APPROVED
24 September 2026

THE DEVELOPMENT AND PLANNING COMMISSION

MINUTES

Minutes for the 9th meeting of 2026 held remotely via video conferencing on 24th September 2026 at 9.30am

Present:

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

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

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

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 G Baglietto (GB)
(Town Planning Assistant)

Mr R Laposi
(Minute Secretary)

Apologies:

The Hon Dr J Garcia
(Deputy Chief Minister)

Mr H Montado
(Chief Technical Officer)

Approval of Minutes

399/26 – Approval of Minutes of the 8th meeting of 2026 held on 27 August 2026.

The draft Minutes of the 8th meeting of 2026 held on 27th August 2026 were approved.

Matters Arising

400/26 - F/19591/25 – The area of land and sea located between Eastern Beach and Catalan Bay, known as "The Eastside" – Proposed coastal protection works, reclamation and marina structures.

Consideration of request to temporarily vary Condition 29 of Planning Permission No. 9239 to allow 24-hour working operations associated with the coastal protection works.

Background

GB advised that temporary extended working hours had previously been approved on 18 August 2026 for marine-based breakwater construction activities, allowing works between 08:00 and midnight, Monday to Sunday, including Bank Holidays. This approval did not permit 24-hour operations.

The current request sought a further extension to allow 24-hour working. GB emphasised that this was not a general extension of construction hours across the site. The existing approval restricted extended working to marine-based breakwater activities, including loading, marine transport and dumping of material, and did not permit general crushing, processing or stockpiling outside the normal approved hours.

The applicant had submitted an updated programme comparing the existing 16-hour working arrangement with the proposed 24-hour operation. This indicated that marine dumping could be completed by 10 June 2027 rather than 25 August 2027, representing an acceleration of approximately 76 days or 11 weeks. The applicant considered that this would enable better use to be made of favourable weather, tidal and oceanographic conditions and reduce downtime associated with specialist marine equipment.

Consultees' Comments

- Technical Services Department (TSD) raised no objection in principle to 24-hour working, noting the benefits of completing the marine works earlier and reducing disruption during the following bathing season. TSD nevertheless stressed that any approval should not amount to a blanket approval and should remain subject to appropriate mitigation and monitoring.
- The Department of the Environment (DOE) also supported completion of the works ahead of the following bathing season where possible. It highlighted the need to ensure sufficient lighting was available during night-time working to allow plastic and other debris within the rubble material to continue to be identified and removed.

- The Environmental Agency (EA) highlighted the history of complaints concerning the wider site, including noise, and the need to ensure that extended hours did not result in unacceptable impacts on nearby residents.

Planning Assessment

GB explained that the 24-hour operation would principally comprise the movement of material from designated stockpile areas to the loading structure, loading onto the hopper vessel, marine transport and underwater deposition. The applicant considered the underwater placement itself to be relatively low noise, with the principal amenity impacts arising from supporting operations such as loading, vehicle movements, reversing alarms, vessel movements and lighting.

The submitted night-time noise assessment predicted combined levels of approximately 52 dB at Catalan Bay and 52.3 dB at Hassan Centenary Terraces. GB also noted the history of complaints associated with extended working, although the applicant reported that no further noise complaints had been received during the later part of the previous trial following corrective measures.

The Department (TPD) recommended approval of 24-hour working strictly for the main breakwater marine dumping operation and directly associated loading and support activities only. It did not recommend extending 24-hour working to the northern or southern breakwaters because of their closer relationship with residential properties and the greater potential for night-time disturbance.

The recommended controls included restricting night-time works to the approved main breakwater methodology and defined working area; prohibiting general crushing, processing, stockpiling and other construction activity outside the existing approved hours; continued real-time noise monitoring; review or suspension where unacceptable impacts or breaches occurred; appropriate lighting while avoiding glare and light spill towards residential properties; controls over the position of the barge, including preventing it from being stationed in front of Hassan Centenary Terraces at night; and retaining the ability to suspend, amend or revoke the approval if necessary.

GB also highlighted that the existing approval did not permit operation of the barge crane outside standard working hours. Should crane operations be required overnight, this would need to be expressly provided for as part of the new approval.

Discussion

JH considered the information provided by the applicant to be detailed but highlighted the continuing difficulty of identifying and removing plastic and debris from the rubble material, particularly during night-time operations. She sought confirmation that 24-hour working was not already taking place, which the Chairman confirmed.

JH suggested that consideration could be given to approving the 24-hour operation initially for a one-month trial period. She considered that the true impact would only become apparent once operations were undertaken throughout the night, when background noise levels were lower.

The Chairman advised that the TPD had not recommended a separate trial period, having considered the information provided and the complaints received to date. He nevertheless noted that the Commission retained the ability to rescind and revoke an approval if it was not satisfied with the way in which the works were being undertaken and that it remained open to Members to impose a trial period if they considered this necessary.

EH considered that a separate trial period was unnecessary. He emphasised that any approval would remain subject to the specified conditions and could be revoked at any time if the contractor failed to comply. He stressed that the proposal should not be regarded as a blanket approval for unrestricted 24-hour working.

MEEC agreed, considering that the ability to stop the works in the event of non-compliance effectively created an ongoing trial arrangement. He advised that the DOE maintained regular monitoring of the site and had previously stopped works where it was dissatisfied with operations, including an occasion when problems with the screening of plastics had arisen. He confirmed that environmental monitoring would continue during night-time operations and supported the extension subject to the proposed controls.

