

THE DEVELOPMENT AND PLANNING COMMISSION

MINUTES

Minutes for the 5th meeting of 2026 held remotely via video conferencing on 28th May 2026 at 9.30am.

Present:

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

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

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

Mr H Montado (HM)
(Chief Technical Officer)

Mr G Matto (GM)

Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

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

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

Mr C Viagas (CV)

Mrs J Howitt (JH)
(Environmental Safety Group)

Mr S Benson (SB)
(Rep Commander British Forces, Gibraltar)

Mr C Key (CK)
(Deputy Town Planner)

Mr R Laposi
(Minute Secretary)

Apologies:

The Hon Dr J Garcia
(Deputy Chief Minister)

Mr C Freeland
(Rep Commander British Forces, Gibraltar)

Approval of Minutes

190/26 - Approval of Minutes of the 4th meeting of 2026 held on 23rd April 2026.

The draft Minutes of the 4th meeting of 2026 held on 23rd April 2026 were approved.

Matters Arising

191/26 – None

Major Developments

192/26 – F/20131/25G – Western Seafront of Westview Park -- Proposed reclamation of land from the sea.

Background and Planning History

CK presented the application, which sought full planning permission and the issuing of an Environmental Impact Assessment (EIA) Certificate for a Government of Gibraltar proposal for the reclamation of approximately 47,000sqm of land from the sea at the western seafront of Westview Park.

CK explained that the application included the removal of the existing rock revetment, the construction of a new perimeter structure and coastal protection works, controlled fill placement and containment structures. The site is located in front of Westview Park, which CK described as a public park and locally significant recreational area. The surrounding area included critical national infrastructure, light industrial uses and port facilities along North Mole Road, including jetties 1 to 5 and the container quay. The site is separated from the North Mole and cruise terminal by approximately 340m of open harbour waters. CK also identified nearby residential and community receptors, including Europlaza, Harbour Views, Westview Park, the GASA Complex, the hospital, Morrisons and the Bob Peliza Mews development.

In terms of planning history, CK advised that the Commission had unanimously approved the demolition of Jetty No. 3 at the January 2026 DPC meeting and had approved, by majority, an application in April 2026 for the upgrade and diversion of existing fuel pipework infrastructure from Jetty No. 3 towards the Western Arm. The ESG had raised concerns about the impacts from demolition as well as need for a combined EIA with major reclamation causing the demolition. It also objected to diversion of existing fuel pipework with information supplied at a late hour.

CK explained that, from a planning perspective, the Town Planning Department considered that whilst those applications were related to the reclamation proposal they were separate projects, which would take place before any reclamation works commenced and would not result in cumulative impacts in respect of those two projects.

Proposed Development

CK advised that the proposed development would create approximately 47,000sqm of land. The shape of the reclamation had been designed to allow for maritime movements and navigation. The perimeter structure had been designed for a 100-year lifetime and to withstand a 1 in 200-year storm event, taking climate change predictions, including sea level rise, into account.

The proposal included surface water management through the incorporation of existing culverts and any additional required infrastructure. Rock armour revetments would be provided by extending the existing revetment on the southern, northern and eastern perimeters, with delivery by land and sea. Six concrete caissons would be provided on the north-western side for mooring and would be transported by sea. The reclamation fill would comprise clean sand transported by sea and deposited using a controlled hydraulic process. Localised seabed profiling would be undertaken to provide foundations for the containment structures, including the caissons. Temporary laydown, mobilisation and working areas would be provided along part of the northern perimeter of Westview Park and would be reinstated once works were complete. The indicative construction period was 18 months.

Public Participation

CK advised that notice of the application had been served on a number of interested parties, including nearby residential estate management companies, Morrisons supermarket, the GASA swimming complex and property owners and occupiers along North Mole Road. The application and Environmental Statement (ES) had also been subject to the relevant public participation requirements under the applicable legislation. Fifteen individual sets of representations and one petition had been received and circulated to Members.

The Chairman confirmed that written representations had been circulated to Members in advance of the DPC Meeting.

Josephine Kim Bain addressed the Commission. She considered the application premature and raised concerns that the public evidence was incomplete, particularly in relation to the protected *Patella ferruginea* population. She referred to the later survey identifying 2,181 limpets, including large reproductive specimens, and considered this a material change in the ecological baseline. She stated that relocation was not equivalent to conservation and requested further public evidence on translocation survival, long-term monitoring, alternatives, GASA water quality, Westview Park protection and harbour impacts before any approval.

Kalean Joyce addressed the Commission and raised concerns regarding the process and level of public engagement. He objected on environmental and public health grounds, referring to existing pressure on Gibraltar's infrastructure, sewage disposal, the electrical grid, construction pollution, traffic congestion and the proximity of the hospital. He also questioned the future use of the reclaimed land and whether the stated purpose of providing government housing reflected the underlying purpose of the proposal.

JH added that projects of this scale and transformational nature should require extended public interaction and engagement. She considered that the hearing was insufficient given the number of people likely to be affected.

Tracey Taylor, estate manager of Harbour Views addressed the Commission and raised concerns regarding possible damage to property, access to garage areas, traffic management, sewage and drainage impacts, and existing flooding issues during inclement weather. She requested that Government undertake an independent before-and-after survey to assess the impact of the works.

Naresh Sadhwani addressed the Commission and objected on the basis that the proposal would affect the sea frontage at Europlaza and referred to his understanding that the sea area around the building was to remain protected. He also raised wider concerns about the extent of construction taking place across Gibraltar and questioned whether further development was required at this stage.

Anthony Perez addressed the Commission and referred to the Europlaza Head lease, which he stated protected Europlaza as a waterfront development, including direct access to the sea and uninterrupted views of the western seafront. He acknowledged that the Commission was not being asked to determine legal matters but argued that the covenants were material planning considerations. He requested that the decision be deferred until further consultation had taken place, or that any approval be made subject to such a process.

Mel Camilleri-Bland was invited to address the Commission but could not do so because of technical difficulties.

On behalf of the applicant, Nicholas Culatto, agent at ANS stated that the application and supporting ES covered the majority of issues raised. Stephen Orciel (SO), agent at ANS responded to traffic management queries and advised that the detailed traffic plan would need to be agreed with the Highways Authority. He explained that the intention was to create a new one-way haul road following removal of the existing revetment, avoiding construction traffic via Harbour Views Road and avoiding the hospital road. He advised that traffic counts had been undertaken, that some material would be delivered by sea, and that references to the number of barges would be clarified if required.

KB asked whether the existing park and promenade would remain in place and whether the future revetment would comprise limestone boulders. SO advised that the new sea defence would comprise part rock revetment and part vertical concrete caisson faces, with the remaining elements formed as rock revetment. In response to KB's question regarding the area of future limpet habitat, SO advised that the applicant believed there would be more habitat area in the future.

Consultee Comments

CK advised that, before reviewing the ES, he would set out consultee comments received on the planning application.

Defence Land Agent (DLA)

- No objection in principle to the reclamation but required engagement prior to works commencing in respect of navigational planning matters and construction sequencing.

Department of Environment (DOE)

- CK advised that the DOE had made a number of comments, which were addressed within the ES assessment.

Ministry for Heritage (MfH)

- No objection to the reclamation proposals but requested appropriate safeguards, as previously unknown archaeological material could be encountered during seabed preparation, reprofiling and construction of containment structures.

Ministry of Transport (MoT)

- No objection in principle to the reclamation;
- Required access to Harbour Views Road to remain unrestricted and safe for road and footpath users;
- Confirmed that access via the hospital would not be acceptable given the high use of that road by pedestrians, emergency vehicles and other access requirements; and
- Required that any parking spaces lost to allow vehicles to enter and exit the reclamation site should revert to residential parking after working hours so that not all spaces were lost at all times.

