

Approved

DPC meeting 6/19

30th May 2019

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 6th Meeting of 2019 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 30th May 2019 at 9.30 am.

Present:

Mr P Origo (Chairman)

The Hon S Linares (MSCHY)

(Minister for Sports, Culture, Heritage and Youth)

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)

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

Mrs J Howitt (JH)

(Environmental Safety Group)

Mr M Cooper (MC)

(Rep Commander British Forces, Gibraltar)

In Attendance:

Mr C Key (CK)

(Town Planning Assistant)

Mr G Baglietto (GB)

(Town Planning Assistant)

Mr. R Borge

(Minute Secretary)

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The Hon Dr J Garcia

(Deputy Chief Minister)

Mr P Naughton-Rumbo (DTP)

(Town Planner)

Apologies:

257/19 – Approval of Minutes

The Minutes for the 4th meeting held on 26th March 2019 had been circulated to all members and were to be approved via Round Robin. The Minutes for the 5th meeting held on 25th April 2019 were to be circulated and approved via Round Robin.

Matters Arising

None

Major Developments

258/19 – 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 – Consideration of Town Planning Screening Opinion.

CK explained to the Commission that they must consider whether an Environmental Impact Assessment (EIA) was required for this application.

The site on Europa Road is 6,162m² and comprises the former Casino building located above two large historic water tanks. The proposed development is largely within the footprint of the existing former Casino building. However, there would be an increase in the building footprint, which would be achieved by excavating the back slope of the existing car park to the north and east of the existing building. The Gibraltar Upper Rock Nature Reserve is immediately east of the site and the Alameda Botanic Gardens to the immediate west across Europa Road.

An application (Ref. BA 10589) for the construction of a 9-11 storey residential development comprising 92 apartments was approved on 26th June 2008. The planning permit was renewed a number of times and expired on 31st July 2014. This application was for a development of a similar density and volume but did not constitute an EIA development.

The previous application proposed the construction of an 8-12 storey residential development of modern design comprising of 111 apartments and 171 car parking spaces provided across six levels, two of which would be underground. Amenities would include a resort deck and health club. The existing historic water tanks were to be retained as a heritage asset.

CK explained that the current proposed development is considered a List 2 development as defined under Schedule 2, Section 10 (b) “Urban Development Project”.

CK explained that after undertaking a review of the Environmental Screening Report (ESR) and the consultation responses that were received, it was considered that there were a number of areas of concern and topics in the ESR where further information was required to establish whether there would be any significant environmental impact in respect of the proposed development which included:

- Clarification as to whether the application site extends into the Nature Reserve;
- Ecological surveys of flora and fauna on site to be undertaken;
- A Macaque Management Plan to be submitted;

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- Impact of artificial lighting on roosting bats and nesting birds in the Botanic Gardens and Nature Reserve to be assessed;
- Undertaking a Zone of Theoretical Visibility as referred to in the Landscape and Visual section of the ESR and agreeing further viewpoints to enable Town Planning to undertake an assessment of Landscape and Visual Impact;
- Assessment of the construction traffic impacts of the proposed development to be undertaken;
- Submission of a CEMP; and
- Submission of Construction Traffic Management Plan.

An Additional Screening Information (ASI) report was submitted in April 2019 and was accompanied by the following additional reports and information:

- A Supplementary Environmental Information Report (SEIR) which included an Ecological Survey of the application site;
- A Construction Traffic Management Plan (CTMP);
- A Construction Environment Management Plan (CEMP);
- A Dust Control Management Plan (DCMP);
- A Lighting Strategy (LS);
- A Macaque Management Plan (MMP);
- A Report on Macaques and 'The Reserve' Development;
- A Technical Memorandum on the Rockfall Fence and Construction Methods;
- A Technical Memorandum on the Former Quarry Rock Face and Cut Slope Stabilisation Summary; and
- A Zone of Theoretical Visibility Technical Note (ZTV) and additional photomontages agreed with Town Planning in order to fully assess the Landscape and Visual Impact of the proposed development.

CK provided the following summary of consultee feedback which had been received in respect of the ASI and additional reports and information:

1. CEMP

- Department of Energy, Heritage and Climate Change (DoEHCC) confirmed that the CEMP was comprehensive and addressed all potential environmental issues previously identified and appropriate mitigation measures had been identified;
- Town Planning considered this to be a comprehensive analysis which addressed the previous concerns which were raised by consultees when the initial ESR was reviewed.

2. CTMP

- CTMP addressed main traffic issues;
- CTMP will be treated as a living document and will be subject to any modifications required as and when construction of the proposed development commences; and
- CTMP will need to be updated to include further information on volumes of construction traffic expected during each phase of the construction works, however, it is considered that this can be undertaken prior to the commencement of the development should the Commission approve the application.

3. DCMP

- DoEHCC confirmed that the DCMP was comprehensive and robust and clearly set out the required control measures throughout the construction phase of the development.

