH

- acknowledged the intention to improve vitality;
- raised concerns regarding precedent and cumulative impact;
- noted that introducing a level surface may disrupt the rhythm and integrity of the stepped historic route; and
- emphasised that any intervention must not compromise the character of the public realm.

GHT

- objected on grounds that the platform would obstruct a historic public thoroughfare;
- considered the structure visually intrusive and contrary to Old Town character; and
- suggested that additional tables and chairs without a raised platform would be preferable.

MoT / Traffic Commission

- confirmed that minimum pedestrian access widths could be achieved if railing adjustments were made; and
- mixed views expressed within the Traffic Commission regarding public highway encroachment.

TSD

- no objections.

Planning Assessment & Recommendations

The TPD advised that Castle Street forms a key historic pedestrian spine within the Old Town and is both a functional route and a defining townscape feature. The stepped configuration and openness are fundamental to its character and legibility.

The proposal seeks to introduce a raised timber platform extending across part of the stepped public highway to create a level seating area. While the structure is modular and capable of removal, it would operate as a semi-permanent commercial extension into public space.

Although technical pedestrian width requirements could be achieved, the Department considered that the qualitative impact on spatial character is significant. The insertion of a level deck within a stepped historic route alters the visual and experiential qualities of the space and reduces the perception of openness.

The Department acknowledged the arguments advanced regarding economic vitality and improved accessibility. However, it considered that such benefits do not outweigh the identified harm to the character and appearance of Castle Street within the Old Town.

Significant weight was attributed to the risk of precedent. Approval could lead to incremental encroachment by other establishments along Castle Street or within the wider Old Town, cumulatively eroding the integrity of historic pedestrian routes.

The Department concluded that the proposal constitutes an unacceptable encroachment into the public realm, fails to preserve the character and appearance of the Old Town, and presents an adverse precedent risk.

Refusal was recommended.

Discussion

Members discussed:

- the importance of Castle Steps as historic pedestrian spine;
- the stepped configuration as defining character element;
- public versus private use of public realm;
- precedent risk for similar encroachments;
- accessibility arguments; and
- tourism and economic considerations.

JH acknowledged popularity of El Kasbah but noted concern regarding process and manner in which platform was introduced.

The applicant interjected to reiterate that access and safety had been addressed through consultation with relevant departments.

Members noted that technical access compliance does not override planning and heritage considerations.

Discussion focused on qualitative spatial change rather than solely quantitative access widths.

Decision

The Chairman asked for a vote on whether to refuse the application in line with the recommendation:

In favour: 8

Against: 1

Abstentions: 2

The application was refused by majority vote.

Outcome

Refused on the grounds that the proposal would result in the unacceptable encroachment into the public realm, obstruct the public thoroughfare and fail to preserve or enhance the character and appearance of the Old Town.

57/26 – F/20100/25 – 55 Europa Road -- Proposed social club with restaurant, gym, recreational, residential and sporting facilities.

Background and Planning History

The site comprises an abandoned single-storey building (circa 1900) with double-pitched roof and load-bearing brick walls.

Outline Planning Permission was approved by majority vote in January 2025.

Conditions included requirements for:

- an EPC and renewables assessment;
- Tree survey and protection measures;
- Geotechnical assessment;
- Sewerage assessment; and
- Bat and swift surveys.

This application seeks Full Planning Permission pursuant to that Outline Planning Permission.

Proposal supporting information

The detailed proposal includes:

- retention of approved footprint and height;
- addition of roof-level plant screened by 1.6m trellis set back from frontage;
- external stair core;

- sustainability measures (PV panels, grey water recycling, energy recovery ventilation);
- tree protection measures including retention of nettle tree
- removal of part of gym and balconies to protect tree;
- swift and bat boxes; and
- landscaping proposals.

Geotechnical and sewerage assessments were underway and to be submitted prior to issuing permission.

Consultation Responses

DoE

- supported NZEB compliance;
- required ecological survey of cliff;
- required landscaping strategy; and
- required tree protection.

MfH

- no objection subject to façade retention and AWB.

Traffic Commission

- no objection

TSD

- required geotechnical and sewerage assessments.

Planning Assessment & Recommendations

The TPD advised that the proposal represents a detailed evolution of the approved outline scheme and does not materially alter the approved parameters.

