

Approved

DPC meeting 13/19
12th December 2019

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 13th Meeting of 2019 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 12th December 2019 at 9.30 am.

Present:

Mr P Origo (Chairman)
(Town Planner)

The Hon Dr J Garcia (DCM)
(Deputy Chief Minister) - present for 1st part of meeting

The Hon Samantha Sacramento (MJMECA)
(Minister for Justice, Multiculturalism, Equality and
Community Affairs) - present for 1st part of meeting

The Hon Dr J Cortes (MESCC)
(Minister for Environment, Sustainability and Climate
Change) - present for 2nd part of meeting

The Hon Stephen Linares (MHYS)
(Minister for Housing, Youth and Sport) - present for 2nd
part of meeting

Mr H Montado (HM)
(Chief Technical Officer)

Mr G Matto (GM)
(Technical Services Department)

Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

Mr Kevin 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 Vivian O'Reilly (VR)
(Rep Commander British Forces, Gibraltar)

In Attendance:

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

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Mr. R Borge
(Minute Secretary)

Apologies:

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

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609/19 – Approval of Minutes

The Minutes for the 12th meeting held on 21st November 2019 were approved.

Matters Arising

610/19 – F/15402/18 – Waterport Terraces Housing Estate, North Mole Road – Proposed installation of access gates.

An update was received from the applicant stating that the access gates were not currently being used and that the contractor and architect had reviewed the issues and would be implementing mitigation measures.

Major Developments

611/19 – O/16285/19 – 74 Devil’s Tower Road – Proposed demolition of existing warehouse and construction of residential building.

The applicant wished to demolish an industrial two-storey unit in order to construct a part 15/part 16 storey residential building. The building would be 48 metres in height and would house 44 apartments. An objection was received from the owner of Gedime Motors; these were circulated to all members of the Commission.

At basement level there would be a car park. A commercial unit and the entrance will be located could be found at ground level. Further parking is to be developed at levels 1 and 2, there would also be parking at the rear of level 3. Plant facilities would be located at the rear of level 4. As from level 5 the full floor plate would be residential. On the 15th floor there would be a communal area with swimming pool and landscaping.

A design statement was submitted together with this application. On the lower levels, the commercial unit and glazing would introduce some activity to the façade. Dark and light cladding, angled balconies and timber cladding on the lower levels would create interesting features. Trees are to be planted at Devil’s Tower Road (DTR). Green walls would also added to the development. From levels 6 to 12 the facades will incorporate a Brise Soleil type structure. A green roof would also be created. Louvered panels would protect from the sun and solar panels will be incorporated into the building.

The building shall have a total of 44 parking spaces. The Commission had previously approved tall buildings in this area.

The following comments were received from consultees:

- Director of Civil Aviation (CA) – An aeronautical study was required before construction.
- Department of Environment, Heritage and Climate Change (DoEHCC) – Submission of Bird/Bat surveys and sustainability measures to be used were required.
- World Heritage Organisation – Archaeological Watching Brief (AWB) was required as there could be Neanderthal remains.

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- Gibraltar Heritage Trust (GHT) – Felt there was a lack of holistic planning for DTR area and that constructing up to the OLS limits were creating an uninteresting skyline.
- Technical Services Department (TSD) – A geotechnical survey and investigations into Bayside sewage station.

Mr Nicholas Culatto (NC) and his client, Mr Louis Posso (LP), Managing Director of Gedime Motors, were invited to address the Commission to express their objections to this application.

NC explained that Gedime Motors had permission to construct two parking floors above the Mercedes-Benz salesroom and were looking to continue to construct a residential building in future. This application was for a building 2 meters away from their boundary and would have balconies on the east elevation that would be overlooking their site. NC added that their development would be phased and had tried to reach a compromise with the applicant by asking them to not include any balconies on their east elevation and they would not include balconies on their west elevation. NC requested that the Commission commit on not allowing the applicant to install balconies on the east elevation.

Ms Ruth Massias Greenburg (RMG) from Gamma Architects was invited to make counter representations to the objectors' claims. She explained that they were intent on creating an interesting façade and the balconies formed part of that.

