

## THE DEVELOPMENT AND PLANNING COMMISSION

### MINUTES

Minutes of the 12th meeting of 2024 held remotely via video conferencing on 14th November 2024 at 9.30am

**Present:**

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

The Hon Leslie Bruzon (MICS)  
(Minister for Industrial Relations, Civil  
Contingencies and Sport)

The Hon Dr J Cortes (MEEC)  
(Minister for Education, the Environment and  
Climate Change)

Mr H Montado (HM)  
(Chief Technical Officer)

Mr G Matto (GM)  
(Technical Services Department)

Mrs C Montado (CAM)  
(Gibraltar Heritage Trust)

Mr K De Los Santos (KDS)  
(Land Property Services)

Dr K Bensusan (KB)  
(Gibraltar Ornithological & Natural History  
Society)

Mr C Viagas (CV)

Mrs J Howitt (JH)  
(Environmental Safety Group)

Mr C Freeland (CF)  
(Rep Commander British Forces, Gibraltar)

Mr C Key (CK)  
(Deputy Town Planner)

Mr P Cosqueri (PC)  
(Town Planning Assistant)

Mr J Celecia  
(Minute Secretary)

**Apologies:**

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

## Approval of Minutes

### 387/24 – Approval of Minutes of the 11th meeting of 2024 held on 10th October 2024.

The Minutes of the 11<sup>th</sup> meeting of 2024 held on the 10 October 2024 were approved.

## Matters Arising

### 388/24 - F/19245/24 - 2 Rosia Cottage, 38 Rosia Road -- Proposed construction of a side extension to the house as well as associated minor internal and external alterations.

PC presented the application, explaining that it involves a proposal to construct a single-storey side extension and internal alterations at 2 Rosia Cottage on Rosia Road. PC reminded Members that the application was initially tabled at the DPC meeting held on the 5th of September 2024, where it had been deferred for the applicant to address specific concerns over the internal alterations and that they could affect the heritage value of the property.

PC advised Members that since then a site meeting had subsequently taken place with the TPD, the MfH the GHT and the applicant and agent present and that following this, revised plans were submitted, which preserved the original entrance, maintaining the main existing façade of the building in situ. PC confirmed that the objector had been informed of these revised plans and that they had subsequently submitted further objections which had been circulated to Members and that they wished to address the Commission.

The Chairman invited Suresh Mahtani (SM) on behalf of the applicant to address the Commission.

SM raised several concerns, initially pointing out that the applicant had first proposed the extension as a playroom for their children, but the revised plans now repurpose this area as a kitchen. SM argued that this change calls into question the original intent of the extension, which he now viewed as potentially unnecessary and speculative in nature. SM emphasized that all four cottages traditionally had kitchens within the original structure, a design choice meant to minimize impact on neighbours and that moving the kitchen outside the main structure could set a precedent for altering the heritage layout, particularly if the change disrupts the building's original character and appearance. SM also expressed safety concerns, noting the absence of fire corridors or compartments in the revised kitchen plan, which would be essential under current safety regulations and stated that the lack of ventilation, could cause odours which would be affecting neighbouring properties, further diminishing their enjoyment of the cottage. SM also referenced past modifications to the applicant's cottage, including a loft conversion that replaced the original pitched roof with a flat one, arguing that such modifications had eroded the historic value of the cottages and may pave the way for further disruptive alterations in the future.

The Chairman invited Chad Thompson (CT), the applicant, to address the Commission.

CT explained that the kitchen location was a personal choice, highlighting that each of the four cottages already has a unique layout, and thus, relocating the kitchen should not be considered a heritage concern as long as it meets Building Control standards. CT also noted that the new design preserves the building's frontage and that the applicant had sought all necessary

planning and building approvals for both the current extension and any prior work. CT also addressed the objector's concerns regarding a loft conversion, explaining that an attic skylight installation had been completed without record of past owners seeking approval and he emphasized that he had followed appropriate channels. CT also explained that the staircase did not hold historical value and that its re-positioning was necessary to meet modern safety standards, citing that the original staircase posed risks, particularly for his young children and elderly relatives, and that the updated layout would allow the family to enjoy a safer and more functional home while still adhering to required building standards.

PC summarized the TPD's assessment, stating that after a thorough evaluation, the objections raised did not identify significant planning concerns requiring further modifications. PC explained that the proposed extension incorporated vernacular design elements, and its visibility from the public highway would be minimal, resulting in negligible visual impact on the site's overall appearance. PC also noted that fire safety compliance would be fully addressed by Building Control, with no additional conditions necessary from a planning perspective. PC stated that consultation feedback indicated no objections from the MfH or the GHT, while the EA confirmed that any potential odour-related concerns could be effectively mitigated through appropriate conditions. Based on this assessment, PC recommended approval of the proposal, subject to standard conditions, and a specific condition requiring the rendering of the un-plastered and unpainted wall left as part of the previous extension to the property.

CAM noted that following the site visit, their perspective had shifted as the revised plans included leaving the western façade of the cottage unchanged and they had no objections to the proposed works.

JH added that the lease terms for this property restrict any extensions.

The Chairman motioned for a vote on the application.

In Favour: 8

Against: 2

Abstentions: 1

The application was approved by majority vote and planning permission would be subject to the conditions set out in the TPD recommendations.

## Major Developments

### **389/24 - O/18943/23 - 1C, 1D and 1E Europa Road -- Proposed demolition of three x existing dwellings and construction of a new residential development.**

The Chairman invited the architect Christian Revagliatte (CR) to present the scheme to Members.

