

Approved

DPC meeting 10/19

6th August 2019

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 10th Meeting of 2019 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 6th August 2019 at 9.30 am.

Present:

Mr C Viagas (Acting Chairman)

The Hon Dr J Garcia (DCM)
(Deputy Chief Minister)

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

Mr H Montado (HM)
(Chief Technical Officer)

Mr G Matto (GM)
(Technical Services Department)

Mr Ian Balestrino (IB)
(Gibraltar Heritage Trust)

Mr Alfred Brittenden (AB)
(Land Property Services)

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

Mrs J Howitt (JH)
(Environmental Safety Group)

Mr Viv O'Reilly (VOR)
(Rep Commander British Forces, Gibraltar)

In Attendance:

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

Mr. R Borge
(Minute Secretary)

Apologies:

Mr P Origo (Chairman)
(Town Planner)

Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

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

Mr M Cooper (MC)
(Rep Commander British Forces, Gibraltar)

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446/19 – Approval of Minutes

The Minutes for the 8th meeting held on 8th July 2019 were deferred.

The Chairman informed the Commission that Mr Origo would not be present at this meeting due to bereavement and offered his condolences on behalf of Commission members.

Matters Arising

None

Major Developments

447/19 – F/16308/19G – Westside Secondary School Site, Queensway – Proposed construction of a new Government housing development at the site currently occupied by West Side School, comprising approximately 228 apartments including the incorporation of an independently managed senior citizens’ apartment block totalling 44 units with allocated car parking spaces concealed at ground floor level under a landscaped podium area.

This project was for a new affordable housing scheme at the site of Westside Secondary School Site on Queensway. The new scheme would be called Chatham Views.

Mr Alain Navarro (AN) from WSRM Architects was invited to address the Commission to explain the details of this project.

AN explained that this housing scheme would be constructed on previously reclaimed land just outside the city walls. The new development would be approximately 9900 m². Westside Secondary School is currently moving to a new location so the current low density building would be demolished. The development would be surrounded by new schools and they would be 3 storeys high.

AN added that HMGOG was currently looking into the road network. A Road Study had been conducted by Ramboll Limited and had been submitted. The aim was to reach a holistic solution. Clients and stakeholders had agreed to maintain the access road through the site. Trees on site had been surveyed and some were to be retained, some removed and some relocated.

After discussing with Town Planning Department (TPD) they were considering an alternative colour scheme to Montagu Gardens in order to break up the massing. AN also noted that mature trees would be planted around the boundaries and they would be coming up from ground level.

High quality residences for senior citizens would also be constructed within the development. The blocks for senior citizens would be independent from the other blocks; they would also have their own services, parking spaces and accessibility measures would be implemented.

The development would be made up of four vertical towers across the site; when viewed from a distance the four towers would help in breaking up the massing. The podium would be two storeys tall. On the podium there would be gardens, landscaping, a play area and bike racks. There would be an access ramp on the east. It would also have ventilation louvers for the parking area around the boundary. The possibility of including a paved area on the access road was being

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looked into by the design team. On the third floor of the Senior Citizens block there would be a Canteen Area. In total there would be 228 units. An access road would separate the new schools and the block. The buildings would be of a similar height to surrounding buildings.

MEHEC noted that there was scope for a row of trees or a green wall to line the school and asked for AN to liaise with the team.

JH asked whether PV panels would be installed.

AN replied that they were looking at how many panels would be required to service communal areas.

MEHEC pointed out that the number of PV Panels should not be restricted and they could feedback to the grid.

DTP went on to provide his assessment.

The following comments were received from consultees:

- Department of Environment, Heritage and Climate Change (DoEHCC) – Water table, must look into de-watering the site. Must include nesting areas for birds. Must discuss management of landscaping and must include renewable energy.
- Ministry of Heritage (MoH) – An Archaeological Watching Brief (AWB) must be carried out as there is the possibility that remains could be found.
- Ministry for Infrastructure and Planning (MIP) – Electric Car Charging Points should be included. Proposed cycle lane should link up with schools. A bus stop must be included on site and there should be adequate access for the disabled.
- Traffic Commission (TC) – Had no objections as long as Highway Standards were met.

DTP explained that the site was opposite the City Walls which are a listed monument. He added that the site had to be looked at in context with Montagu Gardens and Eurocity and felt that it was unlikely the development would have a significant impact. The architects had attempted to break up the massing by introducing vertical elements. Shadowing exercises had been carried out and they determined that the main effect would be in winter affecting the northern end of the site. Four trees on Queensway were to be retained. One of the trees that is in bad condition was to be replaced by one of the same species. The development would have sixteen large trees (including the five previously mentioned), twenty-five medium trees and fifteen small trees.