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4. Lighting Strategy
 - Sets out a range of mitigation measures both for the construction and operational phases of the development;
 - Note that the LS is intended to be a living document and would be subject to changes as and when required; and
 - Town Planning considered that the LS suitably addressed the concerns that were raised by consultees when the initial ESR was reviewed.
 -
5. Macaque Management Plan
 - DoEHCC confirmed that a number of measures included in the MMP would require a separate assessment and the authorisation of the Department before being implemented (i.e. notably an electric fence).
 - DoEHCC confirmed that they considered the use of ultrasonic devices had previously not been deemed effective and alternative mitigation would be required in respect of this measure; and
 - Whilst the DoEHCC recommends that the MMP is refined together in conjunction with the Department, it considered that this can be undertaken prior to the commencement of the development should the Commission approve the application.
6. Technical Memorandums on Rockfall Fence and Construction Methods' and the 'Former Quarry Rock Face and Cut Slope Stabilisation Summary'
 - DoEHCC verified that the 'Rockfall Fence' would not encroach on the Nature Reserve;
 - Technical Services Department (TSD) confirmed that further discussion would be required with the applicant in respect of both the final location and capacity of the proposed 'Rockfall Fence';
 - TSD confirmed that they did not have any in-principle objections with regards to the scope of works set out in the Technical Memorandum on the stabilisation of the 'Former Quarry Rock Face'.
7. ZTV Technical Note and additional photomontages
 - DoEHCC and Environmental Safety Group (ESG) had raised concerns that the proposed development would have a significant visual impact in the area;
 - Town Planning considered that the information produced and submitted by the applicant to assess the Landscape and Visual Impact of the proposed development was acceptable and would enable the Commission to make an informed decision when the application was tabled.
 - Following the assessment of the initial ESR and the ASI reports and taking into consideration the comments received from consultees it is considered that the proposed development did not constitute an EIA Development; and
 - Considered that sufficient environmental, traffic and architectural/ landscape information had been submitted by the applicant in order for the planning application to be considered by the Commission at a future DPC meeting.

CK explained that this development did not constitute an EIA.

JH commented that ESG did acknowledge that the site did need to be developed but that this development would be between the Alameda Botanical Gardens and the Nature Reserve and this was an important ecological corridor. She determined that this development would have an ecological impact so an EIA was required. This development would impede the dynamics of the

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area which was special and unique, and the development should suit the environment, not the environment suit the development.

MEHEC observed that there were some aspects of the macaque management plan that needed to be discussed and reviewed and that the nesting season for birds was still not over so construction should not begin until nesting season was over. DoEHCC required sight of the nests survey.

KB agreed with JH's comments and felt that the points she had raised could only be addressed by an EIA. KB also asked how the effects of the development were being assessed.

The Chairman informed all that the importance of an EIA was to assess the "significant" effects of a project, notwithstanding there being environmental effects. The developer had submitted different reports which noted that there would be some environmental effects but not enough to warrant an EIA. He emphasised that as and when the application goes through planning, the assessment would be quite rigorous. The Chairman also mentioned that representations could be made to the Minister for Infrastructure and Planning who is responsible for issuing the Screening Direction. The Chairman explained that this application had been ongoing for ten years and when Outline Planning permission had previously been approved. The Commission had never requested an EIA from the developer in the previous submission. Requesting an EIA at this stage when there haven't been substantial changes to the proposed development could bring about a legal challenge from the developer.

JH replied that nature protection had intensified since the application had previously been submitted.

CK replied that the development did not encroach on the Nature Reserve and the site was predominantly a brownfield site. DoEHCC had also confirmed that the development would not encroach on the Nature Reserve.

The Chairman explained that during the planning process the Commission could object or condition the application to mitigate any losses of greenery which could affect the Nature Reserve.

MEHEC commented that some of the reports submitted were better produced than some EIA's he had seen in the past and that the information required was there.

The Chairman mentioned that the intensity of the study requested through the Town Planning process would inadvertently make it into an EIA.

CAM commented that there was a meeting pending with the Developers concerning a Heritage Management Plan.

The Chairman said that the Minister for Infrastructure and Planning would have the last say on whether an EIA would be conducted.

The Commission accepted that there wasn't a need to have a full EIA but supported the need for the studies to be submitted and considered through the planning application process.

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Planning Scoping Opinion.

CK explained that an EIA Scoping Report (ESR) had been submitted to the Town Planner for a Scoping Opinion in respect of the Marina Properties Limited (MPL) to construct the following developments within the Queensway Quay Marina.

- **Site 1 (Hotel and Serviced Apartments)** comprising the construction of a 6,200 sqm platform within Queensway Quay Marina waters (occupying 19% of the existing marina area and located at a minimum distance of approximately 40m from the quay and 4.5m above sea level) comprising basement car parking (170 car parking spaces), a 120-bed four star boutique hotel and 45 serviced apartments and 1,080 sq m of commercial development connected to land via a road bridge link;
- **Site 2 (Residential-led Tower Building)** involving the demolition of the existing 2-storey building (with facilities relocated to Site 3) and the construction of an 11-storey building for commercial (ground floor only) and residential use (11 floors above) and provision of 19 car parking spaces at ground and basement level; and;
- **Site 3 (Office Pavilion with Penthouse Apartments)** involving reclamation works and subsequent development of the site to provide a three-storey office and apartments building with parking for up to 40 cars located at basement level and two penthouse apartments.

