

Approved

DPC meeting 3/20

6th April 2020

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 3rd Meeting of 2020 of the Development and Planning Commission held via Round Robin as from 6th April 2020.

Present:

Mr P Origo (Chairman)
(Town Planner)

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

The Hon Dr J Cortes (MESC)
(Minister for Environment, Sustainability 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 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 M Cooper (MC)
(Rep Commander British Forces, Gibraltar)

In Attendance:

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

Mr. R Borge
(Minute Secretary)

Approved

DPC meeting 3/20

6th April 2020

This meeting of the Development and Planning Commission was held electronically via Round Robin. Members were given the relevant information pertaining to each application and asked to vote.

139/20 – Approval of Minutes

The Minutes for the 2nd meeting held on 27th February 2020 were approved.

Major Developments

140/20 – O/16695/20 – North Gorge – Proposed construction of a new eco-sustainable residential development, comprising 45 no. residential units, access roads, footpaths, storerooms, extensive landscaping and other associated works.

This application was to consider the Town Planner's Screening Opinion, which had been circulated to all members of the Commission. The Town Planner's screening opinion is that the development does NOT constitute an EIA development.

The proposal was for an eco-sustainable residential development of 4 villas and 41 town houses of between 4 and 5 storeys and retaining many of the existing trees, natural features and two brick ventilation shafts.

The total developable area is 11,057sq.m. and includes amenities such as pool, gym and parking. A rehabilitation for the underground cold store had also been proposed.

The Town planner's Screening Opinion, circulated to members, assessed each of the environmental topics that had been screened. The conclusion of the opinion was that the proposal was not an EIA development requiring an EIA but that certain reports would be required to be submitted with the application to mitigate any possible effects:

- Construction Environmental Management Plan;
- Construction Traffic Management Plan;
- Dust Control Plan;
- Geotechnical Assessment;
- Ecological Assessment including bat and bird survey, full plant survey of the site to be carried out by GOHNs before the end of March/April 2020;
- Detailed assessment of renewable energy options;
- Cultural Heritage Assessment;
- Transport Assessment which is to assess construction and operation transport flows along Europa Road as well as an assessment of vehicle tracking and proposed access arrangements;
- Visuals and photomontages to be submitted in support of any outline application with specific locations to be agreed with Town Planning. These visuals should include views to show what the visual impact of the proposed development from Europa Road will be as

Approved

DPC meeting 3/20

6th April 2020

well as the visual impact of the proposed development on Bella Vista, Ocean Views and Hillside which are considered to be highly sensitive receptors; and

- Construction Waste Management Plan.

All members agreed with the Town Planner's Screening Opinion.

KB stressed the importance of the full ecological survey.

MESC commented that the bat survey could be complex given the cavities in the area and potentially will reveal bat populations which could lead to a need for considerable changes. This needs to be borne in mind and so the surveys need to be carried out soonest. He also noted the need too for a plant survey to be carried out IMMEDIATELY or it will have to wait until next spring. This is a site that will potentially have species not found elsewhere in Gibraltar.

JH submitted the following comments:

- i. ESG's concerns previously submitted regarding safe access to site, tree survey, sustainable factors and renewable energy viability as reflected in the Environmental Screening Report for further assessment are acted upon. Their call for visuals to be provided explaining how this development will be viewed from key angles is supported and included in the Screening Opinion.
- ii. Additionally, the ESG concurs with the recommendations made by the Department of the Environment.

CAM agreed with the Town Planner's assessment and recommendations subject to proposed studies being prepared in good time and used to inform the progression of the scheme and mitigate for issues as already being identified. The Heritage Trust is keen to work with the developer to find a sensitive and sustainable use for the Cold Stores area.

The Chairman noted that all members concurred that there was no need for an EIA. The Chairman shall be forwarding to the Minister for Town Planning his Screening Opinion plus the comments received from the DPC members and consultees so that The Minister can decide his Screening Direction. Assuming that the Minister agreed, the Opinion would be forwarded to the applicants.

141/20 - Ref 1380-22 and F/16754/20 - 18 Winston Churchill Avenue - Proposed construction of the Gibraltar National Stadium.