GM asked how close the building was from the boundary line and what the plot ratio was.

RMG replied that the minimum distance from the boundary line was 2 metres and through setbacks had created additional space. The plot ratio was less than 80%.

GM commented that seeing as they had just heard that the objector also wished to develop a high-rise building whether there was any possibility of stepping back the building further.

RMG replied that with the interplay of balconies, setbacks, greenery and different structural elements they were looking to create an interesting building instead of a blank façade.

The Chairman asked what would be the use of the 2-metre space at ground level.

RMG replied that they had left space to include some greenery, which she also felt was necessary at ground level on DTR.

JH asked RMG what her view was on the objector's statement that she may object to their proposal in future.

RMG explained that this meeting might not be the correct forum to discuss this point but felt that having a blank façade may create a precedent to allow these in future, which she felt would not be positive.

The Chairman asked whether there was any insight for any architects to design windows that minimise the intrusion.

RMG replied that they had introduced angled windows to mitigate that issue.

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KDS said that the Commission should focus on this application instead of taking into account the objectors' plans.

MJMECA asked the objectors why they had not submitted their own plans, seeing as they had been notified of the applicant's submission.

DCM added that he considered it odd to consider what was going to happen on a neighbouring site and this application was an Outline Application. He asked the objectors whether they considered it beneficial for them to submit an application knowing what the applicant was planning to construct.

LP replied that their development was phased and did not feel they should expedite their designs but that this application could affect their plans.

DTP continued with his assessment stating that there were no in principle objections as DTR was undergoing a lot of change. He acknowledged GHT's comments on holistic planning and issue of designing to the OLS limits. DTP recognised that architect's efforts on design but had some reservations on the termination of the building but considered that these could be addressed at full planning stage. A Heritage Impact Assessment had been undertaken and AWB was required.

With regard to the objectors' comments, DTP explained that the usual practice was to consider the application in the context of the current baseline. DTP commented that it would be the developer's responsibility to advise purchasers that there was the possibility of a high-rise building being constructed on the neighbouring site. He also explained that orientating windows differently could help the issue of loss of privacy in any future development on the neighbouring site. A Wind Study and Microclimate Study would also be required. DTP recommended approval of this application.

JH asked whether there should be a safety evaluation carried out due to rockfalls.

The Chairman responded that TSD required Geotechnical surveys to be carried out, of which results would be considered at Full Planning stage.

JH explained that the Environmental Safety Group (ESG) would retain its position and object to this proposal, as this was not holistic planning and that everything was happening ad hoc.

The Chairman responded that he did not agree with the term ad hoc, as the Gibraltar Development Plan 2009 was still in effect and that the zone would be considered for residential development on a high-rise basis.

JH replied that DTP had just recognised in his assessment that there was a lack of holistic planning and she was agreeing with DTP's point.

The Chairman asked the Commission to vote on the application with the DTP's recommendations.

The Commission voted as follows:

In favour: 10

Against: 1

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This application was approved by majority.

612/19 – O/16286/19 – 39-42 Devil’s Tower Road – Proposed demolition of existing warehouses and construction of residential building.

This application was to demolish various 2 to 4 storey warehouses owned by Bassadone Group who were relocating to another site. The developers would then construct a 16 storey residential building with 95 apartments and a communal swimming pool.

A car park with a car lift and plant facilities would be found at basement level. At ground level there would be a commercial unit, stair core, landscaping and entrance lobby. Further parking would be included at levels 1 and 2. A plant area would be found at the rear of level 3, with residential area at the front. From the 4th to the 14th floor, there would be apartments with a central stair core. An open communal area would be included on the west with landscaping and a vertical garden. A communal swimming pool would be included on the 15th floor.

There would be a significant use of glazing throughout the building in a variety of colours. The building would also have angular setbacks and recessed balconies. The façade would incorporate elements of timber cladding and green walls.

An initial objection was received from the Ministry of Defence (MOD) but this had since been retracted following revisions to relocate the vehicular access. No objections were received from public participation.

Comments were received stating that an Aeronautical Study, Birds and Bats Survey and an AWB was required. Ministry of Infrastructure and Planning had also commented that Motorcycle and Bicycle parking bays should be included, as well as electrical car charging points.

