

# APPROVED

DPC meeting 1/21  
28<sup>th</sup> January 2021

## THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 1st Meeting of 2021 of the Development and Planning Commission held remotely via video conferencing.

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**Present:**

Mr P Origo (Chairman)  
*(Town Planner)*

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

The Hon Dr J Cortes (MESCE)  
*(Minister for Environment, Sustainability, Climate Change and Education)*

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 (CV)

Mrs J Howitt (JH)  
*(Environmental Safety Group)*

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

**In Attendance:**

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

Mr D Francis  
*(Minute Secretary)*

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The Chairman welcomed everyone to the first meeting of 2021 of the Development and Planning Commission.

### **1/21 - Approval of Minutes**

The Chairman mentioned that there were no comments in writing from any member on the draft Minutes. The Chairman moved to approve the draft Minutes without any correction and these were approved unanimously.

### **Matters Arising**

#### **2/21 -- F/16994/20 - Lancashire House, 8 John Snow Close -- Proposed alterations and additions to existing residence to utilise the existing building and add new components to the building.**

DTP explained that the application was for the redevelopment of the site and included the relocation of a garage belonging to another resident, in order to obtain the necessary width to provide adequate access to the application site. He added that an objection had been raised by one of the neighbouring residents that involved the access to the site. DTP reminded members that this application had been deferred at the previous meeting, in order to allow the parties involved in the objection raised, to resolve the situation. DTP reported that a meeting had taken place between the parties where an agreement in principle had been reached, dependent on a number of other issues.

DTP said that if there were an agreement, then there would be no need to relocate the existing garage. DTP stated that in the meantime, the applicant is still waiting for determination of this application, and felt that the application needs to be determined by the Commission. DTP recalled that the Town Planning Department's (TDP) recommendation was to approve the application as submitted, including the relocation of the garage. DTP added that if the Commission wanted, a condition could be included to make clear that if an agreement were reached between the parties, then the implementation of the relocation of the garage would not be necessary.

The Chairman asked the members for their comments.

DCM said that he supported the application. He said that there are a number of long standing issues that have been going on for years and years in relation to this particular site. DCM said that the application resolves the issues and it means that the other question of coming to an agreement with third parties does not arise. DCM added that after having seen the documents and designs, the application would solve the problem, and there will be no need to enter into any agreement.

MESCE recalled that if an agreement was not reached and the relocation of the garage were to proceed, there was one tree that had to be replaced. MESCE said that he would like to see the new tree in before the

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old tree goes as in many cases replacement trees have not been planted. MESCE recommended that the tree is replaced prior to the works as it only takes a short period of time.

JH suggested that the wording on the condition could be that the relocation is forbidden or that it will not happen. JH said that the loss of the trees is a consequence of the relocation of the garage and believed that there was more than one tree affected. JH said that it is great that they have reached an agreement to avoid this from happening, but she recommended that the wording should be a little bit more specific and confirm the fact that if an agreement is reached, the garage relocation is forbidden.

DCM said that he is quite happy to see the application, from his perspective, accepted as it is, and perhaps adding in only the condition that MESCE has referred to, which is on the relocation and replacing of the tree.

DTP responded to MESCE's comment about relocating the tree beforehand and expressed his concern that in this particular case, the demolition of the garage would likely be the first works to be carried out in order to allow access to the site. DTP feared that the replacement trees might be planted in an area where there will be works being carried out and highlighted the risk of the trees sustaining damage from construction work. DTP suggested coming up with an appropriate wording as a condition for that.

DTP also responded to JH's comment and said that what the TDP would like to do is grant permission for the application as submitted, which would include the relocation of the garage. DTP said that the Commission cannot know for sure if the agreement is going to be reached.

MESCE said that the Department of the Environment (DOE) needs to know where the trees are going to be planted. He said that Town Planning and DOE have to ensure that all the trees have been planted. MESCE added that sadly, in the past, it has not always been the case that developers have proceeded to plant where they have promised. MESCE added that the Commission does not want to lose trees in any part of Gibraltar.

The Chairman asked for clarification on the three to be removed. He asked whether the tree was recently planted or already existing and natural growing.

MESCE confirmed that the tree was not recently planted.

KB said it is a reasonably mature olive tree.

The Chairman said that they can work on the final location of the tree before the removal of the garage and suggested that one or two trees could be planted in its place.

MESCE said that if it is not possible to plant the tree before because of the logistics, they would still need to know where the placement will be and it will have to be a semi-mature tree.

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DCM acknowledged the points made by DTP in relation to the difficulties that could be caused, if they insist on planting before the actual removal or movement of the garage has taken place. DCM said that it would be a question of agreeing with the Ministry of the Environment exactly where that tree should go and does not think that should necessarily hold up or delay the application in any way.

The Chairman asked the members if they had any adverse objections to the scheme. No objections were raised.

The Chairman moved to approve the application as submitted. The application was unanimously approved.

### **3/21 -- MA/16928/20 - The Cornwall's Centre, Bell Lane/Cornwall's Parade -- Proposed extensions and alterations to ground floor commercial units.**

DTP said that this is an application for minor amendments to an existing permission, which included a slight alteration to the boundary wall. DTP referred to the photos on screen. DTP said there was a concern raised at the last DPC meeting about the loss of visibility from the junction of Cornwall's Lane into Cornwall's Parade and as a result of that, the Commission decided they should not approve the changes to the boundary wall. DTP said that subsequent to the last meeting, the TDP established that the Technical Services Department (TSD) and the Traffic Commission, had already considered this issue and agreed appropriate mitigation by placing a mirror. DTP added that there are plans to improve the Cornwall's Parade area generally, which would most likely include the relocation of the traffic lights to this junction. > On this basis, DTP asked the Commission to allow the construction of this wall as per the submitted plans.

The Chairman asked whether the wall included the hedge. DTP confirmed that it did.

MESCE enquired about the orange trees and the condition that followed the original application. He said the condition required the original orange trees were to be replaced. MESCE said that the trees could not be placed on the ground because of an underground carpark and they agreed that they would have to be in planters. MESCE said that there are no trees in this proposal and there is just a hedge.

DTP assured the Commission that the matter would be looked into to ensure compliance with any conditions.

The Chairman asked the members if they were amenable to retract the objections to the wall and approve as shown on the screen. The Chairman moved to approve the application.

The objections to the wall were retracted and the application was unanimously approved.

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### Major Developments

#### 4/21 -- F/16799/20 - Devil's Tongue, Queensway -- Proposed development of a multi-storey mixed use development to include residential, aparthotels, offices, commercial, retail, cafe / restaurants and underground car park as well as a public podium level comprising retail and public spaces.

DTP said that this is a major development and is a full application at Devil's Tongue. DTP said that Mr. Michael Carlton, Mr. Robert Matto and Mr. Jesus Espada were present at the meeting and represent the applicant.

DTP explained that the proposal is for a mixed use development of a 17 story building on what the TDP would refer to as an island site, which is surrounded by Queensway, Devil's Tongue and Waterport Road. DTP said that outline planning permission was granted in 2019. He said the highest part of the building is just over 55 meters in height, it would have 79 apartments, and 26 of those would be an apart hotel. DTP explained that there is almost 4000 square meters of office space and almost 850 square meters of retail space. He said there would be some public open space on the area of the site which is currently the site of the petrol station. DTP added that there will also be a fully automated underground parking system.

DTP said the application is generally in line with the outline planning permission granted in terms of height, scale, mass and the architectural treatment of the building. He said the main differences are the underground car parking, which is on one larger floor rather than the previous proposal, which was to go down two levels. DTP said the other main change is that the number of apartments has been reduced from 71 to 53 but then there is a 26 apart hotel.

DTP ran through some of the main plans for the development and referred to the drawings shown on screen.

