APPROVED
22 October 2026

THE DEVELOPMENT AND PLANNING COMMISSION

MINUTES

Minutes for the 10th meeting of 2026 held remotely via video conferencing on 22nd October 2026.

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 Láposi
(Minute Secretary)

Apologies:

The Hon Dr J Garcia
(Deputy Chief Minister)

Approval of Minutes

444/26 – Approval of Minutes of the 9th meeting of 2026 held on 24th September 2026.

The draft Minutes of the 9th meeting of 2026 held on 24th September 2026 were approved.

Matters Arising

445/26 – D/20055/25G – Extension Jetty No. 3, North Mole -- Proposed demolition of jetty.

Background and Planning History

CK explained that Condition 14 of the demolition permission controls any work outside the approved standard construction working hours. The Commission had previously allowed a relaxation of these hours in July 2026, and formal approval was issued in August.

Under the existing arrangements, Limited Works were permitted between 08:00 and 20:00 on weekdays and between 09:00 and 21:00 on Saturdays, with no Limited Works permitted on Sundays. Non-Limited Works were permitted between 08:00 and midnight on weekdays, 09:00 and midnight on Saturdays, and 10:00 and midnight on Sundays. No works were permitted on public holidays under either category.

CK advised that the contractor had submitted a further request to extend the permitted working hours for the remainder of the demolition programme.

Applicant's Request and Supporting Information

CK explained that the contractor sought to extend Limited Works on weekdays from 20:00 to 22:00 and introduce Limited Works on Sundays between 09:00 and 21:00. The contractor also requested that Non-Limited Works commence one hour earlier at weekends, namely at 08:00 on Saturdays and 09:00 on Sundays.

No changes were requested to the permitted hours for Limited Works on Saturdays, Non-Limited Works on weekdays, or the prohibition on works during public holidays.

The contractor explained that the existing restrictions were affecting productivity and interrupting the demolition sequence. The proposed variation was intended to improve efficiency and accelerate completion by approximately three weeks, bringing the anticipated completion date forward from 15 December to 20 November 2026.

To justify the request, the contractor had undertaken noise monitoring between 16 and 28 September 2026 at the jetty and Westview Park and, according to the contractor, noise levels remained below 75dB and were often comparable whether demolition activities were taking place or not. The contractor considered that existing port operations, traffic and other construction activities contributed significantly to ambient noise levels.

The contractor confirmed that monitoring would continue, complaints would be investigated and reasonable efforts would be made to minimise noisy activities on Sundays. The contractor had also advised that they had not received any noise complaints.

CK confirmed that the request related solely to the jetty demolition works and not to the wider reclamation activities.

Consultee Comments

- Department of the Environment (DOE) - Objected to further extensions of the permitted working hours.
- Environmental Agency (EA) - Objected to further extensions, noting that the submitted noise monitoring information did not provide adequate baseline readings for comparison. The EA also confirmed that they had received two verified complaints concerning noisy works undertaken on Sundays in breach of the approved working hours.
- Technical Services Department (TSD): Suggested retaining the existing limited working hours on weekdays and Saturdays but allowing limited works on Sundays between 10:00 and 17:00.

Planning Assessment and Recommendations

CK acknowledged the contractor's operational difficulties and the potential benefit of completing the demolition works earlier, however, stressed that the Department remained concerned about the residential amenity impacts of further weekend working, particularly given the proximity of neighbouring residential properties.

The Department did not support the proposed Sunday limited works or earlier commencement of non-limited works at weekends, considering that these could result in further disturbance and reduce important periods of respite for residents.

CK also advised that correspondence had been received from at least five residents expressing concern about further extensions. Some had mistakenly understood the request to involve 24-hour working. The correspondence had not been formally circulated because the legislation did not provide a specific public representation procedure for variations of this nature.

The Department nevertheless considered that extending limited works on weekdays from 08:00 to 22:00 represented a reasonable compromise. Although some temporary adverse impact on residents was possible, no complaints had been received concerning weekday limited works, and the additional hours could shorten the remaining demolition programme by approximately two weeks.

CK therefore recommended approval of the additional two hours for limited works on weekdays only, with all other previously approved working hours and controls remaining unchanged.

He also stressed that no further relaxation should be permitted during the Christmas and New Year period should the works overrun and confirmed that this would be the last request for extended hours that the Department was willing to entertain on this short-term project.

Discussion

JH expressed concern that the contractor's noise monitoring information was difficult to interpret and did not adequately demonstrate the impact on neighbouring residents, particularly during the evening. She contrasted this with the clearer noise assessments previously provided for the Eastside development and considered that insufficient evidence had been submitted to justify even the additional two weekday hours. She therefore supported the EA's objection and opposed further relaxation.

Lukas Mac Intosh (LM), representing the demolition contractor's joint venture, explained that no complaints had been received directly from residents despite the provision of a QR code at Westview Park and other communication arrangements. He reiterated that the monitoring data indicated comparable noise levels during working and non-working periods, including Sundays, and considered that the proposed extension would not materially increase the existing noise environment.

The Chairman confirmed that the Department's recommendation was limited to an additional two hours for weekday limited works, with no other changes to the approved working hours.

As the Chairman commenced the vote, KB sought clarification as to whether the additional hours would apply to all activities or only certain works. CK confirmed that the extension would apply solely to limited works, comprising the noisier demolition activities, including removal and lifting operations using the crawler crane on the jetty.

Following this clarification, the Chairman proceeded with the vote on the Department's recommendation.

Decision/Outcome

The Commission allowed the variation to Condition 14 to permit limited demolition works between 08:00 and 22:00, Monday to Friday, with all other previously approved working hours and restrictions remaining unchanged. In particular, the existing prohibition on works during public and bank holidays would continue to apply to both limited and non-limited works, as no variation to this restriction had been requested or approved.