CR explained that the site, located at the junction of Europa Road, Elliot's Way, and Boyd Street, is a sloping brownfield plot comprising three residential properties with a mis match of architectural styles, each three storeys high with terraces and stepped gardens. CR explained

that the applicant is proposing to demolish the existing buildings on the site and to construct a Mediterranean contemporary style residential development on the site comprising 22 apartments, and that since the scheme was originally submitted the scheme has been reduced by a storey across the site and the building has been set back substantially from Europa Road to increase the pavement width on Europa Road and that the transport arrangements have been developed in consultation with the MoT. CR confirmed that the scheme has been designed to tie in with Gardiners View and the residents of Gardens Road to the rear of the site to retain views out to the Bay of Gibraltar and retain and supplement the existing green area with additional tree planting for trees that have been lost. CR also highlighted that the swimming pool and residential amenities had been moved to the roof level, which now includes a green roof and photovoltaic installations.

JH requested a visual or perspective specifically from the viewpoint of Gardiners View residents. In response, CR confirmed that perspective images were included in the presentation, which the CK proceeded to display. However, JH considered that the images presented did not accurately reflect the view as experienced by Gardiners View residents.

CK confirmed that the initial submission was subject to public participation and notice of the application was served to the owners and occupiers of 1C, 1D, and 1E Europa Road, as well as the Management Company for the neighboring Gardiner's View development. CK confirmed that a total of 33 valid objections were received in respect of the original proposal and that upon receipt of the revised scheme, all objectors with valid objections were notified and given the opportunity to provide further representations. CK confirmed that all objectors resubmitted their original representations, with some of those objectors providing further representations.

The Chairman invited three of the objectors, Philip Montegriffo, Gerry Nusenbaum and Kathryn Montiel to address the Commission, who set out their concerns regarding the proposed development. The objectors argued that the design fails to align with the character of the area, lacks cultural identity and does not have consideration for the surrounding low-rise buildings, which would result in a negative impact on the neighborhood's aesthetics. The objectors also considered that the height of the development is inappropriate, as it would significantly alter the landscape and negatively affect views of the Old Town and Upper Rock and compromising vistas from Gardiner's Road.

The objectors also raised concerns about traffic and parking, noting that the development's location at a critical traffic junction would exacerbate congestion, with no transport or traffic study provided to address this issue. The objectors also highlighted environmental concerns associated with the proposed development, emphasizing the carbon footprint of the development, increased traffic emissions, and the loss of trees without guarantees of adequate replacements. The objectors also criticized the project for displacing working Gibraltarians by prioritizing luxury housing, increasing commuting costs for those priced out of the area.

The objectors also raised concerns in respect of the strain the development would place on the ageing sewerage infrastructure in the South District, which is already under pressure, and they also noted that the prolonged excavation and construction activities would disrupt the surrounding area.

Other objections raised focused on solar glare from the photovoltaic and solar panel installations, which could impact residents to the east on Gardiner's Road and the development's potential impact on heritage assets near the site, possibly linked to Gardiner's Battery. The objectors also noted that the garden area at the rear of the site is a vital buffer zone and wildlife corridor to the Alameda Gardens, which they felt was at risk of being urbanized.

Objectors also raised additional concerns including the loss of privacy for nearby residents due to the development's height, which would introduce intrusive views, noise, and air pollution. There were also fears that excavation and piling activities might cause structural damage to neighboring properties due to vibrations and that the development would devalue nearby properties

In response to the objectors, CR explained that he had been working closely with the TPD throughout the development process. CR also emphasized that the scale of the proposed development was not excessively large and assured that all points raised by objectors had been addressed. CR elaborated on his responses to the objectors, covering concerns about the development's impact on views, sunlight, traffic, zoning, privacy, environmental and green areas, and overall visual impact.

MEEC questioned CR about whether the additional sewage from the development and public access during construction had been considered. CR clarified that this application was for outline permission, and these aspects had not yet been addressed.

GM asked Philip Montegriffo to clarify the location of his property, which the TPD assisted in identifying. GM then explained that the development would obstruct his view of Grand Parade, although it would not affect his daily sunlight exposure. JH observed that despite the removal of one floor, the development's height appeared similar in proportion to adjacent properties. GM added that there seemed to be discrepancies in the drawings. In response, CR provided further details on the development's massing, whilst referring to slides in the presentation, to address the perceived discrepancies raised by GM and JH.

CK provided a summary of the consultee comments that had been received confirming that the DOE require that the development must comply with NZEB standards, and the necessary reports need to be provided in support any full planning application and that whilst they acknowledged the Tree Survey submitted by the applicant, the DOE emphasized that consultation was necessary for any landscaping proposals and stipulated that no existing trees could be removed without their consent.

CK also noted that the GHT viewed the development as an opportunity to improve and enhance the appearance of Europa Road. However, they stressed the need for a Heritage Survey to document and address any potential archaeological or historical value on-site and that they had also expressed concerns about the original development's size and boundary with Europa Road and recommended readdressing the plot distribution to incorporate setbacks and relocating the swimming pool to the front of the development.

CK also noted that the MoT and TC expressed no objections to the transport arrangements but emphasized that the entry and exit points must meet required sightlines and visibility

splays, with a “no left turn” rule to mitigate safety risks and the TSD had no architectural or technical objections to the proposed development.

In respect of the TPD’s assessment of the proposals, CK confirmed that the TPD does not have any in principle objections to the demolition of the existing dwellings and considered that the site could accommodate a higher density residential development on the basis that the site sits on a stretch of Europa Road which transitions between lower and higher density development and that the existing buildings comprise a mis match of architectural styles and design and do not add much value to the streetscene.