DTP explained that the height and mass of the building was acceptable and that details on soft landscaping should be submitted. DTP recommended approval of this application with the condition that Wind and Microclimate studies be carried out.

JH commented that ESG would abstain, as it did not form part of a holistic plan for this area.

The Commission voted as follows:

In favour: 10
Against: Nil
Abstentions: 1

This application was approved by majority.

Other Developments

613/19 – F/15586/18 – British Lines Road – Proposed construction of a new Cepsa Petrol Filling Station.

This application had previously been approved subject to the incorporation of 1 Photovoltaic (PV)

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panels on the forecourt canopy and over the parking spaces.

The applicant had liaised with DoEHCC and submitted two different options on how many panels could be installed.

The first option was to install 122 modules that would meet almost 22% of the filling station's needs; the second option was to install 278 modules that would meet 39% of the station's needs and supply over 30000 kwh back to the electrical grid.

DTP reported that the MOD and DCA had both objected to the possibility of providing PV panels over the car park spaces as these were located adjacent to the airport perimeter and represented a serious security risk. An Aeronautical Study had determined that the glare from these panels would be acceptable other than for a short period between 7:00 and 8:00 am where it could affect the air traffic control tower.

DTP recommended the 2nd option. The Commission unanimously agreed with DTP's recommendation and so the application was approved.

614/19 - F/16087/19 - 73/77 Prince Edwards Road - Proposed renovation of the two existing main blocks to preserve the streetscape, with the provision of ground floor parking places and the addition of new rooftop extensions as well as the replacement of the small block to the northern end of the site with a new two-storey apartment.

This application had previously been considered in June 2019 where the overall scheme had been approved except for the proposed garages due to the effect on the building façade and the loss of on-street parking. Some discussions had been held between Department of Town Planning and the applicant, and the applicant was advised to omit the parking scheme and include Motorcycle parking within their garage. The applicant came back with a different scheme and changes to the fenestrations. The Traffic Commission (TC) still maintained their objection to this proposal as parking spaces would still be lost in order to allow cars to reverse into the carport.

Mr Daniel Rios (DR) and Mrs Elisabeth Quinn (EQ), the applicant, addressed the Commission. DR explained that they had now reduced the number of lost parking spaces from 5 to 3 and would be happy to extend the proposed footpath up to Hargreaves.

EQ added that the Horse Carriage Door would be removed, as they did not believe it had any heritage value and was purely cosmetic. She explained that she believed the stables had been at that location but you could still see the stables archway internally.

CAM commented that GHT had not yet found any records but you could see the archway was an original feature. CAM added that she found the proposal to include glass, metal sheeting and marble at the entrance to be excessive and completely alien to the area.

DR responded that the upper area was the original feature and wanted to make it stand out by adding a modern element to the bottom.

EQ interjected that they would be upgrading the apartments and buyers would expect to be able to park in the carport. Although there would be a loss of on-street parking, they were willing to construct a footpath. She explained that there is a Dance Centre opposite and it is a dangerous

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area for children to be walking without a proper footpath.

DTP reported that the overall scheme had already been approved but due to the loss of parking, TC had maintained their objection. DTP also said that the marble tiling for the façade was unacceptable. DTP recommended that the parking element of the scheme could be omitted and instead provide motorcycle-parking bays.

The Chairman asked the Commission whether they were minded to approve the application following DTP's recommendation to omit the parking element from the scheme.

The Commission voted as follows:

In favour: 9
Against: Nil
Abstentions: 2

The application was approved with the omission of parking within the building as recommended.

615/19 - O/16127/19 - Lancashire House, 8 John Snow Close - Proposed alterations and additions to existing residence to utilise the existing building and add new components to the building.

This application was to construct an extension and additional building elements to create a 5-bedroom dwelling. The Commission had considered various schemes for this property.

In July 2015, a proposal had been refused as the Commission felt the existing house should be retained as they considered the house had some heritage value. In November 2018, a revised proposal involving the retention of part of the original dwelling was refused because the proposal was excessive in scale, enveloping the original building and resulting in a nan adverse effect on its heritage value.