Technical Services Department

- No civil engineering or structural objection to the proposals;
- Required detailed structural designs to be submitted for independent review and approval;
- Confirmed that a 5m horizontal and vertical clear zone from the back of the rock revetment crest or interface of the wave wall would be imposed on all permanent structures in proximity to any coastline; and
- Noted that existing stormwater culverts running under Westview Park would need to be considered to prevent flooding of surrounding areas during the construction period.

Gibraltar Civil Aviation Authority (GCAA) and Ministry of Equality (MoEq) had no objections.

No comments had been received from the Gibraltar Heritage Trust (GHT) or the Gibraltar Sports and Leisure Authority (GSLA).

Planning Report - Environmental Statement Review

CK advised that the principal issues for determination were whether the principle of the proposed reclamation was acceptable, whether the ES adequately assessed the likely environmental impacts, whether the identified environmental impacts could be appropriately mitigated through planning conditions and environmental management measures, whether full planning permission should be granted subject to conditions, and whether an EIA certificate should be issued.

CK summarised the construction phases, indicative 18-month programme, construction material delivery arrangements and alternatives assessed in the ES. The works would include site enabling, removal of the existing revetment, construction of the perimeter and revetment structures, controlled fill placement, drainage installation, site clearance and demobilisation.

Proposed Phasing, Sequencing, Construction Transport and Alternatives

Construction delivery would involve both sea-borne and land-borne transport. Rock armour would be delivered by land and sea, while the caissons and reclamation infill material would be delivered by sea. CK noted that the proposal would generate approximately 400 two-way HGV trips per week, equivalent to around 80 return trips per day. Approximately two sea barges per day were proposed, although some documents referred to five and this required clarification.

CK also summarised the alternatives considered, including the no-development option, alternative locations, reclamation design options and construction and infill transport methods. The ES identified the western-side reclamation option as the only viable option capable of accommodating development of the required scale, with the proposed mixed perimeter solution and marine transportation of infill material preferred for navigational, operational, engineering and traffic reasons.

CK then reviewed the ES topic chapters, including consultee comments, likely significant effects, proposed mitigation, including measures within the CEMP and related management plans, and the TPD's conclusions.

Air Quality

CK advised that the ES identified temporary dust emissions during construction as the main potential air quality impact. Mitigation would be secured through good practice construction measures, the CEMP, Dust Management Plan, CTMP and Communications Plan. The EA requested further dust control details before commencement, while DOE requested clarification on the proportion of construction materials to be transported by sea and by road. TPD considered the proposed mitigation adequate, subject to the CEMP remaining a living document and impacts being reassessed if road-based transport became more dominant during construction.

Archaeology and Heritage

CK advised that the ES confirmed there were no designated heritage assets or known archaeological remains within the reclamation footprint. Any unexpected archaeological finds would be managed through recording, consultation with the relevant heritage authorities and an Environmental Watching Brief. MfH agreed with the ES conclusion that significant adverse effects on known heritage assets were unlikely, subject to an archaeological watching brief, heritage safeguards within the CEMP and an Unexpected Finds Protocol. TPD considered the matter capable of being addressed through appropriate conditions.

Climate Change

CK advised that the ES considered climate resilience, including sea level rise, storm surge, wave action, coastal inundation and extreme rainfall. The reclamation was designed to withstand at least a 1 in 200-year storm event, with coastal protection and wave dissipation provided by the revetment structures. Environmental risk management and emergency response procedures would be secured through the CEMP. The EA requested additional drainage details relating to the extension of existing surface water culverts and the new drainage system. TPD considered that the ES had appropriately addressed climate resilience

and that detailed drainage, resilience and emergency management measures could be secured by planning conditions.

Community, Recreation and Tourism

CK advised that the ES identified temporary employment benefits, but also temporary adverse effects on nearby residents, businesses, educational establishments, visitors and recreational users arising from noise, visual disturbance, dust and traffic changes. Mitigation would include the CEMP, CTMP, sound-reducing screening, monitoring and community liaison. Public representations raised concerns regarding the temporary and perceived permanent loss of Westview Park and recreational use of the sea. DOE raised concern about the proposed use of the northern perimeter of Westview Park for storage and office accommodation affecting the children's park. TPD considered the effects temporary and capable of being managed, provided the park was reinstated on completion.

Harbour Activity and Shipping

CK advised that the ES identified potential construction impacts including navigational interference, temporary operational restrictions, sedimentation, safety risks and changes to harbour traffic patterns. Operational impacts could include loss of water space and localised hydrodynamic changes. Mitigation would include GPA control of marine operations, a Maritime Navigational Management Plan and the CEMP. DOE recommended lighted cardinal marker buoys in locations agreed with GPA. GPA required construction equipment and vessels to be secured, illuminated and approved before arrival, while DLA required engagement on navigational matters before works commenced. TPD considered that harbour operation and navigational safety impacts could be adequately managed through the CEMP and Maritime Navigational Management Plan, in coordination with GPA and DLA.

Landscape and Visual Impact

CK advised that the ES identified temporary visual impacts during construction from reclamation activities, HGV movements, barge operations, site compounds, fencing and signage. Mitigation would include hoarding, directional lighting controls, dust prevention, screening and compound management through the CEMP. Public representations raised concerns regarding loss of views, while ESG noted that future development on the reclaimed land could alter landscape and visual impacts. CK advised that future built development was outside the scope of the current application. DOE raised concern about impacts on trees, shrubs and children's recreational areas within Westview Park. TPD considered that temporary effects on screening, lighting, vegetation and site compounds could be managed through the CEMP, landscaping and site management conditions.

Marine Ecology

CK advised that the ES identified *Patella ferruginea* (limpets) as the principal sensitive ecological receptor, with approximately 2,181 individuals recorded on the Westview Park revetment. Likely impacts included habitat loss, sediment deposition, turbidity, contaminant mobilisation and disturbance during marine construction works. Mitigation would include ecological supervision, controlled dredging and fill placement, pollution prevention, water quality monitoring, silt curtains and a protected species translocation and monitoring

programme. DOE confirmed that relocation would require licensing under the Nature Protection Act, with an agreed translocation methodology, monitoring programme and approved receptor sites before commencement. TPD considered that the ES and supporting ecological reports had appropriately assessed the likely ecological impacts and that detailed safeguards could be secured through the CEMP, protected species licensing and ecological management requirements.

Material Resources

CK advised that the ES identified effects associated with demand for imported construction materials, transportation and handling of materials, construction waste and cumulative pressure on aggregate supply chains. Mitigation would be secured through the CEMP and Site Waste Management Plan, including sustainable sourcing where practicable, reuse of revetment materials, waste minimisation and construction waste management. DOE requested further details on material sourcing, construction methodology and waste management following appointment of a contractor, and suggested reuse of existing revetment rock and use of limestone where possible for habitat benefits. TPD considered that the ES had appropriately assessed material resource impacts and that these could be managed through the CEMP, Site Waste Management Plan and reuse of materials where appropriate.

Noise

CK advised that construction would generate temporary noise affecting nearby residential, commercial, industrial and recreational receptors. Mitigation would be secured through the CEMP and Noise Management Plan, including monitoring, acoustic screening, reduced reversing alarms, restricted working hours and recognised construction noise guidance. Public representations raised concern about construction noise. DOE and the EA raised particular concern regarding proposed 36 to 48-hour continuous caisson concrete pours near residential receptors, and the EA advised that night-time works should only occur where they could not reasonably be undertaken during daytime hours. TPD considered that a detailed Noise Management Plan, prepared with DOE and EA, could address the concerns, and that any night-time working should require separate prior approval by the Commission.