The Town Planner's Screening Opinion for this application was also circulated to all members. The Town Planner's opinion is that this does NOT constitute an EIA development

It was noted that the proposed scheme is a reduced version based on a stadium design that was previously submitted for a Screening Opinion by the GFA in 2018. It was also noted that the Screening assessment of the previous proposal, which was of a greater scale, found that an EIA would not be required.

Approved

DPC meeting 3/20

6th April 2020

The proposal involved the demolition of buildings including the main stands and the existing Cepsa petrol station and the construction of a 4700 seat stadium. The stands would be roofed over and the maximum building height was 18.7m.

To the east will be a sports and leisure space open to the public. To the north would be training pitches and a total of 82 parking spaces are provided

The Town planner's Screening Opinion, circulated to members, assessed each of the environmental topics that had been screened. The conclusion of the opinion was that the proposal was not an EIA development requiring an EIA but that certain reports would be required to be submitted with the application to mitigate any possible effects:

- An Access Strategy
- Construction Traffic Management Plan;
- Aeronautical Study;
- Dust Control Plan;
- Construction Waste Management Plan;
- Construction Environmental Management Plan;
- Operational Management Plan; and
- Archaeological Desk Based Assessment.
-

MESC commented that a proper landscaping plan would be required.

JH commented that ESG agreed with the Screening Opinion and reiterated:

- a) Previously stated views on sustainability, renewable energy and assessment on safe access to and from site.
- b) Additionally, ESG concurs with recommendations made by the Department of the Environment.

The Chairman noted that all members concurred that there was no requirement for an EIA. The Chairman would be forwarding to the Minister for Town Planning his Screening Opinion including the comments received from members and consultees so that the Minister can decide his Screening Direction. Assuming that the Minister agreed, the Opinion would be forwarded to the applicants.

Other Developments

142/20 - O/16490/19 - Unit F, Devil's Gap - Proposed alterations and extension to the existing house to provide a three-bedroom annex for a family member.

The proposal involves the construction of a two storey extension along the north-west part of the site, the construction of a new swimming pool, an extension to the first floor terraced area and the installation of new glazed balustrades and green roofs. The extension will serve as a new dwelling largely replacing the existing one on the lower level of the site.

Approved

DPC meeting 3/20

6th April 2020

A previous permission for an extension had been granted in 2012 and had now expired without the scheme being commenced.

The site is located within the Nature Reserve and SAC.

DOEHCC comments included the need to comply with the Development Plan policy, welcomed incorporation of green roof, encouraged solar energy and near zero energy building, limit storage of materials to hardstanding, no working after sunset and CEMP.

GHT had no in-principle objections subject to compliance with policy on volumes and requirement for archaeological watching brief.

Ministry for Heritage required watching brief and photographic record.

The application had been subject to public participation and no representations had been received.

The Planning Report highlighted the relevant development plan policy that included a limit of 20% increase in volume for any extension. The volume of the extension was 21%.

The site is well screened and the proposal considered having little visual impact. It was noted that the proposal would not result in any increase in households as there are currently two related households living on the site and the extension was intended to increase the living accommodation of one of the households. On balance, it was considered that the proposal was generally in accordance with the policy.

The application was recommended for approval with conditions including soft landscaping to terrace, solar/pv panels, CEMP, bird and bat surveys, renewables assessment, protection of trees and photographic recording.

Members were circulated with all the necessary information regarding this application and the following comments were submitted.

KB noted that the development would be on hard standing. KB was inclined to agree with the proposed alterations, as long as the Commission was confident that the slight exceeding of the massing allowed within the upper Rock Nature Reserve does not set a precedent for future developments.

CAM commented that she did not have any objections. However, she wished to record that this property had expanded to the maximum percentage increase allowed within the Nature Reserve.

DCM agreed with the proposed alterations and extension to the existing house as long as it keeps to the Upper Rock Nature Reserve policies on allowed increase of volume.

