

## THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 8<sup>th</sup> Meeting of 2020 of the Development and Planning Commission held via video conferencing on the 17<sup>th</sup> September 2020.

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| <b>Present:</b>       | Mr P Origo (Chairman)<br>(Town Planner)   |
|                       | The Hon Dr J Garcia (DCM)<br>(Deputy Chief Minister)  |
|                       | The Hon Dr J Cortes (MESCE)<br>(Minister for Environment, Sustainability, Climate Change & Education) |
|                       | Mr H Montado (HM)<br>(Chief Technical Officer)  |
|                       | Mr G Matto (GM)<br>(Technical Services Department)  |
|                       | Mrs C Montado (CAM)<br>(Gibraltar Heritage Trust)   |
|                       | Mr K De Los Santos (KDS)<br>(Land Property Services)  |
|                       | Dr K Bensusan (KB)<br>(Gibraltar Ornithological & Natural History Society)                            |
|                       | Mr C Viagas (CV)  |
|                       | Mrs J Howitt (JH)<br>Environmental Safety Group)  |
|                       | Mr M Cooper (MC)<br>(Rep Commander British Forces, Gibraltar)   |
| <b>In Attendance:</b> | Mr P Naughton-Rumbo (DTP)<br>(Town Planner)   |
|                       | Mrs L Mifsud<br>(Minute Secretary)  |

### **322/20 Approval of Minutes**

The Chairman apologised that the draft Minutes of the 8<sup>th</sup> meeting held on 4<sup>th</sup> September 2020 were not yet ready. The approval of these Minutes was deferred.

### **Major Developments**

#### **323/20 – F/16601/19 - Jetty No. 4, North Mole – Proposed relocation and installation of six fuel storage containers and supporting infrastructure.**

DTP advised members that the Applicant was present to answer any questions.

DTP explained the site is currently in use as open storage for Gibunco operations.

The current operation is for fuel storage and distribution from the site mainly for the yachting sector and some land-based operations. Fuel is delivered by road in lorry bowzers and then off loaded into three storage barges.

The storage barges are connected via fixed land infrastructure to provide fuel to the west side of the jetty. Vice-versa road vehicle bowzers can also be loaded for land distribution. There is, no offshore bunkering operations from this site. The maximum capacity of the barges is 100, 173 and 707 tons and are serviced by two road vehicle deliveries per day that is sufficient to meet actual requirements.

The proposal is to replace to the biggest storage barge, "Calpe" with 6 x storage tank containers relocated from the new power station. It will improve control of refueling operations within enclosed facilities, reduce emissions, noise, and minimize risks of spillage.

The containers are double lined with appropriate separation between each; is well ventilated and surface water is pumped out for offsite treatment. There is a bund wall with one tank capacity. They also have an emergency response plan.

The works will be phased subdivided into: Phase 1 to remove No's 3 and 4 containers and Phase 2 to remove 1 and 2 containers.

The Operation profile will be very similar to what to current practices. There will also be improved CCTV systems installed to control loading and unloading operations.

The Technical Report prepared by Ramboll demonstrates no environmental effects; instead improving on both air quality and noise pollution.

With respect to consultee requirements:

- a) Ministry of Defence requires site clearance due to existing infrastructure services.
- b) Department of Environment require precautions against spillage to the marine environment.
- c) Environmental Agency required that the bund wall must be 110 percent of the largest container or 25 percent of the total amount of the total within the area.
- d) The Port had original queries whether the Applicant's lease covered this kind of operation subsequently confirmed by the Applicant to the satisfaction of the Port.
- e) Environmental Safety Group (ESG) had concerns from the start and met and have been in correspondence with the Applicant concerning air pollution and need for best technology to be applied fully to mitigate against this.

No comments were received from the public under Section 23 of the Town Planning Act allowing for public participation.

DTP concluded that the scheme was generally welcomed on planning grounds, as it would involve the removal of one barge with consequent reduction in risk of spillage, reduction in noise and improvement to air quality. The bund wall should be as per the current bunding capacity at the power station and would need to meet Environmental Agency requirements. The application was recommended for approval with the corresponding conditions.

**(JH)** commented that this site is going to be meters away from two housing estates. She stated that vapour recovery and charcoal filters, which had been applied to other projects, should also be required for this project as this may affect the residents and strongly suggested that this be made a DPC condition. She also called for 100% bund of total storage capacity to be set up as had also been applied to other projects.

**MESCE** referred that the Department of the Environment agrees with the adoption of the latest available technology including filters and vapour recovery and supports the needs for sufficient bunding. There should be no reason as to why there is no landscaping in place as it would add a little bit of oxygen and beautify the area, these should be added as conditions to the planning permission. **KB** supported all the comments so far and suggested that the best practice should be reinforced particularly if the site is so close to residential areas.