Decision and Outcome

The Commission unanimously allowed the request for 24-hour working for the main breakwater marine dumping operation and directly associated loading and support activities, subject to the controls recommended by the TPD.

The northern and southern breakwaters would remain subject to their existing approved working hours.

The approval would remain capable of being suspended, amended or revoked should unacceptable impacts arise or the applicable controls not be complied with.

Major Developments

401/26 – F/20438/26 – Ex-brewery crusher site (3 Levanter Way); Little Bay Car Park (adjacent to the existing manhole 44) with their respective surrounding areas -- Proposed enabling works at the ex-brewery crusher site and Little Bay car park, including site preparation, excavations, utility diversions and associated works to facilitate the construction of the proposed urban wastewater treatment plant and pumping station

Background

CK advised that the application followed the outline planning permission granted earlier in the year for the proposed Urban Waste Water Treatment Plant (UWWTP) and associated pumping station. The current application related solely to enabling works at the two sites in advance of the submission of the full planning application.

At the Ex-Brewery Crusher Site, the works included breaking out existing concrete slabs, removal of limestone blocks and waste material, excavation to formation level, excavation for the proposed buffer tank and reactors, removal of excavated material and installation of the electrical power supply required for the construction phase.

At Little Bay, the works included the establishment of banksman stations, erection of hoarding, temporary road markings and relocation of a disabled parking bay, excavation of the wet well, installation of dewatering equipment, temporary removal of the existing rockfall protection fence, provision of access to Manhole 44 and installation of the construction-phase electrical supply.

CK advised that excavation methodologies had been submitted for both sites. A temporary soldier wall could be required at the Ex-Brewery Crusher Site where insufficient space existed to safely slope the excavation, while temporary rock stabilisation could be required depending on conditions encountered. At Little Bay, the excavation would extend below groundwater level, and temporary dewatering would, therefore, be necessary, subject to appropriate settlement, filtration and an agreed discharge arrangement with the DOE.

The Outline Planning Permission included a number of pre-commencement requirements, including geotechnical information, a bat survey, a condition report of Nunn's Well, an archaeological Written Scheme of Investigation, a Construction Environmental Management Plan and a traffic management plan. These documents had been submitted by the applicant in support of this enabling works application.

Public Participation

The application had been subject to the statutory public participation process. No representations had been received.

Consultees' Comments

- No objections had been received from the consultees that had responded, subject to the required mitigation measures and provisions contained within the supporting reports being adhered to.
- The Ministry for Heritage (MfH), Ministry of Transport (MoT) and the TSD raised no objection subject to the relevant mitigation and technical requirements.
- The DOE confirmed that, notwithstanding the submitted dewatering methodology, a separate discharge permit would be required before any dewatering works commenced.

Planning Assessment

CK advised that the TPD had no objection to the scope of the proposed enabling works. They were considered necessary to facilitate the subsequent construction of the UWWTP and pumping station and were consistent with the strategic planning objectives for the sites and the outline permission already granted.

The principal considerations related to temporary environmental, highways, ecological, heritage and ground stability impacts. The applicant had submitted supporting studies addressing these matters and the relevant consultees had raised no objections subject to the required mitigation measures being followed.

Approval was recommended subject to conditions requiring, amongst other matters, compliance with the environmental mitigation measures, Construction Environmental

Management Plan (CEMP) and Construction Traffic Management Plan (CTMP); compliance with the geotechnical and archaeological requirements; obtaining the necessary dewatering discharge permit; agreement of temporary highway arrangements with the MOT and the Highways Section of TSD prior to commencement; maintaining pedestrian access during the works; and agreement of temporary construction lighting.

Discussion

CAM referred to concerns she had previously raised at outline stage regarding potential vibration impacts arising from the excavation works. She sought confirmation that monitoring would include Nun's Well and any potential effects upon it.

CK confirmed that a condition survey of Nun's Well had been submitted and reviewed by the Government Archaeologist, who was satisfied with the proposed methodology. CAM requested that the condition of Nun's Well remain under active review throughout the works in conjunction with the Government Archaeologist.

JH referred to the importance of the Little Bay area as a green and publicly accessible community space. While recognising the importance of the UWWTP project, she sought clarification as to whether the slope behind the proposed pumping station would be disturbed as part of the enabling works.

Carlito Buhagiar (CH) confirmed that the slope would not be affected during this phase. The existing wall would only be moved back by a few metres to accommodate the sewer alignment and enable excavation for the manhole and wet well.

JH also asked whether the adjoining sports pitch would need to close during the works. The applicant confirmed that access could continue and that the works would not extend into the pitch area.

JH referred to strong odours which had arisen during earlier exploratory works involving the sewer system and asked whether similar impacts were anticipated during the enabling works. CH explained that the earlier odours arose because a manhole had been opened to undertake wastewater surveys. The enabling works would not involve interference with the operational sewer at this stage and no similar odour impacts were anticipated.

JH further highlighted the ecological importance of the area, particularly for birds and wildflowers, and expressed an interest in continued engagement as the detailed design developed. CH confirmed that an ecologist had already been appointed to the project team and that ecological considerations would continue to inform the development of the proposals.

MEEC signaled continued ministerial/environmental oversight of the scheme.

Other Developments

402/26 – F/15607/18 - 7 & 9 Town Range -- Proposed works to barrel type water cistern.