The decision was reached following a vote:

- In Favour: 5
- Against: 4
- Abstentions: 2

The Chairman confirmed that an amended approval notice would be issued to reflect the revised working hours.

Major Developments

446/26 – F/19736/25 – Victualling Yard Storehouse, Rosia Bay -- Proposed refurbishment of the property to create a public aquarium on the first floor of the storehouse and to extend

the building upwards by adding a second floor to house the support, research and educational facilities and ancillary uses including a café and soft play area.

Background and Planning History

CK reminded Members that the application had previously been tabled at the DPC meeting held in March 2026, where concerns were raised regarding financial viability, deliverability, anticipated visitor numbers and the effectiveness of the proposed traffic management arrangements and Members deferred making a decision. At that meeting Members had also questioned whether the development would remain financially viable with lower visitor numbers, whether higher numbers could be accommodated without adversely affecting the surrounding road network, and what measures would be available should the proposed traffic arrangements prove unsuccessful.

CK explained that following consultation with Members, the Department issued a Further Information Request (FIR) to the applicant in May 2026 seeking an independent Financial Viability Assessment (FVA), clarification of the business assumptions, further visitor management details and additional evidence supporting the proposed traffic arrangements and contingency measures.

The applicant subsequently submitted additional information during August and September 2026, including an FVA and revised visitor and transport management proposals, which had been circulated to Members.

Applicant's Presentation

The applicants team including Tanya Stagnetto (TS), Jake Julian (JJ) and Karissa Pizarello (KP) of Sketch Marketing addressed the Commission.

TS confirmed that the architectural design and previously approved highways proposals remained unchanged. The scheme was presented as a heritage-led restoration project intended to provide a public aquarium, educational facilities and marine research opportunities, supported by developing relationships with local and international conservation and research organisations.

KP outlined the updated construction cost assessment prepared with Carduus and the independent FVA undertaken by Savills UK, which concluded that the project was viable based on the assumptions assessed. The developer had also committed to meeting unforeseen costs.

The business plan anticipated approximately 110,000 visitors annually, with sensitivity testing indicating viability at approximately 85,000 visitors. Ticket sales would account for 69% of projected revenue, with ancillary activities providing the remainder. The centre would primarily operate during the daytime, with private functions representing a small proportion of revenue and wedding functions removed from the proposal.

TS explained that visitors would principally use existing public and private tour bus services. An agreement with the Gibraltar Bus Company would allow private tour buses to stop at Rosia Plaza, with visitors escorted on foot to the aquarium, avoiding additional coach movements along Camp Bay Road. The existing Skyline 360 service would use the proposed stop outside Parson's Lodge without entering the courtyard.

Visitor management arrangements included 15-minute timed admission slots, stewarding, security-controlled courtyard access and measures to discourage private vehicle use. The arrangements would be monitored quarterly and adjusted where necessary. The applicant also confirmed that a draft zoo licence application had been submitted.

JH sought clarification regarding the potential interaction with a proposed development at Rosia Bay, the size and operation of the tour buses, and whether evening activities could affect neighbouring residents.

TS confirmed that discussions had commenced with the parties involved in the Rosia Bay development. She also explained that the existing Skyline 360 service would operate approximately every 30 minutes during peak season and hourly outside the peak season, without introducing additional services.

JH remained concerned about the impact of larger coaches on pedestrian and vehicle movements, particularly during summer. KP confirmed that evening activities were no longer intended and that the cafés would close no later than approximately one hour after the aquarium. JH welcomed this clarification.

Planning Assessment and Recommendations

CK advised that the TPD considered the Savills viability assessment credible, based on the business assumptions and construction and operational costs assessed. The sensitivity testing and projected ancillary income provided sufficient reassurance regarding the development's potential viability and deliverability at this stage.

TPD welcomed the proposed timed-ticketing system, organised transport arrangements, visitor stewarding and security measures, together with the removal of large evening functions. The arrangements could be further refined and secured through planning conditions.

CK noted that the revised transport proposals would utilise existing bus services, restrict courtyard access to authorised users and accommodate private tour buses at Rosia Plaza. The arrangements had been endorsed by the relevant highway authorities, including the Traffic Commission, subject to conditions and ongoing monitoring.

Overall, TPD considered that the further information had satisfactorily addressed the principal concerns previously raised and maintained its recommendation to approve the application.

The recommended conditions included:

- Construction and construction traffic management plans; a historic restoration strategy; final structural reports, fabric surveys and intervention method statements; and an archaeological watching brief.
- Fire safety arrangements, a detailed sewage assessment, agreed bird and bat nesting provisions, a final lighting strategy, landscaping details, approval of the proposed mural and wayfinding signage.

- Submission of photovoltaic installation details, including glint and glare mitigation, before installation, together with appropriate rectification measures.
- A final transport arrangement plan to be submitted for approval before occupation, together with a rolling three-month monitoring programme addressing traffic and parking impacts in consultation with the relevant authorities.
- Energy-use verification and monitoring relating to NZEB and renewable energy requirements, together with an event management plan and its implementation.
- environmental safeguards including a CEMP and CTMP on this constrained location and any necessary standard conditions.

The planning permission would also include informatives concerning separate effluent discharge, nature protection, heritage and zoo licensing requirements.

Discussion

MEEC referred to concerns raised by the existing veterinary and animal welfare occupiers, emphasising that the applicant would need to accommodate the activities already taking place within the shared courtyard.