The following matters have been screened when preparing the Screening Opinion:

- Water Environment and Coastal Processes;
- Land Quality;
- Ecology;
- Traffic and Transport;
- Air Quality;
- Noise and Vibration;
- Seascape, Townscape and Visual Amenity;
- Cultural Heritage and Archaeology;
- Climate Change;
- Major Accidents and Disasters;
- Human Health;
- Socioeconomics;
- Light, Heat and Radiation;
- Waste; and
- Cumulative Effects Assessment.

CK provided the following summary of the matters that had been scoped including consultee feedback:

- 1) Water Environment and Coastal Processes
 - Considered to have potential significant effects, scoped into ES and would be accompanied by a Water Framework Directive Assessment;
 - Ministry of Defence (MOD) confirmed potential effects of development on Admiralty

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Waters would need to be assessed;

- DoEHCC and Gibraltar Port Authority (GPA) confirmed that they anticipated the use of anti-pollution booms/silt curtains to mitigate impacts of development on water environment.

2) Land Quality

- Considered to have potential significant effects and scoped into ES.

3) Ecology

- Considered to have potential significant effects and scoped into ES;
- Town Planner's recommendation: Effect on marine mammals and fish from underwater noise and vibration arising during the construction phases (Sites 1 and 3) should be scoped into assessment (presence of Bottle Nose Dolphins within the harbour); and
- Town Planner's recommendation: Bat and swift surveys of the existing building at Site 2 to be undertaken now during current breeding season to inform preparation of ES.

4) Traffic and Transport

- Unlikely to be any significant effects and scoped out of ES; and
- Town Planner's recommendation: Transport Assessment to be prepared in support of the Outline Application.

5) Air Quality

- Considered that a detailed assessment of the potential air quality effects of the proposed development will be required in relation to potential traffic increase associated with the operational phase only and scoped into the ES.

6) Noise and Vibration

- Considered to have potential significant effects during construction and operation stages and scoped into ES; and
- Town Planner's recommendation: The effect on marine mammals and fish from underwater noise associated with piling operations during the construction phase (Sites 1 and 3) should be scoped into assessment (presence of Bottle Nose Dolphins within the harbour).

7) Seascape, Townscape and Visual Amenity

- Considered to have potential significant effects during construction and operation phases of the development and scoped into ES; and
- Town Planner's recommendation: Policy section should refer to GDS 4 – Loss of Open Space on the basis that Queensway Quay Marina is an open space, contributes to the character of the area and is an amenity enjoyed by the community.

8) Cultural Heritage and Archaeology

- Unlikely to be any significant effects and scoped out of ES;
- Cultural Heritage Desk-Based Assessment to be prepared in support of the Outline application which is welcomed by Gibraltar Heritage Trust (GHT) and Ministry for Heritage (MfH).

9) Climate Change

- Unlikely to be any significant effects and scoped out of ES; however the
- Town Planner's recommendation: Design and Access Statement should include section

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setting out how the development has been designed to take account of flooding and sea level rises.

10) Major Accidents and Disasters

- MOD confirmed welcome discussions in advance of preparation of the ES regarding effects of scenario of major explosive incidents emanating from the Naval Base.

11) Human Health

- Unlikely to be any significant effects and scoped out of ES.

12) Socio-economics

- Unlikely to be any significant effects and scoped out of ES.

13) Light, Heat and Radiation

- Unlikely to be any significant effects and scoped out of ES.

14) Waste

- Unlikely to be any significant effects, scoped out of ES; and
- Waste management measures to be provided in CEMP.

15) Cumulative Effects Assessment

- Surprising that no mention of the Coaling Island Land Reclamation or the Victoria Keys development since the project is already in the public domain;
- Considered information available (e.g. traffic levels, massing, etc.) which could help inform likely cumulative effects in respect of both sets of proposals and it is essential that the cumulative effects of both of these development projects which are located adjacent to one another are assessed in the ES.

Town Planner's recommendation: Considered information available (e.g. traffic levels, massing, etc.) which could help inform likely cumulative effects in respect of both sets of proposals and it is essential that the cumulative effects of both of these development projects which are located adjacent to one another are assessed in the ES. The Screening Assessment concluded that there could be significant positive and negative effects in respect of the proposed development on the following subjects:

- Water Environment and Coastal Processes;
- Land Quality;
- Ecology
- Air Quality;
- Noise & Vibration; and
- Seascape, Townscape & Visual Amenity.

Proposed development, therefore, constitutes an EIA Development;

The Cumulative Effects Assessment will need to take account of the Coaling Island Land Reclamation and Victoria Keys development;

CK confirmed that the Town Planners Scoping Opinion concluded that there could be significant positive and negative effects in respect of the proposed development on: Water Environment and Coastal Processes; Land Quality; Ecology; Air Quality; Noise & Vibration; and Seascape, Townscape & Visual Amenity.

