

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-HTF/1094**

- Applicants** : Ms. Sin Lan Fung represented by Metro Planning and Development Company Limited
- Site** : Lots 215 S.A (Part), 219 S.A ss.1 RP (Part), 219 S.B, 221 (Part), 222 S.A RP (Part), 222 S.A ss.1 (Part), 222 S.B (Part), 224 S.B (Part), 224 S.C (Part) and 224 S.D in D.D.128, Lau Fau Shan, Yuen Long
- Site Area** : About 6,050 m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
- Zoning** : “Coastal Protection Area” (“CPA”)
- Application** : Temporary Place of Recreation, Sports or Culture (Fishing Ground) and Ancillary Refreshment Kiosk for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk for a period of 3 years. The location of the Site is shown on **Plans A-1** and **A-2**. The Site, comprising two fish ponds and adjoining land, is currently used for the applied use without planning permission.
- 1.2 According to the covering Notes of the OZP, subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned “CPA”, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for in terms of the OZP.
- 1.3 The Site is related to 7 previous applications (No. A/YL-HT/37, 290, 310, 317, 805, 838 and 1010) for agricultural or fishing ground uses with/without pond filling. The last application (No. A/YL-HT/1010) submitted by the same applicant for the same use was approved by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) on 18.3.2016. All the

approval conditions have been complied with. The permission was lapsed on 18.3.2019.

- 1.4 The Site is accessible from Deep Bay Road via a local track (**Drawing A-2** and **Plan A-2**). It is found that a concrete bund has been constructed surrounding the western fish pond (**Plan A-4c**). The applicant claimed that the bund was reinstated after being damaged by flooding during hoisting of typhoon signal no. 10 on 16.9.2018, and the applied use does not involve land filling or pond filling. According to the site layout at **Drawing A-2**, the ingress/egress point is at the eastern boundary of the Site. There are a total of 8 single-storey structures ranging from 3m to 7.5m in height with a total floor area of about 555 m<sup>2</sup>. They include 2 rain shelters (both 228 m<sup>2</sup>), 2 toilets (4 m<sup>2</sup> or 20 m<sup>2</sup>), a refreshment kiosk (20 m<sup>2</sup>), a meter room (20 m<sup>2</sup>), a site office (20 m<sup>2</sup>) and a tree hut (15 m<sup>2</sup>) for decoration. 6 parking spaces for private cars are also proposed (**Drawing A-2**). According to the applicant, the operation hours of the Site are from 9:00 a.m. to 9:00 p.m. daily. The proposed layout and development parameters of the current application are same as those of the last approved application (No. A/YL-HT/1010).
- 1.5 The location plan, layout plan, as-built landscape and tree preservation plan and as-built drainage plan submitted by the applicant are at **Drawings A-1 to A-4**.
- 1.6 In support of the application, the applicant has submitted the following documents:
  - (a) Application form and attachments received on 28.1.2019 (**Appendix I**)
  - (b) Planning Statement with location plan, layout plan, as-built landscape and tree preservation plan and as-built drainage plan (**Appendix Ia**)
  - (c) Further Information clarifying the reinstatement works for the bund of the western fish pond received on 13.3.2019 (**Appendix Ib**)  
*(accepted and exempted from publication and recounting requirements)*

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement at **Appendix Ia**. They can be summarized as follows:

- (a) The application is subject to the last planning permission of application No. A/YL-HT/1010. All the approval conditions were complied with.
- (b) The proposed use is similar to agricultural use which is always permitted in the “CPA” zone, except that it will be opened for the public to experience fishing. The Board has approved a number of similar applications.
- (c) The nature, form, layout, scale of the proposed development is compatible with the surrounding landscape and uses.
- (d) The proposed development involves minimal temporary structures and would make use of the existing natural resources. The Site could be revitalized and managed with the support of commercial operation and such operation would

fulfill the planning intention and would not generate adverse impacts to the surrounding. The proposal would arrive at a win-win situation.

- (e) The proposed temporary development did not violate the long term planning intention of the “CPA” zone as the proposed development and all structures are temporary in nature and the ponds at the Site will be preserved.
- (f) The submitted drainage, landscape proposal and traffic evaluation which are based on the previous planning permission No. A/YL-HT/1010 concludes that no adverse impact on traffic, environmental, drainage and landscape grounds is expected.

### **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. 31) by posting site notice and sending a registered mail to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

The Site is currently not subject to any planning enforcement action.