The current proposal was for the majority of the existing building to be retained and the pool had now been relocated to the side. The new extensions would now be constructed at the rear of the building creating a physical segregation of both buildings. The issue of vehicular access appears to have been resolved as the owner of John Snow House had provided written confirmation that he was willing to allow the applicant to relocate his garage so that sufficient width could be achieved to access the site.

The lower ground floor would accommodate covered parking, bedrooms with the main foyer at the rear, together with stairs and a lift.

The ground floor contained bedrooms within the original building with an extension to the rear to provide access to the remainder of the house.

The first floor of the extension would have an open terrace area, green roof and the pool area. The second floor would be the main house and have pitched roofs over either side. An indicative tree plan was submitted, as 5 new trees would be planted to cover the loss of 3 trees. 4 car parking spaces would be provided, including the existing garage located at the end of John Snow Close, and a further 3 on site. The width of the John Snow Close road leading to the property is currently restricted by the garage to John Snow House and the adjacent property boundary. Written agreement has been provided by the owner of John snow House to allow widening of this

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access road by setting back his garage, as had been a suggested solution put forward with the last application.

Objections had been received from the adjoining landowner. These had been circulated to all members of the Commission. Mr Edward Allison-Wright (EAW) and Mr Sean Sullivan (SS) addressed the Commission to express their objections. EAW explained that the applicant's current proposal completely ignored the Commission's comments when it had previously been considered and was now 698 sqm compared to the previously refused proposal, which was 495 sqm. He stated that 132% of the plot size being used when it should be 30% - 60% for neighbouring plots. EAW claimed that the plans were factually incorrect.

The Chairman asked them whether the planter on the objector's property could not be removed to allow for vehicular access.

SS replied that the black line displayed on the photo demarcated the boundary line of the objector's property, and the planter was within the objector's boundary.

The Chairman expressed that the neighbours should meet up to discuss their issues.

EAW replied that they were always open to speak but had not been approached by the applicant.

SS added that the objector had previously removed stairs to allow the owner of John Snow House to pass and had paid for the repaving of the roadway, which was public highway. He also mentioned that they had received a legal letter to not discuss this issue.

EAW mentioned that the objections related to access to the property.

DTP reported that this application was a substantial improvement to what had previously been considered. The scale and massing was acceptable and this proposal blended further into the surrounding landscape. The building would have a substantive green roof and terrace. DTP explained that currently there was only pedestrian access and there was 1 garage space. The applicant was proposing to move the garage of John Snow House further back and there were no objections from the landowner. DTP recommended approval of this application with conditions to submit an application for the relocation of the garage, carry out an AWB and for the applicant to submit further landscaping details.

The Chairman asked the Commission whether they concurred with DTP's report and members voted as follows:

In favour: 7
Against: 4

This application was approved by majority.

AT 11:50, DCM excused himself from the meeting. MESCC arrived at the meeting.

616/19 - F/16187/19 - 6-8 Hospital Steps - Proposed extension to property and associated works.

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The applicant was proposing to remove the pitched roof from this property and construct an extension. New PVC windows would be installed. A new vehicular access is proposed from Hospital Hill, which that would require modifications to the current drop off point for the school. At the southern end of the property, a further storey would also be constructed. Solar panels and Swift nests would be installed. On the east façade, a contemporary design had been adopted with high-level windows, a roller shutter to the proposed garage glass balustrade and stair access to the roof. The west façade would be rendered and painted and the new floors would have two leaf windows.

The following comments were submitted from consultees:

- DoEHCC – No Swift nests had been found.
- GHT – This proposal would have a negative effect on the streetscape, loss of pitched roof and was not in keeping with the area.
- MoH – Concurred with GHT's comments.
- TC – Loss of turning circles.

DTP reported that the extensions would result in a significant built element rising above the existing parapet wall to Hospital hill. Panoramic public vistas from this area would be lost. Such occasional panoramic views are an important public amenity. DTP highlighted a recent application at 52/58 Flat Bastion Road where similar considerations aimed at protecting public vistas had strongly influenced the acceptability of a redevelopment scheme. The proposal would present a very solid mass and the continuation of the eastern façade was not in keeping with the area. DTP recommended refusal of this application.