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CK identified that the proposed development, therefore, constitutes an EIA Development. CK also confirmed that:

- An Environmental Statement incorporating an Appropriate Assessment will need to be submitted with planning submission to assess possible impacts in respect of the above topics.
- The Cumulative Effects Assessment undertaken in the ES will need to take account of Coaling Island Land Reclamation and Victoria Keys development;
- That the Outline application to be supported by: Drawings Package; Design and Access Statement, Wind Study, Daylight & Sunlight Study, Cultural Heritage Desk-Based Assessment; Transport Assessment and Sustainability and Renewables Assessment; and
- That an outline Construction Environmental Management Plan (CEMP) is also to be submitted with the outline planning submission.

MEHEC commented that traffic and transport and climate change needed to be scoped into the EIA and both to include the effects during construction and management should also be considered.

JH said that the scoping report did include issues that ESG had raised, importantly, the lack of cumulative effects of two developments being constructed concurrently. JH also mentioned that the marina was a public amenity and this development would not only affect the residents but the community at large.

The Chairman concurred with MEHEC that traffic and transport not just on land but at sea as well as barges would be used to transport materials and that could affect the usability and navigation requirements of the three marinas in the area. The Chairman explained that the effects on the Cormorants and fish within in the area should also be considered. The Development Plan 2009 and Sustainable Traffic and Transport Plan should be studied as part of the EIA process and its relevance reported on and to verify how policies are being adhered to. Public Promenades on our harbour should be open for the public to enjoy. Economic effects should also be considered. The Chairman asked the Commission whether they concurred with the recommendations made.

The Commission concurred but JH commented that she supported MEHEC's comments on Climate Change.

The Commission accepted that there was a need to have a full EIA and supported the need for the traffic and transport for the land and sea traffic, climate change and cumulative effects with the Victoria Quays developments to be scoped into the EIA; all to include the effects during construction and management stages.

260/19 – REF. 1380-20 – Coaling Island Land Reclamation – Consideration of Town Planning Scoping Opinion.

GoG Project

CK explained that an EIA Scoping Report (ESR) had been submitted to the Town Planner for a Scoping Opinion for new land reclamation approximately 71,500m² to provide a new 60,000m² developable land area; within Gibraltar Harbour adjacent to Coaling Island.

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CK informed the Commission that it is understood that the proposed land reclamation will provide new land for a future residential, retail, commercial and leisure development which will be subject to a separate scoping exercise and submission of an Environment Statement (ES).

CK confirmed that the design of the reclamation is being developed by a specialist-engineering consultancy, (Lievens) and that they are currently conducting various studies and modelling to establish the reclamation design options. CK explained that reclamation will require an engineered perimeter that is back-filled and brought up to a suitable level for future buildings and infrastructure to be developed on and

it is understood that construction options for the reclamation are currently being considered, and that the final design and construction methods need to be decided prior to the preparation of the ES, as the type of revetment that is chosen will determine the associated environmental effects of the development (e.g. visual, ecological, etc.).

CK explained that the proposed development is considered to be a List 1 development as defined under Schedule 2, Section 1(e) "reclamation of land from the sea"

CK identified that the following matters have been screened when preparing the Scoping Opinion:

- Air Quality and Dust;
- Archaeology and Cultural Heritage;
- Climate Change and Sustainability;
- Community, Recreation and Tourism;
- Contaminated Land;
- Harbour Activities and Shipping;
- Landscape Character and Visual Impact;
- Marine Ecology;
- Material Resources;
- Noise and Vibration;
- Traffic and Transportation – along local roads and navigation requirements within the Harbour waters ; and
- Water Resources.

CK provided the following summary of the matters that had been scoped including consultee feedback:

a) Air Quality and Dust

- Considered to have potential significant effects and scoped into ES.
- Town Planner's recommendation: EA has confirmed assessment of the impacts of dust and traffic on air quality within the ES should be undertaken with regard to sensitive receptors as well as Ambient Air Quality.

b) Archaeology and Cultural Heritage

- Precautionary principal applied and scoped into the ES despite development not presently considered to have any potential significant effects;
- GHT advised that Coaling Island should be considered as a receptor and that it should be surveyed for industrial heritage items with a view to retention and interpretation in situ or in the vicinity.

c) Climate Change and Sustainability

- Precautionary principal applied and scoped into the ES despite development not presently

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considered to have any potential significant effects;

d) Community, Recreation and Tourism

- Considered to have potential significant effects during construction on surrounding uses including residents and scoped into ES.

e) Contaminated Land

- Unlikely to be any significant effects and scoped out of ES; and
- Material used to fill the reclamation to be sourced from the Eastside rubble tip; and
- Town Planner's recommendation: ES should include a brief summary of the licensing arrangements and protocols in place for the screening of material that will take place on the Eastside site, particularly, as it was previously stated that in the ES for the Hassan Centenary Terraces residential development application the removal of the spoil tip would be covered by a separate ES.

f) Harbour Activities and Shipping

- Considered to have potential significant effects during construction on harbour activities, marina facilities and industrial and recreational users of the Port and scoped into ES; and
- Town Planner's recommendation: Applicant needs to ensure that commercial and recreational users are considered in the ES because they use the Harbour Waters for recreational activities and competitions.