**The Chairman** asked Mrs Sarah Mendez (Gibunco) if the applicant accepts these additional requirements.

**Sarah Mendez GIBUNCO** is committed to complying with environmental protection. The only reason they did not recommend the charcoal filters and the vapour recovery system is that the type of fuel, namely gasoil requires very high temperatures in order for the fuel to vaporise. She stated they did not expect the facilities to be emitting any significant volumes of fumes. They did

look to the best technology and tried to find guidance but could not find anything suggesting that vapour recovery system is needed and this is the only reason as to why it has not been proposed. If DPC required Gibunco to have it then it could be introduced into the scheme.

**The Chairman** Had question regarding the charcoal filters and asked for clearer understanding about the meaning of “significant” term used by Sarah Mendez. Concerning the vapour, Ms Mendez explained that the tanks are ventilated and the type of fuel will not cause any significant vapour or obnoxious fumes.

**JH stated that Ramboll had themselves applied bat (best available technology) on a previous fuel tank project nearby which had a lower volatility rating than this project and that the highest standards had to be applied especially on this project being even closer to what will soon become a busy residential area.**

**MESCE** states that the Ministry of Environment would be more comfortable with having 100 percent bund wall because of its proximity of residential areas and cannot take any risks that would cause any obnoxious nuisance and complaints. What might be insignificant in an industrial site might not be the same for one very near residential areas. We should follow the measures put in place by the LNG plant and the other tank farm in Jetty 3 as air quality is of great importance and feels this recommendation should be taken into account.

**The Chairman** called upon the Commission to condition the applicant to apply filters, 100% bund wall and vapour recovery measures to suit the local environment particularly because of the proximity to residential areas. We cannot afford those future residents to suffer the possibility of obnoxious nuisance.

The application was approved unanimously in accordance with the Chairman’s suggestion and conditions by DPC members, pertinent authorities and consultees.

### **324/20 – Ref 1528 - Gibtelecom Proposed 5G Plan for Gibraltar**

**DTP**-explained that this item was in respect of Gibtelecom’s Deployment Plan for 5G

Copies of comments from statutory consultees and from the ESG had been circulated to the members with the Agenda.

**Mr J Reyes (Gibtelecom)**-presented the roll out plan for 5G that is necessary to meet increased demand for data. The technology to be used in effect relies on infrastructure that already exists for mobile phones. The intention is to use existing sites with only one new additional site in the upper town area. This plan has been developed using computer generated models but cannot be 100 percent certain that the antennas are going to be optimal as it depends on local circumstances

not captured by the modeling, but he was confident that this would be the final plan. Concerning aesthetics, the current the low band frequency will be inbuilt into the panels already on site however, the mid-band frequency will require an additional square antenna, which is not very large and to be mounted on the current one. Concerning licenses granted by the Gibraltar Regulatory Authority, it has assigned frequency to Gibtelecom for the use in a 5G technology. This frequency comes with stringent license requirements one of which is the maximum power, which can be emitted. This threshold has been ratified by the World Health Organisation (WHO) and none is in breach. In addition, the network has been built on the precautionary principle meaning that the least possible power has been used without endangering service provided to customers; we also apply policy that was defined by the Ministry of Environment in 2013.

**Mr Reyes** added that they are presenting the immediate and medium term plan which will see them through the next four or five years using more or less the same frequency used at present. This means that they use 100 percent of the sites they have at present meeting all safety and regulatory requirements imposed by WHO and GRA.

**The Chairman** questioned if antennas for previous generations will be made redundant or still have to be in place and active.

**Mr Reyes** responded that the antennas would remain active. We will currently use the antennas in place for the feed-in for the low 5G set up but the idea is that once people start to use 5G Gibtelecom will start to decommission the older technology, which forms part of the large master plan. Within the next 2 years, the older technologies will be switched off.

**Mr Steven Barea** (on behalf of the ESG) was welcomed to the meeting.

**Mr Barea** –expressed that the amount of exposure to the public as regards to extra the layer placed on the antennas is roughly 7 times more than what we have. The ESG do not accept the standard expressed by ICNIRP. They take a deeper view into the roll out of 5G and express their concerns on the site next to Albert Risso House. Our main concern is that in the past we have managed to mutually agree to have the main beam of existing antenna (2015) to bypass the adjacent people opposite Waterport terraces. The actual exposure for all the G antennas including 5g is something within the region of 41 % and feel that this quite high itself, if at 25 meters we have a 41 % of ICNIRP exposure a record for Gibraltar, people by Waterport Terraces are just 17 meters away. Waterport Terraces will be exposed near 90% of ICNIRP and so find this completely out of line. Secondly, the methods of testing GRA have found the percentage of ICNIRP threshold in the area of Albert Risso is 0.0032 a vast contrast between 0.0032 % being about 40% difference. , Mr Barea referred to an article published by the European Commission in 2020, which states that it is not possible to measure 5G emissions. There seems to be variations in methods on how to measure it and because there seems to be, a vast difference from GRA and Gibtelecom findings makes this concerning.

**Mr Barea** referred to the site at Sunnyside House and had previously raised concerns about these masts affecting nearby St Josephs Schools back in 2015. Gibtelecom altered the direction of these masts to miss the schools completely. Mr Barea hoped that the 5G antennas are kept to the same agreement, however because the 5G is a beam-forming we will have a massive concentration of 5G beams concentrating in close proximity to the schools that is worrying. The Chairman asked Mr Barea if these concerns over the figures have been forwarded to the GRA as opposed to Gibtelecom.