MEEC explained that he would abstain from voting because of his separate statutory responsibilities for determining the zoo licence. He clarified that this required consultation with various bodies, including the Fire Service and DPC, and that any Planning Permission would not remove the requirement to obtain the necessary licences. He encouraged the applicant to submit a formal zoo licence application as soon as possible, stressing that his abstention did not reflect his position on the planning merits of the development.

CAM advised that the Gibraltar Heritage Trust (GHT) had held extensive discussions with the applicant and Ministry for Heritage (MfH) and was satisfied that considerable work had been undertaken to safeguard the building's historic fabric through appropriate restoration methodologies and monitoring arrangements. CAM confirmed that the GHT was therefore withdrawing its previous objections. Nevertheless, CAM stressed that the GHT remained concerned about the long-term viability of the project and the potentially irreversible alterations to the historic building should the proposed use ultimately prove unsuccessful.

CV shared CAM's concerns regarding the project's long-term viability, questioning whether the financial assessment adequately accounted for the full development and fit-out costs. He considered that substantially higher costs could require significantly greater visitor numbers, with consequential traffic impacts. He therefore suggested that Government should have safeguards allowing it to recover the property should the project fail to meet agreed delivery milestones.

The Chairman invited the applicant's representatives to respond. KP clarified that the zoo licence submission had been made in draft form because the aquarium was not expected to open for approximately two years, although substantive information concerning the species and their welfare had already been provided.

Addressing the financial concerns, KP explained that the Savills assessment had incorporated the quantity surveying costs and that the development would be delivered in phases. The

initial works would complete the aquarium and essential facilities, together with the second-floor structure, while certain ancillary facilities could be fitted out subsequently. The upper-floor café would be tendered to a third-party operator responsible for its own fit-out.

The Chairman sought clarification regarding the projected café revenue of approximately 10.8%, and KP confirmed that this comprised income from the ground-floor express café and rental income from the upper-floor café.

No further comments were raised, and the Chairman proceeded to a vote on the Department's recommendation.

Decision/Outcome

The Commission approved the application, subject to the conditions recommended by the Town Planning Department.

The decision was reached following a vote:

- In Favour: 6
- Against: 4
- Abstentions: 1

The Chairman confirmed that full planning permission would be issued subject to the recommended conditions.

Following the decision, MEEC reiterated that the applicant should submit the formal zoo licence application as soon as possible, given the statutory consultation and assessment procedures required before any licence could be granted.

Other Developments

447/26 – F/20396/26 – 11 East Walk, Europa Walks Estate -- Retrospective application for installation of conservatory to rear patio.

Background and Planning History

CK explained that the property comprised a two-storey dwelling with a pitched roof and an external terrace overlooking an internal courtyard within Europa Walks Estate.

CK advised that the applicant had previously obtained planning permission in June 2025 for a steel-framed pergola. However, a substantially different structure had subsequently been installed, comprising a dark grey bioclimatic pergola with movable glazed enclosures and external rainwater downpipes. Following discussions with the Department and a site meeting involving the applicant, architect and the estate's Management Company, two revised options had been submitted:

- Option 1: Retention of the existing dark grey pergola and movable glazed panels, with the removal of the external rainwater downpipes.
- Option 2: As Option 1, but with the pergola finished white.

The applicant's preference was Option 1.

Applicant's Presentation

Daniel Rios (DR), representing the applicant, explained that the applicant accepted responsibility for installing a structure different from that approved, having mistakenly believed that the estate Management Company's agreement was sufficient authorisation.

DR explained that the enclosure was intended to make the external terrace more usable, particularly given the high winds and adverse weather conditions experienced at Europa Walks.

Mr and Mrs Lopez, the applicants, explained that the enclosure had been installed primarily for the benefit of their daughter, whose personal circumstances made access to suitable outdoor space particularly important. They advised that the sheltered terrace had significantly improved her ability to spend time outdoors and undertake activities, including artwork, which had previously been difficult because of the weather.

They emphasised the considerable positive effect the installation had had on their daughter's wellbeing and quality of life.

Ownership Comments

- The Estate Management Company confirmed its preference for the existing dark grey finish, considered the glazed enclosure acceptable and recommended removing or relocating the external rainwater downpipes. It therefore endorsed Option 1.

Consultee Comments

- No objections had been received from consultees that had responded.

Planning Assessment and Recommendations

CK expressed the Department's disappointment that the applicant had installed a substantially different structure from that granted permission, resulting in the need for retrospective consideration. The Department considered that the pergola's size, height, profile, colour and glazed enclosure were inconsistent with the approach previously adopted for similar installations within Europa Walks Estate.

CK referred to applications at 13 Shrine Walk and 6 East Walk, where the Department had negotiated the removal of proposed glazed enclosures to maintain the open character of pergolas within the estate. Allowing the enclosure at 11 East Walk could therefore establish an undesirable precedent, resulting in similar installations and cumulative visual impacts within the internal courtyards.

Nevertheless, the Department was prepared to tolerate retention of the pergola structure as a compromise, provided that the movable glazed panels and external downpipes were removed and the structure was finished white to complement the existing windows and architectural character of the estate.

CK therefore recommended that the Commission issue a Modification Order requiring revised drawings reflecting these changes, with the application subsequently ratified by the Subcommittee.

Alternatively, the Commission could refuse the application and pursue enforcement action or approve the existing installation, with or without the rainwater downpipes.

Discussion

MEEC disagreed with the Department's recommendation, considering that the dark grey finish was more appropriate than white and that the downpipes were not particularly objectionable given the presence of similar installations nearby. He considered that removing the glazed panels would achieve little visually while substantially reducing the benefits the enclosure provided to the applicant's daughter. Given the particular family circumstances, he considered the proposed modifications disproportionate and supported retaining the structure as installed.