g) Landscape, Character and Visual Impact

- ESR scopes out topic from ES on the basis that the reclamation not considered to have any landscape or visual impact on the surrounding area;
- Town Planner's recommendation: Considered that the settlement pattern of this part of Gibraltar will change significantly as a result of the reclamation and that this topic should be scoped into the ES and an assessment of the impacts of the reclamation should be undertaken.

h) Marine Ecology

- Considered to have potential significant effects during construction and operation phases of the development and scoped into ES including consideration of the potential impacts of using Eastside rubble.

i) Material Resources

- Considered to have potential significant effects during construction and scoped into ES; and
- Confirmation from environmental consultants that material received will be inert and suitable at point of supply (from the Eastside Rubble tip) for the reclamation and that any waste arising from the processing at the Eastside Rubble tip will be dealt with as a licensed activity.

j) Noise and Vibration

- Considered to have potential significant effects during construction and scoped into ES; and
- DOEHCC has confirmed that in addition to terrestrial impacts, the ES chapter for noise and vibration needs to take into account potential impacts on marine life, and in particular species of whales, dolphins and porpoises within the vicinity of the proposed reclamation.

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k) Traffic and Transportations

- Considered to have potential significant effects during construction and scoped into ES.

l) Water Resources

- Considered to have potential significant effects during construction and scoped into ES;
- DOEHCC considers that the potential impacts arising from seabed disturbance and its effects on water quality through the release of contaminants need to be assessed;
- DOEHCC considers that construction of the reclamation could lead to sediment plumes and this should also be considered in the ES.

m) Cumulative Effects Assessment

- No mention of the Queensway Quay Marina Development since the project in the public domain;
- Town Planner's recommendation: Considered information available (e.g. traffic levels, massing, etc.) which could help inform likely cumulative effects in respect of both sets of proposals and it is essential that the cumulative effects of both of these development projects which are located adjacent to one another are assessed in the ES; and
- Other developments that should be assessed in their cumulative effects assessment identified in Scoping Opinion as per request from applicant.

CK confirmed that the Town Planners Scoping Opinion concluded that there could be significant positive and negative effects in respect of the proposed development on:

- Air Quality and Dust;
- Archaeology and Cultural Heritage;
- Climate Change and Sustainability;
- Community, Recreation and Tourism;
- Harbour Activities and Shipping;
- Landscape Character and Visual Impact;
- Marine Ecology;
- Material Resources;
- Noise and Vibration;
- Traffic and Transportation; and
- Water Resources.

CK identified that the true proposed development, therefore, constitutes an EIA development.

CK also confirmed that:

Environmental Statement incorporating an Appropriate Assessment will need to be submitted with planning submission to assess possible impacts in respect of the above topics and that an outline Construction Environmental Management Plan (CEMP) is also to be submitted with the outline planning submission.

JH asked when the materials would be moved because the consultation on the EIA would still need to be completed.

CK replied that as the ES was under way the materials would be moved sooner rather than later.

MEHEC commented that the development should aim to be carbon neutral and if possible carbon negative. He added that he could not agree that the development would not have any potentially significant effects on climate change, especially one of this magnitude.

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MSCHY added that as HMGOG had declared a climate change emergency it should be considered that all developments will have an effect on climate. MSCHY requested that this be made policy to be kept in mind when considering all developments.

The Chairman stated that the Town Planning Act had not yet been passed and that the Development Plan should be updated as soon as possible so that such policies could be adopted.

JH stated the effect on hydrodynamics should be considered before anything is signed off. She asked whether harbour waters were protected.

MEHEC replied that under the Nature Protection Act the waters were protected.

MSCHY noted that development could at times be beneficial to the environment. There were areas which were contaminated and would benefit from development.

JH commented that there was the option to clean up contaminated areas and turn them into green areas.

The Commission accepted that there was a need to have a full EIA and supported the need for the traffic and transport for the land and sea traffic, Landscape, Character and Visual Impact, climate change and cumulative effects with the Queensway Quay application and developments to be scoped into the EIA; all to include the effects during construction and management stages.

Other Developments

261/19 – F/16157/19G – St Paul’s First School and Nursery, Varyl Begg Estate – Proposed refurbishment and extension of existing first school and nursery.

GoG Project.

This application submitted by the Government detailed the new refurbishments to be carried out at St Paul’s First School. The works affects the two main buildings, the main school and the nursery building to the west; and the new construction of a two storey building with dining hall on upper floor beside the playground. Access to the site is via Varyl Begg Estate (VBE), with a secondary pedestrian access point through Montagu Gardens.

The entrance to the school is to be modified and a new accessibility ramp into the school will be constructed. The link between the school and nursery will be levelled and resurfaced. The current dining hall will be demolished to make way for a garden area. Across the playground at its western side w the two storey building will be constructed with a dining area on the top floor. A library and sensory room will be incorporated on the ground floor.

All the school’s facades will be rendered and painted. The front façade will be fitted with protruding rectangular glazing. The fence along the east boundary will be replaced with a block work wall.