The Commission agreed with DTP's report and this application was unanimously refused.

617/19 – O/16334/19 – Flat A, 3 Gardiner's Road – Proposed extension and redevelopment of dwelling into apartment block.

This building sits next to Flat Bastion Magazine and Charles V Wall, which are both listed monuments. The applicant was proposing to bring the building line forward with 5 garages at ground level and at ground level the building would be extended outwards but leaving an open terrace to the north west. Projecting balconies would be introduced on the South-west façade. A swimming pool and landscaping would be included at the rear of the 3rd floor. The roof terrace area would include a pergola type structure for shading. The building would have a paint and rendered finish. There would be 5 residential units.

Objections were received and circulated to all members of the Commission. Miss Carmel Khalilian (CK), Miss Joanna Jadczyk (JJ) and Mrs Elka Salmon (ES) addressed the Commission and circulated a summary of their objections.

ES resides directly behind this building and explained that she was objecting due to a net loss of parking, no environmental benefits, no access for pedestrians, the adverse impact the building would have on a listed monument, limited waste disposal and privacy issues. The extension to the building would look into her residence. As it currently stands, her property overlooks the rear terrace of the building.

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Mr Stephen Martinez (SM) and Mr Ian Farrell (IF) addressed the Commission representing the applicant. SM explained that he had been asked to redevelop the site and had spoken to Land Property Services (LPS) about purchasing land outside their boundary line and would be including pedestrian access across the ramped access to the garages. SM also explained that they were intending on providing 5 parking spaces. He stated that there was a 14-metre distance between the applicant's and objector's properties and therefore the objector's property would not suffer from any privacy issues.

KDS clarified that they had approached LPS to purchase but were still awaiting planning permission and if permission were granted their request would be considered.

MJMECA commented that seeing, as the parking spaces in front of the building were not part of the applicant's demise, extending the building line would result in a loss of parking, which would be a similar scenario to a previously considered application for another site. .

The Chairman asked how they intended on achieving space for 5 cars.

SM replied that the current garage is 5 meters deep but if permission was granted and they could push the building line forward, they would include a communal garage within the structure.

MJMECA commented that with this application the applicant was assuming they would be granted permission to buy the extra land. She asked whether they could provide parking spaces if they were not granted permission.

SM replied that in that instance they would consider excavating into the rock.

The Chairman asked whether the current footprint would allow for 5 spaces, without excavation.

SM replied that the current footprint would not be suitable.

MJMECA commented that if the applicant included garages in their scheme on-street parking spaces would be lost in order to allow access to the garages.

SM responded that there would be a single entry to the garages.

MJMECA replied that there would be the issue of allowing adequate space for turning circles.

The following comments were submitted by consultees:

- DoEHCC – Nesting surveys to be carried out.
- GHT – Maintained original objections concerning listed monuments.
- MoH – A step profile should be introduced to reduce impact on monuments. AWB to be carried out.
- TSD – Sewage needs to be addressed if the works go ahead.

Ministry for Traffic (MT) – Proposal encroaches onto public highway

DTP reported that there were no in-principle objections to the alterations as the existing building was not of a high architectural value. He explained that the proposal to bring the building line

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forward together with the proposed projecting balconies would significantly affect views of the listed monuments, particularly when viewed from the south. Development Plan policy aims to protect the setting of listed monuments and whilst the applicant has revised the proposal, the scale, mass and profile continues to affect the setting of the listed magazine.. . DTP commented that the existing building line should be respected and together with roof terrace to the property boundary the incorporation of setbacks would help reduce the adverse impacts on the magazine and walls.

• .

DTP also explained that there was a distance of over 10 metres between the roof terrace of the proposed building and the boundary of the property to the rear. A roof terrace is not a habitable area and by its nature is a transient use, so bearing this in mind together with the significant distance from the objector's property we do not consider that there would be a significant loss of privacy.