In particular:

- the overall height remains unchanged from outline approval;
- the 1.6m trellis screen is recessed and visually subordinate;
- the roof plant does not materially alter massing;
- architectural treatment remains consistent with outline consent;
- the omission of terraces reduces potential amenity impact;
- tree protection measures respond directly to DoE recommendations; and
- the nettle tree retention demonstrates mitigation in response to environmental concerns.

The ecological survey condition ensures that any protected species are identified and safeguarded prior to works.

The requirement that geotechnical and sewerage reports be approved prior to issuing planning permission ensures structural and infrastructure safeguards.

The TPD concluded that the scheme accords with the previously approved outline and that environmental, heritage and sustainability matters can be secured by condition.

Approval was recommended subject to clearance of geotechnical and sewerage assessments and detailed landscaping and tree protection conditions.

Discussion

JH reserved her vote to emphasise ecological importance. She had concerns with the green area to the south.

Mr S Martinez on behalf of the applicant clarified that a Tree Survey had been undertaken and that an Ecological Survey would be undertaken. If necessary they may be able to amend the parking arrangements.

Members agreed that final approval should not be issued until required assessments are cleared including the submission and approval of an Ecological Survey.

Decision

The Chairman asked for a vote on whether to approve the application in line with the recommendation:

- In favour: 10
- Against: 1

The application was approved by majority vote.

Outcome

Planning permission approved subject to clearance of geotechnical and sewerage assessments and detailed landscaping and tree protection conditions and the submission and clearance of an Ecological Survey and that the subsequent Planning Permission would be subject to the following conditions:

- separate demolition application to include façade retention/conservation strategy;
- materials and finishes;
- signage Details;
- final details of plant and AC screening;
- Anti-Bird Glazing Materials;
- any agreed trees works to take place in a programme agreed with the DOE;
- Tree Protection Measures to be implemented prior to COD;

- Fire Strategy;
- final details of Visibility Splays/Swept Path Analysis and Road Safety Audit;
- detailed Landscaping Strategy and maintenance plans;
- mitigation if partial or full removal of Europa Pass Wall required
- AWB;
- CEMP;
- any mitigation required from Geotechnical Survey or Sewerage Study;
- any Geotechnical works to be undertaken prior to COD; and
- other standard conditions.

58/26 – F/20109/25 – 21 Moorland Mews, Ordnance Wharf, Queensway -- Proposed vertical extension of townhouse by one floor and refurbishment of property including flat roof for maintenance purposes only.

Background and Planning History

The site forms part of Ordnance Wharf, a master-planned waterfront development.

Previous history includes:

- 2022 Outline approval for single-storey extension without terrace;
- subsequent refusal where terrace use proposed; and
- recent infill approval elsewhere within estate.

The current proposal aligns with the earlier outline decision and limits roof use to maintenance only.

Proposal and Supporting information

The proposal includes:

- single-storey vertical extension;
- no terrace use;
- collapsible guard rails for maintenance only;
- setback north and south elevations; and
- window positioning to avoid direct overlooking.

Representations by Objectors and Counter-representations

Mr K Bonavia and Ms J Jadczyk (on behalf of Mr Tapiero) both addressed the Commission.

Objectors argued:

- disruption of estate massing hierarchy;
- harm to master-planned composition;
- creation of elevated vantage point; and
- risk of precedent.

Mr M McKillop Smith for the applicant argued:

- proposal complies with earlier DPC decision;
- roof not usable as terrace;
- extension remains lowest residential block; and
- no material overlooking.

Consultation Responses

DLA required structural justification.

DoE required NZEB compliance.

TSD had no objections.

Planning Assessment & Recommendations

The TPD advised that:

- the principle of a single-storey extension was previously approved;
- the current application strictly adheres to that earlier decision;
- no terrace use is permitted;
- collapsible guard rails are for maintenance only;
- no permanent parapet or stair access is proposed;
- architectural alignment remains consistent with estate character;
- gaps between pitched roofs are retained;
- the extension remains visually subordinate to adjacent 4- and 5-storey blocks;
- privacy concerns are limited given absence of terrace use; and
- overlooking risk is materially different from previously refused terrace proposals.

The Department concluded that the proposal does not materially disrupt the established hierarchy and accords with prior Commission direction.