Consideration of request to renew Supplemental Planning Permission No. 6732C for an additional year.

This item was deferred until later in the meeting to allow for the applicant to attend the meeting as they had requested to address the Commission.

403/26 – F/16198/19 – 5 Town Range – Proposed minor alterations to layout of apartments 1B, 2B and 3B.

Consideration of request to renew Supplemental Planning Permission No. 7203C for an additional year.

This item was deferred until later in the meeting to allow for the applicant to attend the meeting as they had requested to address the Commission.

404/26 – F/16280/19 – 5 Town Range -- Proposed alterations to layout of duplex penthouse on floor levels 5 and 6.

Consideration of request to renew Supplemental Planning Permission No. 7210C for an additional year.

This item was deferred until later in the meeting to allow for the applicant to attend the meeting as they had requested to address the Commission.

CV left the meeting prior to the next item being considered.

405/26 – F/16154/19 – 22 South Walk, Europa Walks Estate -- Proposed loft conversion, extension and refurbishment works to residence.

Background

CK advised that the property was a two-storey corner dwelling with a sloping roof forming part of a three-sided courtyard block at the southern end of the Europa Walks Estate. The wider estate was predominantly characterised by two-storey dwellings, with the principal exception being properties incorporating undercroft parking on the opposite side of the roundabout.

The proposal comprised a number of internal and external alterations, including an additional residential storey with an external terrace, and increasing the property from two to three storeys. Other works included new window openings, a first floor south-facing terrace extension over the existing patio with partial enclosure and skylight, a ground-floor extension opening onto the south-facing patio, and further extensions and alterations on the north-western side of the property.

The application had been subject to public participation, and notice had also been served on the Management Company. CK confirmed that one set of representations had been received from the owners of the adjoining property.

Public Participation

Nicholas Isola (NI), owner of the adjoining property, addressed the Commission on his objection. NI stated that the site was immediately adjacent to the Gibraltar Nature Reserve and close to the heritage walls of Woodford Battery. He advised that the proposal had not obtained the required approval of the Management Company and argued that the proposed

additional storey and extensions would result in excessive scale and massing, disrupting the established uniformity and low-rise character of this part of the Europa Walks Estate.

NI disputed the applicant's reliance on other properties within the estate as examples of three-storey development, stating that these generally comprised two-storey dwellings above garages and had formed part of the original estate design. He expressed concern that approval could establish a precedent for similar upward extensions throughout the estate.

NI also raised concerns regarding plot coverage, land ownership and potential encroachment, structural matters, the relationship of the works to an existing culvert, construction noise and dust affecting the adjoining property, and the availability of space for construction materials and contractors' vehicles.

Stephen Martinez (SM), on behalf of the applicant, responded that planning applications should be considered on their individual merits and argued that the particular location of the property distinguished it from other parts of the estate. SM stated that the proposal had been designed sensitively and that the increase in the overall roofline would be approximately 1 to 1.2 metres.

Mrs Lugnani, the applicant, advised that only one objection had been received and considered that the proposal would not adversely affect neighbouring light or views. She argued that the overall physical height and architectural integration of the proposal were more relevant than the number of internal floors and referred to other multi-level properties within Europa Walks.

The applicant acknowledged that the proposal had not achieved the required level of support from the Management Company, having received 71% support against a required threshold of 75%, and confirmed that the matter would be pursued separately with the Management Company. She also confirmed that any issues concerning encroachment or structural matters would be addressed through the appropriate legal and Building Control processes.

She maintained that the proposal had been designed to minimise its visual impact, would provide necessary additional accommodation for the family and would remain compatible with the character of the estate.

Consultees' Comments

CK advised that the application had been subject to consultation and to date no consultee comments had been received.

Planning Assessment

CK advised that the principal planning concern was the proposed additional residential storey, which the TPD considered would significantly increase the height, scale and massing of the dwelling.

TPD considered Europa Walks Estate to possess a distinctive low-rise and visually coherent residential character, predominantly comprising clusters of two-storey dwellings. Alterations previously permitted by the Commission had generally remained subordinate to the established scale and form of the estate. The proposed additional floor was, therefore, considered to represent a material departure from the prevailing pattern of development and

would make the dwelling appreciably taller and more visually prominent than the surrounding properties.

CK also stressed that the TPD was also concerned about the precedent that approval of an additional storey could establish and the cumulative impact should similar extensions subsequently be repeated throughout the estate.

While the other proposed alterations were generally considered consistent with the established pattern of development and the Europa Walks guidance, removal of the additional storey would require substantial redesign and would result in a materially different scheme.

The proposal was, therefore, considered unacceptable in respect of its height, scale and massing and contrary to Policies GDS2 and H7 of the Gibraltar Development Plan, with the potential to cause material harm to the character and appearance of Europa Walks. TPD recommended refusal of the application as submitted, while encouraging the applicant to submit a new application for the ground and first-floor alterations, which were considered capable of complying with the relevant design guidance and previous Commission decisions.

Discussion

MEEC asked whether, given that TPD was encouraging submission of a revised scheme, it might be preferable to defer the application rather than refuse it, thereby avoiding the need for the applicant to commence the application process again.

CK advised that this would depend upon whether the applicant wished to modify the proposal or pursue the scheme as submitted.

The Chairman added that the changes necessary to overcome its concerns would be substantial and would result in a materially different scheme. This was the reason for recommending outright refusal while leaving open the opportunity for a smaller scheme to be submitted as a fresh application.