Traffic

CK advised that the ES identified approximately 400 two-way HGV trips per week during the 18-month construction period, equivalent to around 80 return trips per day. The ES concluded that traffic increases would remain below the relevant significance thresholds, including cumulative effects with other developments. Mitigation would be secured through the CTMP and CEMP. Public representations and consultee responses raised concerns regarding traffic management, material transport and construction logistics. ESG also commented on traffic impacts. TSD advised that further engagement would be required once a contractor was appointed, given remaining unknowns on traffic management, material sourcing and vehicle movements in an already congested area. MoT and TSD stated that parking loss and impacts on Harbour Views Road required careful management, that access via the hospital was not acceptable, and that safe pedestrian and vehicular access to Harbour Views Road should be maintained. TPD considered the principal construction traffic impacts capable of being

managed through detailed CTMP and CEMP arrangements agreed with the relevant authorities.

Water Resources

CK advised that the ES identified potential temporary effects on water quality from seabed preparation, sediment disturbance and fill placement, including resuspension of contaminated sediments, turbidity and sediment deposition. Mitigation would include water quality monitoring, pollution prevention, weather condition controls, controlled fill placement and silt curtains through the CEMP. Sediment disturbance would be minimised by limiting excavation and leaving undisturbed contaminated sediments in situ where possible. Public representations raised concern about water quality. DOE noted potential temporary significant effects from contaminated sediment resuspension and turbidity and emphasised the need to protect water quality at the nearby GASA bathing area. The EA requested further drainage details for the extension of existing surface water culverts and new surface water drainage. TPD considered that the ES had appropriately assessed impacts on sediment disturbance, turbidity, wave conditions and harbour flushing, and that risks could be managed through detailed mitigation, monitoring and methodologies secured within the Maritime Navigational Plan and CEMP.

Cumulative Assessment

CK advised that the proposed reclamation would be beneficial in providing new land for the future. Potential cumulative impacts from construction activities might lead to temporary significant effects for local residents and require adjustments for harbour activities. These effects would initially and temporarily change the existing environment, but the CEMP would provide control measures for noise, dust, lighting and construction traffic and would need to be agreed with the appropriate regulatory authorities. CK advised that other cumulative impacts could be managed through the CTMP and Site Waste Management Plan, and that, with these plans in place, temporary construction effects would be reduced and managed. CK stressed that works related to the demolition of Jetty No. 3 would be completed before any reclamation works commenced.

Construction Environmental Management Plan

CK advised that an outline CEMP had been submitted. The CEMP would manage the effects of construction activities on the local environment and community. CK stressed that the final CEMP submitted for approval would need to address the matters and feedback raised by consultees as part of the ES review.

Reasoned Conclusion on the Environmental Statement

CK advised that TPD's reasoned conclusion was that the proposed land reclamation had been developed having regard to the likely significant environmental effects identified in the ES and the proposed mitigation measures. TPD noted consultee requests for further information on mitigation and monitoring measures across various plans and documents. Based on the review undertaken, CK advised that the environmental information submitted was sufficient to enable the Commission to consider the application. CK also advised that, in accordance with the Town Planner's Scoping Opinion, any subsequent development proposed on the reclaimed

land was anticipated to require a separate scoping exercise and the submission of a separate ES.

Overall Planning Assessment and Recommendation

CK advised that, while TPD acknowledged that the reclamation aimed to support future affordable housing and mixed-use development, it was disappointing that the strategic project had not been considered through the ongoing review of the Gibraltar Development Plan and associated Strategic Environmental Assessment, which would have provided the most logical and sustainable framework for assessing a proposal of this nature.

Notwithstanding this, CK advised that TPD considered the reclamation acceptable in land-use terms and that it would not have any undue visual impact on views from the port and other areas. CK stated that this was one of the few sites in Gibraltar capable of accommodating strategic development. Having considered all relevant material planning considerations, including the outcome of the EIA process, CK recommended that the Commission approve the application and issue planning permission and an EIA certificate, subject to conditions.

The recommended conditions included:

- relocation of the protected limpets;
- relocation of any other protected species identified on site, in consultation with DOE;
- implementation of an archaeological watching brief and heritage safeguards;
- appropriate recording, reporting and archiving of any archaeological finds;
- submission and approval of detailed reclamation construction drawings, structural details and methodology statements in consultation with DOE and TSD;
- submission of details assessing and mitigating impacts on Westview Park, including trees and vegetation affected by site preparation, storage and welfare facilities;
- submission of details for the reinstatement of Westview Park before commencement of development;
- submission of details relating to the final distribution of material transported by road and sea once a contractor is appointed, with review where necessary;
- submission of a CEMP;
- submission of an Environmental Watching Brief;
- submission of a Site Waste Management Plan;
- submission of a Noise Management Plan;
- submission of a CTMP;
- submission of a Maritime Navigational Plan developed in consultation with the GPA and Defence Land Agent;
- standard working hours/noise conditions;
- any extended working hours to be submitted for separate consideration by the Commission; and
- other standard conditions.

Discussion

JH raised concern regarding the volume of information before Members and considered that further information should be provided before determination, particularly in relation to the

GASA bathing area, harbour and traffic impacts, DOE/TSD comments and wider public engagement. She considered that the future purpose and scale of development on the reclaimed land appeared to be known and should be shared with the community through face-to-face engagement, and supported deferral until outstanding concerns had been addressed. She also recommended that residents seek a meeting with their allocated Minister, also the Minister for Planning and the Port to obtain more information and express their concerns directly.

The Chairman sought clarification from the applicant on the final temporary surface finish of the reclaimed land, the potential for dust, material delivery and caisson construction. SO advised that the reclamation fill would be hydraulically placed sand delivered by sea and irrigated as required to control dust. He confirmed that road transport would relate principally to rock and that sand infill would be delivered by sea. SO further advised that the caissons would be manufactured at GibDock and floated into position, and that continuous working referred to the caisson construction process rather than noisy works on the application site.

MEEC acknowledged residents' concerns regarding disruption, traffic and the future use of the land, but noted that the application before the Commission related to the reclamation rather than future buildings. He considered that the proposal could be supported as it would provide land for future community housing needs and that there was no realistic alternative location for a reclamation of this scale. He emphasised the importance of construction methodology, including silt curtains, maximising material delivery by sea, protection of Westview Park and trees, future green areas and continued scrutiny of environmental matters at later stages.

JH questioned whether the future housing would be exclusively low-cost housing and raised concern about the environmental suitability of future residential development given proximity to the port, fuel infrastructure, power station and prevailing winds.

MEEC advised that those matters would need to be assessed when any future development proposal came before the Commission, as the current application was limited to reclamation.

KB stated that, although minded supporting the application, he agreed that Members should know what was intended for the reclaimed land.

Members also noted concerns regarding future public engagement, future development on the reclaimed land, GASA bathing water impacts, traffic and construction management, protection of Westview Park, and scrutiny of environmental matters at future stages.

Decision and Outcome

The Chairman stated that the recommendation was to approve the application, subject to the various conditions including environmental conditions, and to issue the EIA certificate. As the proposal was a Government project, the Chairman confirmed that the Commission was voting on approval of the application and issuing of the EIA certificate together.

The Commission voted as follows:

In favour: 10

Against: 1

Abstentions: 0

The application was approved by majority vote subject to the conditions recommended by TPD, including the environmental, ecological, heritage, construction management, traffic, maritime navigation, noise, working hours and reinstatement safeguards.

193/26 – O/20214/26 – Ex Brewery Crusher Site, 3 Levanter Way, Little Bay Car Park adjacent to existing Manhole 44 and Keightley Way Tunnel -- Proposed urban wastewater treatment plant at the Ex-Brewery Crusher site, new pumping station at Little Bay Car Park and transfer pipeline towards and through Keightley Way Tunnel and between Tunnel exit and Brewery Crusher, including discharge pipe installation at Europa promenade.