With reference to sustainability, DTP reported that standard measures would be taken concerning building materials, the orientation of the buildings would allow light, renewable energy resources would be included and a Transport Study was being completed.

DTP suggested the following recommendations should be made to Government:

- Transport Study to be submitted and approved by highways authorities.
- Consultation on colour schemes.

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- Birds and Bat nests placement needed to be finalised.
- Parking layout with inclusion of disabled bays and electric charging points to be finalised.
- Inclusion of PV panels.
- Landscaping details to be submitted.

The Commission agreed with the suggested recommendations.

448/19 – 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.

This application had been deferred by the Commission on 20th June. The applicant, Mr Greg Butcher (GB) had requested to address the Commission, together with Edward Allison-Wright (EAW).

GB explained that the old Casino would eventually collapse on its own if it was not demolished soon, and that as a developer, he had delivered on his promises concerning green walls and landscaping. An example being the work done at Ocean Spa Plaza. He added that there would be a net gain of 185 sqm of habitat and further explained the changes made to the proposed development. The area to the south of the development had been lowered and the area to the north would be largely natural and would be for the Commission to decide what to do with the gap between this development and The Rock Hotel. When this proposal was last considered the Commission asked to increase the density of the greenery as this large development would be sitting at the boundary of the Upper Rock Nature Reserve. GB displayed a slide explaining the compensation made for habitat loss. A visual from the Windsor Suspension Bridge was also displayed.

GB informed the Commission that they had consulted with Bosco Verticale concerning the green roof, visual impact, and a cradle system to maintain the vertical planting – although this would be costly. DoEECC had requested a ratio of 2:1 for every tree lost. GB explained that they had added more trees to the ground level and were planning on having a constant cascade of greenery from top to bottom. He also mentioned that they would have to use materials not at the lowest cost but depending on what weight the tanks underneath could sustain.

GB offered three different options for the development. Option C still had a number of unknowns but would end up as a green building, similar to Ocean Spa Plaza. Rain water harvesting would also be carried out together with dechlorination of swimming pool water in order to irrigate plants. Seismic Testing had been carried out and Option B was preferable under those conditions.

KB stated that a clarification was needed on what was meant by habitats – what GB was referring to was landscaping but not habitats.

DCM asked whether Bosco Verticale could address the Commission at the next DPC meeting.

GB replied that they would like to be commissioned to see how trees could be slotted in but the Commission would need to determine how many trees were required and pointed out that they would like to mimic the natural habitat.

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DTP explained that 80 metre gap referred to by the applicant was outside of the developers control as it did not belong to them. He welcomed the work undergone by the developers and felt that Option C would have the greatest positive visual impact. He noted that most of the trees that formed the vertical planting were located on the rear (east) façade of the development where they would only be visible from the Upper Rock and therefore the visual benefit would be diminished. At the same time, the main issue with the vertical planting was the unknowns in relation to structural issues and costs. On the other hand, if the additional vertical planting on the east was substituted for additional planting on the west façade, particularly at the North and South ends which were lacking, there would be a much greater visual benefit. DTP suggested that this should be considered as a possibility.

Slides with views from Old Queen's Road, Windsor Suspension Bridge and an aerial view were shown.

A Bird Breeding Survey had been submitted which showed that low numbers of breeding and wintering species. It also noted that any breeding pairs displaced would move to nearby areas of similar habitat.

KB commented that birds being displaced were not an exact science and that they would not necessarily just move.

MEHEC commented that the issue of demolishing the tanks had been reopened and was considering how much lower the building would be if they were. He noted that greening the rear was important as a larger number of people would be looking from the top. MEHEC felt there were still more issues to discuss but preferred Option C and wished to congratulate the developers.

DCM agreed with MEHEC's comments and also acknowledged the work done by the developers. He commented that heritage is an important aspect of all developments considered, adding that profit and loss was not an issue the Commission would consider. DCM noted that although there was an uncertainty to the cost of Option C he considered it the most favourable option.

IB insisted that the tanks were of heritage value and that the Gibraltar Heritage Trust (GHT) wanted to see these preserved and used in future.

MEHEC replied that he did not believe the tanks should be demolished but was only noting the conflict between the height of the development and the retention of a heritage asset.

JH commented that the Environmental Safety Group (ESG) had been discussing this development and they objected to this development. There were heritage and environmental aspects to consider and believed that the urbanisation of this unique area should be stopped.

KB agreed with JH and noted he was worried whether the green corridor would be preserved.

The Chairman stated that these were valid concerns but these comments should have been raised at Outline and Outline approval had already been given.

JH replied that Outline approval did not guarantee approval at Full Planning.

MEHEC also commented that the Commission was considering different options and could still

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refuse or defer if they required more details to be presented.

JH replied that ESG still objected to a concrete mass on this site.

