

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/YL-PH/801

- Applicant** : Chief Force Limited
- Site** : Lots 159 (Part), 160 (Part), 162 (Part), 163 (Part) and 164 (Part) in D.D. 108 and Adjoining Government Land, Ta Shek Wu, Pat Heung, Yuen Long
- Site Area** : 4,460m² (about) (including Government Land of about 845m² (19%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Residential (Group D)” (“R(D)”)
[maximum plot ratio of 0.2 and building height of 2 storeys (6m)]
- Application** : Renewal of Planning Approval for Temporary Open Storage of Excavators and Loaders for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning permission to use the application site (the Site) for temporary open storage of excavators and loaders for a period of 3 years. The Site is paved, fenced and currently used for the applied use covered by planning permission under Application No. A/YL-PH/731 (**Plans A-2 to A-4c**).
- 1.2 The Site is the subject of seven previous applications (No. A/YL-PH/240, 404, 487, 556, 602, 664 and 731). Except Application No. A/YL-PH/240 covering a larger site area which was rejected by the Rural and New Town Planning Committee (the Committee) on 13.11.1998, all applications were approved with conditions by the Committee or the Town Planning Board (the Board) on review between 2002 and 2016. All the approval conditions under the last approved Application No. A/YL-PH/731 have been complied with and the planning permission is valid until 22.4.2019.
- 1.3 According to the applicant, two structures with a total floor area of about 150m² and building height ranging from 2.5 to 5m (one to two storeys) are provided on

the Site for container office, staff resting room and security booth uses. Excavators and loaders are stored within the Site. No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities is carried out on the Site. The operation hours are between 9:00 a.m. to 6:00 p.m. from Mondays to Saturdays and there is no operation on Sundays and public holidays. The Site is accessible via a local track from Fan Kam Road (**Plan A-1**). The layout plan, landscape, drainage and fire service installations (FSIs) proposals submitted by the applicant are at **Drawings A-1 to A-4**.

- 1.4 The current application is same as the last approved application (No. A/YL-PH/731) in terms of site area/boundary, applied use and total floor area with a similar site layout.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application form with supplementary planning (**Appendix I**) statement and plans received on 10.1.2019
 - (b) Further information (FI) received on 4.2.2019 (**Appendix Ia**) providing operation arrangements in response to departmental comments
 - (c) FI received on 12.2.2019 providing trip generation in (**Appendix Ib**) response to departmental comments
 - (d) FI received on 28.2.2019 clarifying the number of (**Appendix Ic**) trees on site in response to departmental comments

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement and FIs in **Appendices I to Ic**. They can be summarized as follows:

- (a) There is no major change in the applied use compared with the previous Application No. A/YL-PH/731. The applicant has complied with all the approval conditions under the previous approval and no complaint from government departments or the public have been received.
- (b) Proper landscaping, drainage facilities and fire services installations will be provided on-site. No adverse traffic impact on the surrounding area is anticipated.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending notice to the Pat Heung

Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

- 4.1 The Town Planning Board Guidelines for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B) are relevant to this application. The relevant assessment criteria are attached at **Appendix II**.
- 4.2 The Town Planning Board Guidelines No. 13E for "Application for Open Storage and Port Back-up Uses" (TPB PG-No. 13E) promulgated by the Board on 17.10.2008 is relevant to the application. The Site falls within the Category 3 areas under Guidelines No. 13E. The relevant extract of the Guidelines is attached at **Appendix III**.

5. Background

The Site is not the subject of any active enforcement case.

6. Previous Applications

- 6.1 The Site was involved in seven previous applications (No. A/YL-PH/240, 404, 487, 556, 602, 664 and 731). Details of these applications are summarized in **Appendix IV** and the locations are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-PH/240 covering a larger site area for proposed temporary open storage of construction materials (iron frames) for 12 months was rejected by the Committee on 13.11.1998 mainly on the grounds that the proposed development was not in line with the planning intention of the "R(D)" zone; not compatible with the nearby village houses; insufficient information to demonstrate that a proper vehicular access road could be provided to connect the site with Fan Kam Road; no information to demonstrate that the development would not have adverse drainage impact on the surrounding areas; and approval of the application would set an undesirable precedent.
- 6.3 Application No. A/YL-PH/404 for proposed temporary open storage of excavators and loaders was approved with conditions by the Board on review on 15.11.2002 for 2 years for the reasons that although the Director of Environmental Protection (DEP) had concern on the possible adverse environmental impact, the noise from the proposed development would be minimal as the frequency of vehicular trips to and from the site was only several times per week. Given the size and shape of the site, there would be scope to mitigate the noise impact to the sensitive receivers. Besides, the applicant had committed not to rent out the 3 houses to the east of the site. A shorter approval period of 2 years instead of 3 years sought was granted to monitor the situation of the site.