Background and Planning History

CK presented the outline application for a proposed urban wastewater treatment plant at the Ex-Brewery Crusher site, a new pumping station at Little Bay Car Park adjacent to existing Manhole 44, transfer pipeline infrastructure towards and through Keightley Way Tunnel and between the tunnel exit and Brewery Crusher, and discharge pipe installation at Europa Promenade.

CK advised that Gibraltar currently operated a wastewater collection system which discharged untreated sewage into the sea at Europa Point through the existing outfall system. Gibraltar did not have a dedicated wastewater treatment plant, and the current arrangements no longer reflected contemporary environmental standards or strategic infrastructure requirements. The development formed part of Gibraltar's wider strategic environmental infrastructure upgrade programme and sought to deliver Gibraltar's first dedicated urban wastewater treatment facility in accordance with Gibraltar's 25-Year Environmental Plan and the relevant urban wastewater collection and treatment regulations.

CK noted that the site was allocated in the Gibraltar Development Plan 2009 under Site Specific Policy Z7.2 for wastewater treatment works. In terms of planning history, CK advised that an EIA certificate and DPC recommendations had previously been issued in May 2019 for a wastewater treatment plant. Notwithstanding Members' concerns regarding the previous design, the recommendations letter required the visual impact of the main wastewater treatment plant to be mitigated as far as possible, including through the colour scheme and materials palette at detailed design stage, together with requirements for landscaping, a final CEMP, construction traffic management, waste management, dust control, bat surveys, an archaeological watching brief and an Operational Environmental Management Plan addressing noise and odour suppression during the lifetime of the development.

Proposed Development

CK advised that the proposal comprised three principal elements. The first was a contemporary designed urban wastewater treatment plant at the Ex-Brewery Crusher site at Europa Point. The facility would include a large-scale green roof and had been designed to sit into the Europa Point landscape as far as possible. It would be designed for a maximum flow of 26,000 cubic metres per day, with provision for 36,000 cubic metres per day by 2049. The civil structures would have a minimum design life of 60 years and the plant a design life of 25 years,

with monitoring and maintenance throughout and flexibility for future upgrades if required. CK advised that sludge collection was anticipated to take place twice daily, with approximately 20 tonnes of sludge produced per day.

The second element was the transfer pipeline through Keightley Way Tunnel, which would be housed within a reinforced concrete duct and would also function as a raised pedestrian walkway. The third element was the pumping station at Little Bay Car Park, adjacent to the basketball court. The pumping station would intercept the existing sewer network and transfer wastewater to the proposed treatment facility via pipelines routed through Keightley Way Tunnel. CK advised that the pumping station would be predominantly below ground, would include green roof elements and a mural facing Little Bay Car Park, and would operate as a sealed structure incorporating odour control systems and ventilation infrastructure.

CK advised that the proposal also included discharge pipeline works connecting to the existing outfall infrastructure at Europa Point. The traffic and access strategy showed construction vehicles approaching from the north via Europa Advance Road and Levanter Way, with the same route used on departure. The proposal included designated parking, bicycle parking within the site entrance, pedestrian improvements and a new pavement and pedestrian-friendly route along Levanter Way. An indicative landscape strategy using local native species and self-planted green roofs had also been submitted. The construction programme was expected to take approximately two years overall, with works at Little Bay limited to approximately ten months and timed to avoid the bathing season. Construction activities were generally expected to take place during daytime hours.

Public Participation

CK advised that the application and ES had been subject to public participation. One set of representations had been received from Albert Marden, who was unable to attend the meeting. Copies of the representations had been circulated to Members.

CK summarised that Mr Marden raised concern regarding the adequacy and transparency of the ES alternatives assessment, including the reasons for selecting Europa Point rather than reclaimed land or port-based locations. He also raised concerns regarding the site's heritage, tourism and landscape sensitivity, potential odour impacts, the robustness of odour controls during maintenance or abnormal operations, and the plant's capacity for future expansion and treatment upgrades. No counter-representations had been submitted.

Consultee Comments

CK advised that, before reviewing the ES, he would set out consultee comments received on the planning application.

GFRS

- No objection.

DOE

- Noted the sensitivity and popularity of the Little Bay recreational area and welcomed confirmation that works would not take place during the bathing season;

- Requested further details regarding projected operational energy demands and future renewable energy targets;
- Recommended exploration of PV panel installation and industrial symbiosis opportunities with nearby infrastructure; and
- Confirmed that the safeguarding flexibility for future tertiary and quaternary wastewater treatment upgrades was encouraged.

MfH

- Recognised the strategic importance of the proposal and supported the principle of the development, subject to site conditions and mitigation measures captured by the ES.

MoT

- Welcomed the proposed new pedestrian pavement along Levanter Way to improve pedestrian accessibility and safety;
- Welcomed the provision of bicycle parking within the development; and
- Recommended that the proposed raised walkway within Keightley Way Tunnel be widened to accommodate shared pedestrian and cycle use.

TSD

- No in-principle civil or infrastructure engineering objection;
- Required a geotechnical assessment and potential independent review, having regard to rockfall and slope stability considerations;
- Required any stabilisation or protection measures to be implemented before works commenced; and
- Required liaison with AquaGib and TSD Infrastructure Engineer regarding pumping station capacity and discharge arrangements.

GCAA

- No objections.

No comments had been received from DLA or GHT.

Planning Report - Environmental Statement Review

CK advised that the principal issues for determination were whether the principle of the proposed wastewater treatment facility and associated infrastructure was acceptable having regard to the Gibraltar Development Plan 2009, including Site Specific Policy Z7.2, whether the ES adequately assessed the likely environmental impacts, whether the identified impacts could be appropriately mitigated, whether the visual, landscape and amenity impacts were acceptable having regard to the sensitive coastal and recreational setting, whether the development appropriately balanced strategic infrastructure and environmental benefits against identified impacts, and whether outline planning permission should be granted subject to conditions.

CK advised that the ES considered alternatives, including not proceeding with the development, different wastewater treatment approaches, and potential locations for the

treatment facility. The preferred scheme used existing infrastructure where possible, limited environmental effects, and provided a resilient system capable of treating Gibraltar's wastewater to modern standards. CK advised that the plant would meet current and future demand, would allow future tertiary treatment and would provide flexibility for further upgrades if required by regulatory changes.

CK briefly summarised the ES topical chapters, including consultee comments, likely significant effects, proposed mitigation, including measures within the CEMP and related management plans, and TPD's conclusions.

Air Quality

CK advised that the ES identified potential temporary dust emissions during construction, to be managed through good practice construction measures, the CEMP and a Dust Management Plan. Operational odour control measures would be incorporated into the plant design to prevent nuisance beyond the site boundary, including containment and odour treatment. TPD considered that air quality and odour matters could be adequately controlled through planning conditions requiring an Odour Management Plan and Operational Environmental Management Plan.

Archaeology and Heritage

CK advised that parts of the site were located in an area of known historic activity and that previously unknown buried archaeology could be present. Construction mitigation would include archaeological monitoring, clear procedures for unexpected discoveries, consultation with relevant authorities and appropriate recording and management of finds. MfH considered that the ES provided a robust assessment and raised no objection subject to mitigation and archaeological safeguards. TPD was satisfied that the proposed mitigation could be secured by planning conditions.

Climate Change

CK advised that the development had been designed to take account of future climate conditions, including extreme rainfall, coastal flooding and storm surge events, to ensure that the infrastructure remained safe and operational over its lifetime. TPD welcomed that the proposal supported climate change objectives through efficient design and modern infrastructure.

Ecology

CK advised that the ES identified limited ecological sensitivity within the main development areas. TPD noted that no bat survey had been undertaken, notwithstanding the assumption that bats could roost in the Brewery Crusher and considered that a bat survey would be prudent because elements such as lighting could affect bats if present. Where invasive plant species were present, management measures would be implemented to prevent spread during construction. The design included a living roof and landscaping measures to provide biodiversity enhancement and help integrate the development into its surroundings. Construction phase ecological measures, including good practice working methods, dust and runoff control, protected species safeguards, licences where required and ecological

supervision, would be secured through the CEMP. TPD also noted the longer-term marine environmental benefit arising from significantly improved treated wastewater discharge.

