

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-CWBS/31

Applicant: Gold Plate Investments Limited represented by Townland Consultants Limited

Site: Lot 264 in D.D. 233 and adjacent Government Land, Ha Yeung, Clear Water Bay, Sai Kung, New Territories

Site Area: About 3,975m² (including 225m² government land)

Land Status: Private Lot (about 3,750m² or 94%) held under New Grant No. 22544 subject to the following development restrictions:

- (a) For private residential purposes only;
- (b) Development restrictions:
 - Maximum Gross Floor Area (“GFA”): 1,500m²
 - Maximum Site Coverage (“SC”): 20%
 - Maximum Building Height (“BH”): 116mPD
 - Maximum number of storeys: 2 storeys over 1 storey of carport
 - Maximum number of detached houses: no building or buildings shall be erected on the lot except detached houses and total number of detached houses shall not exceed 5

Government Land (about 225m² or 6%).

Plan: Approved Clear Water Bay Peninsula South Outline Zoning Plan (OZP) No. S/SK-CWBS/2

Zoning: “Green Belt” (“GB”)
[Any filling or excavation of land shall not be undertaken or continued (except public works coordinated or implemented by Government, and maintenance, repair or rebuilding works) without permission from the Town Planning Board]

Application: Proposed House with Associated Excavation of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed House and its associated excavation of land at the application site (the Site), which falls within an area zoned “GB” on the OZP (**Plans A-1 and A-2**). According to the Notes of the OZP for the “GB” zone, ‘House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New

Territories Exempted House permitted under the covering Notes)' and its associated excavation of land require planning permission from the Town Planning Board (the Board).

- 1.2 According to the proposed scheme, two detached houses with ancillary carpark and recreational facilities are proposed within the private lot. The applicant proposes to include government land (225m²) adjoining the north-western boundary of the private lot to provide a right-of-way (ROW) connecting Ha Yeung San Tsuen Road which is also allowed under the lease.
- 1.3 The Site is the subject of a previous planning application no. A/DPA/SK-CWBS/4, which was allowed with conditions by the Town Planning Appeal Board ("TPAB") on 30.7.2007 with Class B amendments (Application No. A/DPA/SK-CWBS/4-4¹) approved by Director of Planning under delegated authority of the Board on 9.3.2015. As compared with the previously approved scheme, the current scheme involves a reduction of application site area, and a major revision of the layout of the proposed development by replacing the original 5 houses with 2 houses in the northern portion and recreational facilities in the south. There is also corresponding reduction in domestic GFA, and number of houses, blocks and car parking spaces, while plot ratio, site coverage and number of storeys remain unchanged (**Drawing A-2**) from the previously approved scheme. A table showing the major development parameters of the previous application and current scheme are as follows:

Development parameters	(a) Approved Scheme (A/DPA/SK-CWBS/4)	(b) Proposed Scheme (A/SK-CWBS/31)	Difference (b-a)
Application Site Area	4,261.2m ²	3,975m ²	-286.2m ² (-6.7%)
Development Site Area	-	3,750m ²	-
PR	0.4	0.4*	0
Total domestic GFA	1,704.5m ²	1,500m ²	-204.5 m ² (-12%)
SC	20%	20%*	0
No. of houses	5	2	-3 (-60%)
Total no. of blocks	5 (detached houses)	4 (including 2 detached houses, a transformer room and a loading/unloading block)	-1 (-20%)
No. of storeys	2 storeys over 1 storey of carport	3 storeys (including 2 residential storeys over 1 storey of carport)	0
Building Height	9m	Maximum 116mPD / 11.4m	+2.4m (+28%)
No. of car	10	4 car parking spaces	-5 (-50%)

¹ Class B amendments of Application No. A/DPA/SK-CWBS/4-4 involve changes in the layout of car parking space/driveway/EVA and minor changes in the disposition of building blocks while the proposed development parameters under Application No. A/DPA/SK-CWBS/4 remains unchanged.