**Mr Barea-** stated that they have met both parties. The GRA seems to now be embarking on a method of continuous monitoring systems, which will be placed around Gibraltar, and this will provide a clear idea of the overall exposure emission's that will take place. Unfortunately, due to financial constraints, only 3 stations may be acquired but this will help within the mentioned areas. GRA perform measurements and they then decide the positions as from where they are taken. It would be ideal for GRA to ask the residents near the antennas to be able to take measurements from the residential houses in order to be able to collect a true figure concerning emissions.

**MESCE** requested Mr Reyes answer the questions put forward by Mr Barea.

**Mr Reyes** stated that Gibtelecom agrees with many of the points stated by Mr Barea and he is right in saying that there will be seven times of exposure as from what there has been in 2015 but not seven times than what there is right now as we have been adding frequency and capacity. Therefore, it is not a sevenfold increase. Gibtelecom work with the theoretical maximums but in effect there is no way we get close to the theoretical maximum. There will be no reason to have every single person connected to the antenna at one given time. At Albert Risso House, the antenna is above the actual parapet and it therefore goes out and beyond. Beamforming is not something where a beam follows a telephone but rather it is where there are 10 micro antennas pointing into specific direction and mobile phones will change from one beam to another as they travel. They are working with GRA to monitor full power levels and they have a feature within their technology that allows them to beam at maximum level and this what GRA uses to measure exposure.

**DTP** asked if the micro antennas could be re-directed to avoid it pointing at specific areas.

**Mr Reyes-** states that moving the micro antennas is not possible but they can change the position of the antenna but this can cause disruption of services to customers.

**JH** welcomed the public debate as she recognized that people want the service. They are pleased with the three monitoring units being set up by GRA. They would like to see the commercial entities participate more in helping resource agencies like GRA to roll out a wider network of real time monitoring units and hope that Gibtelecom would support this going forward, as they are using existing sites there is no objection from Environment on visual impact. The Ministry for Environment urges them to minimise the use of energy concerning antennas, and believes that

there has been a lot of progress in the past concerning this. He also referred to the 3G system and stated that it was resolved in a very cooperative manner and convinced that this will be the same for the 5G.

**The Chairman** thanked Mr Reyes and Mr Barea for their contributions. With respect to proceeding with the planning process for the 21 sites, he referred that DPC Subcommittee considers them individually.

**MESCE** agreed that the Subcommittee should deal with individual applications and that they have confidence in the Subcommittee to identify those, which would require full discussion, at DPC. ESG could point out those outs.

**The Chairman** asked JH if she would attend the Subcommittee meeting for these applications and she agreed.

**325/20 – 1281/55 - Chatham Counterguard, Fish Market Road and Cooperage Lane – Proposed resurfacing and improvements.**

**DTP-** explained that this was submitted to DPC for comments even though it is not a planning application.

**DTP-** explained that the project was for improvements to:

- Chatham counterguard;
- Fish Market Road; and
- Cooperage Lane.

The four objectives were:

1. To create a single part-pedestrianised carriageway with limited vehicular access;
2. A new cycle route from Reclamation Road to Market Place;
3. Resurfacing the area into a landscaped garden area without any parking;
4. Freestanding commercial pods to encourage linkage to Main Street.

Throughout the scheme energy, efficient lighting will be used.

The existing shade structures at Chatham Counterguard would be created retained

In front of Ocean Heights, an open landscaped square will be Cooperage Lane would be resurfaced, landscaped and signage provided at entry points

Fish Market Road will have a continuation of the same concept, soft landscaping and the incorporation of commercial units and pods.

**DTP** suggested that the DPC should forward the following recommendations /comments:

- a) Information on how the lost parking will be managed;
- b) The cycle lane to be 2-way;
- c) Concern with too close proximity of benches to cycle lanes in some areas;
- d) The vehicular route in the new Garden Square in front of Ocean Heights should be better demarcated;
- e) The scheme needs to provide for public extra WCs and provision of /new refuse storage areas; and,
- f) Boyd Gate should be given more focus through use of materials, landscaping and illumination.

**CAM** agreed with most comments, especially with accentuating Boyd's Gate., She referred that the insufficiency of WC is clear with the unsightly portabins in front of the listed American War Memorial and City Walls totally defacing this site. She questioned there being insufficient toilets for the Chatham Counterguard area proving that there is a need for more toilets and none were included in the new plans. Concern was also expressed regarding the bins stores is also a concern; delivery vehicle access and managed throughout the day.

**GM**-recommended that all infrastructure for the pods is provided within them including the possible future provision of WCs.

**JH** stated that there is a little bit of a pattern, and there is absence of fundamental infrastructure i.e. refuse. There is a need to ensure that these are included before submitting to planning. It has to be established whether the trees can grow in this setting, recycling facilities to be compulsory as we looking at a very busy social hub and this should be fundamentally included.