Geology and Land Contamination

CK advised that no significant land contamination issues had been identified which would prevent construction. Precautionary measures would prevent pollution of the ground or surrounding environment and would include good site management, safe storage and handling of fuels and materials, and procedures for unexpected contamination. TPD considered that these matters could be secured through the CEMP.

Landscape and Visual Impact

CK advised that temporary visual effects could arise during construction and would be reduced through hoarding and screening where appropriate. Once completed, the development would form part of the existing built and coastal infrastructure. With the proposed design, landscaping and mitigation in place, no significant long-term adverse effects on landscape character, key views, the World Heritage Site or other designated sites were expected. CK advised that consultees and TPD considered the wastewater treatment plant and pumping station designs to represent a significantly improved scheme compared to the previous iteration and to integrate more effectively with their surroundings.

Local Community, Construction Management, Dust and Noise

CK advised that temporary construction effects could arise from noise, traffic, visual change and general disturbance. These had been assessed individually and in combination. Mitigation would include working hour restrictions, traffic management, noise and dust controls and site management procedures secured through the CEMP. TPD considered that, with these measures in place, significant effects on local residents, places of worship, visitors and other sensitive receptors were not expected. Once operational, the development was not expected to give rise to adverse effects on the local community.

Noise

CK advised that construction activities would generate temporary noise, although no piling was required, which would help limit noise levels. Mitigation would include quieter equipment where possible, daytime working and noise monitoring. TPD and DOE welcomed that Little Bay pumping station construction works would take place outside the bathing season. Noise measures would be secured through the CEMP and a Noise Monitoring and Management Plan. During operation, the treatment plant would incorporate design-based noise abatement measures and TPD did not expect significant noise effects at nearby sensitive locations.

Traffic

CK advised that some HGV transport was unavoidable but was not anticipated to exceed highway capacity or significantly affect existing traffic flows. Construction vehicle movements had been assessed and would be managed through a Construction Traffic Management Plan identifying routes and safeguards for road users. MoT recommended that opportunities for enhanced cycle infrastructure within Keightley Way Tunnel should be explored. TPD supported that recommendation and considered that it should be investigated as part of the

full planning application and secured by condition. TPD and MoT also welcomed the proposed pedestrian improvements, including the new pavement along Levanter Way.

Waste and Material Resources

CK advised that a Site Waste Management Plan would manage construction waste, with a focus on minimising waste, reusing materials where possible and recycling in accordance with best practice. Waste that could not be reused or recycled would be removed to appropriately licensed facilities. TPD considered that the project was not expected to result in significant effects on waste or material resources.

Water Resources

CK advised that construction measures would protect groundwater and surface waters through good site management, runoff controls and procedures to prevent accidental spills or contamination, secured through the CEMP. Once operational, the project would deliver significant water resource benefits by improving the quality of treated wastewater discharged to the sea at Europa Point. TPD was encouraged that operational water quality monitoring arrangements would be in place and considered these could be secured by condition.

Cumulative Assessment

CK advised that the proposed urban wastewater treatment plant would provide new infrastructure to support Gibraltar's growth and environmental sustainability. The EIA had considered whether the treatment plant and pumping station could give rise to cumulative effects alongside existing or planned developments. During construction, temporary cumulative effects could arise from noise, traffic, visual change and general disturbance, but these would be managed through traffic management, noise and dust controls, site hoarding and good construction practice secured through the CEMP. Once operational, the project was not expected to result in significant cumulative adverse effects and would deliver long-term environmental benefits, including improved coastal water quality, resulting in a positive cumulative effect on the marine environment.

Construction Environmental Management Plan

CK advised that an outline CEMP had been submitted. The final CEMP submitted for approval as part of the full application would need to address matters and feedback raised by consultees as part of the ES review.

Reasoned Conclusion on the Environmental Statement

CK advised that TPD was satisfied that the ES provided sufficient justification for the proposed site selection within the context of Gibraltar's physical, environmental and operational constraints. TPD was encouraged that the applicant would investigate the feasibility of alternative sludge processing, including anaerobic digestion, and the provision of tertiary treatment through disinfection units.

CK advised that TPD considered the ES satisfied the requirements of the Town Planning EIA Regulations and provided sufficient environmental information for the application to be properly determined. Subject to the implementation of the identified mitigation measures and

recommended planning conditions, TPD considered that the proposal would not give rise to unacceptable significant adverse environmental effects.

Overall Planning Assessment and Recommendation

CK advised that TPD acknowledged the strong need for a wastewater treatment plant in Gibraltar and recommended that outline planning permission be issued, subject to conditions:

- final materials and finishes;
- compliance with ES mitigation measures;
- submission of the final CEMP;
- submission of a CTMP, including temporary construction traffic routing;
- dust suppression and air quality mitigation measures;
- Operational Environmental Management Plan;
- Waste Management Plan;
- sludge handling and disposal strategy;
- Odour Management Plan;
- Noise Monitoring and Management Plan;
- water quality monitoring programme;
- geotechnical assessment and any required stabilisation measures;
- Archaeological Written Scheme of Investigation;
- archaeological watching brief;
- unexpected discoveries protocol;
- protection measures for heritage assets and archaeological features;
- detailed landscaping plans and maintenance plans;
- final green roof details and maintenance schemes for the Little Bay Pumping Station and UWWTP facility;
- detailed Landscaping Strategy;
- bat surveys;
- sustainability and renewables statements for the relevant buildings;
- final mural and public art details;
- Lighting Strategy;
- motorcycle parking for staff within the Ex-Brewery Crusher site;
- Fire Strategy;
- ecological mitigation and habitat protection measures;
- investigation into enhanced pedestrian and cycle provision within Keightley Way Tunnel;
- construction hours, including no works at Little Bay during the bathing season;
- safeguarding for future tertiary and quaternary treatment and anaerobic digestion infrastructure, if required; and
- other standard conditions.

Discussion

JH advised that ESG had provided feedback throughout the process, including following site visits and meetings with the project team and engineers. She considered that the Brewery Crusher element was a significant improvement on the previous scheme, particularly because of the green living roof and more sensitive design but raised concern that the same level of

landscape and design attention should be applied to the Little Bay pumping station. JH noted the amenity and ecological value of the Little Bay area, including its use by families, walkers and birdwatchers, and queried whether the proposed hoarding would adequately preserve the character and biodiversity of the area. She also raised concern regarding odour, including emissions from the Little Bay element and sludge movements from the main plant, and asked whether the timing of sludge collection had been established. JH further raised concern regarding pedestrian and cyclist safety in Keightley Way Tunnel and considered that walkers and cyclists should not simply share the same space without appropriate separation.

Ruth Massias Greenberg (RMG), on behalf of the applicant, introduced the applicant's technical team. Carlito Buhagiar (CB) advised that odour control had been a key design consideration from the outset and that primary odour-generating processes would be enclosed within buildings. Sludge trucks would be loaded inside enclosed buildings and covered before leaving. The operational manual, including timing arrangements, had not yet been completed but would form part of the next design and operations stage. CB advised that all possibilities to mitigate odour would be considered and that buildings would include HVAC systems and operational odour control measures. In relation to Little Bay, CB advised that odour-producing elements would be covered and that cleaning operations would avoid the bathing season and be timed to minimise effects on users. He explained that major wet well cleaning would be similar to cleaning at other pumping stations in Gibraltar and might take place once or twice a year using high-vacuum suction trucks.