MESC expressed some concerns about the visibility of the development particularly when viewed from the town area. Subsequently photographs were circulated of the view of the site from the town area. MESC noted that there would be a slight increase in an area where buildings already existed and on this basis did not object.

JH noted that ESG sought more information from the DTP concerning the location and impact from this project on the Nature Reserve. Assurances were received of the scrutiny given by

Approved

DPC meeting 3/20

6th April 2020

planners to this project over time resulting in applicant meeting Town Planning conditions. Additionally, ESG supports all recommendations made by Department of the Environment in their email dated 15th April to ensure that impacts will be mitigated all round especially on renewable energy, design, visuals from distance (as also recommended by MESC) control on working hours and practices and more.

The Chairman explained that the applicant had now reached the limit of the residential development in compliance with the policies for residential development in the Upper Rock Development Plan. He concurred with CAM and others that this ought to be also included in the renewed lease agreements with the current two owners for this development. This would hopefully dissuade the submission of future applications for extensions whilst the current policies are in place in the 2009 Development Plan and will inform potential buyers if the property is sold in part or entirely.

The application was approved subject to the proposed recommendations and additionally the following:

- The use of an appropriate colour scheme and materials for the buildings that would blend into the greenery and Upper Rock habitat. Reason: to minimise visual impact.
- All comments received on energy and environmental matters from members and consultees.
- The application shall be subject to the requirements of the Nature Reserve License.

Minor and Other Works - not within scope of delegated powers

143/20 - F/16532/19 - Cruise Liner Terminal, North Mole - Proposed installation of photovoltaic panels on roof of building and ancillary equipment.

The proposal involved the installation of 456 PV panels on both aspects of the cruise liner terminal building.

The Port Authority had raised comments in respect on management of the works and ensuring existing cabling on the roof is not damaged.

Tourist Board commented that works should not conflict with cruise calls.

The planning report welcomed the installation of renewable energy technologies. There were no planning objections. The application was recommended for approval with a condition that a construction management plan be prepared in consultation with the Port and submitted for approval.

Approved

DPC meeting 3/20
6th April 2020

JH welcomed the proposal and highlighted the need for the installation to be maintained and cleaned.

The Chairman reported that maintenance and cleaning would be a matter for the operators/landlord.

This application was approved.

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

144/20 – FB/16706/20 – 105/106 Nelson’s View – Proposed amalgamation of two residential units.

145/20 – F/13988/16 – Natwest House, 57/63 Line Wall Road – Refurbishment of existing and extension of entrance hall of the building.

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

146/20 – F/14918/17 – 6 – 12 Cannon Lane – Proposed five storey retail/office building comprising open plan retail space at ground and first floor level and office space at second, third & fourth floor levels.

Consideration of proposed colour scheme and of minor alterations to façade to discharge Conditions 2 and 3 of Planning Permit No. 6197.

147/20 – F/15148/17 – 406 Seamaster Lodge, Mons Calpe Mews – Proposed installation of glass curtains to enclose utility area.

148/20 – F/15676/18 – 8 Basha Lodge, Mons Calpe Mews – Proposed installation of glass curtains.

149/20 – F/15747/18 – 617 Sand Dune House, Beach View Terraces – Proposed installation of glass curtains.

150/20 – F/15833/18 – 3/1 Rosia Steps – Proposed redevelopment of residential areas, extension and installation of a new lift to residence.

151/20 – F/15999/19 – 1 St. Joseph’s Road – Proposed replacement of existing warehouse with a new garage building, residential parking spaces and stores.

Consideration of revised tree planting proposals to discharge Condition 14 of Planning Permit No. 7163.

152/20 – F/16037/19 – 602 Seagull Lodge, Mons Calpe Mews – Proposed installation of glass curtains.

Approved

DPC meeting 3/20

6th April 2020

153/20 – F/16201/19G – Vacant Plot between Midtown & Kings Bastion Leisure Centre, Queensway, Gibraltar – Proposed creation of public park.

GoG Project

Consideration of revised plans including updated park layout, playground details, detailed planting schedules for wider park and woodland area, details of directional signage, details of double lift shaft and details of refuse pen.