CK acknowledged that colour preferences were subjective but stressed that the Department's principal concern was maintaining consistency with previous decisions, particularly where considerable negotiations had resulted in glazed enclosures being omitted from other pergola proposals within the estate.

MEEC reiterated that the particular circumstances of this application warranted a different approach.

KB supported MEEC's comments and expressed his preference for the dark grey finish, considering it visually more appropriate than white.

MICS also supported MEEC's position and agreed that the grey finish was preferable.

The Chairman reminded members that caution should be exercised when determining the weight attached to an applicant's personal circumstances, which would not ordinarily constitute a material planning consideration. Given the views expressed, the Chairman proposed that the Commission vote on the applicant's preferred Option 1 rather than the Department's recommendation.

DR confirmed that the applicant was willing to remove the external rainwater downpipes while retaining the remainder of the installation unchanged.

The Chairman therefore put Option 1 to the vote.

Decision/Outcome

The Commission overturned the Department's recommendation for a Modification Order and approved Option 1, permitting retention of the existing dark grey pergola and movable glazed enclosure, subject to the removal of the external rainwater downpipes.

The decision was reached following a vote:

- In Favour: 7
- Against: 1

- Abstentions: 3

448/26 – F/20429/26 – 2A Victualling Office Lane -- Proposed change of use from commercial to residential.

Background and Planning History

CK explained that the application related to an existing ground-floor commercial unit located at the junction of Victualling Office Lane and Main Street, outside any designated shopping frontage.

The proposal involved the change of use of an existing office and ancillary store (Class A2) into a three-bedroom residential apartment (Class C3). No internal or external alterations were proposed, with the existing layout, walls and doors remaining unchanged.

CK advised that the premises had previously been used for residential purposes before being converted into offices.

Public Participation

CK confirmed that the application had been subject to the standard public participation procedures, including notification of the other occupiers of the building. Two sets of representations had been received and circulated to members.

One of the objectors had requested to address the Commission but had not joined the meeting. The Chairman allowed additional time for the objector to connect before CK provided a summary of the representations that had been received and which had been circulated to Members in advance of the meeting.

CK confirmed that the representations received principally raised concerns regarding:

- the adequacy of existing drainage and sewage infrastructure, including previous flooding and sewage problems;
- potential reductions in water pressure and additional demands on existing utilities;
- previous ventilation, vermin and sewage issues reportedly experienced when the premises were formerly used for residential purposes; and
- the possibility of the property being used for short-term holiday accommodation, resulting in noise and disturbance to neighbouring residents.

CK went on to confirm that the applicant had submitted counter-representations confirming that the property was intended as a permanent residence for his son and daughter-in-law, with no intention of using it for Airbnb or other short-term letting.

The applicant also highlighted the previous residential use of the premises and disputed claims that this had caused drainage problems. He considered that concerns regarding utilities should be substantiated and assessed by the relevant technical authorities. He further confirmed that no structural alterations were proposed that the apartment would have an independent

entrance, and that matters relating to building insurance and other private property arrangements fell outside the planning application.

Neither the objector nor the applicant was present when the application was considered.

Planning Assessment and Recommendations

CK explained that the application would ordinarily have been determined by the Subcommittee but had been referred to the Commission because of the objections received.

The Department considered the proposed residential use acceptable within this part of the Old Town, particularly as the premises were not located within a designated shopping frontage and had previously been used for residential purposes.

CK acknowledged the representations but considered that most of the concerns raised were not planning matters. He also noted that there was currently no planning or Government policy restricting short-term holiday accommodation, although the applicant had expressly confirmed that the property was intended for permanent residential occupation.

No objections had been received from the consultees who responded. Any future nuisance or environmental health issues, including those relating to noise or drainage, would need to be referred to the EA for investigation.

The Department therefore recommended approval, subject to conditions including the submission of a predictive Energy Performance Certificate, consultation with the relevant Defence Land authorities regarding MOD safeguarding requirements, and other standard conditions.

Decision/Outcome

The application was unanimously approved, subject to the conditions recommended by the Town Planning Department.

Following the decision, the applicant, Haresh Chainani, joined the meeting. The Chairman advised him that the Commission had already considered and approved the application, which the applicant acknowledged.

449/26 – F/20446/26 – South/West Corner of Europort Development -- Proposed beautification of an existing access road, construction of four new town houses and re-development of a garden landscaped area with additional amenities.

Background and Planning History

CK explained that the application site comprised part of the landscaped communal gardens serving Atlantic Suites, including an existing swimming pool, changing facilities and an access road. The site was located behind Europort, adjoining St Bernard's Hospital gardens to the northwest, the Med Rowing Club to the south and the coastal revetment to the west.

The proposal followed an outline planning permission granted in September 2023 and renewed in July 2026. This established the principle of four townhouses, improvements to the

existing access road and reconfiguration of the communal amenity area, including relocation of the swimming pool, a new padel court, landscaped gardens and screening between the residential development and communal facilities.

The full application largely retained the approved development principles but incorporated detailed architectural, engineering, landscaping and sustainability proposals to address the requirements of the outline permission.

The principal refinements included detailed engineering of the access road, drainage and retaining structures, provision of a five-metre maintenance corridor adjoining the revetment, minor fenestration changes and an approximately 0.5m increase in building height.

The proposed materials included stone cladding, timber-effect finishes, decking and grass-crete paving. A comprehensive landscaping scheme proposed increasing tree numbers from 64 to 74, together with ecological enhancements intended to achieve the required 10% biodiversity net gain.