No other Members raised comments, and the Chairman proceeded to a vote on the recommendation to refuse the application as submitted.

Decision and Outcome

The Commission refused the application by majority vote in accordance with the Town Planning Department's recommendation.

In favour of refusal: 8
Against refusal: 1
Abstained: 0

The Chairman advised the applicant that, should they wish to pursue a revised proposal, it would be beneficial to meet with the TPD before submitting a fresh application.

406/26 – O/20286/26 – 41 Europa Road -- Proposed refurbishment and extension of existing premises for conversion to residential use.

Background

GB advised that the outline application sought the redevelopment and conversion of the existing building to provide 10 residential units, while retaining the existing gym at ground-floor level.

The site comprised a three-storey pre-war building understood to have been constructed around 1908 as barracks for the Royal Army Medical Corps in association with the former Royal Naval Hospital. Although not listed, the building was considered heritage-sensitive because of its age, historic associations and architectural character. The entrance to the Second World War tunnel known as Marble Arch was located immediately adjacent to the site.

The proposal involved retaining and substantially refurbishing the original building while demolishing a number of later additions. The existing roof and attic would be removed to enable the construction of two additional storeys, with the uppermost level designed as a lightweight, glazed contemporary addition. A new rear extension, alterations to the existing gym and a new vehicular access to a proposed parking area incorporating car stackers and a turntable were also proposed.

GB advised that the overall height had been reduced by approximately 1.4 metres from the scheme originally submitted following concerns raised by the TPD and heritage bodies regarding visual impact and massing. The rear extension had also been reduced and set back further from the site boundaries.

The proposal also included restoration of historic architectural features, including arches, ironwork, mouldings, terraces and balustrading.

A conceptual transport and access strategy proposed alterations to Europa Road, including a new pedestrian crossing, relocation of the existing bus stop, pedestrian improvements and works associated with the proposed vehicular access.

Public Participation

The application had been subject to public participation, and it was confirmed that no representations had been received.

Consultees' Comments

No in-principle objections had been received from consultees, subject to detailed requirements relating to energy performance, biodiversity, landscaping, heritage conservation, archaeology, fire safety and transport.

The Traffic Commission had, however, not supported the highway arrangements as currently submitted, particularly the proposed pedestrian crossing and relocation of the bus stop. These matters would therefore require further investigation and an acceptable solution at full planning stage.

Planning Assessment

GB advised that the proposal represented the adaptive reuse and substantial refurbishment of a heritage-sensitive building which was presently in a poor state of repair.

The TPD supported the principle of conversion to residential use and considered the revised scale and massing acceptable. The reductions made since the original submission were considered to improve the relationship of the proposed additions with the retained building.

The vertical extension would be set back from the original façade, with the glazed upper floor providing a clear distinction between the contemporary addition and historic fabric. Although the increased height would be visible from Windmill Hill Road and Europa Road, the Department considered the development compatible with the wider context of the former Royal Naval Hospital complex, where a number of buildings had previously undergone refurbishment and rooftop extension.

GB stressed that the height and massing shown represented the maximum extent considered acceptable and should not be increased at full planning stage if the scheme were to obtain Outline Planning Permission.

The restoration of original features, including reopening blocked arches and reinstating the rhythm of the western arcaded loggia, was welcomed. The proposal was considered broadly consistent with Policy Z8.12 concerning the conservation and redevelopment of the former Royal Naval Hospital complex.

Approval was recommended subject to detailed conditions relating, amongst other matters, to the maximum height and massing; energy and renewable-energy requirements; bird and bat measures; landscaping; heritage conservation and archaeological requirements; protection of the Marble Arch tunnel entrance; fire safety; retaining walls and slope stability; highways and road-safety matters; parking and electric vehicle charging; pedestrian and cycle infrastructure; and accessibility.

Discussion

MEEC supported the proposed conditions and requested that the biodiversity measures include nesting provision for sparrows and starlings in addition to swifts. He also agreed that the proposed traffic arrangements required further work and should be resolved with the relevant transport authorities.

JH raised concerns regarding the treatment of the green areas surrounding the site and pedestrian safety. She sought clarification as to which landscaped areas formed part of the application site and highlighted the importance of retaining the natural green area to the rear. GB clarified that the green areas within the site were principally located along the Europa Road frontage and side of the property.

JH also questioned whether the proposed pedestrian route above the existing drain along Europa Road would provide a safe solution. The Chairman advised that the Traffic Commission had not accepted this aspect of the submitted scheme and that an appropriate solution would therefore need to be developed as part of the full planning application.

JH welcomed the proposed restoration of the building and asked about the anticipated market for the residential units.

Jonas Stahl (JS), on behalf of the applicant, advised that the precise mix of apartments remained to be developed at the outline stage, although a variety of unit sizes was envisaged.

JS added that discussions had taken place with the MOT regarding the highway arrangements. He considered redevelopment of the building an opportunity to improve existing pedestrian shortcomings along this section of Europa Road and improve access to the adjoining public steps leading towards the Nature Reserve.

MEEC supported JH's comments regarding the surrounding green areas. He considered these areas ecologically important and requested that the DOE and relevant ecological bodies be consulted before any vegetation clearance was undertaken.

The Chairman noted that a landscaping strategy would be required at full planning stage and that the applicant would be expected to liaise with the relevant environmental and ecological authorities.