The Cleansing Superintendent at DoEHCC had submitted comments stating that this was an opportunity to incorporate specific refuse storage facilities incorporating recycling cubicles.

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DoEHCC also submitted comments requiring a Swift and Bat Survey.

GB reported that the external alterations were acceptable. The massing was appropriate and sympathetic for this location. The rectangular glazing would create some interest. However, he expressed concerns over the loss of trees and the blank façade on the northern façade of the new dining building. A green roof should be incorporated into the building.

MEHEC commented that two parking spaces to the right of the building would be swapped to the left. He added that solar panels would be incorporated and that planters would be extended and planted with Ivy in order to create a green wall. The patio would be turned into a garden where students could plant different plants and vegetables. He also mentioned that disabled toilets would be provided.

All the recommendations were supported by the Commission.

262/19 – F/16178/19 – Europort Road – Proposed reconfiguration of existing pavement to allow an increase in parking spaces together with the relocation of existing bus stop.

This was a Full Planning Application to reconfigure the existing pavement to provide seventeen new parking spaces. Pay and display parking would be for visitors only. There would be a loss of motorcycle parking, seven car parking spaces and some trees. Ramps would be installed to allow access and bollards to prevent cars parking on the pavement.

The Traffic Commission had expressed concerns over the loss of public parking. They also required further information on turning circles and on the new placement of the bus stop.

DoEHCC commented that the eight Indian Laurel Trees should be retained.

GB explained that the Primary Care Centre (PCC) would be relocated to within Building 9 Europort and so parking would be required. The Ministry for Infrastructure and Planning (MIP) had also submitted comments as they were concerned on the loss of the public footpath, the relocation of the bus stop and the management of the pay and display parking. GB commented that Town Planning shared MIP's concerns and that for every tree lost two more should be provided.

MEHEC commented that he was under the impression that the new parking spaces would be for the use of the new children's hub of the PCC. He was also concerned on the loss of trees. MEHEC expressed that he would like for this application to be deferred in order to obtain some further clarification.

The Chairman remarked that there would need to be a licensed agreement in order to use this private parking for the PCC because part car park being proposed was within Europort's property. He also stated that there seemed to be more importance given to vehicles than to pedestrians.

JH commented that children attending the PCC needed to be catered for and that further landscaping and cycle lanes needed to be implemented.

CV stated that the Commission had previously rejected a proposal for a kiosk across the way at Eurotowers as it would cause congestion on the pavement and this application proposed similarly to narrow the pavement, which would inevitably cause congestion.

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Mr Alain Navarro (AN) was invited to address the Commission to explain further details about this application. He mentioned that the driving force behind this application was to provide parking for the new children's unit. There were discussions being held between Europort and the Gibraltar Health Authority (GHA) on how these parking spaces would be managed. AN said that they were trying to avoid person's parking overnight even though it was public parking. He also mentioned that there was an agenda to introduce cycle lanes and that this rearrangement would make the road safer.

The Chairman replied that a parking management plan should have been presented together with the application.

GM commented that there was an existing underground parking within the building and that provisions could be made for visitors.

The Chairman commented that a visitor's management plan and provisions for cycle lanes should be submitted before considering this application.

This application was deferred.

263/19 - F/16188/19 - Ground Floor, Atlantic Suites Building - Proposed use of existing terrace for "Costa Coffee" cafeteria with installation of windscreens.

This was a Full Planning Application to use a 20m² terrace on the first floor of Atlantic Suites for tables and chairs for Costa Coffee. The applicant was proposing three different screens to surround tables and chairs on three sides. All screens would have the Costa Coffee logo. No comments had been received from consultees.

GB explained that the screens would not have a negative visual impact compared to the scale of the building. However, placing the screens could create some precedent and a full enclosure may be proposed in future. If this application were approved it would be subject to standard conditions.

GM commented that the Commission was not to stop the use of open spaces. He was not against the use of tables and chairs in the area but was against the use of screens and possible enclosure of the area.

The Chairman asked the Commission whether they were minded to approve the use of the terrace for tables and chairs.

The Commission unanimously approved use of the terrace with the condition without the proposed.

264/19 - F/16201/19G - Vacant Plot between Midtown and King's Bastion Leisure Centre, Queensway - Proposed creation of public park on currently vacant site.

GoG Project.

Approved

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CK explained that this is a Government application to provide a public park between King's Bastion and Midtown. The area outside King's Bastion would now be covered. The link between Queensway and the War Memorial would be tree lined. A lift and ramp would be installed to give access to Line Wall Road. A play area would also be provided. The Cross of Sacrifice and crests would be relocated from Winston Churchill Avenue and be placed opposite the British War Memorial. These works on the listed City walls would require a Heritage licence.

Comments were received from the following consultees:

- DoEHCC – to be consulted on landscaping details and placement of refuse bins.
- GHT – Welcomed the construction of a park and an AWB was required.
- TSD – Discussions were needed with Highways Department as there are a lot of services under the site.