The proposals also incorporated improved access and pedestrian arrangements, energy-efficient building design, solar thermal panels, greywater recycling, bird and bat provisions and a lighting strategy to minimise environmental and residential amenity impacts.

The application was subject to public participation, and no representations were received.

Consultee Comments

CK confirmed that no objections had been received from the consultees who responded, although several had requested additional details or safeguards:

- DOE – Accepted the biodiversity net gain and sustainability proposals in principle, subject to further landscaping details before landscaping works commenced, tree protection measures before commencement of development, final bird and bat provisions, an as-built EPC and post-occupation energy monitoring.
- Highways Authorities – Accepted the proposed access, vehicle manoeuvring and pedestrian arrangements, subject to a pedestrian and vehicle management plan.
- MfH - Raised no objection and required notification should previously unidentified archaeological remains or heritage features be discovered.
- Ministry of Equality (MoEq): Raised no objection but requested an accessibility assessment of communal areas.
- DLA: Requested consultation regarding MOD safeguarding requirements before development commenced.

Planning Assessment and Recommendations

CK explained that the principle of development had already been established through the outline permission and that the full application represented a comprehensive refinement of the previously approved scheme.

The Department considered the architectural design and proposed materials acceptable. The engineering proposals, including the five-metre revetment maintenance corridor, had been developed in consultation with the Technical Services Department, which raised no objection.

The landscaping and ecological proposals were considered capable of achieving the required 10% biodiversity net gain, subject to further details being submitted before landscaping works commenced. Tree protection measures would also need to be approved and implemented before the commencement of works, together with the final bird and bat nesting provisions.

The proposed sustainability measures were welcomed, subject to an as-built EPC following completion and post-occupation energy monitoring.

CK confirmed that the transport and access arrangements were acceptable to the relevant authorities. However, given the constrained nature of the site, the Department recommended conditions requiring a pedestrian and vehicle management plan and construction and construction traffic management plans before works commenced.

The Department also supported conditions addressing accessibility, MOD safeguarding and procedures for dealing with unexpected archaeological discoveries.

Overall, the Department considered that the scheme remained consistent with the outline permission and that the majority of its requirements had been satisfactorily addressed in principle. Approval was therefore recommended, subject to standard conditions and additional requirements identified by consultees.

Discussion

MEEC expressed reservations about the loss of landscaped open space, stating that he would have preferred the site to remain undeveloped. However, he acknowledged that the land was privately owned, the principle of development had already been established through outline permission and considerable work had been undertaken to address environmental concerns, particularly tree provision.

MEEC suggested that a condition should be included to safeguard the possibility of a future public pedestrian and/or cycling route along the coastal revetment. As the revetment was public land, he considered it important that the development should not prejudice or give rise to objections to the provision of such a public right of way should Government pursue this in the future.

JH shared MEEC's reservations regarding the loss of green space and supported the principle of future public access along the waterfront, including a possible cycle route. She nevertheless acknowledged the detailed work undertaken to address the various concerns and improve the scheme, although she remained concerned about the limited landscaped space associated with the neighbouring hospital gardens.

No further comments were raised, and the Chairman proceeded to a vote. JH indicated that she would abstain.

During the voting process, JH sought clarification regarding the proposed renewable energy provisions. CK confirmed that the scheme incorporated solar thermal panels.

Decision/Outcome

The Commission approved the application, subject to the conditions recommended by the Town Planning Department.

The decision was reached following a vote:

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

It was further agreed that a condition be included to safeguard the possibility of future public pedestrian and/or cycling access along the coastal revetment, ensuring that the development would not prejudice or give rise to objections to such a route should Government decide to pursue it.

450/26 – F/20454/26 - Eastern frontage of Europort adjacent to Europort Road -- Proposed beautification including landscaping of underutilized space at ground floor and podium level, commercial units and a cycle lane.

Background and Planning History

CK explained that the application related to the eastern frontage of Europort, comprising existing paved and landscaped areas adjoining Europort Road.

The proposal followed an outline planning permission granted in May 2025 and renewed earlier in 2026. The outline scheme established the principle of four commercial units arranged in two blocks adjoining the main entrance, together with improvements to the landscaping and public realm, a one-way cycle lane, relocation of the existing bus stop and reconfiguration of bicycle, motorcycle and car parking.

The full application retained the principal design, uses and transport arrangements approved at outline stage but incorporated further technical and architectural refinements.

These included detailed engineering of the cycle lane, bus stop bypass and pedestrian crossings, informed by a road safety audit and consultation with the highway authorities. The crossings and cycle lane had been raised to pavement level to improve accessibility and safety.

A detailed landscaping strategy proposed increasing landscaped areas from 224m² to 350m², representing an increase of approximately 56%, with overall site greening increasing from 15% to 24%. The scheme included additional planters, podium planting, green roofs, green walls and landscaped windbreaks. Following consultation with the DOE, eight existing trees previously identified for removal would instead be relocated.

The proposals also included a net increase of six cycle parking spaces, photovoltaic panels, greywater recycling and improved public realm lighting.

The application was subject to public participation, including notification of Land Property Services, and no representations were received.

Consultee Comments

No objections were received from the consultees who responded, although several requirements were identified:

- DOE: Accepted the landscaping and sustainability proposals, including NZEB compliance, subject to the submission of photovoltaic specifications and a maintenance plan before installation.
- Highways Authorities: Endorsed the revised cycle lane, bus stop, pedestrian crossings and parking arrangements.
- MoEq: Requested appropriate wayfinding signage and handrails to the stairs between commercial units.
- DLA: Requested consultation regarding MOD safeguarding requirements.

Planning Assessment and Recommendations

CK advised that the Department considered the full application to be a comprehensive refinement of the outline scheme, developed through extensive consultation with relevant authorities.