### **5. Previous Applications**

- 5.1 The Site was involved in 7 previous applications (No. A/YL-HT/37, 290, 310, 317, 805, 838 and 1010) for agricultural or fishing ground uses with/without pond filling. Applications No. A/YL-HT/37, 838 and 1010 were approved by the Committee whilst the other applications were rejected by the Committee/the Board.

#### *Approved Applications*

- 5.2 Application No. A/YL-HT/37 (covering the eastern fish pond of the Site and the strip of land/ponds at its immediate northeast in a larger site extent) for agriculture use and pond filling was approved by the Committee on 19.12.1997 mainly on the considerations that no building development was involved and the proposed agricultural activities were not incompatible with the planning intention of the “CPA” zone; the fish ponds on the concerned site were isolated ponds and should not have significant ecological value; there were no adverse comments from concerned Government departments including Director of Agriculture, Fisheries and Conservation (DAFC) and Director of Environmental Protection (DEP) on the ecological and environmental aspects. Applications No. A/YL-HT/838 and A/YL-HT/1010 (covering the same site of the current application) for temporary fishing ground and ancillary refreshment kiosk submitted by the same applicant as the current application were approved by the Committee on 15.3.2013 and 18.3.2016 respectively mainly on the considerations of only using the existing fish ponds as recreational fishing ground and no pond filling being involved; and no adverse comments from concerned Government departments.

### *Rejected Applications*

- 5.3 Applications No. A/YL-HT/290, 310 and 317 (covering the two fish ponds of the Site, the strip of land/ponds at its immediate northeast and the land to its south in a larger site extent) for pond filling for agriculture uses were rejected by the Committee on 21.3.2003, 25.7.2003 and 29.8.2003 respectively. The rejection reasons were that the proposal involved permanent filling of fish ponds which would result in significant loss of flood storage and no technical assessment had been submitted to demonstrate no adverse drainage impact; part of the concerned site fell within the proposed resumption limit of the Hang Hau Tsuen Channel and Associated Works Phase I project and approval of the applications would pose constraint to the implementation of the project; the proposed development was not in line with the planning intention of the “CPA” zone; there was insufficient information to demonstrate no adverse landscape impact; and the proposed development would set an undesirable precedent for other similar applications. Application No. A/YL-HT/805 (covering the Site and the land at its south and southeast in a much larger site extent) for temporary organic farm with ancillary education and activity centre and small-scale barbecue spot was rejected by the Board on review on 4.1.2013 on similar rejection reasons as those for Applications No. A/YL-HT/290, 310 and 317 except for the first and second reasons listed above.
- 5.4 Compared with the last approved application (No. A/YL-HT/1010), the current application was submitted by the same applicant for the same use with the same area and layout. All approval conditions of the last approved application were complied with and the planning permission was lapsed on 18.3.2019. Details of these applications are summarized at **Appendix II** and their locations are shown on **Plan A-1**.

## **6. Similar Application**

There is no similar application within the subject “CPA” zone.

## **7. The Site and Its Surrounding Areas (Plans A-1 to A-4c)**

### 7.1 The Site:

- (a) is composed of 2 portions. The western portion is occupied by a fish pond with a concrete bund. The eastern portion is partly occupied by a portion of fish pond and partly hard-paved with temporary structures;
- (b) is accessible from Deep Bay Road via a local track (**Plan A-2**);

### 7.2 The surrounding areas have the following characteristics (**Plans A-2 to A-4c**):

- (a) to its immediate north are pond and residential dwellings. Further north across the nullah is a group of residential dwellings of Hang Hau Tsuen;
- (b) to its immediate east are some residential dwellings and cultivated agricultural land. To its southeast is a grassland;

- (c) to its immediate south is a cultivated agricultural land, a playground, an office, an open yard storage of construction material and a training centre of Tree Climbing Hong Kong. To the further south is a plant nursery; and
- (d) to its immediate west are some residential dwellings and further southwest is the coastal area of Deep Bay.

## **8. Planning Intention**

- 8.1 The planning intention of “CPA” zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.
- 8.2 There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

## **9. Comments from Relevant Government Departments**

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

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
  - (a) The Site comprises Old Schedule Agricultural Lots held under Block Government Lease and New Grant Agricultural Lots which contain the restriction that no structures are allowed to be erected without the prior approval of the Government.
  - (b) Lot 219 S.B and 224 S.C in D.D. 128 are covered by Short Term Waiver (STW) No. 4637 for temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk use. Lot 221 in D.D. 128 is covered by STW No. 4638 for temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk use.
  - (c) The Site is accessible from Deep Bay Road through both private lots and Government Land (GL). His office provides no maintenance works to the GL involved and does not guarantee any right-of-way over the GL to the Site.
  - (d) The Site partly falls within “Sha Kong Miu (North) Site of Archaeological Interest” (AM98-0924).