CK confirmed that the TPD had serious concerns with the original scheme submitted by the applicant and that the TPD considered it was overbearing, did not sit comfortably within the site and protruded into the Europa Road streetscape which meant that it bore no immediate relationship with the Gardiner’s View development to the North. CK confirmed that the TPD had undertaken a thorough assessment and that this had enabled the TPD to establish parameters regarding the type of development that they considered would be acceptable on site and had then entered dialogue with the architects to develop the scheme which resulted in a revised scheme which reduced the height of the building to minimise the impact of the development on Europa Road and residential properties to the rear, and also set the building back into the site.

CK confirmed that the TPD welcomed the collaborative efforts with the architects and other consultees including the MoT to address highways concerns. CK confirmed that the TPD acknowledges the concerns raised by neighbours and sympathizes with them and would recommend that a CEMP and a solar glare and glint study are submitted in support of any full application to mitigate construction impacts and address any potential solar glare concerns.

CK acknowledged that concerns that have been raised regarding heritage and that the rear of the site forms a Buffer Zone to the Alameda Gardens and noted that the MfH, the pertinent authority, does not have any concerns regarding the heritage sensitivities of the site, although they have recommended that any development on the site would be subject to an Archaeological Watching Brief and that they would require an Archaeologist to be present on site including during ground works. CK noted that in respect of the buffer zone, the TPD consider from a planning perspective the site is removed from the Alameda Gardens by virtue of the existence of the Grand Parade Car Park and the busy transport interchange between them, and would stress that a green garden area is being retained to the rear of the site, which will accommodate a number of existing, relocated and additional tree planting and that final details of the extent of planting and how this would be formed would be conditioned to be developed in conjunction with the DoE and this would also include the submission of a Maintenance Plan to ensure the upkeep of this area as well as the other substantive planting within the scheme.

Overall, the TPD concluded that the revised proposal was a well-designed scheme which sits well within and assimilates with its surroundings and has strong environmental credentials and that the recommendation is to grant Outline Planning Permission subject to conditions, including those outlined in the DPC Paper.

JH voiced concerns about the massing and visual impact of the proposed development, its effects on nearby residents, potential harm to heritage amenities, and the loss of greenery in the area. KB added that the GOHNS would not support any loss of green areas. MEEC shared KB and JH concerns about the development's visual impact, noting that the reduction by one storey did not accurately reflect the overall height of the building and emphasized the need for a Traffic and Pedestrian Management Plan to accompany the full planning application if approved, as well as an assessment of the additional sewage volume generated by the development, and the importance of preserving the mature trees and green areas at the front of the site.

GM commented on encroachment within Gibraltar and the substantial space occupied by the development. CAM clarified that no significant heritage elements were present on the site but stressed the importance of obtaining photographic evidence and highlighted landscape concerns.

The Chairman motioned for a vote on the application.

In Favour: 2

Against: 8

Abstentions: 1

The application was refused by majority vote and the Chairman confirmed with Members that that they were refusing the application on the grounds that the massing, height and scale of the proposal was inappropriate, and there were concerns in respect of density in terms of the number of units, the loss of green areas, traffic impacts and plot ratio.

**390/24 - F/19374/24G – North Mole Road (Adjacent to Gea Power Station) -- Proposed removal of existing back up diesel generator and replacement with new battery energy storage system (class b2) and new south boundary wall.**

CK advised that this full application was for a new Battery Energy Storage System (BESS) and a 3m-high south boundary wall adjacent to the GEA power station on North Mole Road which follows the scope of works in the Outline Submission approved by Members at the February DPC Meeting.

CK advised that the BESS will include eight units along with four PSC units, Local Controllers, and a switch room. CK confirmed that the Outline Planning Permission had included various conditions requiring technical reports, such as Environmental Mitigation Measures, a Construction Environmental Management Plan, a Construction Traffic Management Plan, and a Sustainability Statement which had been submitted in support of the full application and that additional studies, including an Aeronautical Study, confirmed that the lightweight, ventilated BESS structures could not support photovoltaic panels. CK confirmed that the documentation has been submitted to the pertinent authorities for review, and clearance and that notice of the application had been served on LPS and Gibraltar Land (Holdings) Ltd and no representations had been received.

CK provided a summary of the consultee comments that had been received confirming that the DCA raised no objections, subject to various conditions to ensure the safety of the airfield is not



compromised, the DOE has reviewed the environmental documentation, welcomed the significant reduction in greenhouse gas emissions and agree with the conclusions of the Sustainability Statement and the proposed mitigation set out in the CEMP although they regret the inability to install PV panels on the roofs of the BESS containers ,

CK advised the Members that the TPD considers that this is a comprehensive submission with all necessary information submitted which has enabled the clearance of the supporting Environmental documentation to take place and the various mitigation measures proposed to be endorsed by the pertinent authorities.

CK confirmed that the TPD welcome the development and its environmental benefits and there are no design concerns with the proposal which follows on from the outline submission and is considered to be in-keeping with the character and visual appearance of the area.

CK advised that overall the TPD consider that the development is considered to be significant step towards a much improved air quality and ceasing of CO2 emissions, reduced noise pollution and increased resilience in the power supply network of Gibraltar and recommend approval of the application, subject to the updating of conditions from the OPP, as well as conditions to reflect requirements of consultees and implementation of mitigation set out in the various Environmental studies as well as standard conditions to control development during construction.

JH enquired about the transportation of the batteries. In response, Luca Santoni (LS) and Drew Cormack (DC) clarified that the delivery would take place during nighttime hours and noted that this application would involve fewer diesel trucks than previous operations with generators. DC also confirmed that the batteries will be installed in August 2025 and the remaining generators will be removed shortly after (half of the existing generators on the site have already been removed).

The MEEC expressed his support of the application, emphasizing that the removal of the generators was long overdue.

The application was unanimously approved by Members in accordance with recommendations of the TPD.

**391/24 - D/19306/24 - Victoria Stadium, Winston Churchill Avenue -- Proposed demolition of sports stadium, petrol station, pumping station building and miscellaneous small structures.**

The application was deferred at the request of the applicant.