The Department welcomed the significant landscaping improvements, retention and relocation of existing trees, increased cycle parking provision and improvements to the pedestrian environment. The detailed landscaping and maintenance strategy had been accepted by the Department of the Environment.

The revised transport arrangements were considered technically acceptable and had been endorsed by the relevant highway authorities. The proposed commercial units were also considered appropriate in architectural terms, incorporating stone cladding and extensive glazing consistent with the surrounding Europort development.

The Department was satisfied that the sustainability proposals met the relevant NZEB requirements, subject to further photovoltaic installation details. The additional accessibility and MOD safeguarding requirements could also be secured through planning conditions.

Overall, the Department considered that the proposal complied with the outline permission and recommended approval, subject to the conditions requested by consultees and other standard requirements.

Discussion

MEEC expressed support for the application and acknowledged the extensive work and consultation undertaken to refine the design, particularly the landscaping, cycle lane and traffic arrangements. He welcomed the efforts to ensure that existing cycle parking was not compromised and considered that the development would provide significant benefits to the area.

GM raised concerns regarding the continued reduction in available car parking across Europort, particularly for residents without allocated spaces and visitors to the surrounding developments. He considered that successive developments had progressively reduced

parking provision and questioned where visitors and other users, including those attending the hospital, would be expected to park.

Joaquín Rodriguez (JR), representing the applicant, explained that visitors to the proposed commercial units would use existing pay-and-display parking, as was the arrangement for other commercial premises in the area.

The Chairman acknowledged GM's concerns but noted that visitors without allocated parking already had to find available spaces within the surrounding area.

CK clarified that the existing on-street car parking spaces affected by the development would be relocated to Coaling Island, as agreed with the Highway Authorities and endorsed by the Commission at outline stage. GM questioned the distance of the replacement spaces from the development, noting that the wider shortage of conveniently located parking remained a concern.

JH sought clarification regarding the relocation of motorcycle parking. CK confirmed that these spaces would be re-provided further along Europort Avenue, within the area currently occupied by car parking, without any net loss of motorcycle spaces.

JH also expressed concern that the exposed and windy location could lead to future pressure to enclose the proposed outdoor seating and first-floor terrace areas, resulting in incremental development beyond that currently proposed. She suggested that a condition should prohibit such enclosures and sought clarification regarding the intended use of the commercial units.

CK confirmed that the commercial units could accommodate café and restaurant uses. He explained that the potential for shading structures had been considered at outline stage, but the full application proposed windbreak screens rather than additional enclosures.

JH reiterated her request for a condition preventing enclosure of the external areas. CK and the Chairman clarified that such a condition could establish the planning position under the current permission but could not prevent the submission of future planning applications. The Chairman confirmed that a condition would be included to establish this restriction and provide a basis for considering any subsequent proposals for enclosure.

GM supported JH's concerns, emphasising the importance of establishing a precedent against incremental enclosure of the external spaces. He also questioned whether other proposed buildings around the nearby hospital roundabout formed part of the application.

CK clarified that these related to a separate Eurocity development, which had already obtained full planning permission and was subject to similar controls concerning roof structures.

No further comments were raised, and the Chairman proceeded to a vote.

Decision/Outcome

The Commission approved the application, subject to the conditions recommended by the Town Planning Department.

The decision was reached following a vote:

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

It was further agreed that a condition be included to prevent the enclosure of the external areas at ground-floor and first-floor levels, as proposed by JH and supported by GM, to safeguard against incremental enclosure of these spaces. The Chairman clarified that the condition would establish the planning position under the current permission but would not prevent the submission of any future planning application.

451/26 – D/20465/26 – 23 John Mackintosh Square -- 5 x storey-high building with a lift core overrun, comprising a reinforced concrete frame of columns and beams, with composite concrete floor slabs incorporating clay infill blocks.

Background and Planning History

CK explained that the application related to The Haven, an existing six-storey building including the lift core, located at the junction of John Mackintosh Square and Line Wall Road.

The Commission had previously approved a full planning application in June 2025 for the refurbishment and extension of the building to provide office accommodation and a commercial unit.

The present demolition application had been submitted following advice from the structural engineer and incorporated the same demolition proposals and drawings previously considered as part of the approved redevelopment.

The works involved demolition of specified structural e and reconstruction, including new foundations, a steel frame and temporary stability measures necessary to facilitate the redevelopment.

Public Participation

CK confirmed that the application had been subject to public participation, including notification of Gibtelecom and the adjoining property owner. Two sets of representations had been received from the owner and occupier of the neighbouring property and CLAG and had been circulated to Members in advance of the meeting.

The objections principally concerned:

- The substantial extent of demolition and whether the works remained consistent with the previously approved refurbishment scheme.
- The implications of the demolition for the approved height, scale, massing and architectural treatment of the building.
- Potential structural damage to neighbouring properties, particularly 24 College Lane, arising from demolition, vibration and ground movement.

- Noise, dust, vibration and the need for robust monitoring, agreed trigger levels and stop-work procedures.
- The impact of the development on the historic character of the Old Town and surrounding public realm.

CK also read a further letter received from solicitors representing Douglas Mottershead, the adjoining property owner at 24 College Lane, reiterating his objection and expressing particular concern regarding the adequacy of vibration and movement monitoring and the maintenance of light and ventilation to the internal well of his property during the works.

The applicant's counter-representations confirmed that the demolition proposals were unchanged from those previously approved and did not introduce any alterations to the approved building height, scale, massing or architectural design.