RMG advised that the team was already working on proposals to further integrate the Little Bay pumping station into its natural surroundings, with particular focus on biodiversity. She acknowledged the operational and security requirements of the pumping station but considered that improvements could be achieved at the full planning stage.

MEEC welcomed the proposal and noted the long history and need for a sewage treatment plant. He emphasised that the application was at outline stage and could still be improved. In relation to Little Bay, he agreed that the structure should be integrated into the slope with a natural green roof and suggested alternatives to standard hoarding, including a green wall or imitation cliff treatment with natural vegetation.

MEEC stated that the green roof at the Brewery Crusher site should comprise natural vegetation rather than a sedum roof and referred to nearby rewilding examples around Europa Point and Nun's Well. He considered the roof had potential to provide habitat for migrating birds. MEEC also supported incorporation of cycling within Keightley Way Tunnel and wider pedestrian integration, noted the need to minimise impacts on users of Europa Point during works, protect parking as far as possible, and further refine the façade treatment so that the building blended with its surroundings.

In response to JH's question on timing, CB advised that construction would take approximately two and a half years, followed by a commissioning and seeding period for the biological treatment processes before the facility became fully operational.

CAM welcomed the outline scheme but requested further reduction of visual impact, particularly in relation to a prominent boundary wall visible when looking north from the lighthouse, which she considered could be softened. She also referred to archaeological

requirements, including a pre-disturbance survey and condition report for Nun's Well and active monitoring during excavation or vibration-generating operations. CAM noted that no piling was proposed, which reduced risk, but considered there was a medium to high possibility of archaeological finds, particularly closer to Nun's Well. She also noted that the tunnels to the rear of the site were not part of the scheme but should remain accessible so that reuse, including for storage, would remain possible if required in the future.

In response to the Chairman's query, RMG confirmed that the pipeline section from the Little Bay pumping station to the entrance to Keightley Way Tunnel would be underground, before running along the surface through the tunnel with the raised walkway above.

Decision and Outcome

The application was approved unanimously, subject to the conditions recommended by TPD, and the following additional matters raised by Members:

- the green roof at the Ex-Brewery Crusher wastewater treatment plant should use natural vegetation and should not be treated as a sedum roof, with the landscaping to draw on appropriate local rewilding examples around Europa Point and Nun's Well;
- the Little Bay pumping station should be further developed at full planning stage to achieve a higher quality landscape and visual treatment, with better integration into the natural setting, play park and football pitch surroundings, and with alternatives to standard hoarding, such as green walling, natural vegetation or imitation cliff treatment, to be explored;
- the visual impact of the wastewater treatment plant should be further softened, including the prominent boundary wall visible when looking north from the lighthouse;
- enhanced pedestrian and cycle provision through Keightley Way Tunnel should continue to be investigated, with particular regard to the safety of pedestrians and cyclists and the concern that they should not simply share an undifferentiated space;
- archaeological safeguards should include particular regard to Nun's Well, including appropriate pre-disturbance recording and monitoring during excavation or vibration-generating operations, given the possibility of archaeological finds in that area; and
- the rear tunnels should not be impeded by the development so that their potential future use, including for storage associated with the facility, can be considered if required.

Other Developments

194/26 – F/19833/25 – 15 Scud Hill -- Proposed refurbishment and extension including proposed garage at ground floor level.

The application was deferred at the applicant's request.

195/26 - F/20197/26 - 13A Ocean Village Promenade, Ocean Village -- Proposed installation of a lightweight freestanding aluminium-framed terrace enclosure with retractable transparent PVC side screens to provide weather protection to the existing outdoor seating area.

Background and Proposal

CK presented the application for 13A Ocean Village Promenade, Ocean Village, for the proposed installation of a lightweight freestanding aluminium-framed terrace enclosure with retractable transparent PVC side screens to provide weather protection to the existing outdoor seating area.

CK advised that the application had originally been considered by the Subcommittee and had been referred to the Commission with a recommendation for refusal. The site comprised the outdoor terrace area associated with the Ivy restaurant. CK advised that the pier walkway had been extended approximately three years previously to accommodate alfresco tables and chairs with umbrellas. The proposal sought to enclose the terrace with a lightweight aluminium frame and movable side awnings so that the terrace could be used throughout the year during periods of inclement weather.

The applicant Dion Mifsud (DM) addressed the Commission. He stated that the proposal had been under consideration for some time and referred to other restaurants within Ocean Village, including Las Iguanas, the Bridge and Sanu, which he considered had been allowed similar covered or extended external areas. He stated that the proposal was sought because the existing terrace could not be used during wet or windy weather and that this resulted in the loss of approximately 80 covers during winter or bad weather conditions, affecting the business. DM disputed the concern regarding obstruction of views towards the marina, noting that other structures, signs and installations within the area also affected views.

MICS asked whether the awnings would be open during the summer or closed only during inclement weather. DM advised that the awnings would be open when it was not raining and that the enclosure was sought to allow use of the rented terrace during rain or strong winds. JH noted that the terrace was already in use with umbrellas, but DM advised that these did not allow the terrace to be used in windy or wet conditions.

Consultee Comments

CK advised that notice of the application had been served on LPS and Ocean Village. No representations had been received.

DOE and TSD confirmed no objection.

Planning Assessment and Recommendation

CK advised that TPD had met with the applicant before submission and had raised concerns with the proposal from a town planning perspective. CK explained that the piers, the three-sail structure and the promenade had been designed as part of the original Ocean Village development to allow views through to the marina. TPD considered that the proposal would narrow the pier, reduce the openness of the area and close off views towards the marina from

Ocean Village Promenade. The structure would be permanently in place and would create additional enclosure when the awnings were lowered.

CK noted that the applicant had referred to other examples within Ocean Village and Queensway Quay. However, TPD considered that these represented different site situations and were not comparable to the specific characteristics of this location. CK also advised that the Commission had consistently sought to reject applications and proposals to enclose outdoor terraces on Ocean Village Promenade on the basis of maintaining the open character and visual permeability of the promenade and marina frontage.

CK advised that, although TPD understood the applicant's commercial rationale, this did not override the detrimental impact that the enclosure would have on the open character and visual permeability currently provided by the pier and the open aspect available to users of Ocean Village Promenade.

TPD recommended refusal based on the following :

- The proposed terrace enclosure would introduce a permanent freestanding structure within the pier area, with retractable side screens that would create further enclosure when in use.
- The development would reduce the existing openness of the pier and harm the intended open character of this part of Ocean Village Promenade.
- The enclosure would interrupt and partially close views through the gap between the sails towards the marina, resulting in a loss of visual permeability from the promenade.
- The proposal would contribute to visual clutter and incremental enclosure within Ocean Village, contrary to the design intention of maintaining open views and visual connection between the promenade and marina.

CK added that the commercial benefit of enabling year-round terrace use was not considered to outweigh the harm to the open character, visual permeability and amenity of the promenade.

Discussion

MICS considered that, if the enclosure would only be closed during strong winds and heavy rain, there were unlikely to be many people using the area to look towards the marina at those times. He also noted that other restaurants had similar enclosed external areas and considered that the proposal would support a local business.

JH supported the recommended refusal and considered that the Ocean Village area was at risk of becoming congested and visually cluttered, requiring consistent controls.

The Chairman noted the planning history of similar proposals in Ocean Village and explained that the previously approved Las Iguanas example had been considered in the context of a wider open area. By contrast, the application site related to a relatively narrow field of view between the sails, where cumulative enclosure could result in the loss of the intended open aspect. DM reiterated that the pier had already been widened and that the remaining walkway would allow people to access an area with marina views.

Decision

The Chairman called for a vote on whether to approve the application as submitted. The Commission voted as follows:

In favour: 4

Against: 7

Abstentions: 0

Outcome

The application was refused by majority.

196/26 – F/20209/26 - 1 and 3A Queen's Road -- Proposed visitor attraction, including refurbished military battery, butterfly enclosure, digital experience, landscaping and interpretation.

