

Previous Applications covering the Application Site

Rejected Applications

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration (RNTPC / TPB)</u>	<u>Rejection Reasons</u>
1	A/DPA/YL-KTN/41*	Residential Development	25.11.1994 (on review) 27.10.1995 (appeal dismissed)	(1), (2), (3), (4)
2	A/YL-KTN/168	74 Houses (Other than New Territories Exempted House (NTEH)) & Minor Relaxation of Building Height Restriction from 8.23m to 9m	19.3.2004 (on review)	(5), (6), (7)

* The Site was zoned "Unspecified Use" at the time of submission of the application and was subsequently rezoned to "V" and "AGR".

Rejection Reasons

- (1) The proposed development is premature at this stage in view of the number of transportation network and drainage works being planned in the area and the fact that it may pre-empt a review of the land use in the general area with regard to the scale, location and phasing of future development there.
- (2) The proposed development is not in line with the planning intention for the area as reflected in the approved Kam Tin North Development Permission Area Plan No. DPA/YL-KTN/2 which allows low-rise, low-density residential development provided that the proposed development will have insignificant drainage and traffic impacts on the area.
- (3) There is insufficient information in the master layout plan to demonstrate that the proposed development will not cause constraints to the proposed Main Drainage Channels for Yuen Long and Kam Tin.
- (4) There is insufficient information in the master layout plan to demonstrate that the proposed development will not cause constraints to the proposed Kam Tin Bypass and Kam Tin Road Improvements.
- (5) The proposed development was not in line with the planning intention of the "Village Type Development" zone which was to designate both existing and recognized villages and areas of land considered suitable for village expansion.
- (6) There was no information in the submission to demonstrate that the proposed development would not cause adverse traffic and drainage impacts on the surrounding area.
- (7) Approval of the application would set an undesirable precedent for similar residential developments to proliferate in the area. The cumulative effect of approving such similar applications would reduce the land available for Small House development.

Advisory Clauses

- (a) the permission is given to the development/use under application. It does not condone any other development/use which are not covered by the application;
- (b) resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (c) note DLO/YL, LandsD's comments that the Site comprises an Old Schedule Agricultural Lot 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. The Site is accessible from Kong Tai Road via Government Land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The Site falls within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure shall not exceed the relevant airfield height limit within SKAHRA;
- (d) note CE/NTW, HyD's comments that his department does not and will not maintain any access (including Kong Tai Road) connecting the Site and Kam Tin Bypass. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the EPD;
- (f) note DAFC's comments that the applicant is reminded to avoid causing disturbance and pollution to the meander abutting the southern boundary of the Site and avoid causing damages to trees on GL adjacent to the Site; and
- (g) note D of FS' comments that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans.