154/20 – F/16486/19 – 4 Devil’s Gap Road – Proposed replacement of windows and shutters, alterations to terrace balustrade and internal alterations.

155/20 – F/16488/19 – Unit 17B, 1 Casemates Square – Proposed Change of use from glass factory to bank offices.

Consideration of revised signage proposals to discharge Condition 6 and 8 of Planning Permit No. 7420.

156/20 – F/16489/19 – 3 North Pavilion Road – Proposed construction of residential extension to building, including associated alterations and installation of swimming pool to property.

Ratification of screening proposals following the determination of application by the Commission.

157/20 – F/16565/19 – 228 Main Street – Proposed change of use of public highway for placement of tables, chairs and sandwich boards.

158/20 – F/16625/20 – Unit 1.11 Castle Street – Proposed subdivision of maisonette into two apartments.

159/20 – F/16669/20 – 11/3 Serfaty’s Proposed subdivision of one bedroom flat into two studio apartments.

160/20 – F/16674/20 – 12/3 Buena Vista Road – Proposed minor alterations to residential property.

161/20 – F/16684/20G – Spyglass – Proposed extension to existing fence and associated works.

MOD Project

162/20 – F/16686/20 – 1002 Viking Lodge, Mons Calpe Mews, North Mole Road – Proposed installation of glass curtains.

163/20 – F/16687/20 – Unit 69 Harbours Deck, New Harbours – Proposed change of use from storage to food preparation area including internal alterations to premises.

164/20 – F/16701/20 – 1507 Imperial Ocean Plaza – Proposed installation of glass curtains.

Approved

DPC meeting 3/20

6th April 2020

165/20 – F/16703/20 – Cormorant Wharf – Proposed refurbishment of swimming pool refurbishment.

166/20 – F/16704/20 – Unit 6, The Boardwalk – Retrospective application for the refurbishment of retail unit.

167/20 – F/16710/20G – Europa Road – Proposed installation of a refurbished pillar-box to be located at any of the above options to serve all estates i.e. Trafalgar Heights, Elliott’s Battery & Europa Walks.

Option 1: Give way triangle – Junction to Europa Road, Trafalgar Heights, Elliott’s Battery & Europa Walks.

Option 2: Public Pathway along Europa Road.

Option 3: Entrance to Europa Walks & Elliott’s Battery.

GoG Project

168/20 – F/16712/20 – Unit A, 31 Halifax Road – Proposed change of use from retail (Class A1) to retail/takeaway (Class A3), installation of signage and extractor exhaust with louvers.

169/20 – F/16713/20 – 802 Europlaza, Harbour Views Road – Proposed replacement of defective outward opening doors on balcony to sliding doors using same manufacturer and colour as original.

170/20 – F/16716/20 – 39 Ragged Staff Wharf, Queensway Quay – Proposed enclosure of balcony with glass curtains.

171/20 – F/16727/20 – Garage, Ragged Staff Wharf – Proposed enlargement of existing garage door opening and installation of automatic sectional side sliding garage door or similar.

172/20 – F/16728/20G – GASA Swimming Pool, Europort Road – Proposed external enclosure over existing plant and machinery area.

GoG Project

173/20 – F/16730/20G – 24A Casemates Barracks – Proposed change of use from exhibition venue to offices.

GoG Project

174/20 – F/16735/20 – 5205 Apricot Court, Sir William Jackson Grove – Retrospective application for the replacement of window doors in living room and second bathroom.

175/20 – F/16743/20G – Bus Stop Junction at South Pavilion Road – Proposed insertion of a refurbished pillar-box to be located on the public pathway beside the South Pavilion road bus stop area.

GoG Project

Approved

DPC meeting 3/20

6th April 2020

176/20 – D/16400/19 – Waterworks – Proposed demolition of single storey storage shed comprised of wooden flooring, metal sidewalls and roof sheeting covering supported by steel beams.

Consideration of request to renew Demolition Permit No. 7378 for an additional year.

177/20 – D/16726/20 – 9 Cannon Lane – Proposed demolition works to facilitate approved proposals to extend and refurbish the building.