Background and Planning History

CK presented the application for 1 and 3A Queen's Road, for a proposed visitor attraction including a refurbished military battery, butterfly enclosure, digital experience, landscaping and interpretation.

CK advised that the site comprised a former pig and poultry farm accessed via a steep single-track route from Queen's Road. The site contained single-storey outbuildings within a flat clearing surrounded by woodland, with the Nature Reserve and Lewis Battery to the north. CK explained that Lewis Battery was an artillery battery constructed in 1912.

CK advised that there was recent planning history at the site. In 2020, an outline application for a three-storey hotel had been refused by majority because it did not comply with the site-specific policy, was not small scale or in keeping with its surroundings and would have resulted in significant environmental and visual impacts. In 2023, the Commission had approved by majority an outline application for four small rural cabins for touristic use, although that permission had expired in June 2024.

Proposed Development

CK advised that the proposal involved the redevelopment and reuse of the site as a visitor attraction. The scheme included demolition of the former pigsties and slaughterhouse, removal of modern additions and buildings, construction of a contemporary butterfly enclosure, a welcome centre with ticket office and shop, refurbishment of the military battery and magazine area with digital interpretation, a bridge link between the northern and southern stairs of Lewis Battery, a small-scale café with internal and external seating, outdoor learning space, an open amphitheatre, bicycle and motorcycle parking, accessible toilets and permeable surfacing to the access road.

CK advised that the butterfly enclosure would be a stepped, horizontally stacked building approximately 8.2m high, with a low-carbon glue-laminated timber frame, bird-safe glazing,

automatic sun-controlled awnings and PV panels. Two young dragon trees might be translocated, although they could potentially be retained and incorporated within the butterfly enclosure, subject to agreement with DOE.

In terms of access, CK advised that the site would operate as a car-free development, with visitor access by pre-booked groups and no on-site visitor parking. There would be staff motorcycle parking, organised staff transport, a three-point turning arrangement for emergency access and staff supervision of arriving shuttle buses.

CK advised that the proposal included passive and active sustainability measures, including improved building envelopes, green roofs, solar shading, controlled glazing, natural ventilation, efficient HVAC systems, air-source heat pumps, dedicated air handling for the butterfly enclosure, LED lighting and PV panels. These had been guided by a dynamic simulation modelling exercise. The application was also supported by a landscape strategy, macaque management strategy, visitor management plan, visitor impact study, ecological reports, a desk-based assessment and an energy savings report.

CK also advised that the applicant had undertaken a visual impact assessment from various viewpoints across Gibraltar, which showed that the proposed scheme would have limited visual impact.

Public Participation

CK advised that the application had been subject to public participation and that notice had been served on LPS. No representations had been received.

Consultee Comments

DOE

- Satisfied with the dynamic simulation modelling and that the development would meet renewable requirements;
- Welcomed the PV installation, green roofs, landscaping strategy and macaque management strategy;
- Required a copy of the maintenance contract;
- Required a licence under the Nature Protection Act; and
- Required bat and bird surveys, a list of imported species and bird-visible glazing, with the reflective glass specification to be agreed before installation.
- Satisfied with the proposed refuse strategy.

ESG

- Welcomed the relatively low development ratio to plot size and the attention given to conservation, ecological and heritage values;
- Raised concern regarding the outdoor café and seating areas because of potential macaque behaviour and windblown litter in the Nature Reserve;
- Raised concerns regarding visitor management, opening hours and traffic management; and
- Advised that landscaping should be developed to create an attractive environment for birds and insects.

MfH

- No objection in principle and considered that adapting the battery for visitor use and interpretation could represent a positive form of reuse;
- Considered that removal of later unsympathetic agricultural structures would improve understanding of the site;
- Required an archaeological watching brief;
- Retention of surviving battery structures in situ wherever possible;
- A detailed photographic and measured survey before interventions; and
- Conservation of significant surviving features and subordinate scale and character for new architectural interventions.

MoT / Traffic Commission

- No objections;
- Required Queen's Road to remain unobstructed at all times;
- Required drop-off and pick-up to be staggered and managed through the visitor management plan; and
- Required employee motorcycle and bicycle parking within the site.

TSD

- No objections; and
- Required a geotechnical assessment by condition before works commenced.

No comments had been received from the Tourist Board, GHT, Ministry of Equality or World Heritage Organisation.

Planning Assessment and Recommendation

CK advised that the application was a comprehensive submission which had enabled consultee issues to be identified and additional information to be submitted before the DPC meeting. TPD welcomed the open dialogue with the applicant and design team.

CK considered the proposal policy compliant and advised that it had taken into account the recent planning history of the site. The development was embedded into the site to minimise visual impact and would bring the site back into use as a valued tourist attraction within the Nature Reserve. CK considered that it would add to Gibraltar's tourism offer, enable restoration of a heritage-sensitive site, and provide a sustainable and sensitive design approach with an environmental ethos.

CK advised that some matters would need to be controlled by condition, including glazing samples to avoid visual impacts and limitations on any additional shading structures. TPD recommended approval subject to conditions, including:

- separate demolition application;
- no additional shading structures;
- materials and colour samples, including glazing for the butterfly enclosure;
- archaeological watching brief and MfH heritage requirements;
- Lighting Strategy;

- implementation of the landscaping strategy, including plant replacement and green roof maintenance;
- permeable paving details;
- agreement with DOE on the future of the two dragon trees;
- tree protection measures;
- bat and bird surveys;
- licence under the Nature Protection Act;
- species list;
- geotechnical survey;
- wayfinding and signage details;
- adherence to the visitor management plan and traffic arrangements;
- implementation of the macaque management plan during construction and operation;
- CEMP, including construction traffic management and dust control; and
- standard conditions.

Discussion

JH welcomed the proposal but noted that the site appeared exposed to the sun and queried whether additional shading might be needed within open common areas to avoid overheating. CK advised that TPD wished to avoid further structures, particularly around the café, and that any shading should be minimal in visual impact and materiality.

CAM considered the project exciting for the Upper Rock and welcomed the way the battery had become a central feature, complementing the nature and heritage aspects of the attraction. She noted that access to the lower chambers should be managed so that visitors could engage with the battery as far as physically possible.

MEEC agreed with the comments made and stated that consultation on landscaping and species selection would remain important including any natural form of additional shading. He noted that the proposal would likely require licences under the Nature Protection Act, heritage legislation and the Keeping of Animals Act, but welcomed the applicant's proactive approach and considered the proposal a significant asset for the Upper Rock and Gibraltar.

Decision

The Chairman stated that the recommendation was to approve the application. No Member indicated disagreement.

Outcome

The application was approved unanimously, subject to the conditions recommended by TPD.

Minor and Other Works– not within scope of delegated powers

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

197/26 – F/20101/25 – Townhouse 2, Ordnance Wharf, Queensway Quay -- Proposed alterations to property including recessed first floor terrace and installation of internal lift.

This application was approved.

198/26 – F/20218/26 – Unit 7, Casemates House, 16 Casemates Square -- Proposed change of use from shop (Class A1) to bar/restaurant (Class A3)

This application was approved.

199/26 – F/20266/26 – 15 Gardiner's Road -- Proposed External Refurbishment.

This application was approved and the Planning Permission will include a condition for the inclusion of bird collision deterrence measures.

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.

200/26 – F/15807/18 – 20 Aloe House, Waterport Terraces -- Proposed replacement of balcony door with a sliding door.

201/26 – F/18968/23 - Commercial Units on Eurocity Passage, Eurocity Tower 2 -- Proposed change of use of existing units to shops (Class A1) and/or food and drink (Class A3), fitting shop front and shelf on core fit-out.

Consideration of details to discharge Conditions No. 3 (No hot food) and No. 4 (Signage and shop signs) for Unit 2.0.16 in respect of Planning Permission No. 8838.