**CAM** questioned if the cycle lane ending under the American War memorial takes into account the scheme with regards revitalisation and refurbishment of the area in question.

**Christian Revagliatte (CR)** (Architect and agent for the Applicant) was presented to the meeting and explained that the intention for the clients is to expand the WC provisions inside the pods or on at another location on site. He confirmed that the existing bin store was being re-provided within the vaults along Fish Market Road and included recycling bins. The cycling lane is part of a larger proposal. The pods will be provided infrastructure but would in any case be subject to a separate application. He agreed with the enhancement of the approaches to Boyd's Gate and that they agreed that cycle lanes are too close to benches so alternative locations were being considered.

**GM** referred that as far for the WC's these could be include within each commercial pods.



**CR-** stated that this issues to be taken up with client. **GM** – referred to the requirement of storage in the public market area. There is a need for an ample storage provision not shown on the plans. Extra provision of refuse would be necessary to cater for the extra demand.

**The Chairman** commented that there is a link through the City walls (currently blocked off) between Fish Market Road and Queensway and that this should be opened up as part of the scheme.

**CR** replied that the potential link is a possible location is for a new refuse store and it was not intended to open up the link.

**The Chairman** stated that as planners, that link should be opened to allow extra circulation of pedestrians through the scheme and decongest the bottleneck by the Gaucho entrance especially now with social distancing regulations. He recommended they pursue opening the link.

**GM** concurred with Chairman on the matter.

The Commission agreed with the recommendations proposed by all and DTP's paper plus the additional ones relating to the provision of appropriate infrastructure to the pods and opening a link between Fish Market Road and Queensway.

### **Other Developments**

#### **326/20 – F/16672/20 - 1/1 Shakery's Passage -- Proposed extension to, and refurbishment of, property.**

**DTP** started by saying that we had just discovered that been an objection from a party that the Town Planning office had not acknowledged and therefore that party had not been given the opportunity to address the Commission. However, he suggested that the Commission hear the details anyway including verbal representations from other objectors, as the recommendation was going to be to defer in any case because there were certain design changes sought. If however, the Commission were minded to approve the application then the decision would have to be deferred to allow the aggrieved party the opportunity to be heard. DTP summarised the proposed refurbishment and construction of an additional storey with a mezzanine and a roof terrace over.

Ground alterations are mainly limited to internal and replacement of windows. The proposal is to remove the existing roof and construct a new storey that would extend backwards towards the patio. The new mezzanine level provides access to a bedroom situated on its upper level. One access to this apartment is proposed via an external staircase located on the north side of the site. Juliette balconies are proposed along the front elevation.

The terrace will have glazed balustrade on the front elevation but as result of an objection to loss of privacy, the applicant is willing to install a trellis or fence structure to maintain privacy at this point.

**DTP**-reported on consultees comments with the Department of Environment requiring, bat and bird surveys; the Heritage Trust stating that the new floor should reflect the design guide and that consideration be given to a false pitch or alternatively to provide a more traditional balustrade, and objecting to the Juliette balconies because these are not traditional. The Ministry for Heritage had similar comments and are concerned with the loss of the pitched roof.

**Mrs Tavares (Objector)** explained her objections to the new roof terrace and with the proposal for a fence as this could be blown over. She considered that it is excessively close to her residential unit invading her privacy if used as a terrace; that would attract social gatherings. Such situation will affect her living amenity as her bedroom windows lead directly on to the rooftop terrace. Her concern is that the fence will not be maintained and will disappear within a short period time leading to invasion of her privacy. Mrs Tavares had no issue with the development but she could not agree with the roof top terrace so close to her property.

**Mr Felice (Representative for 2<sup>nd</sup> Objector)** Stated their concern is one of safety. The site area in question is very small and will not allow this long time resident to have a normal daily life; the resident in question is cannot walk much and this proposal will badly affect her living circumstances. Mr Felice felt that she would find it very difficult to move in and out of an area, which will become a construction site. He was hoping for those who want to carry through with the development to make some other kind of accommodation feasible.

**Mr Stephen Martinez (Applicant's representative)** referred that the Applicant was aware that the resident in question is awaiting for reallocation to a Gibraltar Government flat and works will not commence until this has taken place as it is impossible to remove the roof with the lady in question residing there. Reference the design the intention is they are trying to provide greenery to the roof terrace, The proposed flat is only 22 square meters, Its floor will not surpass the height of the existing roof and they are happy to change the fence to a wall if that is what is recommended.

**Referred** to the wall but questioned if there could be a false pitch this would increase the distance between the new development and Mrs Tavares.

**Mr Martinez responded** such could be considered to include a pitched roof and would be happy to look at this idea.

**The Chairman** suggested that rather than add an extra unit they could instead allow an extension to the existing one and add a pitch roof on top so that amenity is not affected to the current tenants of the area. The community at would benefit from enhancement of a refurbished property.

**MESCE** considered that Mrs Tavares concerns could not be ignored. The Minister was also concerned concerning the loss of pitch roof and suggested that a false roof is something that should be considered. He expressed concern with the development not in keeping with the old town and there would be a need to provide nest sites.