- (e) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (f) Should planning approval be given to the subject planning application, the owner(s) of the lot(s) without Short Term Waiver (STW) will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on site, if any. The STW holders will need to apply to his office for modification of the STW conditions where appropriate. 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. Application(s) for any of the above will be considered by LandsD acting in the capacity of 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 of fee, as may be imposed by LandsD.

### **Environment**

#### 9.1.2 Comments of the Director of Environmental Protection (DEP):

- (a) The applicant is advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the DEP to minimize potential environmental nuisance to the surrounding area.
- (b) No environmental complaint pertaining to the site has been received over the past 3 years.

### **Conservation**

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

- (a) Based on the site photos taken on 26.1.2016, it is noted that the pond bund in the western fish pond was natural and vegetated. However, the site photos taken on 1.2.2019 revealed that the pond bund is now paved with concrete terrace.
- (b) From ecological point of view, natural pond bund is more preferable than paved pond bund. The applicant claimed that the proposed development would not involve land filling/pond filling/site formation in the current application. The applicant claimed that the pond bund was damaged during the passage of typhoon on 16.9.2018 and thus was reinstated. Provided that only the pond bund was paved for maintenance after typhoon and no pond filling was involved, he has no objection to the application.

### **Traffic**

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

- (a) He has no adverse comment on the application from traffic engineering point of view.
- (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.
- (c) The local track leading to the Site is not under Transport Department's (TD) purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.

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

- (a) The access arrangement should be commented by TD.
- (b) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Deep Bay Road.

**Landscape**

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

- (a) The Site is located to the north of Deep Bay Road and lies in an area zoned "CPA". The Site is subject of last approved application A/YL-HT/1010 for the temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk use, to which he had no objection from the landscape planning point of view. The landscape proposal was implemented and accepted. The current application is seeking planning permission for the same use by the same applicant for a period of 3 years.
- (b) With reference to the site visit on 13.2.2019 and the aerial photo of 2018, the Site is hard paved and is composed of 2 portions. The western portion is occupied by a fish pond with trees along the periphery, while the eastern portion is composed of a fish pond to the north and occupied by temporary structures to the south. Trees are found along the fish pond in the north, and generally around the temporary structures. Village houses are found to the west and north, and farmland to its south. Dense woodland is found to the further east. The Site is located in an area of rural landscape character dominated by fish pond, farmland and woodland.
- (c) In view of previously approved Application No. A/YL-HT/1010, significant change to the landscape character arising from the

application is not envisaged. Hence, he has no objection on the application from the landscape planning point of view.

- (d) Should the TPB approve this application, in view of the above, the condition to maintain all existing vegetation within the site in good condition for the duration of the planning approval period if considered adequate and appropriate.

### **Drainage**

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

- (a) He has no objection in principle to the application from a drainage point of view.
- (b) According to the applicant's submission, the existing drainage facilities which were implemented under an approved application no. A/TL-HT/1010 will be maintained for the applied use. Should the Board consider that the application is acceptable from the planning point of view, he would suggest a condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of his department.

### **Building Matters**

9.1.8 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, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Building Ordinance (BO) and should not be designated for any proposed use under the application.
- (c) For UBW erected on leased land, enforcement action may be taken by the 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 constructed as an acceptance of any existing building works or UBW on the site under the BO.
- (d) Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be



appointed as the coordinator for the proposed building works in accordance with 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.

### **Fire Safety**

#### 9.1.9 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the application subject to fire service installations being provided to the satisfaction of Director of Fire Services.
- (b) 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. In addition, the applicant should also be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSI to be installed should be clearly marked on the layout plans.
- (c) However, the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Others**

#### 9.1.10 Comments of the Antiquities and Monuments Office (AMO):

In view of the location and scope of the applied use, the AMO has no objection to the captioned application from cultural heritage viewpoint. Nevertheless, the applicant is required to inform AMO immediately if antiquities or supposed antiquities are discovered within the Site for the applied use.

#### 9.1.11 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) No Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.
- (b) For any waste generated from such activity/operation, the applicant should arrange disposal properly at her own expenses.

- (c) Proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.

### **District Officer's Comments**

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

His office has not received any comment from the locals on the application and he has no comment from departmental point of view.