- 6.4 Application No. A/YL-PH/487 for temporary open storage of excavators and loaders were approved with conditions by the Committee on 28.1.2005 for 2 years for the reasons that the development was generally in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Areas’ in that previous approvals had been granted and the approval conditions under the previous application had been complied with; there was scope to mitigate the noise/environmental impact concern raised by DEP given the size and shape of the site or could be addressed by appropriate approval conditions; other relevant departments consulted had no adverse comment on the applications and no local objection was received.
- 6.5 Applications No. A/YL-PH/556, 602, 664 and 731 for temporary open storage of excavators and loaders (with construction materials for A/YL-PH/664) were approved with conditions by the Committee on 7.3.2008, 29.1.2010, 19.4.2013 and 22.4.2016 for 3 years respectively for the reasons that the developments were generally in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Areas’ in that previous approvals had been granted and/or the approval conditions under the previous applications had been complied with; approval on a temporary basis would not frustrate the long-term planning intention; relevant departments consulted except DEP had no adverse comment and/or there was no local objection; and the environmental concern could be addressed by appropriate approval conditions. However, the planning permission for Application No. A/YL-PH/556 was revoked on 7.3.2009 due to non-compliance with the approval conditions on submission and implementation of fire service installations proposal.
- 6.6 The last Application No. A/YL-PH/731 was submitted by the same applicant for the same use as the current application. All approval conditions including those related to the submission of existing drainage record and the submission and implementation of tree preservation and fire services installations proposals have been complied with. The planning permission is valid until 22.4.2019.

7. Similar Applications

- 7.1 There are nine similar applications (No. A/YL-PH/623, 662, 681, 684, 691, 695, 704, 722 and 760) for various temporary open storage uses for 3 years within the same “R(D)” zone on the OZP since the promulgation of the TPB PG-No. 13E on 17.10.2008. Details of these applications are summarized in **Appendix V** while the locations of the sites are shown on **Plan A-1a**.
- 7.2 All the applications were rejected by the Committee or the Board on review between 2011 and 2018 for similar grounds that the developments were not in line with the planning intention of the “R(D)” zone; not compatible with the surrounding land uses; did not comply with the TPB PG-No. 13E in that no previous approval had been granted; failed to demonstrate that there would not be adverse environmental, landscape and/or drainage impacts on the surrounding areas; there were adverse departmental comments and local objection against the applications; and approval of the applications would set an undesirable precedent.

8. The Site and Its Surrounding Areas (Plans A-1a and A-2 to A-4c)

8.1 The Site is:

- (a) paved, fenced and currently used for the applied use covered by planning permission under Application No. A/YL-PH/731; and
- (b) accessible via a local track from Fan Kam Road.

8.2 The surrounding areas are generally rural in character with residential structures/dwellings, open storage yards, parking of vehicles, an orchard, agricultural land and unused land. The open storage yards and the parking of vehicles are suspected unauthorised development subject to enforcement action taken by the Planning Authority:

- (a) to the west, south and east are areas zoned “Conservation Area” (“CA”);
- (b) to its north are parking of vehicles and an open storage yard;
- (c) to its east and northeast are residential structures/dwellings, agricultural land and unused land;
- (d) to its south are open storage yards and agricultural land; and
- (e) to its immediate west is a stream course and to its further northwest is an orchard.

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

10. Comments from Relevant Government Departments

10.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

10.1.1 Comments of the District Lands Officer, Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises Government Land (GL) and Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.

- (b) Within the Site, Lot No. 164 in D.D.108 is covered by a Short Term Waiver (STW) whereas the GL therein is covered by a Short Term Tenancy (STT), details of which are listed below:

STW/STT No.	Lot No. / GL in D.D.108	Permitted Use
STW 3983	Lot No. 164	Temporary Open Storage of Excavators, Loaders and Construction Materials
STT 2812	GL	

- (c) The Site is accessible from Fan Kam Road via GL and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area (SKAHRA).
- (e) Should planning approval be given to the application, the STW and STT holder(s) will need to apply to his office for modification of the STW and STT conditions where appropriate. The owner(s) of the lot without STW will need to apply to his office to permit the structures to be erected or regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD.

Traffic

10.1.2 Comments of the Commissioner for Transport (C for T):

- (a) He has no comment on the renewal application.
- (b) Should the application be approved, approval condition on no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period should be included.
- (c) The Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) His department does not and will not maintain the accesses connecting the Site and Fan Kam Road.
- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.
- (c) The portion of adjacent Slope No. 6NE-B/F8 under HyD's maintenance should not be affected.