**CAM** concurs with the suggestion of the pitch roof and the mezzanine within; this would address the issue of the flat roof and the terrace and rearrange access to the proposed roof without invading the neighbour's privacy.

**The Chairman** requested the Commission to defer the application so that the applicant can revisit the design based on DPC's and objectors' comments.

This application was deferred.

**327/20 - F/16679/19-51D Europa Road -- Proposed erection of temporary greenhouse to arrange plants**

**DTP** summarized the proposal that was for the construction of a temporary greenhouse, which would essentially be a steel tubular structure with a plastic cover; it measures approximately 16 meters length by 8.5 meters wide.

**TSD** had objected on the basis that it was located within a rock fall exclusion zone and cannot approve a structure with this liability.

**DTP**-asked **KDS** to clarify if there was a license or a lease for this use. **KDS** confirmed they had a license for the purpose.

**DCM** acknowledged that Gibraltar is surrounded by cliffs but that we have to maximize use of land as and where possible provided it was safe to do so. He had no objection.

**JH**-asked if there are any plans to build any other structure that has not been presented. **DTP** replied they were only aware of the current proposal **JH** questioned the license situation.

**K De Los Santos** stated that this required further discussion with the landlord, and stated that the landlord might be flexible when it comes to amending the license.

**KB** stated that in terms of activity within the area it should remain the same and this a kind of activity should be encouraged for a greener Gibraltar.

**C. M**-asked if, in planning terms, this would set a precedent to a more permanent structure in the future

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**The Chairman** as soon as we establish a structure it creates a precedent to redevelop, enhance and/ or refurbish. Once the structure is approved, it is very difficult to refuse future amendments.

**DCM** stated that the Structure is not visible from anywhere; it requires planning permission and a separate consent given by the Government as landlords under a different process.

**MESCE** questioned if the proposed green shown on the slide covers the whole of their demise or just a part of it.

**DTP**-stated that they do not have the details of the demise and cannot confirm if it covers the whole footprint of the licensed area.

**GM** recalled that historically DPC on advice had always been minded not have any constructions less than 10meters from any cliff face. This project seems to within this restriction zone and will set a precedent against what has been set for many years concerning the area being used.

**The Chairman** suggested the applicant Technical Services Department and landlord meet on site to determine the actual area they enjoy and could it be shifted to ten meters away from the cliff face,

**MESCE** - referred that the area is already in use; Minister Cortes has no objection to meet on site. He feels that there is no serious objections to the application and does not see any reason for not approving the application with the recommendations given.

**DMC** agreed with Minister Cortes, and found it unfair to impose new restrictions when this activity and site has been used for many years.

**The Chairman** suggested it being reoriented as much as possible furthest away from the cliff with Technical Services ratifying the location.

**KB** was happy to approve application as it has been submitted, the applicant has been warned by Technical Services Department regarding the rock fall risk and it is up to Applicant to come with an alternative best design.

**JH** supported the project but stood by her comments in relation to the footprint and what this implies for the other green areas.

The application as approved unanimously.

**328/20 – F/16860/20G - 5 Governor’s Lookout Lane, Upper Nature Reserve -- Proposed new scout activity centre and camp site refurbishment.**

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**DTP** presented the application located at the Governor's look out located in the Upper Rock Nature Reserve. The site in question is the scout activity center and the proposal is to carry out various works improvements and new developments.

The aim of all these works is to achieve recognition as a scout center of excellence for nature and environment so there is a lot of emphasis on natural environment, the facility will be used for scouting activities.

One of the main elements is the construction of a 2 storey building which would form the headquarters It will be located over a sloping area which has low level vegetation., It covers approximate 132 square meters of floor space with a storage area at the lower level. The headquarters building would be partly cantilevered over the slope and to be cladded in a combination of timber and stone.

There are two options for the external finish one f uses stone cladding and the other option is for timber cladding. A green roof is proposed.

The search light building has already had the demolition of the roof approved and this application now included the rebuilding of the roof and reusing this building for an interpretation center with the proposal of glazed panels to the building to make it water tight.

Another building at the rear was considered at the last meeting in terms of demolition where it had been agreed to remove the roof and bury the ground to create a more levelled area for use as an archery range.

In various parts of the site, small retaining walls are proposed to provide terraced areas to make better full use of the land.

**DTP** reported that the Department of Environment's requirements would be a need for a license from the Ministry as this is located within Nature Reserve also any building constructed needs to be energy efficient and promoting the use of solar panels and no works should not be carried out during the months of February to June.

The World Heritage Office welcomed the proposal overall and feels that the development provides an opportunity to integrate the natural and cultural heritage for youth and community projects. A heritage survey and impact assessment will be required and specialist advice should be obtained for the reconstruction of the searchlight building. An archeological watching brief will be required.

**MESCE** have similar comments to the World Heritage Office. A photographic survey is required.

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**DTP**-reported that a photographic survey had been submitted as both the Ministry and WHO did not consider it to be to the necessary standards. There should be no final decision until these have been submitted and verified by the relevant authorities.