Development parameters	(a) Approved Scheme (A/DPA/SK-CWBS/4)	(b) Proposed Scheme (A/SK-CWBS/31)	Difference (b-a)
parking spaces		and 1 disabled car parking space	
Loading / unloading	-	1	+1 (+100%)

*Based on Development Site Area

- 1.4 According to the applicant, there are 16 trees surveyed within the Site including 2 dead trees to be felled (to be compensated) and 14 trees proposed to be retained. 10 new trees are proposed to be planted to compensate for the trees damaged by typhoon.
- 1.5 The plans, sections, elevations, compensatory tree plan and Landscape Master Plan submitted by the applicant are at **Drawings A-1 to A-12**.
- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application form and supplementary information received on 21.2.2019 **Appendix I**
 - (b) Further information received on 29.5.2019 comprising an updated Supplementary Planning Statement which consolidates the previously submitted supplementary planning statement dated 8.2.2019, supplementary information dated 28.2.2019 and FI dated 14.5.2019 (accepted and not exempted from publication) **Appendix Ia**
 - (c) Further information received on 2.7.2019 (accepted and exempted from publication) **Appendix Ib**
- 1.7 On 12.4.2019, the Committee agreed to defer a decision on the application for 2 months as requested by the applicant to allow submission of FI. The applicant submitted FIs as indicated in paragraph 1.6 above.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement (**Appendix Ia**), and can be summarized as follows:

- (a) when the TPAB allowed planning application no. A/DPA/SK-CWBS/4 in 2007, it was considered that it would bring about a general improvement to the existing environment at the Site and ascertained the suitability of the Site for residential purposes;
- (b) in respect of the previous planning application no. A/DPA/SK-CWBS/4, general building plans had already been approved and the Land Exchange had already been executed; and
- (c) the current scheme is in line with Town Planning Board Guidelines No. 10 in that development rights have been established through the approval of building

plans and executing the Land Exchange; there have been no change in circumstances of the Site since the TPAB's decision; the current scheme involves only reduction in no. of units; the scale of the current proposal will be compatible with the surrounding rural character; the landscape concept of the current scheme will better integrate with the surrounding natural vegetation and rural character; better management and maintenance of the area would provide a cleaner and more pleasant environment; there will be no adverse impact on run-off, drainage, environment and slope safety aspects; the greenery coverage is at least 31% under the current scheme, which is an increase from the previous scheme.

3. Compliance with the "Owner's Consent/Notification" Requirements

For Private Land Portion

3.1 The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

For Government Land Portion

3.2 For the government land portion of the Site, the "owner's consent/notification" 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. 31) is not applicable.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for Application for Development within "Green Belt" Zone (TPB PG-No. 10) are relevant to this application (**Appendix II**).

5. Previous Applications

5.1 The Site is the subject of two previous planning applications (No. A/DPA/SK-CWBS/1 and A/DPA/SK-CWBS/4) (**Plans A-1 and A-2**).

5.2 Application No. A/DPA/SK-CWBS/1 for a proposed Retreat Centre at the Site was rejected by the Rural and New Town Planning Committee (the Committee) on 25.4.2003.

5.3 Application No. A/DPA/SK-CWBS/4 for a proposed House Development with Ancillary Facilities at the Site was rejected by the Committee on 17.12.2004, and by the Board upon review on 22.4.2005. It was allowed with conditions by the TPAB on 30.7.2007 based on the grounds that the proposed development would be a great improvement of the environment as a whole; the size of the development, the height of the proposed buildings and the landscape proposal were such that it would unlikely bring about any reasonable complaints from any of the nearby residents; the planning intention of the "GB" zone was not lost by allowing the proposed development and the proposed development would be more conducive to achieving the goal of the "GB" zoning; the 'existing use' of the land as car park accommodating about 100 private cars and goods vehicles

would inevitably generate more traffic than a housing estate of 5 houses with only 10 car parking spaces; and approving the proposed development would not set an undesirable precedent and every application for planning permission must be considered in the light of its own facts.