DTP said that the basement carpark will be approximately three to four meters in depth, and as mentioned previously, has a completely automated parking system. DTP added that the basement level would also house the generator room, distributor room and water tanks for irrigation.

DTP said that on the ground level, they have access to the garage through Devil's Tongue and there are three retail units on the ground floor together with outdoor seating areas. He said that surrounding the whole building is a feature wall which would be a limestone clad wall which incorporates arches and is intended to reflect the nature of the city walls which are opposite and was also part of the design at the outline stage. DTP said that the site provides for a footpath around the whole of the development site. On the northern boundary a one and a half meter clear area from the kerb is provided which could be utilised in the future for a cycle route that would be able to join up with any long term or wider cycle routes to be incorporated by the Government. DTP explained the area of public space on the northern end of the site includes various landscaping.

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DTP noted a proposed design feature that reflects the line of the old mole that crossed part of the site through the use of different surface materials and would be an interesting heritage feature of the development. DTP explained that on the other side of Queensway there is a blocked up entrance to the city walls, which used to be the main entrance to the old mole. He said that the applicant, if the Government was amenable to it, would like to open it up providing another pedestrian access towards the old town.

DTP said that on the first floor the proposal is for three retail units which are overflowed by a double high podium. DTP added that they will be accessible via an external staircase, but there will also be access via the lifts which serve the office element of this development.

DTP said that the second to the sixth floor are office layouts. DTP said that there are two different types of layout, one is completely open plan and the other a more partitioned office layout but essentially they would be similar in terms of their floor plates as you move up the building.

DTP said that the seventh to the fifteenth floors consist of the residential levels, there will be 79 apartments and 26 of those would be in the model of an aparthotel.

DTP said that on the fifteenth floor at the southwest end of the development, there will be two duplexes so they would link up to the sixteenth floor. DTP added that in addition to the duplexes, the sixteenth floor proposal is to have a restaurant with both internal and external seating areas, and the swimming pool and roof garden which relate to the residential element of the building. DTP said that there is also a screened ventilated balcony which is the location for the air conditioning plant for the office units.

DTP said that the roof is a flat roof with a solar panel array and then the normal structures that you would expect such as lift over runs and stair cores. He said there is a green roof over the restaurant which was requested at the outline stage and there are some indicative locations for bird nests to be incorporated into this level.

DTP explained that the envelope is largely a glazed curtain walling system with inclined facades and various protrusions and fins to add interest to the building. He said that parts of the facade have rain screen metal cladding and in the offices, they will have a combined double skin modular unit. DTP said that this is very efficient in terms of energy efficiency and reducing heat gain.

DTP recalled the outline planning permissions conditions:

1. There was a requirement for 10% of the parking areas to have an electric vehicle charging points and the applicant has indicated that this would be provided at just below this level.
2. There was an issue about mitigation for bird strike which was considered a risk because of the glazed nature of the building. DTP confirmed that there has been an agreement with the DOE and that two possible options were being proposed to be implemented from the third floor up; One is a fretted pattern on the glass so that it becomes more visible to birds and the second option is to

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introduce a UV striped coating to the glass, which is visible to birds, but virtually invisible to the human eye.

3. DTP said the Director of Civil Aviation did not have any objections in principle to the proposal but that there is a small infringement of the obstacle limitation surface, and that would either need the heights to be reduced slightly to come under the limit, or alternatively, they would need to provide an aeronautical safety case that would have to be approved by the airport authorities.
4. DTP said that there was a condition about the cycle route as previously mentioned. He said that the Traffic Commission has agreed that it would not be appropriate to provide a cycle route at the moment because there is no wider network for it to connect to. DTP added that the area has been future proofed in terms of allowing part of the northern boundary to be converted into a cycle route in the future.
5. In terms of renewables, there are various proposals being incorporated into the scheme including photovoltaic panels, and bird and bat nests. The DOE requires further details on those aspects.
6. DTP said there was also the condition to include a green roof over the restaurant and that has been incorporated.
7. There was a requirement for a historical desk-based assessment to be carried out which has been undertaken. DTP said that there is a high possibility that parts of the old mole structure will exist beneath the site and it is believed that there may be archaeological evidence of the development of the harbor, from the Moorish Times all the way through to the 20th century. DTP added that this had been addressed in their proposed mitigation strategy.

DTP summarized the proposed sustainability measures saying that in addition to the aforementioned photovoltaic array, there will be a centralized hot water system with a primary electric source being the grid, but a secondary source would be air source heat pumps. DTP said that there are other fairly standard measures such as LED lighting, low flow sanitary fittings, smart metering, and they are aiming for the EPC to achieve an A rating. DTP said that the double layer glazing throughout this building does allow the building to temper itself from the effects of wind and solar gain and also allows for the residential users to be able to open windows and obviously benefit from natural ventilation. DTP added that there will also be rainwater harvesting.

DTP shared a 3D video presentation to the members and public.

DTP summarized on the comments from the consultees.

DTP said the Gibraltar Heritage Trust (GHT) and the Ministry for Heritage are satisfied with the work that has been done. He said the GHT have emphasized that should any remains be uncovered, they would strongly encourage the developer if possible, to try and incorporate elements of these into the development. DTP said that this would be dependent on any excavations and what is uncovered. DTP said the GHT also recommended that interpretation is provided on site of the heritage value of the area.

DTP said the DOE had its standard conditions.

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DTP said that the Traffic Commission required the exact locations of any Pelican crossings, which are being proposed as part of this development, in order to finalize agreements.

DTP said the TDP's assessment of this application is that it does follow the scale, the massing and the architectural treatment of the previous approved scheme. DTP said that there are some minor changes such as the aparthotel, which has now been incorporated into the residential element of the scheme. He said that there were no planning objections to this change and that in fact that could reduce parking demands on site. DTP said that the single basement carpark replaces the previous two levels of parking, which means that the level of parking would extend under the petrol station to the north, so it is a larger footprint in terms of the excavation. DTP added that the automated parking system is welcome and it is a space saving solution as there is no need for vehicle ramps to provide access to the lower levels. DTP also added that the provision of electric vehicle charging points would need to meet the 10% as a minimum. In terms of landscaping, the applicant has indicated that there will be seven mature trees planted together with other planters in the public open space area. DTP added that the roof top garden and green roof are also welcome elements.

DTP said that in terms of the architectural treatment, the design is contemporary and bold and it has not been diluted from the scheme that the DPC saw at the outlines stage.

DTP said that no reference had been made to the external illumination of this building and would suggest that the external illumination is kept to a minimum to avoid detracting from both the city walls and the backdrop of the old town. DTP recommended that if the scheme is approved a lighting strategy should be submitted and approved by the department.

DTP said the TPD's recommendation is to approve the application with conditions reflected in the comments from the consultees.

The Chairman asked the members for their comments.

GM congratulated the developer for incorporating the changes and conditions set by means of the outline planning permission. GM referred to the substation, which is now going to be incorporated within the confines of the proposed building in the basement, and not on the outside of building. GM added that he wished to commend once again the proposal for a roof top restaurant. GM asked whether the TPD was aware if a market study has been conducted in order to be able to determine whether this is just a schematic proposal or whether it has some substance to it, which would enable us to be able to enjoy a rooftop restaurants in the future on top of some of our major developments.

CAM thanked DTP for the summary and added that the desk based assessments were very good and a lot of consideration has been given to potential archaeological finds and ways of dealing with them. CAM said that if anything were discovered, it could be a very good example and set the bar for how we deal with urban

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archaeology. CAM said that they believe the building concept itself with all its public spaces, the way it is designed, and the road level is very welcoming. Nevertheless CAM stated that they feel that the location is wrong. She said it is too close to the city walls and they could not support it.