The applicant's structural engineers and contractor also confirmed that protective measures would include pre-demolition condition surveys, movement and vibration monitoring, agreed trigger levels and procedures requiring works to cease if specified limits were exceeded. The structural engineers had reviewed the contractor's proposed monitoring methodology, with the contractor responsible for its implementation.

The objectors had initially indicated that they wished to address the Commission but subsequently withdrew their request. The applicant's representatives were present and available to answer questions from members.

Consultee Comments

CK confirmed that no objections had been received from the consultees who responded, although specific requirements were identified:

- MfH: Required an archaeological watching brief and procedures for dealing with unexpected archaeological discoveries.
- Highways Authorities: Required a pedestrian and vehicular management plan to be approved and implemented before demolition works commenced.

Planning Assessment and Recommendations

CK explained that the demolition works were substantial but had already been considered as part of the previously approved redevelopment. The present application did not seek to alter the approved building height, massing or architectural treatment, and objections relating to those elements principally concerned the existing planning permission rather than the demolition application.

The Department considered that the principal issue was whether the demolition could be undertaken safely, with appropriate safeguards for neighbouring properties, heritage assets and the surrounding public realm.

CK acknowledged the concerns regarding structural movement, noise, dust and vibration but considered that these could be addressed through planning conditions securing the applicant's

proposed monitoring arrangements, including pre-demolition condition surveys, agreed trigger levels, reporting procedures and stop-work mechanisms where limits were exceeded.

The Department also supported conditions requiring an archaeological watching brief, procedures for unexpected archaeological discoveries and an approved pedestrian and vehicular management plan to be implemented before demolition works commenced.

CK confirmed that the applicant was liaising with the Department of the Environment regarding bird and bat protection. Relevant surveys had been undertaken, and temporary swift nesting boxes were to be installed by the end of January 2027, ahead of the birds' anticipated return in mid-February.

Overall, the Department considered that the works could proceed safely, subject to appropriate mitigation and safeguards for adjoining properties, heritage assets, ecology and the public realm.

CK therefore recommended approval, subject to the necessary Gibraltar Electricity Authority clearances and conditions addressing consultee requirements and the commitments made by the contractor.

Discussion

GM requested clarification regarding the apparent differences between the building elevations and the CGI images, questioning whether the extent of demolition would result in substantial changes to the building's external architectural appearance.

CK and the Chairman clarified that the elevation drawings illustrated the existing building and the elements proposed for demolition, whereas the CGI illustrated the previously approved redevelopment. They confirmed that the application did not propose any changes to the approved architectural design. GM acknowledged the clarification.

JH sought confirmation that the additional objection submitted by Mr Everest had been considered. CK confirmed that both representations had been summarised, as they raised similar concerns.

JH also questioned why the objectors were not addressing the Commission. CK explained that they had initially intended to attend but had subsequently withdrawn their request.

JH expressed disappointment that the objectors were not present, considering that direct engagement between developers and neighbouring residents could help address concerns more effectively. She remained concerned about the substantial demolition works, their potential effects on adjoining buildings and the disruption to the surrounding area, particularly given the extent of scaffolding and ongoing construction activity.

No further comments were raised, and the Chairman proposed that the application be approved in accordance with the Department's recommendation.

When the Chairman initially suggested unanimous approval, JH indicated that she wished to abstain. A formal vote was therefore taken.

Decision/Outcome

The Commission approved the demolition application, subject to the conditions recommended by the Town Planning Department and the necessary statutory clearances.

The decision was reached following a vote:

- In Favour: 10
- Against: 0
- Abstentions: 1

Minor and Other Works– not within scope of delegated powers

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

452/26 – F/17871/21 – Seabed of the Outer Marina Waters South-West of the Airport Runway Revetment (RAF Gibraltar) -- Proposed installation of a 30 linear meter piled wave attenuator.

This application was approved.

Consideration of request to renew Planning Permission No. 8406A for an additional year.

453/26 – F/18783/23G – John Mackintosh Hall, 308 Main Street -- Proposed partial demolition and refurbishment and extensions to existing John Mackintosh Hall to allow construction of new National Theatre.

Consideration of request to renew Planning Permission No. 8756 for an additional year.

This application was approved.

454/26 – O/19738/25 – 2-3 Humphrey's Bungalow, 7 Engineer Road -- Proposed demolition of existing dwelling and construction of a single dwelling.

Consideration of request to renew Outline Planning Permission No. 9437 for an additional year.

This application was approved.

455/26 – O/19879/25 – 1 Lower Bruce's Farm -- Proposed demolition of the existing building and construction of a new dwelling.

Consideration of request to renew Outline Planning Permission No. 9449 for an additional year.

This application was approved.

456/26 – F/20452/26G – O'Hara's Battery, O'Hara's Road -- Proposed touristic site refurbishment and upgrades.

This application was approved.

457/26 – F/20457/26 – Unit 18 Governor's Cottage Camp -- Proposed construction of a first floor extension on top of the existing unit and a two storey extension at the rear of the unit to provide additional storage facilities.

This application was approved.

458/26 – F/20476/26G – St Bernards Hospital, Harbour Views Road -- Proposed installation of temporary portacabins for the administration department of the GHA Ambulance Service.

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.

459/26 – F/15779/18 – 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 application for relaxation of A12 Building Regulations in respect of the provision of continuous handrails in the internal firefighting staircase.

460/26 – F/19897/25 – 22 Castle Ramp -- Proposed rendering of the facade of building and replacement of existing windows.

461/26 – F/19925/25 – 3 Europa Road -- Proposed new changing areas, external terraces and pool deck.

Consideration of the Geotechnical Study to partially discharge Condition 8 of Planning Permission No. 9645.

462/26 – F/20131/25G – Western seafront of Westview Park -- Proposed reclamation of land from the sea.