5.4 Amendments to the approved development (Application No. A/DPA/SK-CWBS/4-4) were approved by the Director of Planning under the delegated authority of the Board on 9.3.2015. A set of general building plans for the approved scheme (Application No. A/DPA/SK-CWBS/4-4) was approved by the Building Authority (BA) on 17.7.2015.

6. Similar Application

There is no similar application within the “GB” zone on the OZP.

7. The Site and Its Surrounding Areas (Plans A-1 to A-3, and Site Photos at Plans A-4a to A-4c)

7.1 The Site is:

- (a) a piece of flat paved land with vegetation along the boundary;
- (b) slightly elevated above Clear Water Bay Road and Ha Yeung San Tsuen Road;
- (c) accessible via the Right-of-Way through government land within the Site from Ha Yeung San Tsuen Road.

7.2 The surrounding areas have the following characteristics:

- (a) to its northwest, west, south and southeast are vegetated slopes in areas zoned “CA”;
- (b) to the northeast is Clear Water Bay Road;
- (c) further to the north on the other side of Clear Water Bay Road are vegetated slopes within areas zoned “GB” and “CA”
- (d) further uphill to the southwest is the “V” zone for Ha Yeung New Village; and
- (e) to its further north is the “V” zone for Leung Fai Tin.

8. Planning Intention

The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

9. Comments from Relevant Government Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) the Site comprises the Lot and government land adjoining the Lot. Various slope features will be also affected;
- (b) the major lease restrictions of the Lot are as follows:
 - (i) the grantee shall develop the Lot with such building or buildings to be completed and made fit for occupation on or before 31.12.2021
 - (ii) for private residential purposes only
 - (iii) development restriction
 - (a) Maximum GFA: 1,500m²
 - (b) Maximum SC: 20%
 - (c) Maximum BH: 116mPD
 - (d) Maximum no. of storey: 2 storeys over 1 storey carport
 - (e) Maximum no. of detached houses: no building or buildings shall be erected on the lot except detached houses and total number of detached houses shall not exceed 5
 - (iv) design and disposition
 - (v) tree preservation clause
 - (vi) parking requirement:
 - (a) 1.5 spaces for every residential unit, or not less than 1.5 places and not more than 2 spaces for every detached house intended for use as a single family residence
 - (b) 1 visitor parking space
 - (c) 1 loading and unloading space
 - (vii) non-exclusive right-of-way (ROW) from Ha Yeung San Tsuen Road to the Lot
 - (viii) vehicular access point at the ROW area immediately adjoining the Lot
- (c) regarding para. 4.4.4 of the applicant's supplementary planning statement (**Appendix Ia**), the applicant's tree damage reports are being considered and tree compensation requirements to the satisfaction of LandsD shall be complied; and
- (d) he has no in principle objection to the application from lease point of view. The detailed design of the proposal including the design and disposition restriction under the lease would be examined during the stage of general building plan submission and his office's comment to the same under the lease is reserved.

Building Matters

9.1.2 Comments of the Chief Building Surveyor/New Territories East (2) & Rail, Buildings Department (CBS/NTE2 & Rail, BD):

- (a) he has no in-principle objection under the Buildings Ordinance (BO) to the application;
- (b) the revised development scheme may constitute a major revision of the plans previously submitted for approval on 10.5.2017;
- (c) unless the proposed Site abuts on a specified street complying with the requirements under Building (Planning) Regulations (B(P)R) 18A(3) and not less than 4.5m wide, the development intensity of the site should be determined by the BA under B(P)R 19(3);
- (d) the means of obtaining access to the proposed building from a street including the land status of the existing access road should be clarified to demonstrate compliance of B(P)R 5;
- (e) every domestic building within the Site shall be provided with an open space complying with the Second Schedule under B(P)R;
- (f) emergency vehicular access complying with B(P)R 41D shall be provided for all buildings in the site;
- (g) PNAP APP-2, Hong Kong Planning Standards and Guidelines (HKPSG) and the advice of Commissioner for Transport will be referred to when determining exemption of GFA calculation for aboveground or underground carparking space;
- (h) the applicant's attention is also drawn to the policy on GFA concessions under PNAP APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the SBD requirements under PNAP APP-152 and the Design and Construction Requirements for Energy Efficiency of Residential Buildings under PNAP APP-156;
- (i) all unauthorised building works/structures, if any, should be removed according to the provisions of the BO;
- (j) the granting of the planning approval should not be construed as an acceptance of the unauthorised structures on site under the BO. Enforcement action may be taken to effect the removal of all unauthorised works in the future; and
- (k) detailed comments will be given during general building plans submissions stage.