**DTP** commented that the planning main issue is the siting of the HQ building. Alternative locations had been discussed with the Applicant but the selected site was the preferred one for reasons of security and that the site had no trees or heritage assets. Alternative sites considered involved loss of trees and larger scale groundworks.

**DTP** commented that considering all matters there is no objection to its location or use, and welcomed the proposed green roof to the building. The stone cladding option was not considered appropriate in this specific location. Option 2, timber cladding was preferred subject to a lower storage area being considered and use of a dark colour finish in order to blend in further with the natural rocky landscape.

There were no objections to the proposals for the searchlight and storage buildings. Some limited parking would be available at Signal Station Road and it was recommended that some motorcycle parking should be made available.

It was recommended that in principle the application be approved subject to the submission of a satisfactory HIA with a final decision being taken by the Subcommittee.

**CAM** referred to the reuse of the search light post being of heritage value and was supported following brief discussions on site with applicants and felt that discussions should continue. The Heritage Trust fully support the project.

**KB** questioned whether the footprint of the site is to remain the same. He commented that low-lying vegetation to be planted and is more important than the olive trees in this area so it would be misleading to state that the impact is lesser. However, he did not see that in any case there would be a substantial loss of vegetation.

**MKB** requested clarification as to the impact it has on the Nature Reserve and the vegetation in question being lost before approving the application.

**DTP** stated that an assessment from planning referred that the visual impact will be minimal,

**JH** questioned the footprint of the site and suggested that the headquarters building should be hidden better and a survey should be done from an ecological point of view.

**MESCE** stated that if this had been a commercial or residential development it would have been rejected outright but it being a youth movement amenity with a lot of history and integrated with nature it has his support for the reason as to why this application has got so far in the planning process. It does need a license under the Nature Act. , He would like confirmation as to small

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extension on site and on the HQ building itself the concern is on the visual impact and this is the reason as to why he will favour the stone cladding. The idea of the interpretation center is great and because it is within the heart of the Nature Reserve, there must be a very strict environmental plan during construction with close supervision from the Department of Environment.

**DTP**-commented that in respect of the cladding its location in this area is heavily vegetated the stone cladding would accentuate increased the visual impact. It was for this reason that the timber option had been recommended, as this would blend in better with the immediate surroundings.

**MESCE** stated that vegetation is not a major concern, as there is virtually no vegetation on the site where the building will stand.

**CAM** favoured the timber clad unless a sample of stone, which will match the natural one, was presented.

**CV** found unclear that the timber cladding works, although felt that the overall project is a good one and inclined to support the project

**KB** agreed with both Minister Cortes and Mr Viagas but would like to see if the footprint will in fact be extended within the proposal and if an extension were included, he would not support this and would find it unacceptable

**The Chairman** stated that the extending beyond the lease were not powers of the DPC.

**GM** welcomed the project and concurred with Minister Cortes's observations; what we need to do is educe the visual impact not by reducing size but by essentially removing the visual impact of the columns driven into the ground. These could be screened.

**JH** stated that she agreed with Mr Bensusan regarding the extension over the lease footprint and wanted to appreciate on site. She was concerned over the visual impact having a bearing and so would need to see what it looks like from different public vantage points within the Reserve and from the outside. She request a survey by Department of Environment before it happens.

**MESCE** stated that it is clear that everyone supports the application but there are areas of concerns. He therefore suggested deferring the application to allow engagement with the Scouts Association in order to resolve some of this concerned and obtain full clarity on the matter.

**DCM** expressed that he supported Minister Cortes view on deferring the project.

**The Chairman** referred that disabled use of access should be taken into consideration and the visual impact comments. Concerning vegetation this ought to be clarified and for the sake of clarification. The application will be deferred.

**KB** stated that some of the comments made must be conditioned but from his perspective, his main concerns are the footprints of the site and the visual impact it will have, he requested clarity on this.

The application was deferred.

**329/20 - A/16871/20 - Northern end of Main Street - Proposed social distancing installation**

**DTP**-reported that this was an application for a social distancing installation on the North end of Main Street. It is a temporary installation as a contribution to the community to encourage social distancing. It comprises a vinyl design applied to the road surface and the attachment of a board to the Jersey barrier to give it the curve effect.

Technical Services Department queried the actual material being used and whether it could stand wear and tear and from the architectural side there was an objection as it was felt that it was not in keeping with the surrounding area.

The Subcommittee had not approved the application and so had to be referred to DPC for a final decision.

The applicant **Mr Owen Smith** was welcomed to the meeting. He stated that this was an application that was submitted at the end of lock down. It was meant as a simple reminder of the 2-metre distance concerning social distancing. The whole purpose is to encourage social distancing within our shopping district.

In response to the Subcommittee's decision, he stated that this is a temporary thing and will last a max of 12 weeks; previously the Subcommittee have approved similar installations elsewhere.

In terms of being in keeping with the character of the old town, they were only intending to have an installation at the northern end of Main Street that contains a mix of building types. It is intentional for the installation to be a contrasting feature that is not part the Old Town look but can enhance its appearance.

