

Similar s.16 Applications in the same “R(D)” zone

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration By RNTPC/TPB</u>	<u>Approval Conditions</u>
1.	A/YL-KTS/48	Proposed NTEH (Small House)	9.2.1996	(1), (2), (3), (9)
2.	A/YL-KTS/174	Residential Development	13.8.1999	(1), (2), (3), (4), (5), (9)
3.	A/YL-KTS/439	Proposed Houses	15.8.2008	(1), (2), (3), (4), (6), (7), (9)
4.	A/YL-KTS/550	Proposed Houses	20.7.2012	(1), (3), (4), (5), (8), (9)

Approval Conditions

- (1) Submission and implementation of landscape master plan/ landscape proposal
- (2) Provision of sewage treatment facilities
- (3) Submission of drainage impact assessment and implementation of flood mitigation measures/ Provision of drainage facilities/ submission and implementation of drainage proposal
- (4) Provision of emergency vehicular access / water supply for fire services installations
- (5) Setting back of the site
- (6) Submission of detailed archaeological investigation and implementation of appropriate mitigation measures
- (7) Design and provision of a local access road
- (8) Design and provision of parking facilities, loading/unloading spaces or lay-bys
- (9) The permission shall cease to have effect on specific date unless prior to the date the development is commenced or the permission is renewed

Advisory clauses

- (a) note DLO/YL of LandsD's comments that as quoted by the applicant, the Site has an area of about 406.2m² which should be subject to further verification and survey. In case of any discrepancy in site area found, the respective proposed development parameters will have to be revised accordingly. The boundary of the Site will be subject to survey and will be required to be adjusted if it encroaches onto the adjoining private lot. As per the A Book and land search records, the private lot in the Site is an old scheduled agricultural lot. As per the land status plan, the Site is accessible from Kam Shui Road via some Government land. However, there is no guarantee that right of way over Government land and/or other private lots to the Site would be given. The lot owner has to apply to his department for a lease modification/land exchange to effect the proposal. However, there is no guarantee that the lease modification/land exchange application will be approved. Such application will be dealt with by his department acting in the capacity of the landlord at his discretion, and if it is approved under such discretion, the approval would be subject to such terms and conditions including amongst others, the payment of premium and administrative fee as may be imposed by his department;
- (b) note CE/MN, DSD's comments that the applicant is reminded to maintain all the drainage facilities on site in good condition and ensure that the proposed development would neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc;
- (c) note DEP's comments that the applicant should note that septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person;
- (d) note DAFC's comments that the applicant should adopt appropriate measures to avoid disturbance to the planting site to the east during construction activities;
- (e) note D of FS's comments that detailed fire safety requirement will be formulated upon receipt of formal submission of general building plans. The EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by the Buildings Department;
- (f) note CBS/NTW, BD's comments that if the structures (not being a NTEH) are erected on leased land without the approval of the BA, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application. For UBW erected on leased

land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO. Before any new buildings works (including containers/ open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage. For features applied to be excluded from the calculation of the total gross floor area, it shall be subject to compliance with the requirements laid down in the relevant Joint Practice Notes and Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP). For example the requirements of building set back, building separation and site coverage of greenery as stipulated in PNAP APP-152. Detailed checking will be carried out during building plan submission stage;

- (g) note DG of CA's comments that although the aircraft/helicopter operations at Shek Kong Airfield are not frequent, due to the quiet ambience of the area, aircraft/helicopter noise will still be audible. Future residents should be alerted of the potential aircraft/helicopter operations at the Shek Kong Airfield; and
- (h) note S for S's comments that the Site is in close proximity to Shek Kong Airfield, the applicant should take into consideration the noise impact and potential safety hazard arising from flight operations.