Traffic

9.1.3 Comments of the Commissioner for Transport (C for T)

- (a) no comment from traffic engineering viewpoint; and
- (b) as Ha Yeung San Tsuen Road is not managed by his department, the applicant should seek comments / agreements of the owner or relevant management / maintenance authorities.

Environment

9.1.4 Comments of the Director of Environmental Protection (DEP)

- (a) the Site falls within an area zoned “GB” on the OZP. The scope of the proposed development comprises two houses, a common car park and recreational facilities arranged in a single contiguous block; and
- (b) in view of the small scale of the proposed development, the application alone is unlikely to cause major pollution.

Urban Design and Visual

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

- (a) the Site is surrounded by vegetated slopes to the north across Clear Water Bay Road, and to the immediate east, south and west. To the south uphill along Ha Yeung San Tsuen Road are some 3-storey residential dwellings at Ha Yeung New Village; and
- (b) compared with the previous application, the current scheme does not involve any intensification of development intensity but rather the maximum domestic GFA and SC are decreased. The building orientation has also been changed to face Ha Yeung San Tsuen Road away from Clear Water Bay Road. Considering the BH, the building orientation, the transient nature of public viewers and the screening effect of vegetation surrounding the proposed development, significant adverse visual impact induced by the proposed development on the surroundings is not anticipated.

Landscape

9.1.6 Comments of the CTP/UD&L, PlanD:

- (a) no objection to the application;
- (b) the site is slightly setback from Clear Water Bay Road, and surrounded by area zoned “CA” on three sides. With reference to the planning statement, our recent site visit dated 14.3.2019 and the aerial photos record taken from 2000 to 2018, most of the site

has been hard-paved and is surrounded by woodland of common native species. During our site visit, an existing tree of protected species *Aquilaria sinensis* was found near the proposed vehicular entrance. However, this tree is not mentioned in the planning statement, and will likely be affected by the proposed development. As claimed in the planning statement, 10 nos. of existing trees are proposed to be removed due to the damage caused by Typhoon Mangkut, while 10 nos. of new trees with DBH of 150mm will be planted in the proposed development;

- (c) by comparing with the approved scheme under no. A/DPA/SK-CWBN/4, the proposed development would not cause significant landscape impact on the surround area. Therefore, we have no objection to the application from the landscape planning point of view. Should TPB approve this application, it is recommended the following landscape condition be included in the planning approval:

the submission and implementation of a landscape proposal to the satisfaction of the Board or of the Director of Planning;

- (d) the applicant is advised that the approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should submitted direct to DLO for approval; and
- (e) as the protected species *Aquilaria sinensis* will likely be affected by the proposed development, and with the consideration of its abutting “CA”, Agriculture, Fisheries and Conservation Department shall be consulted on the conservation aspect related to the site formation and development of the site.

Sewerage

9.1.7 Comments of the Chief Engineer/ Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) no comment from sewerage perspective; and
- (b) requirements related to sewage treatment / disposal are subject to the views of the Environmental Protection Department (EPD).

9.1.8 Comments of the DEP:

- (a) in view that there is no existing or committed planned public sewer for connection at the Site, the applicant is advised to follow the requirements in EPD’s Practice Note for Professional Person (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the EPD” and note the standard advisory clause on design of septic tank and soakaway system 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) PN5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorized Person (AP); and

- (b) the applicant is also advised to connect to the public sewerage system when available in future.