## **Other Developments**

**392/24 – F/18170/22 – 9 South Walk, Europa Walks Estate -- Proposed internal works, extension to property and patio alterations including new plunge pool.**

CK confirmed that the application relates to a two-storey dwelling located centrally within the Europa Walks Estate which has frontages on all sides, with the north and east elevations facing a more open area of the estate, opposite Bleak House Road and residential car parking, which

forms a cul-de-sac. CK also confirmed that there is a footpath and greenery, including existing trees which separates the dwelling from the gardens of adjacent properties.

CK confirmed that a number of works are being applied for including various internal alterations, retrospective approval for the removal of a section of timber fence along the eastern boundary of the patio that has been reconstructed with a rendered brick wall with timber fencing above, and the installation of a plunge pool in the patio, the construction of a first-floor extension over the existing ground floor living room with sloping pitched roof which has north and east facing frontages to provide a larger bedroom at first floor level and a ground-floor extension in the west-facing patio to replace the current entrance area with a porch, which will also have a sloping pitched roof.

CK advised that in respect of relevant planning history at the previous DPC meeting, Members approved a first-floor infill extension at 16 South Walk, however, previous applications for first-floor extensions above existing ground-floor additions at 16 South Walk and 21 East Walk had not been permitted as a result of the impacts on surrounding properties as a result of the arrangement of the existing buildings at 21 East Walk or the cumulative impacts the extension could have in areas where there are terraces of dwellings in a cul-de-sac arrangement (16 South Walk).

CK confirmed that notice of the application had been served on LPS and the Management Company and that the application had been subject to Public Participation and that no representations had been received. CK also confirmed that there had been no objections to the proposals from consultees.

CK confirmed that the TPD had no objections to the internal alterations, the retrospective permission for removal of timber fence and replacement of boundary wall which does not affect aesthetics or the character of the estate and has been approved elsewhere and had no objections to the installation of a plunge pool or ground floor porch extension on the basis that it is similar to other extensions approved in Estate, would result in a minimal visual impact and retains aesthetics on ground floor additions with the sloped pitched roof.

CK confirmed that the TPD has carefully considered the visual and potential amenity impacts of the proposed first floor extension, and that they are satisfied that the extension will not result in any loss of residential amenity to any of the surrounding properties and would result in a minimal visual impact on the estate. CK advised the TPD note that the property is situated in a more open area of the estate, with a public footpath and green area separating it from the rear gardens of adjacent properties which are not covered by the Europa Walks Design Guide for any extensions. CK also advised the Members that the TPD considers that there is a distinct difference between the characteristics of this site and other proposals for other first floor extensions that have been considered and turned down and that approving this extension would set a limited precedent, and that other proposals submitted in the future would have to be reviewed on a case-by-case basis.

CK advised Members that the TPD recommendation is to approve the application subject to standard conditions and an additional condition requiring tree protection measures to be submitted for approval.

JH requested an aerial view of the site and enquired whether there is a design guide for materials at Europa Walks. CK and the Chairman responded by displaying the plan view of the site. They explained that while there is a design guide for Europa Walks, it does not provide a detailed specification regarding the materials that should be used.

CAM confirmed that she agreed with the TPD's assessment and recommendations.

The application was unanimously approved by Members in accordance with recommendations of the TPD.

**393/24 – F/19098/24G – 4 Bishop Caruana Road -- Proposed construction of parcel post facility building.**

CK confirmed that the proposed development involves the construction of a three-storey building to house the Royal Gibraltar Parcel Post (RGPP) facility the application, which involves a 640 sq m triangular on the existing site which currently serves as a public car park with 26 spaces. CK noted that the surrounding area has a public pay-and-display car park to the northeast which the Commission has granted Outline Planning Permission for the construction of a residential-led mixed-use development, including a facility for St. John's Ambulance.

CK also noted that the RGPP facility is to be relocated from its current temporary facility on the former HMS Rooke compound, an area with Outline Planning Permission for a large mixed-use development. CK confirmed that the ground floor of the building will accommodate a car park to house the RGPP fleet of vehicles, and a public-facing counter and a customer waiting area whilst the first floor will contain the main parcel storage areas, and the second floor will include sorting areas and offices. CK also mentioned that the roof will incorporate a sedum roof with PV and solar thermal panel installations and that the first and second floors will be cantilevered to create a wider pavement and allow for the specialist operational requirements of the RGPP facility to be fulfilled on site.

CK confirmed that the scheme has been designed to accommodate the GoG's plans for cycle lanes, which will be introduced as part of the road realignment once surrounding developments are completed and that the GoG has confirmed that the existing public parking on the site will be re-provided as part of the public parking provision to be incorporated in the Rooke development. CK mentioned that there will be no encroachment onto the Rowing Club site boundary and that the building will meet NZEB requirements.

The Chairman invited Vanessa Byrne to address the Commission. VB confirmed that she initially had concerns regarding the omission of a cycle lane but had recently reviewed the revised plans, which now included the cycle lane, and confirmed that she no longer had any objections to the proposals.

CK provided a summary of the consultee comments that had been received confirming that the DOE and TSD had standard requirements and that the MoT and TC approved the access and egress arrangements in principle, subject to final sightlines and turning circles, along with potential mitigation measures, such as controlled signage to restrict left turns to ensure vehicles use roundabouts at both ends of Bishop Caruana Road.

CK confirmed that the TPD acknowledged that this is a central location which is appropriate for a post facility and is similar to the existing temporary facility and consider that the scale, mass, and volume of the facility is considered to be acceptable for a tight site and the design is considered to be simple and sleek which responds well to the existing architectural character of the area.