DCM said he really liked what had been done with the ground floor. He pointed out that the video was certainly very helpful in getting a 3D view of exactly what will go where. DCM said he particularly welcomed the idea of opening up the access through the city wall, which was in fact, the only access to Gibraltar from that point, until the wall was breached for the road. DCM added that at the time, it was also the direction people would come into and arrive at the mole. He said that this was the only mole of Gibraltar and marking the existence of that mole through the building is a very good and a very welcome development.

DCM said that he liked the idea of having the aparthotel and echoed GM's comments regarding the rooftop garden and restaurant. DCM confirmed that the application went through outline planning and the concept was approved in March of 2019. It came back for an extension in May 2020, where the Commission took a different view and decided not to extend the original application for outline that centered mainly on the height, the massing, and perhaps even the design and added that he had concerns in this area. DCM said that there is a land issue that remains unresolved in relation to the forecourt. He said the forecourt is Government land but stated that this is not a planning consideration. DCM said that there are very positive and very welcome aspects largely on the lower half of the building, but felt that in relation to the massing, and the heights, nothing has changed since May 2020.

JH concurred with the comments by DCM and CAM. JH said that original comments and concerns raised by them at the original outline meeting and at the extension request, still stand. JH added that this was also the case for concerns regarding the massing, the impact on the environment and strategic vistas, and impacts on birds. JH said that the summary in recommending for approval does not reflect these very serious concerns that were also echoed, post permission by up to 4000 signature petition by the community. JH added that the community live here and have a legitimate voice in this too. JH said that the new energy law also raises a very significant turning point.

MESCE agreed with DCM that there are many positive changes at the lower levels but was concerned with the height and the massing, particularly so close to the city walls.

MESCE informed the Commission about the comments from the DOE. MESCE said the DOE was not satisfied with the information submitted to date in respect of energy performance and renewable energy. He said that the applicant had not conducted a renewables assessment, and although the DPC paper mentions a large PV array on the roof, the visuals show that this is not significant, and will be unlikely to meet the necessary targets. MESCE mentioned that the architects have been aware since October 2020 that nearly zero energy building requirements were to be introduced and these are now in place. MESCE explained that the predictive EPC has been assessed by Building Research Establishment in the UK, and errors have been found in the assessment. He said the DOE would require the applicant to resubmit a predictive EPC using the updated software and confirm that the building will meet the requirements, both for primary energy and for renewables. MESCE had reservations about the energy performance as the

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applicant failed to meet the original requirements and would now have to adapt to the new zero energy requirements.

The Chairman invited the applicant or agents to address the Commission.

Mr Richard Abrines (RA), from E&M Consulting engineers, said that the first predictive EPC was carried out in the early part of 2020 during the months of April and May.

RA said that the comments made by the Buildings Research Establishment were valid but they were more a reflection of the early development stage at which the building was, rather than errors in the calculation. RA said the predictive EPC carries a load of numbers, but does not require any more than just the construction of the model using the accredited software, and the spreadsheet that substantiates all that data. RA said that the DOE are correct in saying that there is legislation in place in Gibraltar to take us towards a zero energy building policy. RA claimed that the reason that a full renewable energy assessment had not been provided was because the new software had only been made available two weeks prior to the meeting. RA said it is incumbent to run the calculations and carry out the assessment using the new software, and invoke some of the conditions that the DOE are advising that will be introduced. RA asked the DOE whether the assessment is going to be validated against real time data and the final building performance.

The Chairman thanked RA and informed him that all the energy performance certificates are assessed through the building control process, and the certificate of fitness will be issued accordingly thereafter.

RA reminded the Commission that although there were some issues raised, the predictive EPC still achieved an A rating.

MESCE said that the building industry has been aware that throughout the world, energy requirements are being increased. MESCE was concerned about the errors found in the predictive EPC and felt that there were still some gaps in the requirements even when referred to the previous, less stringent requirements.

The Chairman asked the members for any further comments.

DTP said that there have been some members who obviously have expressed concern about the architecture, treatment and the massing of the building. DTP said outline planning permission was granted, in principle for a building of this nature and it is difficult for the Commission to reverse that decision unless there has been a significant change in circumstances and it would need to be a material change. DTP was concerned that this might promote a loss in confidence in the planning process. DTP said the applicant has developed a scheme based on the previous approval and under recommendation by the Commission, to keep the design bold and contemporary. DTP said that there were some members who were not in favor of it but there was a clear majority in favor of the proposal at the outline stage.

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DTP said that the applicant would need to meet the new energy standards, and if the application were to be approved, they would either condition the permit or alternatively, not issue the planning permission until they have demonstrated that the standards will be met to the satisfaction of the DOE.

DTP reminded the Chairman that GM's question about the rooftop restaurant was yet to be answered.

MESCE said that the outline permission was not extended due to a change in concept that the Government was promoting and referred to the Government Manifesto.

DCM echoed MESCE comment and said that it is true application for outline was originally approved in March of 2019. DCM said there was a subsequent discussion in May 2020, after a general election in which the Government was elected on a particular policy, which was the go green policy. He said that as a result of the new policy, the Commission in part, decided to refuse the extension of the application. DCM thought that in terms of the massing, and the heights, in the context of the material change, and the new policy that came in, the DPC needs to reconsider and tweak those issues. DCM believes the planning process, planning principles, policies, and Government policies will continue to evolve with time, and added that the loss of confidence in the planning process will happen if the application is approved as submitted.

The Chairman asked the applicant to expand on the concept for the rooftop restaurant as the experience from other developers to have rooftop restaurants is that they say it is economically unviable.

Michael Carlton (MC) said that it is their intention to have the rooftop restaurant. He said it is something that given the position of the building, would be ideal with a view looking over the town and the rock and believes it would be a magnificent backdrop. MC said that given the central location of the building, it would be a very viable and very sought after location to have a restaurant.

The Chairman said that even though the Commission denied the renewal of the outline permission, the current application had been submitted in February, post elections but before the outline expired, and as a matter of procedure, the DPC has to look at the application in line with its previous decision. The Chairman said that members have the right to comment on manifesto commitments, if it is applicable to this application but reminded the Commission that the outline application was approved by majority of seven, two abstentions and one objection. He added that the applicant was guided by the outline permission to submit a high rise development and a character which is submitted today.

The Chairman said that members of the Commission may have the right to change their views, and that is respected and will be accepted but the applicant has abided by all the planning requirements and conditions. The Chairman said that the Gibraltar Development Plan guides development outside the city walls to be high rise and referred to a photo shown on screen. He said that adjacent buildings like Imperial Ocean Plaza, Majestic Ocean Plaza and Royal Ocean Plaza are just as far away from the city walls as this proposed building.

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The Chairman asked the Commission to bear in mind that if the application is refused, there could be an appeal on the basis of unfair decisions based on precedents. The Chairman also informed the Commission that there are sitting occupiers of the proposed site who are apparently not willing to sell, so the scheme may change altogether, even if the application is approved by majority.

DCM thanked the Chairman and respected everything that he had said. DCM said with respect, that the DPC is ignoring the fact that a different decision had been taken in May 2020, precisely for the reasons that have been explained. DCM said that although certain aspects of the development are extremely welcome, the issues which were raised in May 2020, which led us not to extend the application, are still there.

The Chairman asked the applicant, based on changing circumstances, whether they were possibly amenable to study the massing heights of this building, so that they can address the concerns raised by the Government and the public.

MC said that they believe they have adhered to everything that DPC have originally requested. MC said that they had not changed any of the planning aspects, or the design aspects and all of those aspects had actually adhered to the original requirements of Government and DPC. MC said that the proposed site is literally a stone's throw from the Ocean Village buildings and are of very similar height and massing. MC said they have spent an awful lot of time, work and money to make sure that this is an iconic building, something that adds value to Gibraltar due to its character and pivotal position in Gibraltar.