DTP noted that the area in front of the site whilst not officially demarcated as on street parking does seem to be used as such. He also commented that the issue of sewerage capacity would need to be addressed by the applicant to the satisfaction of Technical Services Department.

DTP recommended that this application be deferred in order to allow the applicant to significantly redesign the scheme, limiting the built area to the existing boundaries and to set back the proposed building to maintain the separation of the new building from the listed monuments.

CAM commented that she concurred with DTP's recommendation, especially concerning the listed monuments.

The Chairman added that the parking ratio was 1:1 and that if they were constructing 5 apartments they should be looking at how to provide 5 parking spaces. He also mentioned that the terrace should be lower to mitigate the objector's privacy issues.

The Commission was unanimous in their decision to defer the application.

At 12:45, MJMECA excused herself from the meeting and MHYS arrived.

618/19 - F/16357/19 - 18-20 Town Range - Proposed conversion of ground floor rear workshop and rear storage unit to residential use, construction of extension and associated internal and external alterations to refurbish property.

An application for this building, together with the adjacent property, had previously been granted permission to refurbish and create new apartments at the front and mews residences at the rear of this site. It now appears that the two properties are to be separately developed. The applicant was proposing to construct an additional floor and refurbish the workshop at the rear into a residence, also installing a lift to service the building as a whole. The first floor would house 2 apartments, 3 on the 2nd and a further 3 on the 3rd floor.

A wraparound window is proposed on the 3rd floor. The applicant had been advised that this would lead to privacy issues as this would be immediately adjacent to the proposed terrace of the approved scheme to the west and south-east. The applicant had omitted the west-facing window but retained the north-facing window. A light well and 2 skylights would be included in the

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building. The roof terrace would be accessed via a stair core. Previous approval was granted with a condition to replace windows with either timber or composite windows but the applicant was now proposing uPVC or aluminium windows. The terrace would have a glazed balustrade and would be set back 1.2 metres away from the building line. Swift and Bat surveys had been instructed. After an assessment, the applicant considered that PV panels should not be installed due to shadowing from neighbouring buildings. Energy efficient LED lights and solar powered roof lighting would be installed.

MESCC commented that he disagreed with the applicant's statement that they did not find it feasible to include solar panels due to shading.

In April 2008, an application for this site had been refused. In August 2017, Outline Planning was granted for 21 residential units and in January 2018 Outline Planning permission was granted for an assisted living scheme. Due to the building's location, it was understandable that no parking was being provided. DTP reported that all the previous permissions had now expired.

The following comments had been received from consultees:

- DoEHCC – Swift and Bat surveys were required and nests should be integrated into the building's design.
- GHT – Loss of pitched roof to include a glass balustrade.
- MoH – Required an AWB, photo record and inventory of any heritage assets.

DTP reported that late representations had been received relating to the privacy issues arising from the proposed window on the 3rd floor that had already been raised by Town Planning with the applicants.

DTP explained that in January 2018 the Commission had approved traditional railings for the terrace, timber or composite windows, green/brown roof, solar panels and to waive the 1:1 parking requirement.

MESCC reiterated that solar panels should be installed.

MHYS commented that instead of waiving the parking requirement a condition should be set for parking spaces for residents to be provided elsewhere.

The Chairman replied that the ability to buy spaces was not a condition and that the Development Plan allowed for parking regulations to be waived.

DTP explained that although regulations say that parking spaces should be provided the use of cars in the old town was not always desirable and often due to site characteristics was not feasible. DTP recommended approval of this application.

The Commission unanimously approved this application.

At 13:15 HM excused himself from the meeting.

619/19 – F/16366/19 – Rock Cottage, South Barrack Road – Proposed remedial/strengthening

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works to existing Brienco retaining wall to garden due to ground movements including construction of terrace.

The retaining wall to this property required strengthening and the applicant wished to install anchor points to the upper retaining wall and construct a concrete wall to strengthen the retaining wall. A previous proposal involving the construction of columns with a deck structure tied back to the retaining wall had been withdrawn on advice of Town Planning as it was considered to have a significant visual impact.

The following comments were received:

- DoEHCC – Replanting of any trees that had to be moved for these works.
- MoH – Mitigation measures to be taken to protect the heritage wall below this site.