CK commented that a water feature should be incorporated and an AWB carried out. CK also mentioned that TSD should be consulted on traffic and transport matters because there were bus tops, cycle and motor cycle parking being affected.

CAM commented that although the GHT welcomed the construction of the park the applicant should be minded of its proximity the city walls and King's Bastion. She also asked what was the reasoning for the relocation the Cross of Sacrifice. CAM stated that it should be moved in its entirety – including the gate and fence. She mentioned that the Cross of Sacrifice should be enclosed as there was the risk of it being defaced/ vandalised and it would be disrespectful for people to sit at its steps.

CV replied that although there was the possibility of the Cross of Sacrifice being vandalised he was against enclosing it. He felt that the public should be allowed to interact with the monument as it happens in other cities and very much elsewhere in Gibraltar.

MEHEC explained that the current location of the Cross was not its original location and that the request for relocation had come from the Royal British Legion in Gibraltar.

Retired Lieutenant Francis Brancato was invited to address the Commission. He was representing the Royal British Legion. He explained that they wished to bring the monument back to the heart of town where it would be in an area with two other memorials and thereby recapture its importance. He also said that the Royal British Legion did not have a problem with the public interacting with the monument.

MSCHY commented that he would like the designers of the park to consider the location of the lift as a cycle lane would be incorporated across the whole of the wall.

The Commission supported the recommendations presented by the Town Planner as received from consultees, interpretation plaques to be fitted referencing the monuments and what's around the site, that trees bounding the city walls to be deciduous to allow the walls to be visible during the non-leafy seasons and that all traffic and transportation issues to be resolved with the pertinent authorities.

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

Approved

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265/19 – F/16123/19 – Brympton Estate – Proposed replacement of 4x no. existing pedestrian footbridges with new metal type and replacement of the existing entrance porches to 4 x no. towers and widening the entrance doors to each tower.

The Commission approved this application.

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

266/19 – BA12356 – 4 Ellerton Ramp, Buena Vista Estate – Proposed internal alterations/modifications, including repositioning and replacement of external rear windows.

Considerations of minor internal alterations to the lower ground and ground floors to discharge Condition 8 of Planning Permit No. 3774D.

267/19 – F/13940/16G – Beach View Terraces, Ex-Aerial Farm – Proposed new electrical distribution centre.

Consideration of revised plans for the installation of a new window.

GoG Project.

268/19 – F/13988/16 – NatWest House, 57/633 Line Wall Road – Proposed refurbishment of existing and extension of entrance hall of the building.

Consideration of request to renew Planning Permit No. 5287 for an additional year.

269/19 – F/14759/17 – 158 Main Street – Proposed internal alterations and installation of shop front display windows and new shop entrance.

Consideration of material for shop front cladding to discharge Condition 2 and Condition 3 of Planning Permit No. 5987.

270/19 – F/15196/17 – 9 Parliament Lane – Proposed installation of new projecting sign to commercial premises.

Consideration of revised signage proposals following Subcommittee feedback on initial proposals.

271/19 – F/15287/17 – 3-5 St. Bernard's Road – Proposed extension, alterations and swimming pool.

Consideration of revised sections to accommodate increase of height of between 0.8m and 0.945m across building to increase floor to ceiling heights in line with structural submission approved by Building Control and vary Condition 1 of 6576.

272/19 – F/15330/18 – 411 Seashell House, Beach View Terraces – Proposed installation of glass curtains.

273/19 – F/15397/18 – 1203 Sand Dune House, Beach View Terraces – Proposed installation of glass curtains.

Approved

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274/19 – F/15681/18 – 216 Main Street – Proposed internal alterations to existing apartment on second floor, general renovations and tanking of basement.

Consideration of proposed façade colour scheme to discharge Condition 2 of Planning Permit no. 6807.

275/19 – F/15817/18 – Unit 2, 312 Main Street – Proposed refurbishment and internal alterations to provide shared use of drama studios and cafeteria.

Consideration of revised plans for internal alterations to cafeteria and provision of disabled toilets to vary Condition 1 of Planning Permit No. 6897.

276/19 – F/15837/18 – Suite 7.1.1 Europort – Proposed internal alterations to office layout.

277/19 – F/15874/18 – 14 St. Christopher’s Court, 27 Europa Flats – Proposed internal alterations and change of windows and doors.

Consideration of revised plans to replace fence to the rear of property with a blockwork wall to match others in estate and vary Condition 1 of Planning Permit No. 6899.

278/19 – F/15959/18 – 212/216 Main Street – Proposed refurbishment and fit-out of commercial premises.

Consideration of roller shutter details to discharge Condition 4 of Planning Permit No. 6982.

279/19 – F/15991/19G – North Mole Warehouse next to Liner Terminal – Temporary use of warehouse for HM Custom’s Marine Base offices, store and workshop.

GoG Project

280/19 – F/16104/19 – 323 Block 3, Water Gardens, Waterport Wharf – Proposed internal alterations to apartment.

Consideration of revised plans for internal alterations to vary Condition 1 of Planning Permit No. 7083.

281/19 – F/16105/19 – Clemence Suites, 27-29 Devil’s Tower Road – Proposed fit-out of commercial unit to be used as a convenience store.