Approval was recommended subject to:

- maintenance-only roof condition.
- structural justification to address DLA concerns;

- NZEB compliance; and
- Standard conditions.

Discussion

There were no comments from members.

Decision

The application was approved unanimously.

Outcome

Planning permission granted subject to the following conditions:

- restricting roof for maintenance purposes only;
- predictive EPC to meet NZEB regulations;
- structural compliance to address DLA concerns; and
- other standard conditions.

Minor and Other Works– not within scope of delegated powers

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

59/26 – F/18165/22 – 69-70 Catalan Village -- Proposed construction of three storey residential building with terrace and general refurbishment of existing cottage.

Consideration of request to renew Planning Permission No. 8514 for an additional year.

This application was approved.

60/26 – O/19288/24 – 72-79 Catalan Bay -- Proposed single storey extension over an existing two x storey residential building with retention of existing commercial unit at ground floor level and a further extension to the rear to allow for a new circulation core.

Consideration of request to renew Outline Planning Permission No. 9133 for an additional year.

This application was approved.

61/26 – F/19914/25 – Europa Point, Pillars Of Hercules, Queens Balcony, Great Siege Tunnel, Princess Caroline Battery, Douglas Path (South), Gun Platforms O'Hara's Battery -- Proposed replacement or removal of existing and installation of new telescopes.

This application was approved.

62/26 – F/20078/25 – Mount Misery, St Michael's Road close to Sky Walk and midsection of Douglas Path -- Proposed relocation of two existing telescopes within the Nature Reserve to new locations.

This application was approved.

63/26 – F/20049/25 – M106, Block M, Hassan's Centenary Terraces -- Proposed installation of two x pergolas within Balconies.

This application was approved.

64/26 – F/20064/25 – M107, Block M, Hassan's Centenary Terraces -- Proposed installation of two x pergolas within Balconies.

This application was approved.

65/26 – MA/20104/25 – 1 Corral Road -- Proposed redevelopment of the existing 'Eurolife' building' to provide a 120 bedroom hotel with restaurant and roof-top bar.

Consideration of minor amendments including:

- *internal reconfiguration at ground and first floor levels;*
- *revisions to the roof level to accommodate updated servicing, plant, extraction, and fire safety requirements and introduction of a new sedum roof canopy to screen equipment, enhance aesthetics, and improve environmental performance without exceeding previously approved height limits.*

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.

66/26 – F/19652/25G – Area alongside Kingsway Road adjacent to the MOD compound -- Proposed open storage area to be fenced off for the GEA.

GoG Application

Consideration of request to discharge Condition 5 of Planning Permission No.9392 in respect of details of perimeter fence.

67/26 – F/19990/25 – Kids Hub, Unit 5G, I.C.C -- Proposed refurbishment of unit as an afterschool and holiday club for children aged 5-10 years.

68/26 – F/19991/25 – 7-9 Demaya's Ramp -- Proposed replacement of the existing single storey storeroom on the roof terrace with an enlarged single storey extension and associated works including the installation of a roof pergola and deck alongside minor internal alterations.

69/26 – F/20000/25 – 12A Unit B, North Mole Road -- Proposed internal fit-out including and installation of air conditioning and plant.

Consideration of screening details to discharge Condition 2 of Planning Permission No. 9538.

70/26 – F/20020/25 – 12 Dexterous House -- Proposed extension and alterations.

Consideration of revised plans to address the Commission's decision.

71/26 – F/20027/25 – 261 Main Street -- Proposed facade upgrade and fit out of unit including installation of new signage.

72/26 – F/20032/25 – Florencia, Riviera Mews, 86 Riviera Promenade Walk, Catalan Bay Village -- Proposed installation of awning.

73/26 – F/20040/25 – House 3, Atlas Views, 8 Naval Hospital Hill -- Retrospective application for installation of skylights and internal alterations.

74/26 – F/20048/25 – Second and Third Floors, Forbes 1848 -- Proposed installation of louvered screens along the open sides of the car park.

75/26 – F/20060/25 – 10 Library Gardens -- Proposed replacement of existing timber windows with sympathetic hardwood windows with similar profile and proportion to original windows.

76/26 – F/20062/25 – 19 South Walk, Europa Walks -- Proposed extension and conversion works to property.