MC believed that its current design and its current aspect adds an awful lot to the Gibraltar landscape and they believe it adheres to all the original building requirements. He added that they have done everything in their power to adhere to the massing and height and design requirements of Government and DPC and believes that the application should be accepted on this basis.

The Chairman said that the members of the Commission will not doubt your credibility in adhering to the planning conditions and outline, but that given circumstances post-election, the policies had changed in terms of the views of development and massing. The Chairman asked the applicant if they would be willing to consider mitigating the circumstances of massing and heights in the next phase of this development. He added that if this was not the case, a decision will have to be taken by the members of the Commission.

MC said that they will continue to do as much as they can to get the height and massing as they are already accommodating the zero emissions and everything else like that.

DCM said that there is no urgency in the sense that it is perfectly possible to defer the application and to tweak the issues of concern to the Government and to other members of the Commission. DCM said that there are still landlord issues to be resolved and to be agreed. He also said that the Government, as landlord, can still enforce a reduction in height, even if the planning permission is granted.

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The Chairman asked the members of the Commission if they would want to defer the application. He added that the applicants may need to re-address the site and its development because if the sitting tenants are not willing to release the sites, then the whole basis of the development has to be redesigned.

JH said that apart from the impact on strategic vistas, which is really important at this gateway to Gibraltar, you want to see the rock and not the building. JH also said that the other very serious issue is how it will meet the new energy standards and a report with that information is paramount before any permissions are given or decisions are made.

CV praised DTP's summary of the situation and agreed that a decision had been taken on the outline of the scheme regarding the big issues. CV was finding it difficult to go against an outline which had been previously granted and thought the applicant had made a very eloquent case for highlighting similar type buildings around the periphery of the city walls. CV said that there were even more buildings of the same type close to the city walls which had not been mentioned. He added that the Gibraltar Development Plan had not changed since then.

CV said that further issues brought up like energy performance are Building Control issues and is not really up to the DPC. He said that they are very important issues but they should fall in a different forum. CV was happy to take a decision from a planning point of view, but took the DCM's comments and said it is likely that Government will require to sit down with the applicant due to the policies changed following the manifesto.

MESCE said that if we go in favour of the application, as DCM and other members have pointed out, the DPC is being inconsistent with another outline planning decision, which is the extension that was rejected. MESCE said that energy performance is not a direct planning consideration, but it is increasingly important one. He also said that we are in a climate emergency and whether it is a planning condition or not, it can qualify how we decide to take a decision on any particular development.

KB asked the Chairman whether it might be the applicants who might request a deferral.

The Chairman allowed the applicant to consider the deferral for a second time as he was previously akin to planning permission.

MC said that the development is something that they all need to work together on and does not wish to go against Government policy. MC suggested to meet with the members in order to find a suitable solution and agreed that a deferral at this stage might be the appropriate way forward.

The Chairman deferred the application on the basis of the applicant's request. The Chairman thanked the members and applicant for the long debate on the matter and hoped to come to a development scheme that would be amenable to all parties.

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### Other Developments

#### 5/21 -- F/16858/20 - Unit 15 Dutch Magazine, 3 South Dockyard Approach -- Proposed conversion/enclosure and integration of the existing roof terrace into additional office.

DTP said that this is a full planning application at the Dutch Magazine site located near the South dockyard entrance. DTP said that the proposal is to convert and enclose an existing terrace area into an office space. DTP said that the main building is one of the historic dockyard buildings, which is currently used for storage and office use by a contractor. DTP said that in 2018, the DPC granted planning permission for a two storey glazed extension to the original building which was for office use. He added that it had a roof terrace which was accessed via a skylight-type hatch access.

DTP said that the extension was completed but it was not in full accordance with the scheme that had been approved. He said that they had used solid walls and also solid masonry parapet wall instead of curtain glazing, and they also included a full height stair core rather than the access hatch. DTP explained that the current proposal is for an application to build over the existing terrace to create a new storey of office space. DTP referred to the drawings shown on screen and informed the Commission that the height is slightly above the height of the existing staircore. He added that they would also include window units on the top level on both the south and west elevations.

DTP reported on the comments from the consultees.

DTP said the GHT does not support further encroachment into the gorge.

The Ministry for Heritage had no objection.

DTP said the TSD had an objection because the previous scheme did not project above the height of the historic wall and the new proposal does.

DTP said the application was subject to public participation and there had been no comments back from members of the public on the on the scheme.

DTP said that the TPD's assessment is that first of all it was unfortunate that the scheme that was built previously deviated from what had been approved, and he added that the TPD definitely do not condone that action. DTP said looking at it objectively, the TPD does not consider that it has a significant impact, primarily due to its location within the gorge at the lower level and the fact that it is very difficult, if not impossible, to actually see the site from public vantage points.

DTP said that the additional storey does not physically encroach further into the gorge itself as it does not extend the footprint of the building, and the increase in height compared to the existing stair core, which is there at the moment, is only a marginal increase. DTP recommended that full height windows are used to

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minimize the over-bearing effect on the western elevation. DTP said that the TPD's recommendation is to approve the application together with a condition on the fenestration on the west elevation to be full height glazing.

The Chairman asked the members for their comments.

CAM said that they cannot support a further addition to the building. She said there has been a general erosion and increase over the last few years and it has changed from what it originally was meant to be purely storage. CAM felt that it would just continue to grow.

GM said that this proposal is starting to increase the height of the building. He said that unfortunately the original conditioned requirements which needed to be embraced as part of the design were not adhered to. GM seriously concurred with CAM's observations and would be objecting to the proposal.

JH wished to support the comments that CAM had made.

The Chairman asked DTP to expand on the reasons given for the proposed extension.

DTP's understanding was that the business is expanding and required further office space related to their current existing operations. DTP emphasized that the building really is not visible. He explained even within the Dutch Magazine area, it is shielded by existing buildings all around it. DTP said that in terms of visual impact, the change in visual impact will be very marginal.

The Chairman asked the members to vote on the application as submitted.

In Favour -1  
Abstention -2  
Against -7

The application was refused by majority vote on the grounds of the increase in height being a visual intrusion.

### **6/21 -- F/17018/20 - 6 Library Street -- Proposed installation of a flag on the façade of the building.**

DTP asked Mr Giovanni Baglietto (GB) to present the application.

GB explained that the application is for a minor development involving the installation of a single wall mounted flag. GB said the reason the application has been brought to the Commission is because the principle of the development does not comply with the DPC's policy for flags in the town center. GB said the building is situated at the corner of Main Street with Library Streets and is a four storey building consisting of ground floor commercial use and residential use on its upper floors.

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GB explained that the proposed flag is to be located above what is the main entrance to the residential part of the building and would be attached to a two meter high flagpole, positioned at a 30 degree angle, overhanging Library Street. He said both the flag and its supporting base will be made out of stainless steel and will be bolted onto the ground floor facade as is indicated on the section drawing.

GB said the purpose of the flag itself is to announce that the existing residential parts of the building located on the upper floors, are currently being renovated and would depict the brand image. GB informed the Commission that the applicant originally applied for six flags but changed the proposal to just one after being advised of the DPC policy.

GB said that in terms of consultation responses, there were no objections from the various consultees. He added that the TSD originally did raise some concerns due to the number of flags and the lack of information on what was going to be depicted on the flags.

In terms of the TPD's assessment, the presence of the flag on the facade itself will not create a visual impact or detract from the architectural quality of the building. GB explained that the issue arises in respect of the DPC policy, which has been implemented since 2010. He said that the policy is not a GDP policy, but is instead a policy decision that was adopted by the DPC. GB said the policy requires that only institutions be permitted to erect flags and that this will be limited to just one and since the adoption of the policy, there have been a number of refusals for such applications, on the basis that they did not meet the criteria of the of the policy. GB concluded by stating that the TPD were unable to support this current application due to the policy, the planning history for similar proposals and also in the interest of maintaining consistent decision making on this subject.