JH sought confirmation that the applicant did not intend to disturb the green area to the rear of the site. JS confirmed that this area fell outside the application site and did not form part of the proposed works. He added that the applicant would nevertheless be willing to discuss opportunities to assist with clearing debris and fallen vegetation from the area.

Decision and Outcome

The Commission unanimously approved the outline application, subject to the conditions recommended by the TPD, including the requirement for the highway and pedestrian-access arrangements to be satisfactorily resolved at full planning stage.

407/26 – F/15607/18 - 7 & 9 Town Range -- Proposed works to barrel type water cistern.

Consideration of request to renew Supplemental Planning Permission No. 6732C for an additional year.

F/16198/19 – 5 Town Range – Proposed minor alterations to layout of apartments 1B, 2B and 3B.

Consideration of request to renew Supplemental Planning Permission No. 7203C for an additional year.

F/16280/19 – 5 Town Range -- Proposed alterations to layout of duplex penthouse on floor levels 5 and 6.

Consideration of request to renew Supplemental Planning Permission No. 7210C for an additional year.

Background

GB advised that all three applications sought a further one-year renewal of their respective Supplemental Planning Permissions. The works were relatively minor in scale and had originally been approved by the DPC Sub-Committee.

GB explained that the applications related to the wider redevelopment site at 5, 7 and 9 Town Range, formerly known as Albany House. The site had been the subject of a number of planning applications, including an outline application dating from 2007. Full planning permission for

residential redevelopment had subsequently been granted in 2014, with separate demolition permission granted in April 2017.

Demolition works had commenced and the majority of the former building had been removed, with parts of the eastern boundary wall remaining. GB advised that progress had subsequently stalled and that the applicant had attributed the delay principally to an ongoing private legal dispute concerning the adjoining boundary.

GB also advised that a separate permission for a hotel development encompassing the Town Range site and Calpe Lodge remained extant.

Before hearing from the applicant, the Chairman advised that the applicant had raised a concern regarding possible apparent bias involving JH. The matter had been referred to JH in advance of the meeting, who had considered the issue and confirmed that she did not consider there to be grounds requiring recusal. She therefore remained present and participated in the consideration of the application.

Applicant's Representations

KT referred to previous correspondence concerning the recusal issue and reiterated his concerns regarding JH's participation.

Turning to the reason for the delay to the development, KT advised that the principal issue concerned a dispute over a shared boundary wall. He stated that legal correspondence was ongoing and that he expected the matter to be resolved.

KT acknowledged that it was not normal practice for the Commission to renew permissions for a fourth occasion. He argued, however, that when the permissions had last been renewed, he had not been advised that no further renewal would be entertained. He considered that a further renewal would therefore be equitable and would assist in protecting the value and future redevelopment prospects of the site.

KT advised that the site was effectively being marketed and that he was in detailed negotiations with two prospective parties. He therefore requested that all three permissions be renewed for a further year.

Consultees' Comments

GB advised that the original consultees had been consulted on the renewal requests. Responses had been received from the DOE, TSD and MfH and Gibraltar Fire and Rescue Service, with no objections raised to the proposed renewals.

Planning Assessment

GB advised that the three permissions had already been renewed on three previous occasions and that the Commission had an established position of generally not renewing permissions more than three times.

In this case, however, works had already commenced on the site, although they had subsequently remained stalled for a number of years. In view of these circumstances, the

matter was presented to the Commission to determine whether a further year of planning validity should be granted.

Discussion

MEEC commented on KT's remarks concerning JH and the recusal issue. MEEC considered that the suggestion that JH might be influenced by her relationship with the adjoining occupier was inappropriate, particularly where reference had been made to correspondence which other Members had not seen and to which JH had not had an opportunity to respond. MEEC stated that he rejected any implication that JH's participation would be improperly influenced.

The Chairman advised that he did not wish the meeting to enter into further discussion on the recusal issue and reiterated that the purpose had been simply to record that the matter had been considered.

The Chairman then expressed concern regarding the length of time the site had remained in an unfinished condition, which he considered was contributing to urban blight. He asked KT what assurance could be given that progress would be made within the following 12 months if the permissions were renewed.

KT advised that he was in negotiations with two prospective parties in relation to the wider hotel site and was confident that the boundary dispute would also be resolved in the near future. He acknowledged the Commission's concerns regarding the continued lack of progress and accepted that this should be regarded as the final renewal request.

The Chairman noted the Commission's normal approach of not renewing permissions beyond three previous renewals but considered that, in the particular circumstances, one further renewal could be allowed in an effort to enable the development to progress.

Decision and Outcome

The Commission agreed to renew Supplemental Planning Permissions Nos. 6732C, 7203C and 7210C for one further year.

The Chairman made clear to KT that the Commission did not wish to find itself in the same position again the following year and that it was unlikely that any further renewal would be granted.

408/26 – F/16198/19 – 5 Town Range – Proposed minor alterations to layout of apartments 1B, 2B and 3B.

Consideration of request to renew Supplemental Planning Permission No. 7203C for an additional year.

This application was considered alongside Items 407/26 and 409/26 and the Commission agreed to renew the Supplemental Planning Permission for an additional year.

409/26 – F/16280/19 – 5 Town Range -- Proposed alterations to layout of duplex penthouse on floor levels 5 and 6.

Consideration of request to renew Supplemental Planning Permission No. 7210C for an additional year.

This application was considered alongside Items 407/26 and 408/26 and the Commission agreed to renew the Supplemental Planning Permission for an additional year.