CK set out that the TPD welcome that the scheme should achieve NZEB requirements but requested final details of the sedum roof and PV panel installations be submitted for approval and confirmed that 40% of the proposed parking spaces should be equipped with active Electric Vehicle Charging Points with the rest of the spaces being passive, as per recent decisions by the Commission.

CK acknowledged that whilst the loss of existing public parking was not ideal, the TPD acknowledged that GoG has confirmed its re-provision in the longer term as part of the Rooke development and acknowledged that the development does not compromise the provision of cycle lanes along Bishop Caruana Road that are to come forward in the future as part of the evolving ATS.

CK confirmed that the TPD agreed with MoTs concerns about access and egress and the potential need for mitigation, including controlled signage, however, the TPD believes that these issues can be addressed through planning conditions.

CK confirmed that the overall recommendation of the TPD is to approve the application subject to the conditions set out in the Town Planning report.

MEEC explained that whilst the artistic impressions may not be entirely accurate, the cycle lanes will not be affected and will remain within the site area. CF commented that the development sits within the VBD and recommended that the developer liaise with the Defence Land Agent before work commences.

The application was unanimously approved by Members in accordance with recommendations of the TPD.

**394/24 – O/19237/24 – Ottawa Chambers, 20 Dudley Ward Way -- Proposed fit-out of vacant chambers to be used as a shooting range and ancillary facilities.**

CK introduced the scheme confirming that the site comprises part of a vaulted tunnel system and advised that the proposals seek to convert the chambers and tunnels into a shooting range and ancillary uses including a secure ammunition room, armoury, locker rooms, a reception area, and accessible toilets. CK confirmed that the northern main chamber will contain three shooting ranges, with two on the ground floor and one on the mezzanine level, along with an additional reception area and that the ancillary uses will be housed in the southern chamber. The facility is intended to be open to the public from 09:00hrs to 21:00hrs and that pre-arranged transport would be the only method of access to the facility, with no pedestrian movement expected, except for entry and exit to the chambers.

CK confirmed that the application has been subject to Public Participation and the no representations had been received.

CK provided a summary of the consultee comments that had been received confirming that the DOE would require full ventilation details to be submitted in support of any full application, that the MfH and GHT would need to be involved throughout the works, that the applicant should engage with the World Heritage Office as the scheme progresses, that TSD had confirmed that a geotechnical study would need to be submitted in support of any full application and that the MoT and TC approved the proposed drop-off arrangements and confirmed that the layby would be used solely for drop-off and pick-up shuttle vehicles for customers.

CK confirmed that the TPD welcomes the refurbishment and reuse of the site which has been in a derelict state for some time and considers that the proposed interventions are minimal and maximise potential for reversibility in the future. CK went on to confirm that the proposed shooting range is considered a suitable use for the tunnels.

CK advised that TPD overall, recommended the application for approval subject to standard and bespoke conditions as detailed in the assessment and to address consultee requirements.

CAM stated that she has visited the site with the applicant and has no objections but recommends that the graffiti and signage identified on site be preserved. JH enquired about the demand for a shooting range in Gibraltar, to which William Hendy (WH), the applicant, responded that it is a commercial shooting range with significant interest. JH then asked about access to the site, and Jonas Stahl (JS), the agent for the application, clarified that there would be no pedestrian access, and that pre-arranged vehicular transport will be coordinated for when the range is in use. The MICS asked whether the range is solely for pistol shooting and WH confirmed that the application covers both pistol and rifle shooting.

The application was unanimously approved by Members in accordance with recommendations of the TPD and the additional condition on retaining the graffiti and signage on the site in situ.

### **395/24 – F/19251/24 – 18 and 19 The Island, Queensway Quay -- Proposed erection of boundary wall between the properties.**

CK explained that the proposal involves the removal of the existing fence and planted vegetation between the gardens of Houses 18 and 19 The Island to be replaced with the construction of a masonry wall that is 2m in height and designed with intermittent piers to match the opposite boundary wall of House 19 The Island, which was granted planning permission in 2018, with landscaping on the exterior side to soften its impact from outside the estate. CK confirmed that there are three x existing trees in the garden of House 18 will be retained and protected during the works and that the wider site predominantly features fences with landscaping between properties, although a greened 2m dividing masonry wall was approved on either side of Houses 10 and 11.

CK confirmed that notice of the application was served on LPS and the Management Company and that no representations had been received.

CK provided a summary of the consultee comments that had been received confirming that the DOE had no objections, subject to trimming the existing vegetation to allow for the installation of the wall and ensuring the existing palm tree is maintained and protected during the works.

CK confirmed that the TPD has no objection in principle to a dividing wall between the properties but considers that it should follow the parameters of the approved green wall between Houses 10 and 11 and that it should be greened on both sides. CK noted that the TPD considers that the proposed wall is more ornate, and the design is considered to form an end of the development boundary wall, rather than a simple dividing wall between the properties.

CK confirmed that the recommendation of the TPD is that the Commission should request the applicant to modify the scheme in line with the TPD assessment in accordance with their powers under Section 28 of the Town Planning Act and that the applicant should submit revised plans adopting the design of the approved greened wall in the estate, with the wall greened on both sides and that these plans would be ratified at a future Subcommittee meeting and the subsequent Planning Permission would be subject to standard conditions, including a specific condition requiring tree protection measures to be submitted for approval and implemented during the works.

Members unanimously agreed with the TPD recommendation to issue a Modification Order for the applicant to submit revised plans in line with the TPD recommendations and for these to be ratified at Subcommittee.

**396/24 – O/19288/24 – 72-79 Catalan Bay -- Proposed single storey extension over an existing two x storey residential building with retention of existing commercial unit at ground floor level and a further extension to the rear to allow for a new circulation core.**

CK explained that the outline application was seeking in-principle permission to construct a single-storey extension over the existing building and a rear extension to allow for a new circulation core to a derelict part 2 and part 3-storey building, which is an amalgamation of two former buildings and one of the few remaining early 19th-century structures in Catalan Bay.