DTP recommended vertical landscaping to be introduced to soften the works that were required.

MESCC required a tree survey to be carried out and supported DTP's suggestion of vertical landscaping.

The Chairman asked to impose the condition that the terraced land area at the base of the wall to be soft landscaped.

The Commission approved the application with the condition set above.

620/19 – F/16488/19 – Unit 17B, 1 Casemates Square – Change of use from glass factory to bank and associated internal and external changes to refurbish unit.

This site is located at the North-west corner of Casemates Barracks. Outline permission had been granted in August 2019.

The developer proposed to lay a concrete floor, at the rear, lay grass and incorporate tree pits to provide a landscaped courtyard. Internally, they would be introducing partitions, a water feature, internal safety shutters and sliding glass doors. The developer would also be using timber decking in parts in order to protect original flooring that was of heritage value. A timber perimeter screen would be installed in the rear courtyard.

The developer wished to introduce digital wall mounted signage at the front of the unit. DTP explained that this was not in keeping with the area and the design guide for Casemates Square mentioned that flat vertical signage is to be used at these units.

MoH had submitted comments stating that a Heritage Licence was required for works at this site. They also required a method statement for all works and that wet blasting should be used for cleaning and not the proposed sand blasting.

DTP reported that this application followed on from the previously approved Outline Planning application. He explained that the full scheme needed to be sensitive and welcomed the cleaning of stonework, proposed landscaping and reinstatement of original arches at the rear. There had been discussion with the applicant over signage proposals but two issues of concern remained;

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The 2 digital boards were not considered appropriate;

The large logo proposed for the façade was considered excessive. Whilst the design guide on signage was for two banner-type signs either side of each entrance, in this case because two units are involved it was considered that these could be substituted for a single sign between the units. DTP recommended approval of this application subject to omission of the digital boards (or consider alternative vertical boards in line with guide), reduction in the size of the proposed logo between the units. A method statement to be agreed for all works, no sandblasting and that a heritage license would be required.

The Chairman asked the Commission whether they were in favour of this application, adding the condition for a more amenable signage to be installed.

The Commission approved this application unanimously in line with the recommendations.

621/19 – F/16453/19 – Governors Parade – Proposed installation of replacement canopy.

This application was retrospective, as the applicant had erected canopies without permission. The applicant was the owner of both restaurants and canopies.

The applicant proposed to replace the unauthorised canopy with a single canopy structure to serve both restaurants. The proposed structure is more substantial than the existing comprising a series of 3 high peaked roofs and fully enclosed on all sides with glass doors.

TSD rejected this application on architectural grounds as the canopies were out of character for the area.

DTP explained that the Commission had previously permitted other types of canopies that could easily be removed. These canopies were not in keeping with the area. The square was a public open amenity area and previous canopies over table and chairs area had been permitted subject to legal agreements to remove these when required. The proposed structure was much more substantial and a permanent-type structure that could not easily be removed. DTP reported that the /Development Plan envisaged environmental improvements for this area and that it was understood that the department of Environment had plans to carry out improvements. The canopy roof was not considered to be in-keeping with its surroundings.

DTP recommended refusal on design grounds, prematurity as it might adversely affect the plans for improvements to this area and the resulting loss of public open space.

MESCC commented that the owners had been cooperating greatly with DoEHCC to improve the area and recommended for canopies that were easily removed to be installed.

The Chairman proposed that the applicant be allowed to install a previously allowed canopy.

DTP explained that the applicant had previously been given permission to install a canopy for their other restaurant in this area that could easily be removed and had to enter into a legal undertaking with HMGOG.

This application was unanimously refused.

622/19 – N/16411/19 – Straits Sunset, 10 Naval Hospital Hill – Proposed removal of three x

Approved

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Washingtonia Robusta.

The Subcommittee had referred this application to the Commission. After a tree survey carried out by DoEHCC it was determined that one of the trees was healthy, tall and robust, and should not be removed. The other two trees were damaging the planters they were in and could be removed and replaced with smaller, less damaging trees, such as citrus trees.