MEEC left the meeting prior to the start of the next item being considered.

410/26 – F/20417/26 – 16 and 20 Flat Bastion Road -- Proposed one storey extension and conversion of the existing building into three family homes (class C3 dwellings) and retention of existing western façade, landscaped car park on roof top accessible via a bridge over existing public footpath.

Background

CK advised that the site comprised an existing two-storey building situated below the elevated level of Flat Bastion Road, with a cul-de-sac passage along its eastern boundary. The surrounding area comprised two and three-storey residential buildings adapted to the steeply sloping topography and positioned above substantial retaining walls.

The western retaining wall below the building had partially collapsed during the 2025/26 rainy season and the application site had subsequently been extended to incorporate this area.

The full application followed Outline Planning Permission granted by majority decision in February 2025 for a one-storey extension and conversion of the existing building into three family homes, retention of the existing façade and provision of a landscaped rooftop car park accessed by a bridge over the existing public footpath.

CK advised that the overall use, principal massing, architectural treatment and approved height remained substantially consistent with the outline permission, although a number of refinements had been made. These included an enlarged lower-level site area following acquisition of land associated with the collapsed retaining wall; increased floor area arising from internal reconfiguration and a larger basement footprint; a minor increase in building depth; rooftop entrance canopies and pergolas incorporating solar shading and photovoltaic panels; and enhanced landscaping.

The landscaping proposals incorporated approximately 112m² of landscaped and permeable areas, together with planters, grasscrete, planted joints and a green wall. The historic entrance archway would be retained and formalised as the principal pedestrian entrance and surviving historic features, including the underground cistern system, water pump and retaining walls, would also be conserved.

The vehicular bridge connection from Flat Bastion Road remained substantially as approved at outline stage.

The application was supported by a range of technical studies, including ecological surveys, construction and traffic management information, road safety assessment, landscaping and fire strategies, sustainability and renewable-energy information, and heritage assessments.

The associated demolition application provided for removal of the existing roof, internal partitions and floor slabs while retaining the western façade. It also included demolition of a small neighbouring store to provide construction and future vehicular access, together with stabilisation works to the retaining wall. A temporary bracing system was proposed to support the retained masonry façade during the works.

Public Participation – F/20417/26

The full planning application had been subject to public participation and adjoining landowners and occupiers had been notified. No representations were received in respect of the full application.

Consultees' Comments

CK advised that no objections had been received from consultees to either application.

The MfH had provided specific comments on the demolition application and both the MfH and MOT had commented on the full planning application. These matters had been incorporated into the Department's assessment and recommended conditions.

Planning Assessment – F/20417/26

CK considered the full application to represent a comprehensive submission which addressed the conditions and requirements imposed at outline stage.

The MfH had confirmed that the heritage assessment and Heritage Feature Retention Strategy provided an appropriate framework for identifying, protecting and integrating the surviving heritage assets. The architectural proposals retained the principal features contributing to the site's historic significance and the character of the Upper Town.

The applicant had also addressed the MOT's comments concerning vehicular sightlines, with the revised arrangements having been considered by the Traffic Commission.

The TPD considered the full scheme acceptable and recommended approval, subject to clearance of the environmental studies and conditions requiring, amongst other matters, implementation of the approved mitigation and technical studies; final materials and colour details; green-area maintenance; photovoltaic details; final construction and construction traffic management plans; bird-collision mitigation and nesting provision; implementation of the Heritage Feature Retention Strategy; protection and recording of heritage features; archaeological monitoring and unexpected-discovery procedures; continued liaison with the MfH; and compliance with TSD requirements.

Decision and Outcome – F/20417/26 The Commission approved the full planning application in accordance with the Town Planning Department's recommendation and subject to the recommended conditions.

JH left the meeting prior to these applications being determined.

411/26 – D/20359/26 – 16 and 20 Flat Bastion Road -- Proposed demolition of residential building with brick/ timber walls and corrugated pitched roof; retention of western façade

and demolition of a small neighbour's store and associated site stabilisation and enabling works.

Public Participation – D/20359/26

Representations were received from the adjoining owners, Mr and Mrs Ritchie, in respect of the demolition application. Their written representations sought:

- a structural survey of the boundary wall before demolition commenced;
- an appropriate asbestos assessment, documentation and safety procedures;
- measures to prevent dust, debris and hazardous materials affecting the adjoining property and its occupants; and
- uninterrupted and safe access to their property throughout the works.

The applicant's agent had responded confirming that the boundary wall would be surveyed and monitored by the structural engineer; asbestos would be assessed and managed in accordance with the applicable statutory requirements; a site-specific Construction Environmental Management Plan would be prepared; access to adjoining properties would be maintained; and the works would be undertaken in accordance with permitted working hours and relevant health and safety requirements.

Jason Ritchie (JR) subsequently joined the meeting and addressed the Commission. JR expressed particular concern regarding the proximity of the demolition works to his property and the safety implications for his family. He believed that a wall adjoining his property was shared between the two properties and questioned how demolition could safely proceed without affecting it or his patio.

The Chairman explained that the demolition methodology would be assessed through the appropriate structural and Building Control processes and that the Commission itself did not determine private ownership disputes.

JR also expressed concern that he had previously understood the project to involve refurbishment rather than demolition and stated that he had not appreciated the extent of demolition now proposed. He requested clear confirmation as to responsibility for the works and stated that scaffolding should not be placed within his patio.

