

Previous S.16 Application

Approved Applications

Application No.	Uses/ Development	Date of Consideration	Approval Conditions
A/NE-LYT/627	Social Welfare Facility (Residential Care Home for Persons with Disabilities)	11.8.2017 (Revoked on 11.2.2018)	A1 – A5

Approval Conditions:

- A1 The submission and implementation of drainage proposal
 - A2 The submission and implementation of sewerage proposal
 - A3 The submission of proposal and provision of fire service installations and water supplies for fire-fighting
 - A4 The submission of proposal and provision of run-in/out
 - A5 The revocation clause
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Detailed Comments of CE/MN, DSD and CE/C, WSD

Detailed Comments of CE/MN, DSD on the drainage and sewerage proposals

(a) Stormwater Drainage Proposal

- (i) the applicant may consider providing the 300mm perimeter drainage channels around the subject lots so as to intercept the rainwater falling onto the Site. If the provision of the perimeter drainage channel at ground level is not viable, the applicant should explain in his submission; and
- (ii) the applicant is required to construct and maintain the proposed drainage works properly and rectify the drainage systems if they are found to be inadequate or ineffective during operation.

(b) Sewerage Proposal

- (i) there are existing DSD's sewerage facilities in the vicinity available for connection. Should the applicant choose to connect to the public sewerage system, the applicant should submit a sewerage connection proposal to DSD for agreement. The applicant should also submit a duly completed HBP1 to DSD to apply for a technical audit on the completion of the sewerage works; and
- (ii) since the current proposal is to connect to the septic tanks system in the Site, EPD's comments should be sought regarding the sewage treatment / disposal aspects.

Detailed Comments of CE/C, WSD on the General Requirements of Proposal of Diversion or Protection of Water Mains

- (a) 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 m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be borne by the applicant; and the applicant shall submit all the relevant proposal to WSD's consideration and agreement before the works commence; and

(b) if diversion is not required, the applicant is advised on the following:

- (i) existing water mains are affected and no development which requires resiting of water mains 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 m from the centre lines of water mains. Free access shall be made available at all times for staff of the WSD 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 Water Works Reserve or in the vicinity of the water mains. 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 m 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 1.5metres around the cover of any valve or within a distance of 1 metre from any hydrant outlet; and
- (vi) tree planting maybe prohibited in the event that the Director of Water Supplies considers that there is any likelihood of damage caused to water mains.

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on the Site;
- (b) shorter compliance periods are imposed in order to closely monitor the progress of compliance with approval conditions. Should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration would not be given to any further application;
- (c) to note the comments of DLO/N, LandsD on the following:
 - (i) a portion of the Government land within the Site is being illegally occupied. Moreover, there are unauthorised structures erected on Lots 821 S.A, 822 S.B and 823 S.B in D.D. 83 and the Government land within the Site without prior approval from his office. The total built-over area of the aforesaid structure is larger than the one mentioned in the planning application. The aforesaid structures are not acceptable under the Leases concerned. His office reserves the rights to take necessary lease enforcement and land control actions against the unauthorised structure and the illegal occupation of Government land;
 - (ii) regarding the proposed run-in/out of the Site on Government land, the applicant may apply to his office for a Short Term Tenancy (STT). The maintenance responsibility of the affected Government land will rest on the applicant; and
 - (iii) should planning approval be granted, the owners of the lots concerned shall apply to his office for a Short Term Waiver (STW) and STT. The applications for STW/STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW/STT are approved, their commencement date will be backdated to the first date of occupation and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office.
- (d) to note the comments of CBS/NTW, BD that the granting of any planning approval should not be construed as an acceptance of any existing building works or unauthorised building works (UBW) on the Site under the BO. 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;
- (e) to note the comments of CHE/NTE, HyD that if vehicle access to the Site is approved, the applicant is required to sort out the maintenance responsibility of the subject area with DLO/N. To construct the run-in/out, the applicant is required to apply for an excavation permit from HyD;
- (f) to note the comments of D of FS on the following:
 - (i) emergency vehicular access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by BD. The applicant shall observe the statutory height restriction in section 21 of Residential Care Homes (Persons with Disabilities) Regulation, Cap. 613A;

- (ii) his detailed comments on the proposals for fire service installations and water supplies for firefighting would be given upon the approval of the application; and
- (iii) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;

(g) to note the comments of the CE/MN, DSD on the following:

Stormwater Drainage Proposal

- (i) the applicant may consider providing the 300mm perimeter drainage channels around the subject lots so as to intercept the rainwater falling onto the Site. If the provision of the perimeter drainage channel at ground level is not viable, the applicant should explain in his submission; and
- (ii) the applicant is required to construct and maintain the proposed drainage works properly and rectify the drainage systems if they are found to be inadequate or ineffective during operation;

Sewerage Proposal

- (iii) there are existing DSD's sewerage facilities in the vicinity available for connection. Should the applicant choose to connect to the public sewerage system, the applicant should submit a sewerage connection proposal to DSD for agreement. The applicant should also submit a duly completed HBP1 to DSD to apply for a technical audit on the completion of the sewerage works; and
- (iv) since the current proposal is to connect to the septic tanks system in the Site, EPD's comments should be sought regarding the sewage treatment / disposal aspects;

(h) to note the comments of the CE/C, WSD on the following:

- (i) there is an existing water mains inside the Site and will be affected (**Plan A-2**). The applicant is required to either divert or protect the water mains found on site;
- (ii) 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 m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be borne by the applicant; and the applicant shall submit all the relevant proposal to WSD's consideration and agreement before the works commence;

(iii) if diversion is not required, the applicant is advised on the following:

- existing water mains are affected and no development which requires resiting of water mains will be allowed;
- details of site formation works shall be submitted to the Director of Water Supplies for approval prior to commencement of works;
- no structures shall be built or materials stored within 1.5 m from the centre lines of water mains. Free access shall be made available at all times for staff of the WSD or their contractor to carry out construction, inspection, operation, maintenance and repair works;

- no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water mains. 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 m or less and the barrier must extend below the invert level of the pipe;
 - no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5metres around the cover of any valve or within a distance of 1 metre from any hydrant outlet; and
 - tree planting maybe prohibited in the event that the Director of Water Supplies considers that there is any likelihood of damage caused to water mains; and
- (i) to note the comments of EPD that the applicant should convey all wastewater generated from the premises to public sewer, and should not continue the use of the existing septic tank and soakaway system.