**The Chairman** questioned on the wear and tear factor and whether it would be slippery when it rains or under Levanter damp situations.

**Mr Smith** replied that in the submission those questions are dealt with. The vinyl is specifically designed for floor usage, is non-slip and complies with British Standard: is fit for purpose.

**The Chairman** suggested that because in Gibraltar we have stone pavers the edge might create a trip hazard.



**Mr Smith** referred that it would depend on maintenance of project, it with daily inspections and repaired or replaced or removed completely as needs be. Mr Smith suggested putting into place some test material to see how wear and tear materialises.

**Mr Smith** explained that TSD did not want to consider running any tests until planning permission was granted.

**JH** stated that she has mixed views; from the outset felt in agreement with the Sub committee's decision but now, perhaps a compromise could be explored. The entrance of Main Street perhaps would be a more appropriate place. Although it looks overwhelming, that does not mean that, we should not be promoting the idea. Using the Jersey blocks or the entrance of Main Street could be discussed and debated a bit further.

**KB** stated that the installation is temporary and is a visual message. It is striking but that is the intention and also it adds fun to the dire bleak environment of Covid -19 He stated that he is grateful that Word of Mouth is financially sustaining this project and with the track record they have it has he is happy to support the project.

**CV** concurred with Mr Bensusan and was happy to approve the project.

Mr Smith added that they want to create a short film of the whole installation process too.

**CAM** as a member of Subcommittee she appreciates the clarification disclosed by Mr Smith that it is temporary and that there will be ongoing need for its maintenance. The filming will be an extra aspect to add to the encouraging of the purpose of the scheme.

**The Chairman** asks for any objections to the scheme.

**JH** feels that her committee expresses mixed views, therefore on this note she will abstain. The application was approved with the following majority votes:

9 votes in favour.

0 votes against.

2 abstentions.

**330/20 – MA/16745/20 - 91 Main Street - Proposed demolition and redevelopment of building into new commercial office and residential building**

**DTP**-explained that this was a minor amendment application and the only issue was the construction of a vertical steel beam column within an internal patio owned by the applicant/ landlord and shared very near a neighbour's window. There had been an objection but following a last minute, email by the objectors' lawyers had now been withdrawn.

DCM-gave his apologies, as he had to leave.

The application was approved unanimously.

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**Minor and Other Works- not within scope of delegated power**

**331/20 O/15063/17 - Admiral's Place, Naval Hospital Road- Proposed installation of loft windows throughout the estate**

GM commented that he was under the impression that in Admiral Place loft windows were not going to be encouraged around the estate., He asked if this no longer the case and are we actually endorsing the installation of loft windows?

DTP explained that this application dates back to 2017 when the DPC took a decision to allow skylights on the inner facing roofs. The applicant was therefore asked to submit revised plans in accordance with this decision. This was submitted now been done recently and there is additionally two areas where they are seeking skylights on the outer leaves of the roofs. These are at House 8 and Houses 28 and 29; the reason for these is that the structure of these roofs only permits such skylights being constructed. As would be very little visual impact in these specific cases, there were no planning reasons to object.

The revised design was unanimously approved.

**332/20-F/16639/20G - Rear of the gym, Devil's Tower Camp - Proposed installation of a new mast and equipment as part of the MOD update of the CCTV and radar systems across this MOD estate**

The Commission had no planning objections and any recommendations will be forwarded to the MOD.

**333/20F/16647/20 - Sanger 4, South Mole - Proposed installation of a 1.5-metre-tall pedestal to mount a new radar onto the existing roof of a single story building as part of the MOD update of the CCTV and radar systems across this MOD estate.**

The Commission had no planning objections and any recommendations will be forwarded to the MOD.

**334/20-F16649/20G - Breakneck Battery - Proposed installation of a new mast and camera equipment as part of the MOD update of the CCTV and radar systems across this MOD estate**

MOD project.

The Commission had no planning objections and any recommendations will be forwarded to the MOD.

**335/20-F16550/20G - Hole in the Wall/Monkeys Cave – Proposed installation on an existing base of a 1.5-metre-tall pedestal used to mount a new camera as part of the MOD update of the CCTV and radar systems across this MOD estate**

MOD project.

**MESCE** commented that the Ministry for the Environment required further information on this project and that it would need a license under the Nature Protection Act.

**CAM** commented that this had been discussed in the MOD/ Conservation Group and the Gibraltar Heritage Trust were dissatisfied with the proposed changes to the internal ironwork from metal to glass. The Trust had given MOD some alternatives but had received no feedback.

**DTP** stated that planning are aware of this and the recommendations was for the MOD to retain the railings within the internal courtyard.

**MESCE** stated that is it clear that the Ministry for Heritage also prefers the exiting iron railings. He raised another issue of concern, which was that some swift nest sites had been accidentally blocked by structures so it is important to re-establish access to these nests and nest boxes should be established on site.

He reiterated that although MOD do not require planning permission all those installations within the Nature Reserve would require a license under the Nature Protection Act.