Andrew Gordon (AG), on behalf of the applicant, responded that the wall about which JR was concerned, identified as the south-facing wall, was not proposed to be demolished. AG explained that the demolition was partial and principally related to the internal structure and east-facing wall. He confirmed that structural assessments had been and would continue to be undertaken and that the works would comply with the relevant regulatory requirements.

Joaquin Rodriguez (JqR) further confirmed that the demolition works would be undertaken in accordance with the safety measures and requirements imposed through the Building Control process.

Later in the consideration of the item, JR also raised specific concerns regarding the possible presence of asbestos roofing and requested information on how any asbestos would be

removed. JqR advised that hazardous materials would be assessed and managed in accordance with statutory requirements and that the relevant assessment and licensed removal procedures and safety protocols would be submitted to the appropriate regulatory authorities. The Chairman reiterated that any asbestos material would have to be removed in accordance with the applicable health and safety requirements.

Planning Assessment – D/20359/26

CK advised that the Department had no objection to the proposed demolition works, which followed the principles established by the outline permission. The continued retention of the western façade was welcomed.

The submission was considered sufficiently comprehensive to address the issues associated with the relatively complex demolition process. The MfH had raised no objection subject to appropriate heritage safeguards.

The Department acknowledged the concerns raised by JR but considered that the applicant's responses addressed the matters raised. In particular, a Construction Environmental Management Plan would be required and uninterrupted and safe movement along the adjoining public passage would need to be maintained through the final Construction Traffic Management Plan, which would require separate approval from the MoT and the Highways Section of TSD.

Approval of the demolition application was therefore recommended subject to the submitted mitigation measures and studies, approval of the construction management arrangements before works commenced, maintenance of safe and uninterrupted access, heritage safeguards and standard demolition conditions.

Discussion

JH considered that the exchange between JR and the applicant demonstrated a lack of communication between the parties. She commented that works of this nature, immediately adjoining an occupied property, would benefit from early communication and explanation so that unnecessary anxiety could be avoided. She considered that the applicant's explanation at the meeting had provided useful reassurance and encouraged continued liaison with the neighbour.

No further comments were raised by Members.

Decision and Outcome – D/20359/26

The Commission's decision was taken on the basis that the south-facing wall identified by JR was not proposed to be demolished and that the demolition methodology, structural safety measures and management of any hazardous materials would remain subject to the relevant regulatory controls.

Having considered the representations made by JR and the responses provided by the applicant and professional team, the Commission approved the demolition application in accordance with the TPD's recommendation and subject to the recommended conditions and safeguards, including the required construction management measures, protection of adjoining access and heritage requirements.

JH had left the meeting prior to these applications being determined.

Minor and Other Works– not within scope of delegated powers

412/26 – O/18850/23 – 66-68 Devil's Tower Road -- Proposed extension, alterations and redevelopment of building with new storage units added.

This application was approved.

Consideration of request to renew Supplemental Planning Permission No. 9000 for an additional year

413/26 – O/19204/24 – Flat 1, 15-19 South Barrack Road -- Proposed single storey extension to building with one new dwelling unit and a new lift.

Consideration of request to renew Outline Planning Permission No. 9422 for an additional year.

This application was approved.

414/26 – F/20478/26G – 8 Winston Churchill Avenue (Wessex House) – Proposed integration of Wessex House into the Four Corners estate, amplification of infrastructure and alteration to boundary wall.

The Chairman noted that the proposal involved the removal of existing landscaping fronting Winston Churchill Avenue to accommodate the realigned access. He asked SB whether, rather than replacing the affected trees within the Estate, consideration could be given to replacement planting within the adjoining public realm, where the trees would provide greater public benefit, including shade along the heavily used pedestrian route to and from the Frontier.

CK advised that similar concerns had been raised by the DOE.

SB, on behalf of the applicant, confirmed that discussions had already taken place with the DOE and that these would continue with a view to identifying an acceptable solution. The Chairman advised that the replacement planting should be investigated further in liaison with the DOE and the TPD, with updated plans to be provided once a solution had been agreed.

SB subsequently clarified that the submitted proposal currently provided for the replanting of four trees within the Estate but confirmed that the applicant would continue to engage with the DOE and the TPD, and updated plans to be provided once an agreed solution had been reached.

415/26 – F/20479/26G – Europa Advance Road, opposite civic amenities -- Construct new timber walkway parallel to the existing parapet wall along Europa Advance Road.

CK advised that comments had been received from the SNDO regarding the proposed width of the walkway, which did not comply with accessibility requirements.

CK recommended that the applicant liaise with the SNDO and submit revised plans demonstrating compliance with the relevant accessibility requirements. It was proposed that any revised plans be considered and ratified by the Sub-Committee rather than requiring the application to return to the full Commission.

The Commission approved the application in principle, subject to the proposal being amended to comply with accessibility requirements and ratified at a future Sub-Committee meeting.

416/26 – D/20409/26 – 1, Boyd Street, (former Queen's Hotel) – Proposed demolition of five-storey building.

This application was approved.

417/26 – D/20422/26 – 1 and 3A Queen's Road – Proposed demolition of single storey buildings with various types of structure and ancillary areas.

This application was approved.

418/26 – D/20455/26 – 4 - 4A Europa Advance Road – Proposed demolition of single storey warehouse (disused), comprising a lightweight steel portal frame structure with profiled metal wall cladding, roof sheeting and reinforced concrete slab.