CK confirmed that whilst the proposed works involve removing the existing roof of the building and demolishing modern additions to the rear, the applicant has confirmed that they are seeking to retain as much of the external envelope of the building as possible, including the arched opening in the west-facing facade, and will be providing a mixed-use development with a restaurant at ground level and two three-bedroom flats on the upper floors, each with a terrace overlooking Catalan Bay, whilst retaining the existing pedestrian access to the rear of the site which is an established right of way.

CK confirmed that the application was subject to Public Participation, that notice of application had been served on LPS and the surrounding property owners and that no representations had been received.

CK provided a summary of the consultee comments that had been received including that the DOE welcomed the proposed installation of photovoltaic panels and requested a Predictive Environmental Assessment (PEA) in support of any full planning application as well as standard conditions and the MfH had emphasized the heritage value of the building, noting their contribution to the character of Catalan Bay and required the submission of façade retention strategy in support of any full planning application.

CK confirmed that the TPD acknowledge that this is a heritage-sensitive site that is in need of renewal and confirmed that the TPD undertook a substantive amount of consultation with the applicant through pre-application discussions and during the application which has resulted in a reduction in height, massing and volume as well as reshaping architectural language through a number of revisions whilst retaining the existing passageways to the rear of the site which were initially compromised in the initial submission.

CK noted the heritage considerations raised by the MfH and stressed that the applicant has confirmed that they are seeking to retain as much of the original building as possible including all the original facades and layout of the building and the majority of existing fenestration and the TPD has no objections to the proposed fenestration pattern and types being proposed and that the applicant should submit a full façade retention strategy to be submitted in support of a full planning application if Members were minded to approve this outline application, in order ensures the building's long-term structural health if this scheme is to progress to detailed design and to ensure that the right method and quality of restoration is proposed and applied.

CK confirmed that from an architectural perspective the TPD consider that the proposed mass and volume of the proposal including the removal of the existing roof to be replaced with the proposed roof arrangement relate well and complement the roofscape of the wider area whilst integrating into the landscape and retaining important views into and out of the site including the skyline and background tapestry of Little Genoa to the rear, and that the TPD welcome the retention of the ground-floor commercial use, which will contribute to the local economy and beach life.

CK confirmed that the TPD's recommendation is to approve the application subject to conditions, including the retention of public access around the site, submission of pergola details, signage, and illumination strategy, a full façade retention strategy, a PEA, bat and bird surveys, a proportionate Construction Management Plan other standard conditions.

CAM acknowledged the substantial efforts that had been made by the architectural team and what has been achieved to date needs to be recognized and the site should move on from its derelict state, but they would not support any future enclosure of the proposed pergola. JH enquired about bird protection for the glass on the top floor and the Chairman confirmed that this would be conditioned on the Outline Planning Permission if the application is approved.

The application was unanimously approved by Members in accordance with recommendations of the TPD and the additional condition on bird protection measures in respect of glazing.

**397/24 - F/19294/24 - 4 Stagioni Restaurant, Rosia Road -- Proposed installation of removable awning and decking to existing paved area to west elevation of existing kitchen area.**

CK confirmed that the proposals involve the installation of composite DURAFLOOR decking over the al fresco dining area at the 4 Stagioni Restaurant as well as the installation of a bioclimatic aluminum framed pergola with a retractable awning. CK confirmed that the existing arrangement of the al fresco dining area is bound by movable planters and includes a temporary shading awning positioned within planters.

CK noted that in respect of the planning history of the site, in 2015 as part of an application to provide the extension to 4 Stagioni, the Commission were against proposals to provide an additional extension in area of the external seating area, and that the applicant submitted revised plans to provide a decked external seating area with no other permanent structures which was approved, however, the decking was never installed by the applicant and a Certificate of Fitness was issued for the other works.

CK provided a summary of the consultee comments that had been received confirming that the GHT has no objections to the decking and fixed pergola but confirms they would not support any further enclosure of the area, such as glass curtains or roll-down sides, as it would encroach on the promenade and the stone magazine building. CK also noted that the MfH has no objections to the pergola but requires that the original paved area be protected when the decking is placed, and a method statement for these works should be submitted for approval prior to commencement of these works.

CK confirmed that the TPD's assessment of the proposals is split into two parts. CK stated that the TPD have no objections to the installation of the decked flooring as the Commission had previously approved similar proposals and the proposed works are considered to be acceptable subject to a method statement being submitted to ensure paved area protected during placement.

CK went on to confirm that the TPD had concerns in respect of the installation of a permanent bioclimatic pergola. This is on the basis that the existing AI fresco seating area was previously permitted without any permanent structures and that the experience of the TPD is that allowing permanent pergolas leads to applications to enclose these structures with glass curtains which the TPD would object strongly to and that in order to address these concerns and to pre-empt any subsequent application to enclose a permanent structure, this element of the scheme should be omitted and the applicant should continue to place the temporary shading awning they have on site which are removable.

CK summarised that the TPD recommends that the Commission should request the applicant to modify the scheme in line with the TPD assessment in accordance with their powers under Section 28 of the Town Planning Act omitting the pergola and upon resubmission of plans it could be considered at Subcommittee level for ratification. CK confirmed that any subsequent planning permission would be subject to standard conditions and a specific condition requiring the applicant to submit a method statement to be approved by the MfH to ensure the protection of the paved area during the installation of the decking.

JH raised concerns regarding the narrowing of the public promenade and the Chairman confirmed that that was part of the reasoning of the TPD to omit the permanent pergola and retain a temporary shading awning, to ensure that this would not take place.