GoG Application

Consideration of Westview Park reinstatement scheme and completion details of limpet relocation to discharge Condition 6 and 7 of Planning Permission No. 9741.

463/26 – F/20181/26 – Flat 1, The Hargrave, 73–75 Prince Edward's Road -- Retrospective application for installation of an awning with a retractable canopy.

464/26 – 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.

Consideration of the proposed glass curtain wall glazing and framework and planters to discharge Conditions 2 of Planning Permission No.9687.

465/26 – F/20289/26 – 4 Benoliel's Passage -- Proposed minor alterations to property including replacement timber window and shutters and front door.

Consideration of As Built Plans with change of window, installation of roller shutter and omission of shutters.

466/26 – F/20378/26 – 4 Trafalgar Road -- Proposed refurbishment and change of use from retail (Class A1) to mixed use comprising offices (Class A2 and/or B1), stores (Class B3) and dance studio (Class D2), including replacement fascia signage.

467/26 – F/20388/26 – Vinopolis Wineshop, 5-7 Main Street -- Proposed external seating proposals and associated change of use of public highway.

468/26 – F/20404/26 – 4 – 4A Europa Advance Road -- Proposed construction of the first phase of the Waste Treatment Facility comprising waste sorting plant and associated uses.

Consideration of revised plans due to a small adjustment to the electrical sub-station (Building 5). Essentially, in lieu of the two small buildings originally proposed (temporary and permanent substation facilities) this is now a single consolidated structure without any temporary element.

469/26 – F/20410/26G – 12 St Bernards Hospital, Harbour Views Road -- Proposed extension to entrance, internal refurbishment and new landscaping and seating within forecourt.

GoG Application

Consideration of materials and finishes, signage proposals and landscaping details to discharge conditions 2, 3, 5 and 6 of Full Planning Permission No. 9807.

470/26 – 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.

Consideration of revised plans addressing Subcommittee concerns regarding elongated window and access to unit.

471/26 – F/20441/26 – 537 Watergardens -- Proposed refurbishment works, enclosure of external terraces and installation of pergola.

472/26 – F/20442/26 – Units 7 and 8 Chatham Counterguard -- Proposed interior refurbishment of two vaults and minor external alterations including new signage.

Consideration of revised signage proposal.

473/26 – F/20456/26 – Flat 1, Clifftop House, 9 Windmill Hill Road -- Proposed single storey extension to provide ground floor study and toilet.

474/26 – F/20462/26 – Roof of Atlantic Suites, Europort, Europort Road -- Proposed installation of additional antenna on existing mast.

475/26 – F/20487/26 – Unit 3, 1 Casemates Square -- Proposed refurbishment of the existing restaurant including minor internal/ external alterations and new signage.

476/26 – F/20490/26 – 32 Glacis Road, Imperial Ocean Plaza -- Proposed change of use from office (Class A2) to shop (Class A1).

477/26 – F/20495/26 – 705 Viking Lodge, Mons Calpe Mews -- Proposed installation of glass curtains.

478/26 – F/20522/26 – 23 Trafalgar Heights, 50 Europa Road -- Proposed installation of glass curtains.

479/26 – F/20535/26 – 621 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

480/26 – F/20543/26 – 909 Ocean Spa Plaza, 17 Bayside Road -- Proposed installation of glass curtains.

481/26 – F/20552/26G – 12 Lime Kiln Steps -- Retrospective application for the refurbishment of the building and subdivision from 2 x one bedroom and 3 x two bedroom apartments into 9 x one bedroom apartments.

GoG Application

482/26 – A/20498/26 – Morrisons Roundabout, Ragged Staff Roundabout, Cathedral Square -- Proposed installation of banners to advertise 'Midnight Mike' dance event.

483/26 – 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; and***
- ***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 lighting strategy to discharge condition 27 of Supplemental Planning Permission No.7506D.

484/26 – MA/20411/26 – Blocks 4, 5 and 6 Watergardens, Waterport Wharf -- Proposed remedial maintenance works including the application of new rendered façades of building as well as façade repairs, balcony repairs and waterproofing.

Consideration of proposed Minor Amendments including:

- ***removal of the existing planters, paving, railings, etc., and re-waterproofing and re-provision of new paving, railings, landscaping scheme and other associated works.***

485/26 – MA/20473/26 – West from No. 3 Jetty to Western Arms, North Mole via main North Mole Road -- Proposed upgrade and diversion of the existing fuel pipework infrastructure network, together with construction of a larger pump room.

Consideration of proposed Minor Amendments including:

- ***relocation of the pump room from North Mole Road to behind the existing boundary wall, to be screened from public view, while also allowing for a wider pedestrian walkway along North Mole Road.***

486/26 – MA/20496/26 – 270 Main Street -- Proposed change of use from bar to dental practice and alterations to existing frontage including new access ramp and removal of existing awning.

Consideration of proposed Minor Amendments:

- ***replacement roof over Clinic 3 including installation of skylight.***

487/26 – MA/20502/26G – St. Martin's School, Europort Avenue -- Proposed extension and conversion of lower ground level to accommodate additional pupils and works at roof level to increase playground areas and provide additional support rooms.

GoG Application

Consideration of proposed Minor Amendments including:

- ***conversion of external sensory space into new internal teaching space with playground above.***

488/26 – 1555/ P/071/26 – Mid-Town Coach Park, Queensway -- Painting of external ground floor columns to be partially covered in vinyl graphics.

GoG Application

489/26 – Any other business

There was no other business. The Chairman thanked members and confirmed that the next meeting was scheduled to be held on 19th November 2026.

Chris Key

Secretary to the

Development and Planning Commission