The Chairman thanked GB for his presentation and asked the members for their comments. No comments were made.

The Chairman moved to refuse the application.

The application was unanimously refused on the grounds of policy decision by the DPC consistent with previous decisions.

**7/21 -- O/17051/20 "Bella Vista Cottage", No.10 Bella Vista Close -- Proposed refurbishment of property including demolitions of existing elements, proposed constructions of new build extensions and external works including the construction of a new swimming pool.**

DTP said that this is an outline planning application at 10 Bella Vista Close and known as Bella Vista Cottage. He said the application is for the refurbishment of the property including some demolitions of existing elements, new extensions and works in the garden area, including a new swimming pool.

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DTP said that it is a plot of approximately three and a half thousand square meters, which is accessed from a cul de sac off Mount Road.

DTP explained that the original development on the site was the cottage and the main building, which were built in the latter half of the 1800s and are of Georgian style. DTP said that it is quite a large property set in a large garden plot and has an existing swimming pool with terraced gardens and a wooded area to the east of the large house.

DTP summarized the proposals and said that if a new vehicle ramp was proposed leading down to the lower level of the site into a six space garage, which is linked to the house itself.

DTP said that on the ground floor, there is a new vehicle entrance located on the northern boundary giving access onto the cul de sac. He said that the garage has a green roof over it so that it all leads into a single level area of garden in the new development, and the existing cottage, which is part-one storey and part-two storey, is partially demolished, leaving both the northern and southern facades of the building. DTP explained that on the northern side, it effectively creates a boundary wall with an entrance courtyard behind it and then the new extension on a smaller footprint than the existing cottage is built, retaining the southern facade of the building, including a veranda on the upper level. DTP informed the Commission that the ground floor is excavated further back to essentially create a new central core to the house to allow for easy vertical circulation throughout the house.

DTP said that there is also an extension on the southern side of the main house, which is the construction of the gymnasium, which then leads on to a plant room and machinery room and the swimming pool.

DTP said that the first and second floors mainly consist of internal reconfiguration of the existing building. He said that the colonnade and gymnasium at this level have green roofs over it creating a single or a level area of garden as a result of the of the new developments.

DTP said that on the third floor, there will also be internal reconfiguration with small changes to the roof form. He said that at roof level, the existing roof is removed and replaced with a completely new roof as part of this proposal.

DTP explained that a full tree survey has been undertaken, which identified all mature trees, and there will be seven smaller trees to be relocated within the plot, with all the others remaining as they are. DTP said that there would also be substantial new landscaping, including green roofs, living walls, and the planting of some smaller trees. DTP noted that there is an existing water tank to the east of the main house that is going to be retained and reused for rainwater harvesting.

DTP informed the Commission that a swift survey has been undertaken on this building and there were no swifts found to be present or any indications of them using it. DTP said the recommendation coming out of that survey was that nests for sparrows and starlings should be included in the new development, as they are more likely to use this area.

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DTP summarized on the comments by the consultees.

DTP reported that most of the conditions were standard conditions but highlighted the condition set by the DOE for the swimming pool to be a saltwater pool as opposed to freshwater pool.

DTP said that there is also one tree to be relocated, which is identified as tree number 152, and is a mature cypress tree in good form. Following the tree assessment by the DOE, it is recommended that this tree is retained as the relocation of the tree would probably not be successful.

DTP said that the GHT indicated in their comments that the entrance gateway, which is a contemporary style gateway, that it would be more beneficial if it were to be designed in a more traditional manner to help maintain the character of the cul de sac.

DTP said the application was subject to public participation and no comments were received from members of the public on the application.

The TPD's assessment is that they welcome the engagement that the applicant has had with both the TPD and also the DOE, GHT and the Ministry for Heritage. The TPD welcome the focus on retaining and enhancing the historic fabric of the building and also the natural heritage through retaining the original facades of the cottage, the sensitive refurbishment of the main building and limiting development to minimize the impact in the garden areas.

DTP explained that the proposal does involve the loss of the original cottage, other than the north and south facades. He said they are being retained on the north facade mainly to try and maintain the character of the cul de sac and on the south facade because of its very traditional vernacular architecture, and particularly the incorporation of the verandah at first floor. DTP said that this decision came as a result of discussions with the heritage bodies, the developers and the applicant has agreed to retain those facades. DTP said the TPD agreed with the GHT's comments in relation to the entrance gate and they feel that a more traditional designed gate would be more in keeping with the cul de sac.

DTP explained that although the GHT have not raised any objections, the TPD were concerned in terms of losing an original building dating from the 1800s notwithstanding the fact that they are retaining the facades. DTP added that the Commission will need to take a decision on whether they are happy to allow the demolition or partial demolition of the cottage and whether it is acceptable that the new west extension, does incorporate contemporary elements, in particular the double height windows.

DTP said the TPD's recommendation would be to approve this application subject to the DPC taking views on the partial demolition of the cottage and the contemporary treatment of the west facade of the new extension. He added that any planning permission issued should include conditions relating to the design of the entrance gate, retention of the Cypress tree, protective measures for protecting the remaining trees to ensure they are not damaged as part of any new development, and specifically, the requirement to have a saltwater pool.

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The Chairman asked the members of the Commission for their comments on the three issues raised.

CAM informed the Commission on their collective decision on the cottage. CAM said that they did a lot of research together with the Ministry of Heritage into the development of the building and since they could trace a building on the site, there were also intrusive tests done on the building and at various points looking at the fabric trying to work out how and when it was extended. CAM said that as a result of that, they concluded that there was not one single phase to the building of the cottage and it was originally a shack from what could be seen in written records and also on OLS maps. CAM added that the building did not have a final form other than the character that it gives to the whole area. CAM explained that when meeting with the architect, their aim was to try and retain as much of the streetscape and as much of the main character of the building as possible, which has been presented today.

The Chairman thanked CAM for the information and asked the members for any further comments.

JH said that as an environmentalist, she could see the transformation from what has been allowed to revert to a very natural wooded environment, which is seeing quite a radical transformation. Undergrowth in the mature preserved area and virtual clearance of all undergrowth in what is an amazing plot of land that is very rare and precious in Gibraltar. JH was very glad of the close oversight by the heritage bodies and the DOE and hoped that the protection of trees in these large plots in Gibraltar remain protected and stay in place.

MESCE was concerned that they had not heard anything about energy performance on this application. MESCE said that this used to be the Deputy Governor's residence and is part of Gibraltar's history. He said that he was not happy with that extension to the south and thought it introduced too many modern features. MESCE also said that the landscaping does not go with the traditional landscaping of south district gardens. He said that he would ask for more traditional landscaping in the Gibraltar style and referenced The Mount and the Alameda Gardens. MESCE added that the landscaping was also part of our heritage.

MESCE pointed out that he was not familiar with the small trees and if they have to be relocated, they would need to know where and make sure it is practicable and also thought that trees could be included. MESCE suggested that trees could be planted by the pool to provide better shade and pointed out that trees can be grown on roofs if properly planned. MESCE reiterated that he was uncomfortable with the extension on the south of the property, including the gymnasium. MESCE was not so concerned with the cottage area but suggested that it could also be redesigned to look more traditional.

KB echoed MESCE view that they expected the landscaping to be in keeping with the landscaping around the South district.

CV said that he did not have strong objections to what is the building and the style and thought it was a fantastic design. He said that in terms of the landscaping and advice, he leaves it to the experts. CV said he

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did not have any strong issues about the traditional setting for the gate and thought that it is a very subjective view. CV thought the architects had also been meticulous in their approach and reached out to every single department trying to see how they can design to the best of their abilities. CV added that the applicant had hit the mark on the good proposal on the cottage and had no objections to the proposal. CV added that the GHT had done the correct thing and said that just because something is old, it does not mean it is significant so he was happy to approve the proposal.