9.2 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/Land Works, Civil Engineering and Development Department (CE/LW, CEDD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Director of Leisure and Cultural Services (DLCS); and
- (f) Commissioner of Police (C of P).

## **10. Public Comment Received During the Statutory Publication Period**

On 1.2.2019, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period, which ended on 22.2.2019, 1 public comment was received (**Appendix III**). An individual objects to the applied use mainly on the ground that the applied use fails to protect the coastal area and restore the ecological system.

## **11. Planning Considerations and Assessments**

11.1 The applicant seeks planning permission for temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk for a period of 3 years at the Site zoned "CPA" (**Plan A-1**). The "CPA" zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. In this regard, the application mainly involves using of the existing fish ponds as recreational fishing ground and no pond filling is involved. Regarding the concrete bund of the western fish pond (**Plan A-4c**), the applicant claimed that the bund was reinstated after being damaged by flooding during hoisting of typhoon signal no. 10 on 16.9.2018. Although, DAFC considers that natural pond bund is more preferable than paved pond bund from ecological point of view, he notes that the pond bund was paved for maintenance after typhoon and no pond filling was involved. In this regard, he has no objection to the application. As such, approving the application for passive recreational use on a temporary basis would not undermine the long-term planning intention of the "CPA" zoning.

- 11.2 The Site is located in an area of rural landscape character which is dominated by fish ponds, farmland, woodland and scattered residential uses. The applied use is therefore not entirely incompatible with the surrounding land uses (**Plan A-2**).
- 11.3 The applied use would not cause significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas. Relevant Government departments including C for T, DEP, CE/MN, DSD and CTP/UD&L, PlanD have no adverse comment on/objection to the application. There is no environmental complaint pertaining to the Site received in the past 3 years. To address the technical concerns of concerned Government departments and to minimize any potential nuisance, appropriate approval conditions are recommended in paragraph 12.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on the Site will be subject to enforcement action by the Planning Authority.
- 11.4 The Committee has approved two previous applications (No. A/YL-HT/838 and 1010) at the Site for the same use submitted by the same applicant. The proposed layout and development parameters of the current application are same as those of the last approved application (No. A/YL-HT/1010). All time-specific approval conditions of the last approved application were complied with and the permission was lapsed on 18.3.2019. Approval of the current application is in line with the Committee's previous decisions. For those rejected applications (No. A/YL-HT/290, 310 and 317), the rejection reasons were mainly involving permanent filling of fish ponds and adverse drainage and landscape impacts.
- 11.5 One public comment was received objecting to the application mainly on grounds stated in paragraph 10. The planning considerations and assessments in paragraphs 11.1 to 11.4 are relevant.

## **12. Planning Department's Views**

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department considers that the proposed temporary place of recreation, sports or culture (fishing ground) and ancillary refreshment kiosk could be tolerated for a period of 3 years.
- 12.2 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 until 22.3.2022. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) no operation between 9:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no filling of pond or land, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no use of public announcement system, as proposed by the applicant, is allowed at any time on the Site during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from public roads at any time during the planning approval period;
- (e) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (f) all vegetation within the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within **3 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 22.6.2019;
- (h) the submission of fire service installations proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 22.9.2019;
- (i) in relation to (h) above, the implementation of fire service installations proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 22.12.2019;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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
- (k) if any of the above planning conditions (g), (h) or (i) 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.

Advisory clauses

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

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

- (a) the "CPA" zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. There is a general presumption against development in this zone. The proposed development is not in line with the planning intention of the "CPA" zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) approval of the application would set an undesirable precedent for similar applications in the "CPA" zone. The cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape quality and ecological value in the area.

**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 period of which the permission should be valid on a temporary basis.
- 13.3 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.

**14. Attachments**

<b>Appendix I</b>	Application Form with attachments received on 28.1.2019
<b>Appendix Ia</b>	Planning Statement with location plan, layout plan, as-built landscape and tree preservation plan and as-built drainage plan
<b>Appendix Ib</b>	Further Information clarifying the reinstatement works for the bund of the western fish pond received on 13.3.2019
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Public Comment
<b>Appendix IV</b>	Advisory Clauses
<b>Drawing A-1</b>	Location plan
<b>Drawing A-2</b>	Layout plan
<b>Drawing A-3</b>	As-built landscape and tree preservation plan
<b>Drawing A-4</b>	As-built drainage plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4a to A-4c</b>	Site Photos

**PLANNING DEPARTMENT  
MARCH 2019**