KB stated that Outline Approval for this development had actually expired.

The Chairman replied that Outline Approval had expired but the Development Plan 2009 and the membership of the commission remained virtually the same. Seeing that the only issues raised at the previous meeting were those of details as stated above, he advised that it would be difficult to argue against the in principle proposal of the development at this stage.

JH stated that there was no objection to fixing up the Casino building or a residential development but the Development Plan did not have a design statement and conservationists were concerned.

The Chairman replied that no public objections had been received.

DCM added that he was unaware that Outline Approval had expired and after looking at the three options the Commission could still refuse the application. The chairman agreed that technically this was true. The DCM added that further details were necessary before approval was given.

GB interjected by saying that if they were asked to redesign they would like a conditional approval. He added they would not know the cost of redesigning the development until the design had been completed.

The Chairman stated that if the Commission were to have a discussion concerning this development he would like to discard the option to refuse.

MEHEC replied that she disagreed and should not discard refusal as an option and considered it wise to look at this application again once all the information required was submitted.

DTP commented that the main issue was incorporating trees into the building fabric, notwithstanding the comments made by JH and DoEECC. The Chairman agreed, as in all previous submissions use, mass and scale had been approved.

The Chairman stated that as he was chairing the meeting temporarily, the issue of adding trees to a façade was not a design feature he was comfortable or had experience with. Therefore, he did not want to commit to a decision which accepted this option on a building of this scale.

KB added that he was representing an organisation which had misgivings on the scale and mass of this proposed development, as well as the environmental impacts it could possibly have.

MEHEC commented that he was also uncomfortable with the volume of this development and that the Commission should consider deferring this application.

DCM stated that once the Commission had all the information on Option C they should consider this application. He also mentioned that this should happen procedurally by being considered as an Outline application first.

The Commission agreed unanimously to defer the application.

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Other Developments

449/19 – D/16328/19G – Westside Secondary School Site, Queensway – Proposed demolition of existing Westside Secondary School, comprising various low-rise traditional buildings.

This application was for the demolition of Westside Secondary School.

KB recommended that demolition happen after the Swift breeding season.

IB requested for the old anchor that is was at the entrance of the school to be preserved.

Minor and other Works – not within scope of delegated powers.

450/19 – F/16329/19 – Europa Road – Proposed installation of a 2m high and 66m long catch fence along the cliff face.

The Commission approved this application.

Applications Granted by Sub Committee under delegated powers (For Information Only)

451/19 – F/14176/16 – 34 Devil’s Tower Road – Proposed demolition of existing buildings and garages and construction of a new building comprising of retail premises, landscaped areas, car parking spaces and apartments.

Consideration of revised plans incorporating changes to ground floor road layout following discussions with Highways and associated changes to ground floor landscaping to vary Condition 1 of Supplemental Planning Permit No. 5580B.

452/19 – F/15372/18 – 117 Main Street – Proposed modifications to approved planning application F/14880/17.

Consideration of revised plans for minor internal alteration including the installation of a mezzanine level and small extension to approved extension, other minor internal alterations within lower floors of building to vary Condition 1 of Supplemental Planning Permit No. 6437A and consideration of proposed colour scheme to discharge Condition 8 of Supplemental Planning Permit No. 6437A.

453/19 – O/15501/18 – 14 Governor’s Lane – Proposed extension to existing dwelling and internal alterations.

Request to renew Outline Planning Permit No. 6679.

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454/19 – F/16258/19 – Supernatural, Atlantic Suites, Europort Road – Proposed fit out of unit (Class A3) and change of use of external area in order to place tables and chairs.

455/19 – F/16277/19 – House 13, 5 Catalan Gardens, Sir Herbert Miles Road – Proposed creation of new door opening to garden.

456/19 – F/16278/19 – The Rock Hotel, 3 Europa Road – Proposed installation of pergola on first floor terrace.

457/19 – F/16306/19 – G&H Don House Arcade, 30-38 Main Street – Retrospective application for change of use from Class A1 to Class A2 and proposed internal refurbishment of unit.

458/19 – A/16330/19G – Waterport Roadway, North Mole Road & Queensway – Proposed installation of lamppost banners to advertise Gibraltar Calling Festival 2019.

GoG Project

459/19 – A/16331/19G – Main Street, By Post Office – Proposed installation of banner to advertise Gibraltar Calling Festival 2019.

GoG Project

460/19 – A/16332/19G – Sir Winston Churchill Avenue Bridge – Proposed banner installation of banner to advertise Gibraltar Calling Festival.

GoG Project

461/19 – Ref. 1196/16 – 4 Stagoni, Rosia Road – Proposed licence for tables and chairs area.

462/19 – Any other business.

None.

463/19 – Next Meeting

The next meeting will be held on 30th October 2019.