**MESCE** referred to the applications for the installations at Hole in the Wall and Windmill Hill that require an assessment from the World Heritage Office and are covered under the Nature Protection Act.

**DTP** reported that in relation to the application near Monkey's Cave the World Heritage Office had responded and had no objections subject to the colour being agreed and a photographic record being undertaken before and after. As for Windmill Hill application, they have similar comments.

**336/20-F/16652/20G-Windmill Hill -- Proposed replacement of an 8ft radar with a new 21ft radar; replacement of an existing mast and camera with a mast the same height and a new camera; and installation of a new antenna situated on new mast as part of the mod update of the CCTV and radar systems across the MOD estate**

MOD project.

**Approved**  
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The Commission had no planning objections and any recommendations will be forwarded to the MOD.

**337/20-F/16653/19-23 Willis's Road -- Proposed extension and associated works**

DTP informed that the application was circulated as part of the agenda. There being no objections this application was approved.

**338/20-F/16698/20G The Tower, HM Naval Base – Proposed refurbishment of the tower, sympathetic where appropriate to the historic nature of the building, to provide a modern working environment that complies with current legislation including sustainability and disabled access and replaces failing building elements and services.**

MOD project.

Recommendation: Railings to walkways to internal courtyard should be retained.

**339/20/F/16867/20G - GAMPA Hospital Hill -- Proposed installation of street art mural.**

GOG Project: This application was unanimously approved.

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

|                           |   |
|---------------------------|---|
| <b>340/20- BA13435</b>    | Europa Business Centre Dockyard Road -- Installation of photovoltaic solar panels on the roof of the building.  |
| <b>341/20- F/16740/20</b> | 17/1 & 19/1 La Terraza -- retrospective planning for changes to property made approx. 25 years ago by previous owner refurbishment of interior exterior decking.                  |
| <b>342/20- F/16835/20</b> | Flat 6 50 Engineer Lane -- proposed conservatory at terrace level showing drawings as existing and as proposed refurbishment of flat 50/6 Engineer Lane.                          |
| <b>343/20- F/16887/20</b> | 18 City Mill Lane -- installation of a slim a/c unit at our office with a casing covering it.   |
| <b>344/20- F/16906/20</b> | Flat 904 Sand Dune House, Beach View Terraces, Devil's Tower Road -- fit glass curtains on balcony convert boiler room into small toilet room using same wastage as main bathroom |

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next to it take down small partition wall in kitchen.

- 345/20- F/16910/20** 8 Admiral's Place, Naval Hospital Road -- replacement of windows.
- 346/20- F/16935/20** 17 Horse Barrack Lane -- proposed internal alterations and refurbishment of premises and replacement mezzanine deck.
- 347/20- F/16939/20** 2d Castle Road - new pergola on roof terrace and replacement glazed enclosure to loggia.
- 348/20- F/16954/20** 15 Europa Mews, Europa Road - placing solar panels on my roof.
- 349/20- F/16977/20** 19 Engineer Lane - extension outside terrace, outside covered area, new room suite, bathroom and laundry area.
- 350/20- F/16993/20** 14 Cannon Lane - internal repairs and remedial works, possible replacement of damaged windows and some waterproofing.
- 351/20- F/17021/20** 321 Main Street - application is made to install an automated teller machine (ATM/ cash dispenser) using an existing window within the demise. It is worth noting that the window is not operational and has been closed off internal for over 8 years.
- 352/20- N/16915/20** 2 Naval Hospital Hill - Proposed pruning, pollarding and topping works to a number of *Olea europaea*, *Schinus molle* and *Eucalyptus camaldulensis*.
- Approved subject to Tree Assessment recommendations.
- 353/20- N/17007/20** Sails Car Park, Queensway Road-opposite ragged staff wharf -- proposed removal of 2 x Palms and pollarding of 2 x Eucalyptus Trees.
- A series of large Red Gum of fairly good form. Pollarding is not supported but crowns should be cleaned well.*
- Two very small Canary Palms of poor form. They are not suitable for the planter they are growing in and should be removed and replaced with shrubs that are more appropriate to the planters.*

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**354/20- MA/16905/20** Police Station, 120 Irish Town -- renovate and extend the existing building for use as commercial office space and a public access gallery at ground floor level related to the history of the local police force. The extensions are a two-storey structure at roof level set back from the main facade, and minor extensions in to the existing courtyard space.

*Amendment: 1) omission of skylight 2) reduction size of air handling units and services platform on 4th floor terrace 3) changes to positioning of windows on elevations facing courtyard.*

**355/20- MA/16960/20** Unit 1 Casemates Square -- internal refurbishment-change of use premises from glass factory to bank offices, changes to facade, new flooring, structural alterations to recover historical arches, new electrics, drainage, etc.

*Amendment: replacement of part of existing metallic balustrade to solid wall partition. New concrete wall to replace metallic structure sidewall.*

### **356/20-Any other business**

**JH** recorded that she welcomed the roll out of the next large solar panel project at Europa Business Centre, and emphasized the need for the community to hear about these kind of projects.

### **357/20 - Next Meeting**

Next Meeting will be held on the 29th October 2020.