The Chairman asked DTP for a visual of the existing pool area to be shared on screen and for confirmation on whether there are trees growing within the area or whether it was a terrace.

DTP shared the photo on screen and confirmed that it was a terraced area. DTP said that that the details of new landscaping, have not been looked into in detail at this stage, because it is an outline application. DTP explained that the visualization shared on screen are very much computer generated images but assured the Commission that if the application were to be approved, they could certainly include a condition to the fact that the landscaping design needs to respect the more traditional style of gardens in this particular area of Gibraltar.

CV added that the Commission should not lose sight that this property was to a very high ranking official within what is the crown and similarly, The Mount has got its lawns and its pool, and the Convent itself has got a landscape that is very different. CV said that this was the deputy Governor's house and having lawns perhaps is not that alien to this particular type of property.

MESCE said that the artist's impression given was just lawns without any borders, without any vertical stratification and without any trees at all. MESCE made reference to the photo on screen and pointed out that it was the kind of landscaping style he was looking for. Terraces at different levels, with trees, shrubs, rather than the Costa del Sol type, lawn, pool and sunshades. MESCE said that this is easy to achieve and was sure that the landscape designer, would be able to incorporate those if this project goes through. MESCE added that the DPC would need to have considerably more detail when it comes to the full planning application and believes that if the application is granted outline permission, they would have to make sure to advise on what sort of plans and what sort of things would be suitable.

The Chairman referred to a similar application in Europa Road next to Suffolk and Surrey House.

MESCE said that the application referenced is using artificial grass and requested that the TPD include a planning condition that they do not use artificial grass in this one. MESCE said that people in the South District are increasingly getting away with having artificial grass in garden areas. MESCE said that artificial grass is fine when replacing a patio which did not already have any greenery, but not if you are replacing the garden.

CAM wished to add to MESCE's earlier comments on landscaping and mentioned that there is a part of the garden layout where there is a courtyard, and the applicant had committed to keeping that layout which

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can be traced all the way back to 1865. CAM said that there will be elements of the traditional garden that will be retained and hopefully expanded upon.

The Chairman moved to voting on the issues raised. A vote was taken in terms of the traditional gate entrance to the alleyway on Mount road and the condition requirement by GHT to make it more traditional.

The condition was unanimously approved.

A vote was taken on the loss of the cottage proposed modern character of the proposed extension.

In Favour - 6  
Abstentions - 0  
Against - 5

The proposed extension to the cottage was approved by majority vote.

A vote was taken on the southern extension to the property.

In Favour - 7  
Abstentions - 0  
Against - 3

The application was approved by majority vote with the condition that the applicant must abide by the landscaping rules.

JH reminded the Commission that there was also the question of energy performance.

The Chairman said that the conditions in the outline planning permission will follow through into the full planning application and until building consent is clarified.

DTP explained that a standard condition at outline stage will be that they need to provide the relevant assessments, which now will need to meet the nearly zero energy building standards, so the applicant will need to be aware of that and submit it at the full application stage.

### **Minor and Other Works- not within scope of delegated powers**

**(All applications within this section are recommended for approval unless otherwise stated).**

**8/21 -- F/14762/17 - South Wing of 40 Engineer Lane - Proposed refurbishment and conversion of existing residential units and construction of single storey extension.**

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The application for relaxation of the Building regulations was approved.

**9/21 -- F/16376/19 - 86-92 The Riviera Promenade, Catalan Bay – Proposed change of use of vacant units (Class A3) to residential units (Class C3) together with the refurbishment and extension of the external public promenade.**

The application for relaxation of the Building regulations was approved.

**10/21 -- F/17194/20 - Continental Hotel, 1 Engineer Lane -- Proposed refurbishment of building, formation of roof terrace and conservatory and alterations to ground floor facade.**

The Chairman said that previously the DPC had seen schemes before on Turnbells Lane and Continental Hotel together. He said that it is now a single application where the existing building will be refurbished to convert into residential units and the ground floor to be used for commercial. The Chairman said it is a regeneration of the old town from and transformation of the hotel into a more amenable character. The Chairman said that as part of the planning conditions, the TPD would ensure that old architectural features are really integrated into the scheme in a subtle way.

DTP commented that the TPD is recommending approval of this scheme, with the exception of the fenestration at the ground floor level, where it was proposed to replace the existing arched windows with rectangular full height windows, on both the Turnbells Lane and Engineer Lane. DTP recommended the retention of the arched window forms, rather than removing those and replacing them with the rectilinear ones. The Commission agreed.

**11/21 -- F/17225/20 - 27/4 Hospital Ramp -- Proposed loft conversion and extension to property.**

This application was approved.

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

**NB: In most cases approvals will have been granted subject to conditions.**

**12/21 -- F/15221/17 - Unit 3, Rock Rose House, Waterport Terraces, North Mole Road -- Proposed refurbishment and conversion of nursery premises into stores.**

**13/21 -- F/16465/19 - 5 South Walk, Europa Walks Estate -- Proposed internal alterations.**

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14/21 -- F/16479/19 - Alma House, 311 Main Street -- Proposed change of use of part of ground floor and whole first floor from residential (Class C3) to office (Class A2) and new link to adjacent property.

15/21 -- F/16513/19 - 806 Viking Lodge, Mons Calpe Mews -- Proposed installation of glass curtains.

16/21 -- O/16624/20 - The Estate, 8 Naval Hospital Hill -- Proposed alterations to facade areas in the estate as guidelines for residents.

17/21 -- F/16814/20 - Eastern Beach Carpark Rooftop Eastern Beach -- Proposed relocation of power cabinet from 1st floor to top floor.

18/21 -- F/16836/20G - Temple Way, adjacent wall to exit of car park -- Proposed installation of feeder pillar.

19/21 -- F/16848/20 - 4 Ashbourne Ramp, Buena Vista Estate -- Proposed conversion works to basement.

20/21 -- F/16856/20G - University of Gibraltar, Europa Point Campus -- Proposed installation of an EMF radio receiver probe on the roof with associated equipment.

21/21 -- F/16872/20 - Blocks 4 to 6 Watergardens, Waterport Road -- Proposed replacement of the external soffit ceilings at the rear passageway to buildings.

22/21 -- F/16879/20 - 1002 Seashell House, Beach View Terraces -- Proposed installation of glass curtains and air conditioning units.

23/21 -- F/17053/20 - 66-67 Harbours Deck, New Harbours -- Proposed installation of a standby generator.

24/21 -- F/17064/20 - Buffadero Battery, Windmill Hill Flats -- Proposed deployment of 5G radio equipment.

25/21 -- F/17065/20 - Devils Tower Carpark (Roof), Devil's Tower Road -- Proposed deployment of 5G radio equipment.

26/21 -- F/17066/20 - Genista Battery, Devil's Bellows Lane -- Proposed deployment of 5G radio equipment.

27/21 -- F/17067/20 - Dudley Ward Tunnel Entrance (North), Brian Navarro Way -- Proposed deployment of 5G radio equipment.

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28/21 -- F/17068/20 - Eastern Beach Car Park (Roof), Eastern Beach Road -- Proposed deployment of 5G radio equipment.

29/21 -- F/17069/20 - The Haven (Roof), John Mackintosh Square -- Proposed deployment of 5G radio equipment.

30/21 -- F/17071/20 - The Rock Hotel (Roof), 3 Europa Road -- Proposed deployment of 5G radio equipment.

31/21 -- F/17074/20 - Customs House Canopy, Frontier Queue Loop -- Proposed deployment of 5G radio equipment.