282/19 – F/16106/19 – Unit 1F, North Mole Road – Proposed installation of three car paint booths and ancillary equipment.

283/19 – F/16113/19 – Salt Water Pumping Station (Adjacent to The Alameda Gardens), Europa Road – Proposed refurbishment of commercial unit and external alterations.

284/19 – F/16114/19 – 249 Main Street – Proposed refurbishment of commercial unit and external alterations.

285/19 – F/16121/19 – 29 and 30 Bridgetown Court, Harbour Views – Proposed subdivision of single unit to revert unit to revert to previous 2 x apartment configuration.

286/19 – F/16122/19 – 110 Nelson’s View, Rosia Road – Proposed internal alterations.

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287/19 - F/16124/19 - 703 Sand Dune House, Beach View Terraces - Proposed installation of glass curtains.

288/19 - F/16125/19 - 13 Highcliffe House, The Cliftons - Retrospective application for the installation of glass curtains.

289/19 - F/16128/19 - 9 Ragged Staff Wharf, Queensway Quay - Retrospective application for replacement of 3 x windows and 3 x doors on a like for like basis.

290/19 - F/16131/19 - 9 Ragged Staff Wharf, Queensway Quay - Retrospective application for replacement of 3 x windows and 3 x doors on a like for like basis.

291/19 - F/16137/19 - 1106 Royal Ocean Plaza, Ocean Village - Proposed increase in height of existing glass hand railing by 400mm.

292/19 - F/16141/19 - 1004 Sand Dune House, Beach View Terraces - Proposed internal alterations.

293/19 - F/16143/19 - 6.20 World Trade Centre, Bayside Road - Proposed internal alterations to office unit.

294/19 - F/16144/19 - 5 Nassau Court, Harbour Views - Retrospective application for internal alterations.

295/19 - F/16145/19 - 1401 Royal Ocean Plaza, Ocean Village - Proposed internal alterations.

296/19 - F/16148/19 - 9/4 Lynch's Lane - Proposed internal refurbishment.

297/19 - F/16151/19 - 801 Seagull Lodge, Mons Calpe Mews - Proposed installation of glass curtains.

298/19 - F/16152/19 - 216 Seashell House, Beach View Terraces - Proposed installation of glass curtains.

299/19 - F/16156/19 - Car Park, Port Authority Building, Windmill Hill - Proposed installation of mobile antenna.

300/19 - F/16159/19 - Assembly Hall, Prior Park School - Proposed internal alterations.

301/19 - F/16160/19 - 14 Gibraltar Heights, Bishop Rapallo's Ramp - Proposed replacement of windows.

302/19 - F/16161/19 - 207/209 Neptune House, Marina Bay - Proposed internal alterations.

303/19 - F/16165/19 - 46 Turnbull's Lane - Proposed refurbishment of restaurant.

304/19 - F/16166/19 - 1 Paradise Ramp - Proposed extension to boundary wall.

305/19 - F/16169/19G - Currey House, Pelham House and Cheshire House, Buena Vista Estate

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- Proposed external repairs including roof waterproofing, installation of external wall insulated render system and renewal of balustrades.

GoG Project

306/19 – F/16170/19 – 401 Express Lodge, Mons Calpe Mews – Proposed internal alterations.

307/19 – F/16171/19 – Camp Bay Promenade, Camp Bay Road – Proposed new roof and external alterations to existing beach café.

308/19 – F/16172/19 – Seamaster Lodge, Mons Calpe Mews – Proposed installation of ventilation louvres inside Seamaster Lodge.

309/19 – F/16194/19 – Unit 3, 7 South Barrack Road – Proposed installation of air conditioning units.

310/19 – D/15967/18 – Pier 1 and 2, Marina Bay – Proposed demolition of the old marina bay pier office building (2 floors – ground and first) located in Pier 2, demolition of the concrete Piers 1 and 2 including removal of the steel piles.

Followed on from Full Planning.

311/19 – A/16195/19 – Pedestrian Bridge, Winston Churchill Avenue – Proposed banner to advertise Calentita Food Festival.

312/19 – A/16205/19G – Post Office, Main Street – Proposed banner to advertise The Greatest Street Party.

GoG Project

313/19 – A/16213/19G – Post Office, Main Street – Proposed banner to advertise ‘Our Sporting Hero’ exhibition.

GoG Project

314/19 – N/16082/19 – 2 Windmill Hill Road – Proposed removal of two x Brazilian Pepper Tree.

This was a tree application seeking to remove two x Brazilian Pepper Trees of poor form which have been pollarded in the past and have the capacity to grow larger and have caused cracks in the wall directly below them. It was considered that the trees should be removed and the stumps should be poisoned to avoid regrowth and the walls should be repaired. It was considered that 2 x Holm Oaks should be planted elsewhere in the property before the two trees are removed from the wall.

315/19 – Ref 1425 – Vineyards Estate – Proposed colour scheme for the repainting of vineyards estate.

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316/19 - Any other business.

None

317/19 - Next Meeting

The next meeting will be held on 20th June 2019.