Members unanimously agreed with the TPD recommendation to issue a Modification Order for the applicant to omit the pergola and invite them to submit revised plans for to be ratified at Subcommittee.

**398/24 – F/19323/24 – 17 South Walk, Europa Walks Estate -- Retrospective installation of window and proposed extension.**



CK confirmed that the proposals include a first floor extension over the existing ground floor pitched roof on the west elevation of a two-storey dual aspect dwelling located on the south-western edge of Europa Walks, which has western and eastern frontages facing U-shaped cul-de-sac terrace of two x storey dwellings. CK also confirmed that the applicant is seeking retrospective permission for a new window on the east elevation as well as other internal alterations.

CK went on to provide a summary of relevant planning history confirming the planning permission had been granted for similar window openings as the window that had been installed on the east elevation of the building. In respect of the proposed extension, CK confirmed that the Commission had considered that first floor extension over existing pitched floor on eastern elevation at 16 South Walk (on opposite side of cul-de-sac to the application property) was not considered to be acceptable and the TPD had issued a Modification Order for this element to be omitted from proposals which the applicant had since complied. CK confirmed that the Commission had not accepted the extension on the grounds that cumulative impact of the proposal would affect the symmetry and the character of this part of the Estate and would set a negative precedent.

CK confirmed that the application was subject to public participation and notice of the application had been served on the Management Company and that no representations had been received.

CK confirmed that the TPD has no objections to the installation of the window or the internal alterations. In respect of the first floor extension CK confirmed that the TPD had assessed the proposal on its own merits and in context of that previous decision and consider that it is not acceptable on grounds that it would affect the symmetry and the character of this part of the Estate and would set a negative precedent. CK noted that the TPD consider that a number of other properties could apply for such an extension if the proposal were to be allowed, and this would lead to an overdevelopment of the cul-de-sac which would affect the character of this part of estate as it would be a dominant and imposing feature and confirmed that the TPD consider that this element of the scheme should be omitted.

CK summarised that the TPD recommends that the Commission should request the applicant to modify the scheme in line with the TPD assessment in accordance with their powers under Section 28 of the Town Planning Act omitting the first floor extension and upon resubmission of plans it could be considered at Subcommittee level for ratification. CK confirmed that any subsequent planning permission would be subject to standard conditions.

Members unanimously agreed with the TPD recommendation to issue a Modification Order for the applicant to omit the first floor extension and invite them to submit revised plans for to be ratified at Subcommittee.

**399/24 - D/19376/24G – Moorish Castle, Off Willis's Road – Proposed demolition of 20th century prison blockwork with timber joisted roof covered with cement sheets and associated staircases and walls.**

CK confirmed that the proposals involve the demolition of specific modern structures (20th-century elements) at the Inner Keep of the Moorish Castle to preserve the integrity of this heritage asset. CK went on to confirm that the proposed works are part of a broader initiative

to refurbish the castle as a tourist attraction and that it is understood that an application for the wider works is anticipated to be submitted in the short term.

CK confirmed that specific works that form part of this submission included demolition of 20<sup>th</sup> century prison blockwork, and removal of timber joisted roof covered with cement sheets and stairs, ladders and walls and that works are limited to removing modern additions that detract from the original structure of the Inner Keep.

CK confirmed that a Demolition Method Statement and Statement of Significance and Condition of the Moorish Castle had been submitted in support of the application with these documents confirming that later additions had caused significant damage to roofs of the original Military Provost Prison and this can only be fully assessed if these additions are removed and that the works will be carried out under the supervision of conservators and archaeologists, and that the original walls will be safeguarded.

CK provided a summary of the consultee comments that had been received confirming that the DOE had advised that no works should take place during the breeding season without prior consent, that the GHT supports the demolition but has expressed concerns that it should be considered within the context of a broader Heritage Conservation and Visitor Management Plan for the Castle and the GHT consider that a photographic survey before and after demolition should be undertaken in sensitive areas.

CK confirmed that the TPD has no objections to the works proceeding which are limited to modern additions that detract from the original structure of the Inner Keep and whilst they acknowledge the concerns of the GHT and the Commission's general position regarding demolition applications, in this instance consider that the works will not cause any blight, are necessary to fully assess the damage that has been caused to the original keep as a result of the modern additions and note the forthcoming application for wider works to refurbish, conserve and enhance this part of Moorish Castle into a wider visitor attraction, and on this basis recommend that the application is approved subject to conditions including the requirement for a Heritage License, an Archaeological Watching Brief, adherence to heritage guidelines, and a photographic survey before and after the demolition.

CAM clarified the position of the GHT, confirming that they had since attended a site visit where the project was presented in further detail and that they had no objection to the removal of the later-developed elements and stressed the need for a Level 4 Historic Building Record to be undertaken prior to the commencement of any works. for this historically significant building. CV confirmed that he agreed with CAM's recommendation.

The application was unanimously approved by Members in accordance with recommendations of the TPD

and the additional condition for a Level 4 Historic Building Record to be undertaken prior to the commencement of works.

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

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

**400/24 – F/18969/23 – 19 West Walk, Europa Walks Estate -- Proposed installation of conservatory.**

This application was approved.

**401/24 – F/19171/24 – 16 Europa Mews, Europa Road -- Proposed extension and refurbishment works.**

JH enquired whether the proposed extension was in the footprint of the site CK confirmed that it was.

This application was approved.

**402/24 – F/19293/24 – 4 Rosia Residence, 43 Rosia Road -- Proposed renovation of residential building, construction of two x small extensions and two x small outbuildings.**

JH enquired whether existing green areas were to be affected by the proposed development. CK confirmed that no green areas were affected and that if the applicant were to undertake any future works to existing trees they would need to apply to the DOE for the necessary permissions.