Drainage

9.1.9 Comments of the CE/MS, DSD:

- (a) the concerned Lot is currently not covered by DSD public drainage and sewerage networks. As the submission does not provide any drainage details, on the condition that adequate stormwater drainage collection and disposal facilities will be provided in connection with the proposed development to deal with the surface runoff of the Site and the same flowing onto the Site without causing any adverse impacts or nuisance to the adjoining areas, there is no in-principle objection from drainage perspective; and
- (b) an approval condition from drainage perspective is required should the planning application be approved. The wording proposed will be “the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the Board”

Nature Conservation

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

the proposed house development within the Lot of the Site has previously been approved. Given that the Government Land to be included is sandwiched between existing roads and the proposed houses, and consists mainly of common trees and shrubs, there is no strong view on the application.

Fire Safety

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

- (a) no objection in-principle subject to water supplies for firefighting and fire service installations being provided to the satisfaction of his department;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans and referral from relevant licensing authority; and
- (c) 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.

Water Supply

9.1.12 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD):

- (a) no objection to the application;
- (b) existing water mains are affected. The applicant is required to either divert or protect the water mains found on the Site (**Plan A-2**);
- (c) if diversion is required, existing water mains inside the Site are needed to be diverted outside the site boundary of the proposed development to lie in government land. A strip of land of minimum 1.5 metres in width should be provided for the diversion of the existing water main(s). The cost of diversion of existing water main(s) upon request will have to be borne by the applicant; and the applicant shall submit all the relevant proposal to WSD for consideration and agreement before the works commence;
- (d) if diversion is not required, the following conditions shall apply:
 - (i) existing water main(s) are affected as indicated on the site plan and no development which requires re-siting of water main(s) will be allowed;
 - (ii) details of site formation works shall be submitted to the Director of Water Supplies for approval prior to commencement of works;
 - (iii) no structures shall be built or materials stored within 1.5 metres from the centre line(s) of water main(s). Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iv) no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main(s). No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of the Director of Water Supplies. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5 metres or less, and the barrier must extend below the invert level of the pipe;
 - (v) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5 metres around the cover of any valve or within a distance of 1 metre from any

hydrant outlet; and

- (vi) tree planting may be prohibited in the event that the Director of Water Supplies considers that there is any likelihood of damage being caused to water main(s).

Risk Aspect

9.1.13 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) no comment on the application; and
- (b) in the interest of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing organizing and supervising any activity near underground cables or overhead lines under the mentioned planning application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and / or overhead line within and / or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

District Officer’s Comment

9.1.14 Comments of the District Officer / Sai Kung, Home Affairs Department (DO/SK, HAD):

- (a) Chairman of Hang Hau Rural Committee and Chairman of Sai Kung Area Committee has no comment on the application; and
- (b) Village Representatives of Ha Yeung, Mr. LAU Yuk-ping and Mr. LAU Kam-tong as well as District Council member of Hau Hau East Constituency (Q04), Mr. LAU Wai-cheung, MH raise objection to the application and request for more information regarding the application.

9.2 The following government departments have no objection to / no comment on the application:

- (a) Head (Geotechnical Engineering Office), Civil Engineering and Development Department;
- (b) Chief Highway Engineer/ New Territories East, Highways Department;
- (c) Chief Engineer (Works), Home Affairs Department; and
- (d) Chief Engineer/ Consultants Management, Drainage Services Department.