178/20 – F/16749/20 – 9 & 10 Mimosa Lodge, Montagu Gardens – Proposed subdivision of property into two apartments.

179/20 – D/16664/20 – British Lines Road – Proposed demolition of Airfield Transfer Building and old MOD Substation.

180/20 – D/16667/20G – Governor’s Cottage – Demolition of an ex-MOD rock fall canopy consisting of a reinforced concrete structure with 4 columns, ring beam and slab.

GoG Project

181/20 – D/16729/20G – William’s Way, Sir Herbert Miles Road – Proposed demolition of three buildings.

GoG Project

182/20 – D/16778/20 – 7 Europa Road – Proposed demolition of two existing single storey ancillary buildings.

183/20 – A/16626/20 – 4 Devil’s Tongue – Proposed installation of internally illuminated shop sign.

184/20 – A/16661/20 – Gibraltar Chronicle Printing Ltd, New Harbours, Rosia Road – Proposed installation of sign.

185/20 – A/16725/20 – Unit 17, Gibraltar Public Market – Proposed restaurant signage.

186/20 – T/16009/19 – 3 Europa Road – Proposed pollarding of Araucaria Columnaris.

This tree application was seeking consent to remove an Araucaria Columnaris or its roots that are interfering with paving and drainage of an adjacent swimming pool. The tree was not considered that the applicant should consult an arborist who should conduct exploratory works with a view to removing roots that are affecting the paving and the drainage of the swimming pool.

187/20 – N/16666/20G – Varyl Begg Estate, opposite Repulse House and adjacent to Europort Avenue – Proposed removal of Tamarisk.

GoG Project

Approved

DPC meeting 3/20

6th April 2020

This tree application was seeking to remove a Tamarisk of average size and poor form, which has a strong lean, which is required to accommodate a new access road to the car parking area. It was considered that given the tree's form, it is not worth transporting as it will never make a good tree and that a planter should be created nearby as part of the project with two new Tamarisks.

188/20 – N/16753/20G – Terrain adjacent to Electra Flats – Proposed clearing of understorey.

GoG Project

This tree application sought to clear an understorey adjacent to Electra Flats in the South District, which has several trees, thickets, litter and what appeared to be an ad hoc construction of a perimeter fence. It was considered that most of the thicket is likely to attract vermin and that the understorey should be cleared, the fence, litter removed, and tidiness maintained going forward to avoid use by vermin.

189/20 – MA/16572/19 – 24 Medview Terrace, Catalan Bay Village – Proposed loft conversion and extension to property including new build, alterations and extension.

Consideration of retrospective works for a re-sited window location, minor changes and increase of approved building height by 440mm.

189/20 – MA/16671/20 – 1 Corral Road – Proposed redevelopment of the existing Eurolife Building situated to retain the existing structure and to construct a new extension of three floors and associated recladding to provide a 120 bedroom hotel with restaurant and roof top bar.

Consideration of amendments to extend rooftop bar to provide a glazed indoor bar with associated small warming kitchen as well as installation of lightweight green roof to bar with a lightweight canopy over the lift and stair entrances and additional external decking to provide additional seating.

190/20 – MA/16693/20 – 22 Rosia Court, 21-23 Rosia Road – Proposed loft conversion to include a master bedroom/en-suite and rear extension over existing kitchen to include a bathroom.

Consideration of amendment to convert new flat roof above approved bathroom into a roof terrace with access to loft level.

191/20 – MA/16737/20 – Europarking, Europort Avenue – Proposed mix use development comprising 337 residential units in three towers with associated retail and commercial space, vehicular access, car parking, motorcycle and cycle parking amenity areas landscaping and public realm.

Consideration of minor amendment to increase the number of approved units from 337 to 339 and associated internal alteration partially reversing the previously approved minor amendment application (Ref. MA/16450/19).

192/20 – MA/16768/20 – 2 Hospital Ramp – Proposed construction of four town houses and storage facilities.

Approved

DPC meeting 3/20

6th April 2020

Consideration of amendment to extend first floor balconies of Houses 1 and 2.

192/20 - Any other business.

There was no other business.