Environment

10.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) There was no environmental complaint received at the Site in the past three years. However, in accordance with the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites", he does not support the application as there are sensitive receivers, i.e. residential dwellings located to the immediate east of the Site (less than 10m away) and in the vicinity (**Plan A-2**), and environmental nuisances are expected.
- (b) Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses" issued by the EPD.

Landscape

10.1.5 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) She has no objection to the application from the landscape planning perspective.
- (b) The Site was involved in seven previous applications for similar open storage use, which she had no objection to the last Application No. A/YL-PH/731 from landscape planning perspective.
- (c) Referring to the aerial photo dated 3.1.2018, the Site is situated in an area of rural landscape character comprising woodland patches and temporary structures. The Site is connected with Fan Kam Road via a paved driveway to the north. The applied use is not incompatible to the surrounding environment.
- (d) With reference to the site visit dated 13.2.2019, the Site is hard paved and in operation as open storage. Existing trees are in fair to

good condition along northern, eastern and western boundary. Further adverse landscape impact due to the applied use is not anticipated.

- (e) Should the application be approved, approval condition on the maintenance of the existing trees within the Site satisfactorily at all times during the planning approval period should be included.

Drainage

10.1.6 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) He has no objection in principle to the development.
- (b) Presumably, the applicant would maintain the same drainage facilities as those implemented under previous Application No. A/YL-PH/731. The applicant should inform the relevant department if the drainage arrangement is changed.
- (c) Should the application be approved, approval conditions on the maintenance of the drainage facilities implemented under Application No. A/YL-PH/731 and submission of the records of the existing drainage facilities on site to the satisfaction of the Director of Drainage Services or of the Board should be included.

10.1.7 Comments of the Chief Engineer/Consultants Management, Drainage Services Department (CE/CM, DSD):

He has no comment on the application provided that the applicant would allow the Government to conduct site inspection/investigation inside the Site for the proposed sewerage works in the area, if necessary.

Nature Conservation

10.1.8 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

Noting that the Site has been used for similar open storage purposes for a number of years and the current application is a renewal application of the previously approved use, he has no comment on the application. Nonetheless, should the application be approved, the applicant shall be reminded to avoid polluting or disturbing the adjacent watercourse during operation.

Fire Safety

10.1.9 Comments of the Director of Fire Services (D of FS):

- (a) He has no in-principle objection to the proposal subject to FSIs being provided to his satisfaction.

- (b) The submitted FSIs proposal is considered acceptable to his department. The applicant should be advised that the installation/ maintenance/ modification/ repair work of FSI shall be undertaken by a Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/ maintenance/ modification/ repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to him. Besides, the good practice guidelines for open storage sites in **Appendix VI** should be adhered to.
- (c) Having considered the nature of the open storage use, the condition on provision of fire extinguisher(s) within 6 weeks from the date of the planning approval should be included in the planning permission. To address this condition, the applicant should submit a valid fire certificate (FS251) to his department for approval.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Building Matters

10.1.10 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) There is no record of approval by the Building Authority for the existing structures at the site and BD is not in a position to offer comment on their suitability for the use related to the application.
- (b) Before any new building works (including containers and open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of BD should be obtained. Otherwise, they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (c) If the structures (not being New Territories Exempted House) are erected on leased land without approval of BD, they are UBW under the BO and should not be designated for any use under application.
- (d) For UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with BD's 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.

- (e) 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.
- (f) If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

District Officer's Comments

10.1.11 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

He has not received any comment from locals upon close of consultation and he has no particular comment on the application.

10.2 The following Government departments have no comment on the application:

- (a) Project Manager/West, Civil Engineering and Development Department (PM/W, CEDD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Director of Electrical and Mechanical Services (DEMS); and
- (d) Commissioner of Police (C of P).

11. Public Comment Received During the Statutory Publication Period

- 11.1 On 18.1.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 8.2.2019, one public comment was received from an individual (**Appendix VII**).
- 11.2 The commenter objects to the application on the grounds that the open storage use has existed for more than 20 years; it is not compatible with the surroundings and has resulted in degradation of the countryside; such use should be confined to less desirable location such as rock caverns; and the application should be rejected to encourage development of the Site for compatible and intended uses.

12. Planning Considerations and Assessments

12.1 The Site falls within Category 3 areas under the TPB PG-No. 13E. The following consideration in the Guidelines are relevant:

Category 3 areas: within these areas, "existing" and approved open storage and port back-up uses are to be contained and further proliferation of such uses is not acceptable. Applications would normally not be favourably considered unless the applications are on sites with previous planning approvals. Sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and

included in the fresh applications relevant technical assessments/proposals, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions.