32/21 -- F/17075/20 - 216/A Main Street -- Proposed change of use of unit from hairdressers (Class A1) to offices (Class A2) and associated refurbishment of premises.

33/21 -- F/17081/20 - House 3, The Island, Queensway Quay -- Proposed alterations and refurbishment of residence and garden area.

34/21 -- F/17090/20 - 10 and 11 The Island Queensway -- Proposed internal and external alterations including replacement windows and enlarged swimming pool.

35/21 -- F/17095/20 - 712 Sand Dune House, Beach View Terraces -- Proposed installation of glass curtains.

36/21 -- F/17096/20 - 1116 Sand Dune House, Beach View Terraces -- Proposed installation of glass curtains.

37/21 -- F/17097/20 - 1001 Euro Plaza, Block 5 -- Proposed installation of glass curtains.

38/21 -- F/17098/20 - 8 Ragged Staff Wharf, Queensway Quay -- Proposed installation of glass curtains.

39/21 -- F/17099/20 - 101 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

40/21 -- F/17100/20 - 59 Prince Edwards Road -- Proposed alterations and extension.

41/21 -- F/17101/20 - Caleta Hotel (Roof), Sir Herbert Miles Road -- Proposed deployment of 5G radio equipment.

42/21 -- F/17114/20 - 37/A/1 Engineer Lane -- Proposed refurbishment of commercial unit including installation of mezzanine.

43/21 -- F/17115/20 - Office Unit, First Floor, 12/1 Bell Lane -- Proposed change from office use (Class B1) to residential use (Class C3) with associated internal alterations.

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44/21 -- F/17117/20 - 47C Europa road -- Replacement of five windows from uPVC sash to uPVC tilt and turn.

45/21 -- F/17123/20 - 1015 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

46/21 -- F/17133/20 - 10 Genista House, Europa Road -- Proposed installation of replacement window.

47/21 -- F/17135/20 - International Commercial Centre (Roof) -- Proposed deployment of 5G radio equipment.

48/21 -- F/17136/20 - 16 Windmill Hill Flats -- Proposed deployment of 5G radio equipment.

49/21 -- F/17137/20 - New Harbors Carpark (Roof) -- Proposed deployment of 5G radio equipment.

50/21 -- F/17138/20 - Arengo`s Carpark (Top Floor), Arengo`s Palace Lane -- Proposed installation of GSM mobile antennas and ancillary equipment.

51/21 -- F/17140/20 - Atlantic Suites (Roof) Europort, Europort Road -- Proposed deployment of 5G radio equipment.

52/21 -- F/17141/20 - Europort Block 9 (Roof), Europort Road -- Proposed deployment of 5G radio equipment.

53/21 -- F/17142/20 - Leisure Island (Roof) Ocean Village -- Proposed deployment of 5G radio equipment.

54/21 -- F/17144/20 - 1003 West One, Europort Road -- Proposed installation of glass curtains.

55/21 -- F/17147/20 - 1106 Imperial Ocean Plaza, Ocean Village -- Proposed installation of glass curtains.

56/21 -- F/17148/20 - 322 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

57/21 -- F/17149/20 - 1002, Block 5, Euro Plaza -- Proposed installation of glass curtains.

58/21 -- F/17152/20 - 701 Medina Jewel, Grand Ocean Plaza -- Proposed installation of glass curtains.

59/21 -- F/17153/20 - 417 Sea Shell House, Beach View Terraces -- Proposed installation of glass curtains.

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60/21 -- F/17155/20 - 116/1b 116 Main Street -- Proposed change from office use (Class B1) to residential use (Class C3) with associated internal alterations.

61/21 -- F/17160/20 - 423 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

62/21 -- F/17173/20 - 22-24 Ragged Staff Wharf, Queensway Quay -- Proposed subdivision of single office into three offices.

63/21 -- F/17175/20 - 2 Ragged Staff Wharf, Queensway Quay -- Proposed installation of glass curtains.

64/21 -- F/17177/20 - 14 Sand Dune House, Beach View Terraces -- Proposed installation of glass curtains.

65/21 -- F/17178/20 - 911 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

66/21 -- F/17186/20 - 8 Armstrong's Steps, Rosia Road -- Proposed installation of solar panels.

67/21 -- F/17187/20 - 8 Admiral's Place, Naval Hospital Road -- Proposed installation of air conditioning units.

68/21 -- F/17190/20 - 422 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

69/21 -- F/17196/20 - Port Tower Mast, North Mole (North) -- Proposed deployment of 5G radio equipment.

70/21 -- F/17201/20 - Unit F16, Europa Business Centre -- Proposed change of use from offices to meat storage and distribution.

71/21 -- F/17202/20 - 43/7A Governors Street -- Proposed minor internal and external alterations including refurbished/replacement windows.

72/21 -- F/17203/20 - 3 Moorland House, Ordnance Wharf -- Proposed installation of glass curtains and replacement windows.

73/21 -- F/17204/20 - 1202 Royal Ocean Plaza, Ocean Village -- Proposed installation of glass curtains.

74/21 -- F/17205/20 - 501 Europlaza, Harbour Views Road -- Proposed installation of two x box awnings on balcony.

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75/21 -- F/17211/20G - North Front Cemetery -- Proposed extension of Muslim cemetery and associated alterations.

76/21 -- F/17216/20 - South Wall, Swimming Pool, Marina Bay -- Proposed repairs to and rebuilding of existing wall.

77/21 -- F/17219/20 - Flat 1D, 2 Hospital Ramp -- Proposed construction of pergola on roof terrace.

78/21 -- F/17232/20 - 62-64 Irish Town -- Proposed installation of ATM within doorway with rear access.

79/21 -- F/17233/20 - Napier House, 1 St Christopher's Alley -- Proposed refurbishment of building including minor extensions and external terraces to property, installation of swimming pool and construction of new boundary wall and entrance gates.

80/21 -- F/17238/20 - 2 and 3 Clifton Mews, The Clifton's -- Proposed amalgamation of two dwellings into one.

81/21 -- F/17239/20 - Ground Floor, 53 Irish Town -- Proposed change of use from office (Class A2) to retail (Class A1).

82/21 -- F/17251/20 - 2 Carmel House, 4 King's Yard Lane -- Proposed change of use from commercial to residential with associated internal alterations.

83/21 -- F/17256/20 - 410 Seashell House, Beach View Terraces -- Proposed installation of glass curtains.

84/21 -- F/17260/20 - 310 Sand Dune House, Beach View Terrace -- Proposed installation of glass curtains.

85/21 -- F/17262/20 - 404 Sand Dune House, Beach View Terraces -- Proposed installation of glass curtains.

86/21 -- F/17263/20 - 1104 Seashell House, Beach View Terrace -- Proposed installation of glass curtains.

87/21 -- F/17264/20 - 602 Abyla Lodge, Mons Calpe Mews -- Proposed installation of glass curtains.

88/21 -- F/17273/20 - Flat 30, Quay 29, King's Wharf Queensway -- Proposed installation of glass curtains and glass balustrade.

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**89/21 -- D/16519/19 - 56 City Mill Lane -- Proposed demolition of building.**

**90/21 -- A/17200/20 - 31-33 City Mill Lane -- Proposed installation of fascia signage**

**91/21 -- A/17208/20 - 84 Irish Town -- Proposed installation of fascia signage.**

**92/21 -- A/17226/20 - 62-64 Irish Town -- Proposed installation of fascia signage and projecting hanging sign.**

**93/21 -- A/17261/20 - Redroofs, 29 Devils Tower Road -- Proposed CITIHOME branding for hoarding.**

**94/21 -- N/17185/20 23 - South Barrack Road -- Proposed pollarding of Jacaranda mimosifolia and removal of Wild Olive.**

This application sought to pollard a large, mature and healthy Jacaranda mimosifolia which has been repeatedly pollarded in the past, and had resulted in the rapid growth of longer and weaker branches which pose a risk as they are susceptible to dropping. It was considered that the tree should be pollarded every 2-3 years to allow new growth.