10. Public Comments Received During Statutory Publication Period

- 10.1 On 1.3.2019 and 11.6.2019, the application and the FI submitted by the applicant were published for public inspection. During the first three weeks of the statutory public inspection periods, which ended on 22.3.2019 and 2.7.2019, 17 public comments were received (**Appendix III**).
- 10.2 16 comments objecting to the application are from The World Wide Fund for Nature Hong Kong, representatives from Ha Yeung Village Committee, residents of Ha Yeung Village and Sheung Sze Wan Village, and members of the public. They object to the application mainly on the following grounds:
- (a) the proposed development is not in line with the planning intention of the “GB” zone, and it would set an undesirable precedent for further encroachment on the “GB” zone;
 - (b) the proposed development will strain the local road capacities and threaten road safety;
 - (c) a lack of assessments and reports from the applicant to substantiate the planning application;
 - (d) the proposed development will render adverse traffic, visual, landscape, ecological and environmental impacts;
 - (e) the proposed development will adversely affect local water quality;
 - (f) the proposed development is near the graves of Ha Yeung Village and Sheung Sze Wan Village that will affect the fung shui; and
 - (g) land zoned “GB” serves as a buffer against development and should be preserved, not developed.
- 10.3 A member of the public raises concerns on the impacts the proposed development may bring to the local drainage and electricity supply infrastructure, as well as the proposed development’s sewerage provisions.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed house development and its associated excavation of land. The Site falls within “GB” zone, which is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. The proposed house development is not in line with the planning intention of the “GB” zone.
- 11.2 The Site is the subject of a previous planning application (No. A/DPA/SK-CWBS/4) allowed by the TPAB on 30.7.2007 for a proposed house development with ancillary facilities with Class B amendments (Application No. A/DPA/SK-CWBS/4-4) approved on 9.3.2015. A set of general building

plans for the approved scheme (Application No. A/DPA/SK-CWBS/4-4) was approved by BA on 17.7.2015. Subsequent to the planning permission granted for the previous scheme, a land exchange has been approved and executed for the proposed house development based on the approved scheme. DLO/SK has no in-principle objection to the current application from the lease point of view. Taking into account the unique development history and context, the current application for residential uses on the subject "GB" zone may warrant a special consideration.

- 11.3 As compared with the previously approved scheme, the current application involves a reduction of application site area, and a major revision of the layout of the proposed development by replacing the original 5 houses with 2 houses in the northern portion and recreational facilities in the south. There is also corresponding reduction in domestic GFA, and number of houses, blocks and car parking spaces, while plot ratio, site coverage and number of storeys remain unchanged from the previously approved scheme (**Drawing A-2**). While there is an increase in absolute building height from 9m to 11.2m, the number of storeys (2 storeys over 1 storey of carport) remains unchanged. CTP/UD&L, PlanD advises that significant adverse visual impact induced by the proposed development on the surroundings is not anticipated taking into account its BH, the building orientation, the transient nature of public viewers and the screening effect of vegetation surrounding the proposed development. Regarding landscape planning, CTP/UD&L has no objection to the proposed development that would not cause significant landscape impact on the surrounding area as compared with the approved scheme.
- 11.4 Relevant departments consulted have no comment on or no objection to the proposed development and approval conditions on technical requirements are recommended in paragraph 12.2 below.
- 11.5 Regarding the public comments objecting to the application, the planning assessments in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until **19.7.2023**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' consideration:

Approval Conditions

- (a) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board;

- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (c) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

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

the proposed development is not in line with the planning intention of the "GB" zone which is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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 date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

14. Attachments

Appendix I	Application form and supplementary information received on 21.2.2019
Appendix Ia	Further information received on 29.5.2019 comprising an updated Supplementary Planning Statement which consolidates the previously submitted supplementary planning statement dated 8.2.2019, supplementary information dated 28.2.2019 and FI dated 14.5.2019
Appendix Ib	Further Information received on 2.7.2019
Appendix II	Town Planning Board Guidelines for Application for Development within "Green Belt" Zone (TPB PG-No. 10)
Appendix III	Public Comments
Appendix IV	Advisory Clauses
Drawing A-1	Location Plans submitted by the applicant
Drawing A-2	Comparison of Master Layout Plans for A/DPA/SK-

	CWBS/4 and A/SK-CWBS/31
Drawings A-3 to A-6	Layout Plans submitted by the applicant
Drawings A-7 and A-8	Elevation Plans submitted by the applicant
Drawings A-9 and A-10	Section Plans submitted by the applicant
Drawings A-11	Compensatory Tree Plan submitted by the applicant
Drawing A-12	Landscape Master Plan submitted by the applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4c	Site Photos

**PLANNING DEPARTMENT
JULY 2019**