- 12.2 The application is for renewal of the planning permission for temporary open storage of excavators and loaders for a period of three years in “R(D)” zone. The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. The applied use is not in line with the planning intention of the “R(D)” zone. Nevertheless, there is currently no known programme for long-term development at the Site. As such, it is considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone.
- 12.3 The development is considered not incompatible with the surrounding land uses which are generally rural in character with scattered residential structures/dwellings, open storage yards, parking of vehicles, an orchard, agricultural land and unused land.
- 12.4 The application is considered generally in line with the TPB PG-No. 34B and 13E in that previous approvals (Application No. A/YL-PH/404, 487, 556, 602, 664 and 731) for the same/similar uses were granted since 2002 and all the approval conditions under the last approved Application No. A/YL-PH/731 had been complied with. There is also no adverse comment from the relevant departments except DEP. The applicant also submitted drainage, landscape and FSIs proposals in the current application, and the FSIs proposal is considered acceptable by D of FS. Compared with the last approved application No. A/YL-PH/731, the current application submitted by the same applicant is the same in terms of site area/boundary, applied use and total floor area with a similar site layout. As previous approvals have been granted and there is no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application.
- 12.5 While DEP does not support the application as there are sensitive receivers, i.e. residential dwellings, located less than 10m to the east and in the vicinity of the Site (**Plan A-2**) and environmental nuisance is expected, no environmental complaint at the Site has been received in the past three years. To address any possible environmental nuisance, relevant approval conditions restricting the operation hours and prohibiting workshop-related activities are recommended in paragraph 13.2 (a) to (c) below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on site will be subject to enforcement action by the Planning Authority. In addition, the applicant will be advised to adopt the latest “Code of Practice on Handling the Environmental Aspects of Open Storage and Other Temporary Uses”. The technical requirements of C for T, CE/MN of DSD,

CTP/UD&L of PlanD and D of FS could be addressed by approval conditions in paragraph 13.2 (d) and (f) to (j) below.

- 12.6 Although nine similar applications for various temporary open storage uses within the same “R(D)” zones were rejected by the Committee or the Board on review between 2011 and 2018, they were subject to different circumstances. These applications were rejected mainly on the grounds of non-compliance with TPB PG-No.13E in that there was no previous approval for open storage use granted at the sites.
- 12.7 A public comment objecting the application was received during the statutory publication period mainly on the grounds that the development is not compatible with the surrounding area. In this regard, it is considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. The planning considerations and assessments as stated above are also relevant.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11, the Planning Department considers that the temporary open storage of excavators and loaders could be tolerated for a period of 3 years.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years, and be renewed from 23.4.2019 until 22.4.2022. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing boundary fencing shall be maintained at all times during the planning approval period;
- (f) the existing trees on the Site shall be maintained at all times during the planning approval period;

- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a record of the existing drainage facilities on the Site within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 23.7.2019;
- (i) the provision of fire extinguisher(s) within **6** weeks with a valid fire certificate (FS 251) from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 4.6.2019;
- (j) the implementation of the accepted fire services installations proposal within **6** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 23.10.2019;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning conditions (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

[The above approval conditions are the same as those under the planning permission for previous Application No. A/YL-PH/731, except the conditions on submission and implementation of tree preservation proposal are replaced by maintenance of existing trees based on CTP/UD&L, PlanD's comments.]

Advisory Clauses

The recommended advisory clauses are attached at **Appendix VIII**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

The development is not in line with the planning intention of the "R(D)" zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning application.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

- Appendix I** Application form with supplementary planning statement and plans received on 10.1.2019
- Appendix Ia** FI received on 4.2.2019 providing operation arrangements in response to departmental comments
- Appendix Ib** FI received on 12.2.2019 providing trip generation in response to departmental comments
- Appendix Ic** FI received on 28.2.2019 clarifying the number of trees on site in response to departmental comments
- Appendix II** Relevant extract of Town Planning Board Guidelines for ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34B)
- Appendix III** Relevant extract of Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13E)
- Appendix IV** Previous s.16 applications covering the application site
- Appendix V** Similar applications for various open storage uses within the same “R(D)” zone on the Pat Heung OZP
- Appendix VI** Good practice guidelines for open storage sites
- Appendix VII** Public comment received during the statutory publication period
- Appendix VIII** Advisory Clauses
- Drawing A-1** Layout Plan
- Drawing A-2** Landscape Proposal

Drawing A-3	Drainage Proposal
Drawing A-4	Fire Service Installations Proposal Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
MARCH 2019**