Mr Brendan Murphy (BM), the applicant, addressed the Commission. He explained that the trees were already in situ when he started residing at the property. He added that the tree adjacent to the boundary was 10 metres tall and planted on a plinth by a boundary wall. BM did not know how deep the trees were planted but was willing to dig around them.

KB commented that if he were proposing to extend the planter it would be a good time to make some exploratory excavations.

The application was deferred to allow exploratory works to take place to determine the exact depth of soil in which the boundary tree was planted. This should be done in the presence of the Department of Environment and if it were confirmed that the tree is unsafe the Subcommittee would be empowered to approve its removal.

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

623/19 – F/16512/19 – Castle Road / Fraser’s Ramp – Proposed refurbishment of dilapidated block into residential accommodation.

The Commission approved this application.

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

624/19 – BA11988 – Wellington Cottage, 33b Europa Road – Proposed construction of pathway and carport.

Consideration of revised drawings to regularise the new boundary wall layout surrounding carport to discharge Condition 8 of Planning Permit No. 3931A.

625/19 – F/15353/18 – 131 Rosia Plaza, Rosia Parade – Proposed replacement of existing windows and patio doors and associated internal alterations.

Consideration of revised plans for the installation of glass curtains to vary Condition 1 of Planning Permit No. 6515.

626/19 – F/15592/18G – 304A Main Street – Proposed building refurbishment and creation of charity shop at the Gladys Perez Centre. To be used by the Gibraltar Clubhouse.

GoG Project

Consideration of proposed signage details in accordance with recommendations letter.

Approved

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627/19 – F/15830/18 – 13 Gavino’s Passage/44 Cornwall’s Lane – Proposed conversion of building into a hotel, including construction of two storey extension and roof terrace, installation of new lift and associated works.

Consideration of proposals to deal with unauthorised Chimney/extract flue on a temporary basis and final solution within approved scheme.

628/19 – F/16158/19 – 310 World Trade Centre, Bayside Road – Proposed amalgamation of two office units.

629/19 – F/16363/19 – 4 West Walk, Europa Walks Estate – Proposed internal alterations.

630/19 – F/16394/19 – 161-165 Main Street – Proposed refurbishment of retail shop including installation of new signage, cladding and glass doors.

631/19 – F/16435/19 – 1 Lake Ramp, Buena Vista Estate – Proposed internal and external alterations to house.

632/19 – F/16471/19 – 10 The Anchorage – Proposed installation of glass curtains.

633/19 – F/16482/19 – 1201 Europlaza, Block 4, Harbour Views Road – Proposed enclosure of terrace.

634/19 – N/16233/19 – 20 Witham’s Road – Proposed removal of Laurus Nobilis.

This application sought to remove a Laurus Nobilis of average form that is causing damage to an adjacent parapet wall and the ground around it as the planter from which the tree grows was not suitable for a tree to begin with and poses health and safety issues. It was considered that the tree and the roots should be removed, as it will continue to damage the wall and that two replacement Laurus Nobilis’ should be planted in pots.

635/19 – N/16470/19 – House 1, 1 Mount Road – Proposed pollarding of trees.

This application sought to pollard or prune all the trees located in a patch of woodland within a garden setting including Olea Europaea, Celtis Australis and a Jacaranda. It was considered that all of the trees would benefit from crown cleaning and, where necessary a crown lift and only remove dead wood if this is a health and safety concern, as it has value and adds character to the woodland.

636/19 – MA/16492/19 – 13-19 Irish Town – Proposed refurbishment of Irish Town façade and extension at roof level.

Consideration of minor amendment to demolition of existing 3 storey lift within internal courtyard.

637/19 – MA/16500/19 – 15 Cornwall’s Lane – Proposed change of use of ground floor apartment to office.

Consideration of minor amendment to facilitate installation of a new lift.

638/19 – 1555-P/001 – Town House 3 / 4 Ordnance Wharf – Consideration of proposed colour

Approved

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scheme.

639/19 - 1555-P/002 - 2 A Castle Steps - Consideration of proposed colour scheme.

640/19 - Any other business.

641/19 - Next Meeting

The next meeting will be held on 4th February 2020.