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.

419/26 – F/18592/22 – 1/7 Bayside Road -- Proposed ground plus twelve-storey residential building with associated car park and amenities plus a commercial unit (Class A1, A2 and A3) on the ground floor.

Consideration of details to discharge of condition No. 4,5,6,11,23 and 24 of Planning Permission No.8832.

420/26 – F/20029/25 – Unit 6B Cornwall's Yard -- Proposed installation of air conditioning unit to the rear of the property.

421/26 – F/20118/25 – 121 Quay 27, Kings Wharf -- Proposed internal refurbishment of existing duplex apartment and installation of pergola structure in terrace.

422/26 – F/20131/25G – Western Seafront of Westview Park -- Proposed reclamation of land from the sea.

Consideration details submitted to discharge of condition No. 5 of Planning Permission No. 9741.

GoG Application

423/26 – F/20419/26 – 240 Main Street -- Proposed internal refurbishment of existing retail unit and enclosure of current rear open sunken patio into unit.

424/26 – F/20420/26 – 108 Ragged Staff Wharf, Queensway Quay -- Retrospective application for replacement windows in property from timber to uPVC.

425/26 – F/20421/26 – 246 – 248 Main Street -- Proposed amalgamation of two retails units into a single unit as well as the enclosure of part of the existing rear open sunken walkway to provide additional storage and an internal WC/staff facility, together with alterations to the existing façade.

426/26 – F/20431/26 – 19 Shrine Walk, Europa Walks -- Retrospective application for the installation of an external uPVC door.

427/26 – F/20440/26 – 40 Cormorant Wharf, Queensway -- Proposed internal refurbishment of the residential property, including the installation of a new glazed retractable curtain system to enclose the terrace and replacement of the existing awnings on a like-for-like basis.

428/26 – F/20442/26 – Units 7 and 8 Chatham Counterguard -- Proposed interior refurbishment of two vaults and minor external alterations including new signage.

429/26 – F/20443/26 – 1102 Sand Dune House, Beach View Terraces -- Proposed installation of glass curtains.

430/26 – F/20444/26 – Flat 2, 4 South Barrack Ramp -- Proposed extension and refurbishment of the apartment premises.

431/26 – F/20448/26 – Flat 39, Cormorant Wharf, Queensway -- Proposed internal refurbishment of the residential property, including the installation of a new glazed retractable curtain system to enclose the terrace and replacement of the existing awnings on a like-for-like basis.

432/26 – F/20453/26 – 3 Trafalgar House, Rosia Road – Retrospective application for minor alterations to the apartment premises and change of windows.

433/26 – D/20055/25G – Extension Jetty No. 3, North Mole -- Proposed demolition of jetty.

GoG Application

Consideration of updated Noise Management Plan in accordance with clearance received from the Environmental Agency to discharge Conditions No. 12C of Demolition Permission No. 9567.

434/26 – A/16843/20 – 7 Fish Market Road – Proposed installation of fascia sign.

Consideration of installed signage.

435/26 – A/20021/25 – 12 Glacis Road – Proposed installation of LED lit pharmacy cross.

Consideration of installed sign.

436/26 – A/20433/26 – Morrisons roundabout, Cathedral Square and Ragged Staff roundabout -- Proposed installation of banners to advertise Bonkers Bingo event

437/26 – A/20464/26 – Cathedral Square -- Proposed installation of banner to advertise salsa event to fund raise money for Cancer Relief.

438/26 – A/20470/26G – Pedestrian Footbridge, Winston Churchill Avenue -- Proposed installation of a printed polymeric textile sign fixed to the footbridge using plastic/metal tie fixings to advertise the Gibraltar Dungeons.

GoG Application

439/26 – A/20471/26G – Façade Wall Adjacent to Petroil Sundial Petrol Station, Winston Churchill Avenue – Proposed installation of a printed polymeric textile mounted onto a timber sub-frame and mechanically fixed to the rendered wall system to advertise the Gibraltar Dungeons.

GoG Application

440/26 – A/20474/26 – Cathedral Square Park, Ragged Staff Roundabout and Morrison Petrol Station Roundabout -- Proposed installation of banners to advertise the Gibraltar Sound Festival.

441/26 – A/20477/26G – Elderly residential home, Bishop Canilla Road -- Proposed installation of signage and temporary banner.

GoG Application

442/26 – MA/20239/26 – Cannon Lane Hotel – Proposed refurbishment and extension.

Consideration of discharge conditions No. 3, 4, 8, 9 and 18 of Supplemental Planning Permission No. 7254 Rev B.

443/26 – Any other business

GM referred to works underway at Line Wall Road, close to King's Bastion, where part of the existing balustrade had been removed in connection with the creation of a pedestrian route. He sought clarification as to the purpose and status of the works.

EH explained that the works were associated with the Haven Building and were required to facilitate the installation of a crash deck and protected pedestrian route in front of the building. The temporary traffic arrangements required traffic to be shifted slightly westwards and had been agreed with the MOT and the Highways Section of TSD.

GM asked whether the section of balustrade that had been removed would be reinstated. EH confirmed that it would and reiterated that the current arrangement was temporary and solely intended to facilitate the demolition and construction works at the Haven Building.

There being no other business the Chairman thanked members and confirmed that the next meeting was scheduled to be held on 22nd October 2026.

Chris Key

Secretary to the

Development and Planning Commission