202/26 – O/19518/24G – 23-25 Town Range -- Proposed refurbishment of existing school building with retention of existing façades and other built elements, partial demolition of structures and construction of two levels of educational spaces with rooftop recreational area.

GoG Application

Consideration of request to renew Outline Planning Permission No.9311 for an additional year.

203/26 – F/19584/25 – Flat 1B, 251 Main Street -- Proposed minor alterations/conversion of residential premises & decontrol of apartment including replacement windows.

204/26 – F/19948/25 – 1 Glacis Road -- Proposed replacement kiosk with green roof.

205/26 – F/19979/25 – 11 South Walk, Europa Walks -- Retrospective application for opening windows on ground and first floor west elevation.

Consideration of revised plans omitting air conditioning unit from façade of building.

206/26 – F/20023/25 – 152 Main Street -- Proposed internal alterations and installation of replacement shopfront and signage.

207/26 – F/20058/25G – Tovey Cottage, 6 Queen's Road -- Proposed redevelopment of the site to provide conservation, education and touristic centre.

GoG Application

Consideration of materials and finishes to discharge Conditions 3 and 4 of Planning Permission No. 9544.

208/26 – F/20067/25 - 85 Governors Street -- Proposed external refurbishment of premises to include new awnings and signage.

Consideration of installed arrangement of awnings.

209/26 – F/20075/25 – 22 Victoria House, 5 Alameda Estate, Red Sands Road -- Proposed door opening to flat to access terraced communal planter area.

210/26 – F/20092/25 – 1-3 Irish Place -- Proposed replacement of windows and a door and addition of fire doors on stair landings.

211/26 – F/20114/25 – 16 South Walk, Europa Walks -- Erect a balcony/terrace area over back patio.

Consideration of details to screen air conditioning units.

212/26 – F/20169/26 – Flat 10, 51 Governor's Street -- Proposed renovation of property.

213/26 – F/20120/25 – Flat 5 Bright Cottage, 3 Charles V Ramp -- Retrospective application for the refurbishment and alterations to the property.

214/26 – F/20170/26 – 10 Europa View Terrace, 73 Europa Road -- Proposed internal reconfiguration and refurbishment.

215/26 – F/20187/26 – Swift Cottage, 15E Town Range -- Proposed replacement of uPVC windows for wood and replacement patio door.

216/26 – F/20193/26 – 1101, Block 3, Europlaza -- Proposed replacement of master bedroom window.

217/26 – F/20205/26 – 9 Trafalgar Heights, 50 Europa Road -- Proposed installation of glass curtains.

218/26 – F/20208/26 – Flat 4, Green Hills, 9A Mount Road -- Proposed extension and alterations to residential premises including partial retrospective approval for changes made by previous owner.

219/26 – F/20216/26 – Unit 2, 1 Lynch's Lane -- Proposed subdivision of one x 3 bedroom flat into one x 2 bedroom flat and a studio.

220/26 – F/20224/26 – Flat 6, Block M, Hassan Centenary Terraces -- Proposed installation of pergola.

221/26 – F/20233/26 – Unit G2, Cornwall's Centre -- Change of use from Class A2 to Class B1.

222/26 – F/20240/26 – 237 Peninsular Heights, Harbour Views Road -- Proposed installation of glass curtains.

223/26 – F/20246/26 – 703 Seashell House, Beach View Terraces -- Retrospective application for the installation of glass curtains.

224/26 – F/20247/26 – Flat 8, 5 Cornwall's Parade -- Retrospective application for changing three x doors to fire doors and the replacement of seven x timber windows with five x white uPVC tilt and turn windows and two x aluminium sliding windows.

225/26 – F/20248/26 – 408 Express Lodge, Mons Calpe Mews -- Proposed installation of glass curtains.

226/26 – F/20254/26G – Outside of Gib Water Sports to the rear of the Bayside Sports Complex. -- Proposed boatshed for storage of diving rib and associated works.

GoG Application

227/26 – F/20255/26 – 25 Main Street -- Proposed conversion of one x 2 bedroom apartment, one x 3 bedroom apartment and redundant areas into four x studios, one x 1 bedroom apartment and two x 2 bedroom apartments.

228/26 – F/20261/26 – 2 Ebony Lodge, Montagu Gardens -- Proposed internal alterations and replacement of patio door.

229/26 – F/20265/26 – Unit 3, Tradewinds, Bayside Road -- Proposed refurbishment and interior fit-out of existing bar and restaurant premises including the replacement of curtain walling throughout and installation of new signage.

230/26 – F/20276/26 - 91 Quay 27, King's Wharf -- Proposed installation of glass curtains.

231/26 – F/20279/26 – 1101 Block 3, Europlaza -- Proposed installation of pergola.

232/26 – F/20290/26G – St. Christopher's School, Four Corners, Winston Churchill Avenue - - Proposed construction of a single-storey detached annex to the existing school building to provide additional offices and ablutions.

MoD Project

233/26 – A/20161/26 – PWC, 327 Main Street -- Proposed installation of projecting sign.

234/26 – A/20227/26 – Secretary's Lane, opposite the Cathedral, Ragged Staff Roundabout and Morrisons Roundabout -- Proposed installation of banners to advertise the Eco Fest.

235/26 – A/20237/26 – Cathedral Square, Westside Road Roundabout, North Pavilion Road and Ragged Staff Roundabout -- Proposed installation of banners to advertise 'Back to the Classics' event.

236/26 – A/20304/26 – Main Street to Casemates -- Proposed installation of lamppost banner to advertise the 'Calentita food festival'.

237/26 – A/20329/26 – Marina Bay and Main Street -- Proposed distribution of A5 leaflets advertising Dolphin Safari.

238/26 – MA/19870/25 – 7 Europa Road -- Proposed demolition of derelict casino and bund wall to provide a new apartment block of 111 high quality residences with multi-storey car park and amenities.

Consideration of proposed Minor Amendments including:

- *re-instatement and slight increase in total units to 115 units due to structural design development and private stores reconfiguration;*
- *re-location of substation on the north side of the site within the site boundary; and other minor adjustments due to design development.*

Consideration of HVAC unit covers to discharge Condition 26 of Planning Permission No.7506D.

239/26 – MA/20192/26 – 2 Cathedral Square -- Proposed construction of an extension at the rear of existing bedroom on the fourth floor, replace existing damaged fire escape stairs and associated ancillary works to include new stair flight from the second floor to third floor landing.

Consideration of Minor Amendments including:

- *retention and repair of the existing escape stairs from the 4th floor to the 3rd floor central stair landing;*
- *omission of the originally approved replacement stairs;*
- *relocation of windows; and*
- *allow for an escape hatch to access the escape stairs.*

240/26 – MA/20239/26 – Cannon Lane Hotel -- Proposed refurbishment of the building and construction of two-storey extension.

Consideration of Minor Amendments including:

- *reconfiguration of the ground floor; and*
- *adjustments to the stairs; and*
- *alterations to a few door locations.*

241/26 – MA/20264/26 – Cannon Lane Hotel -- Proposed extension to the current 5th floor to include a suite.

Consideration of Minor Amendments including:

- *reduction of 5th floor ensuite 3 to reflect the actual site restrictions compared with the original survey.*

242/26 – REF/1555/P068 – 16 North Pavilion Road -- Proposed refurbishment, repair and repainting of external façade exterior and surrounds.

JH queried the location. The Chairman explained that it was a painting application and clarified that it related to a building at the northern end of the former reservoir area on North Pavilion Road, opposite the former MOD houses and north of the former Queensway Club / squash club area.

243/26 – Any other business

There was no other business.

The Chairman confirmed that the next meeting was to be held on 25 June 2026.

Chris Key
Secretary to the
Development and Planning Commission