**95/21 -- N/17218/20G - Office Of The Governor, The Convent Garden -- Proposed felling of multiple diseased citrus aurantium throughout The Convent and crown reduction of remaining trees.**

This GoG application sought to remove a series of diseased bitter aurantium of poor form throughout The Convent and crown reduction of remaining trees. It was considered that the removal of small aurantium of poor form is acceptable as part of the planning of the Garden and that The Convent Garden merits a detailed strategic plan that should include a strategy for the planting and maintenance of trees. It was also recommended to pollard the remaining trees and allow them to redevelop as well as improve the soil in their planters and feed regularly with nutrients to improve their health.

**96/21 -- N/17227/20 - Montagu Gardens -- Proposed works to reduce circumference of Erythrina caffra for safety reasons.**

This application sought to remove some dead wood and trim a branch of a very large Erythrina caffra of exceptional form that is in contact with a building within the Montagu Gardens complex. It was considered that the relevant branch should be very sensitively trimmed so that it is no longer in contact with the building and allows some room between the tree and building and that the crown of the tree is crowned to remove all the dead wood.

**97/21 -- N/17268/20G - Buena Vista Road -- Proposed pollarding of Schinus molle.**

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This GoG application sought to pollard a fairly mature Schinus molle which has been poorly pruned and pollarded in the past and would benefit from better management. It was considered that the knuckles of the tree should be pollarded and that the tree should be pollarded every 2-3 years, so that the crown is well managed and safe.

### **98/21 -- MA/17189/20 - 18-20 Town Range -- Proposed conversion of ground floor rear workshop and rear storage unit to residential use, construction of extension and associated internal and external alteration to refurbish property.**

Consideration of proposed Minor Amendments including:

- Change of use of basement workshop unit to retail (associated with approved retail unit above);
- New internal stairs to basement from within the approved retail unit;
- Amalgamation of two flats on the first floor into one x four bedroom flat;
- Provision of new patio on first floor level;
- Removal of window and new external terrace at third floor level;
- Lift to reach roof terrace level;
- Installation of 1.1m glazed railings with stainless steel bars; and
- Other minor alterations to interior layout.

### **99/21 -- MA/17212/20 - Flat 6, 50 Engineer Lane -- Proposed extension on roof level.**

Consideration of proposed Minor Amendments including:

- Change of roof design from dual pitch to mono pitch.

### **100/21 -- MA/17234/20 - 2 Hospital Ramp -- Proposed construction of four town houses and storage facilities**

Consideration of proposed Minor Amendments including:

- Proposed installation of metalwork gate.

### **101/21 -- MA/17243/20 - 10 and 12 Arengo's Palace Lane -- Proposed construction of apartments, car park and roof gardens**

Consideration of proposed Minor Amendments including:

- Realignment of building on north façade due to actual construction of adjacent Arengo's Car Park and associated demolition of part of this which has planning and BC approval;
- Provision of GEA substation and rooms for Aquagib plant room at basement level;
- Relocated gym and laundry at ground floor level;
- Amplification of south east corner between first and third floor level to act as retaining wall structure and increase floorspace of first and second floor apartments with store at third floor level;

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- Amplification of south east corner between first and third floor level second floor levels;
- Installation of lift and rearrangement of staircore on Southern Elevation (opposite direction);
- Projection of southern lift at roof level;
- Additional lift and stair core at northern end of roof level;
- Rearrangement and enlargement of swimming pool at roof level;
- Changes to window arrangements on north elevation;
- Reconfiguration of green walls within development; and
- Changes to fenestration on West and South elevation to windows and balcony arrangements.

### **102/21 -- MA/17244/20 - 32A Rosia Road -- Proposed construction of a new dwelling.**

Consideration of proposed Minor Amendments including:

- Proposed installation of PVC screens to screen plant rooms at basement level.

### **103/21 -- MA/17245/20 - 94 Devils Tower Road -- Proposed construction of a two storey protective canopy with an adjoining 'link tunnel' providing pedestrian access from Devil's Tower Road to the entrance of the inner rock tunnels.**

Consideration of proposed Minor Amendments including:

- Reconfiguration of areas below the canopy, to include ticketing office and storage area;
- Minor adjustment to canopy geometry to suit development structural design; and
- Adjustments to the geometry of the tunnel embankment to match specialist engineer's indications.

### **104/21 -- MA/17246/20 - 29-35 Engineer Lane And Adjacent Carpark -- Proposed construction of building containing 59 residential apartments, 3 commercial units and ancillary areas.**

Consideration of proposed Minor Amendments including:

- Change of use of basement commercial premises from gymnasium to stores for both residents and the public; and
- Re-sited location for Aquagib meter room and new WC.

### **105/21 -- MA/17257/20 - 6 Chichester Ramp, Buena Vista Estate -- Proposed construction of internal staircase down to new basement level with new bathroom and two new bedrooms.**

Consideration of proposed Minor Amendments including:

- Setting back of approved basement conversion from perimeter wall.

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### **106/21 -- MA/17270/20 - 267-269 Main Street -- Proposed fifth floor extension and creation of roof terrace gardens, installation of lift and internal refurbishment to common areas of property.**

Consideration of proposed Minor Amendments including:

- Replacement of exterior tile cladding of west elevation with render;
- Replacement of approved glazed balustrading at roof level with metal vertical railings;
- Reconfiguration of apartment layouts;
- Slight extension to west facing flat on third floor to bring out to building line;
- Omission of roof top pergola; and other minor internal alterations.

### **107/21 -- MA/17274/20 - 17 - 23 Governor's Parade and 76/78 Governor's Street -- Proposed internal and external refurbishment of property.**

Consideration of proposed Minor Amendments including:

- Minor internal alterations to the ground floor unit layouts, toilets and kitchenette;
- Minor internal alterations to the apartment layouts on upper floors of buildings; and
- Refurbishment/alterations to ground floor façade of Pickwicks unit involving removal of timber feature boarding and the retention and refurbishment of the existing timber door and timber box window including repainting.

### **108/21 -- MA/17287/20 - 1 St. Joseph's Road -- Proposed replacement of existing warehouse with a new garage building, residential parking spaces and stores.**

Consideration of proposed Minor Amendments including:

- Retrospective permission for increase in height of retaining wall from 0.9m to 2.5m; and
- Proposed installation of a 1.5m chain link fence above to provide protection to the public from falling when using the adjacent green space.

### **109/21 -- 1555/P015/20 - 48 Town Range -- Proposed repainting of facades of the building**

### **110/21 -- Any other business**

JH had two quick points to address.

JH was interested in item 16, the estate at Naval Hospital hill where there had been revised plans in respect to planters between the properties. JH said that because most of them were opting to remove them, it was very positive to see that that this was being reviewed. JH asked if there was further information on the matter.

The Chairman confirmed that all who have requested a planter to be adjusted, will be required to keep it planted on a reduced scale which allows the planting of a tree and those who do not want to change can keep the full size on their side.

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JH said that they were in correspondence with Mr. Peter Cosquiere of the TPD about the deployment of the 5g equipment that is going up throughout Gibraltar at the moment. JH said they were asked to comment about it and feedback their request that a sign could be considered for the proposed antenna at Eastern Beach car park because it is very accessible as people are walking on the same level of the mast. JH asked whether there had been any follow up with Gibtelecom on the matter.

The Chairman confirmed that there has been a follow up to the Gibraltar Regulatory Authority and the TPD will be feeding back to JH the safety signage, which was meant for the applicant to adhere to.

JH thanked the TPD for taking action on the matter.

**The next meeting will be held on Thursday 25<sup>th</sup> February 2021.**