77/26 – F/20066/25 – 125 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

78/26 – F/20067/25 – 85 Governors Street -- Proposed refurbishment of unit including installation of awnings and signage proposals.

79/26 – F/20071/25 – 1203, Block 6, Europlaza Block -- Proposed installation of glass curtains.

80/26 – F/20077/25 – 21 The Sails Queensway -- Proposed installation of glass curtains.

81/26 – F/20079/25 – 1203, Block 6, Europlaza -- Proposed minor internal alterations to apartment and installation of pergola to terrace.

82/26 – F/20081/23 – 2.1.10 Rosemary Court, Sir William Jackson Grove -- Proposed installation of air conditioning unit.

83/26 – F/20090/25 – 7 Rock Rose House, Waterport Terraces -- Retrospective planning application for minor interior alterations, the creation of a new window and installation of air conditioning unit.

84/26 – F/20096/25 – Referendum House Bus Stop -- Proposed installation of green roof.

85/26 – F/20097/25 – Waterport Road Bus Stop -- Proposed installation of green roof.

86/26 – F/20122/25 – 1.22 Madison, Midtown -- Proposed minor internal alterations to existing premises and installation of replacement signage.

87/26 – F/20123/25 – 4 Shrine Walk, Europa Walks Estate -- Proposed extension and alterations.

88/26 – F/20124/25 – Warehouse WH5, Garrod Road -- Proposed replacement of existing asbestos pitched roof with insulated sandwich panels.

89/26 – F/20132/26 – 24/2 & 24/3 Crutchett's Ramp -- Proposed sub-division of one x 3 bedroom flat into one x 1 bedroom and one x 2 x bedroom flat.

90/26 – A/20162/26G – South Wall, Midtown Coach Park -- Proposed installation of photos of depicting Gibraltar tourist activities.

91/26 – A/20164/26 – Balcony, Gustavo Bacarisa's Gallery -- Proposed installation of banner advertising Gibraltar Body Art Festival.

92/26 – MA/19688/25 – Water Gardens Blocks 1,2 and 3 Waterport Road -- Proposed Maintenance works, waterproofing and the application of armored render/redecoration to all external facades of the buildings, balconies, podium, ground & first floor commercial units.

Consideration of minor amendments including:

- *replacement of existing single glazed aluminum windows to modern equivalent double-glazed window units, colour to match existing. homeowners are being offered an option to replace their windows while the scaffold is in place;*
- *balcony waterproofing polyurethane liquid applied with upstands, fully compatible with mesh reinforced render;*
- *removal and disposal of existing podium planters and existing floor tiles, apply new waterproofing system and reinstatement with new tiles, install new perimeter handrail; and*
- *new landscaping strategy to be freestanding planters with irrigation.*

93/26 – MA/20035/25 – 30 Europa Road -- Proposed emergency structural remedial works to deteriorated/defective roof terrace timber structure and removal of asbestos roof sheeting.

Consideration of minor amendments including:

- *replacement of external windows to Naval Hospital Hill elevation; and*
- *replacement/enlargement of Europa Road elevation with new tilt and turn casemate windows.*

94/26 – MA/20036/25 – 3-4 Strait Views Terrace Europa Point – Proposed refurbishment, alterations and extension.

Consideration of minor amendments including:

- *internal layout alteration to the kitchen, bathrooms and bedrooms with updated room uses and associated window adjustments;*
- *external alterations comprise of the replacement of retractable awning with pergola, revisions to entrance porch and main door, updated landscape strategy, and introduction of bird-safe balustrading to swimming pool;*
- *outbuilding to be refined with additional detailing, new windows, and roof modifications;*
- *shading on South elevation revised to match traditional style of new pergola; and*
- *existing basement to be used for the underground plant room*

Consideration of revised plans omitting rear facing window at second floor of property.

95/26 – MA/20076/25 – 16 Europa Mews, Europa Road – Proposed extension and refurbishment.

Consideration of minor amendments including:

- *removal of terrace from proposed extension and introduce pitch roof and reducing the total footprint 7spm*

96/26 – 1555/P/066/26 – 59-61 Main Street – Proposed refurbishment, re-rendering and painting of building.

97/26 – Any other business

There was no other business.

The Chairman confirmed that the next meeting was to be held on 19th March 2026.

Chris Key

Secretary to the

Development and Planning Commission