This application was approved.

**403/24 – F/19406/24 – Laguna Youth Club, Glacis Estate -- Proposed refurbishment of existing youth club facilities and extension to provide a multi-purpose hall to the external terrace area above.**

CK provided an overview of the proposals at JH's request and Mark Zammit (MH) on behalf of the applicant confirmed that they are optimistic about the project and that the improvements to the facility will enhance the youth service including its capacity and functionality and enhance it making it a suitable venue for various community activities.

This application was approved.

**404/24 – F/19426/24 – Eurocity, Europort Avenue -- Proposed change of use of ground floor commercial unit (Class A1/A2/A3) to office (Class B2).**

This application was approved.

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

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

**405/24 – F/18324/22 – 16 Seashell House, Beach View Terraces -- Proposed installation of a pergola.**

**406/24 – F/18489/22 – Unit C, 67 Prince Edward's Road -- Proposed installation of roller garage door for use of void as storage and motorcycle parking.**

**407/24 – O/18633/23 – Lewis Battery (Former Pig and Poultry Farm), Queens Road Upper Rock -- Proposed construction of four rural cabins for touristic use.**

***Consideration of request to renew Outline Planning Permission No 8643.***

408/24 – F/18714/23 – Blocks 4, 5 and 6 Watergardens, Waterport Wharf -- Proposed remedial maintenance works including the application of new rendered façades of building as well as façade repairs, balcony repairs and waterproofing.

*Consideration of proposed colour scheme.*

409/24 – F/18779/23 – 115 Main Street -- Proposed refurbishment of existing shop premises, including new signage and shop-front.

*Consideration of tile sample to discharge Condition 2 of Planning Permission No. 8933.*

410/24 – F/19036/24 – Blocks 1, 2 and 3 Watergardens, Waterport Road -- Proposed remedial maintenance works and the application of new rendered facades of building and commercial units as well as façade repairs, balcony repairs and waterproofing.

*Consideration of proposed colour scheme.*

411/24 – F/19086/24 – Loreto Convent School -- Proposed refurbishment of the performance hall.

*Consideration of partial discharge of Conditions 2 and 3 of Full Planning Permission No. 8930 relating to roof colour and finish and material of window shutters.*

412/24 – F/19249/24 – Units 7A & 8 Ocean Heights Gallery -- Proposed amalgamation of units (Class A1 and Class A3) to create larger restaurant (Class A3) and new external area for tables and chairs.

413/24 – F/19255/24 – 5 Straits View Terrace, Europa Point -- Proposed replacement of dilapidated RC balustrade with glass balustrading.

JH enquired whether the glass balustrading will include anti-bird collision measures. The Chairman confirmed that it does, and this will also form a condition on the Planning Permission.

414/24 – F/19257/24 – 8 East Walk, Europa Walks Estate -- Proposed relocation of windows and patio door and proposed internal alterations.

415/24 – F/19266/24 – Area Adjacent to 94 Devil's Tower Road -- Proposed removal of existing gate and replacement with a new vehicular and pedestrian gate in a set-back location.

416/24 - F/19305/24 – 50 Ragged Staff Wharf, Queensway Quay -- Proposed refurbishment of existing apartment and replacement of all external windows and doors.

417/24 - F/19318/24 – 41 Northview Terrace, Devil's Tower Road -- Proposed replacement of windows and installation of roller shutters.

418/24 – F/19392/24 – Flat 3, 180 Main Street -- Proposed general refurbishment and subdivision of a two x bedroom flat into apartment into 1 x one bedroom and 1 x two bedroom flat.

419/24 - MA/18967/23 – 3 King George V Ramp -- Proposed refurbishment and extension of vacant premises into a single family dwelling.

**Proposed minor amendments including:**

- *modifications to the interior layouts to suit client requirements;*
- *provision of an additional stop to the lift, with a 90° door to provide direct access to the rear garden;*
- *set-back to the south boundary of the premises to create a service corridor area;*
- *updated rear garden layout arrangement, with terraced areas to contain the steeply sloped terrain; and*
- *roof treatment to building extension changed from decking to a green roof.*

**Consideration of discharge of condition 9 (meters relocation) and condition 11 (tree protection measures) of Supplemental Planning Permission No. 8220A.**

JH raised concerns regarding the landscaping works that have been carried out. MEEC requested that the TPD organize a site visit with the DOE to verify that landscaping planted on site complies with the approved landscaping plan. The Chairman confirmed that a site visit will be undertaken.

**420/24 – MA/19042/24 – 9 Cannon Lane -- Proposed refurbishment of building and construction of a two-storey extension.**

**Consideration of Minor Amendments including:**

- *installation of fixed glazed Crittal styled windows in newly formed archway to match existing style to enclose walkways overlooking the internal court;*
- *reconfiguration of internal layouts to provide five x hotel rooms on each level from first to fourth floors (total 20 rooms);*
- *installation of bespoke fixed bar by specialists on the roof terrace level;*
- *installation of feature down-lighter; and*
- *adjustment to rear fire exit stairs and at ground floor level change to the opening direction of main entrance hall door and the entrance to the enclosed main staircase.*

**Consideration of partial discharge of Conditions 3 and 4 of Full Planning Permission No. 8878 relating to materials and finishes.**

**421/24 – MA/19159/24 – 29 and 30 Rosbay Court, Naval Hospital Road -- Proposed amalgamation of two residential units.**

**Consideration of Minor Amendments including:**

- *reconfiguration of internal layouts.*

**422/24 – Any other business**

No other business was raised by Members.

The meeting concluded and the next meeting was confirmed for 12<sup>th</sup> December 2024.

**Chris Key**

**Secretary to the  
Development and Planning Commission**