

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/357

- Applicant** : Teng Fei Consultancy Company represented by Allgain Land Administrators (Hong Kong) Limited
- Site** : Lots 2704, 2705, 2708, 2709, 2713, 2714, 2716-2732, 2753-2757 in D.D. 129, Lau Fau Shan, Yuen Long
- Site Area** : About 15,946 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/9 and Approved Tin Shui Wai OZP No. S/TSW/14
- Zoning** : “Green Belt” (“GB”) (about 79%)
“Open Space (1)” (“O(1)”) (about 21%)
- Application** : Temporary Public Vehicle Park (Private Car, Medium Goods Vehicle, Heavy Goods Vehicle and Container Vehicle) 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 public vehicle park (private car, medium goods vehicle, heavy goods vehicle and container vehicle) for a period of 3 years (**Plans A-1a and A-1b**). The majority of the Site (79%) falls within an area zoned “GB” on the approved Lau Fau Shan and Tsim Bei Tsui (LFS&TBT) OZP No. S/YL-LFS/9 and a portion of the Site (21%) falls within an area zoned “O(1)” on the approved Tin Shui Wai (TSW) OZP No. S/TSW/14. According to the covering notes of the LFS&TBT OZP, temporary use or development of any land or buildings not exceeding a period of 3 years requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP. According to the covering notes of the TSW OZP, temporary uses (expected to be 5 years or less) of any land or buildings are always permitted. The Site is currently being used as a public vehicle park without valid planning permission.
- 1.2 Another application (No. A/YL-LFS/358) to the immediate north of the Site (**Plans A-1a and A-1b**) for temporary open storage of construction materials for a period of 3 years submitted by the same applicant will be considered at the same meeting.

- 1.3 The Site involves 3 previous planning applications (**Plan A-1b**) for pond filling and development of golf driving range (Application No. A/YL-LFS/31); temporary golf driving range (Application No. A/YL-LFS/40); and recreational use (proposed extension to the “Greenfield Garden” (including flea market for green/environmental friendly products))(Application No. A/YL-LFS/74) respectively. The first application was rejected while the last two applications were approved. Details of the previous applications are at paragraph 6 and **Appendix IV**.
- 1.4 The Site is accessible via New Sha Kong Wai Road leading to Tin Wah Road (**Drawing A-3 and Plan A-1b**). The ingress/egress point is located at the southeastern boundary of the Site (**Drawings A-1 and A-2 and Plan A-2**). As shown on **Drawing A-2**, 80 parking spaces for private cars (5m x 2.5m), 70 parking spaces for medium/ heavy goods vehicles (11m x 3.5m) and 40 parking spaces for container vehicles (16m x 3.5m) are proposed on the Site. The operation hours of the Site are from 7 a.m. to 11 p.m. from Mondays to Saturdays. There will be no operation on Sundays and public holidays.
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 13.1.2020 with lot index plan, proposed layout plan and vehicular access plan (**Appendix I**)
 - (b) Further Information received on 2.3.2020 providing responses to the comment of the Transport Department regarding the estimated trip generation and attraction and access route to/from the Site (**Appendix Ia**)
(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 at **Appendices I and Ia**. They are summarized as follows:

- (a) The Site is vacant and accessible by large vehicles.
- (b) More than 100 vehicles including private cars, light/ medium/ heavy goods vehicles are being parked at the Site. There is no other car park which can accommodate more than 100 vehicles nearby.

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 publishing notices in local newspapers. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is subject to two active enforcement cases (Nos. E/YL-LFS/498 and 499) (**Plan A-2**) and the alleged unauthorized development (UD) is storage use (including deposit of containers), parking of vehicles and fuel filling station. Both Enforcement Notices (EN) were issued to the registered land owners on 3.2.2020 requiring the UD to be discontinued by 3.4.2020. The Site will be kept under close monitoring for further action.

5. Town Planning Board Guidelines

- 5.1 The Town Planning Board Guidelines for “Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10) are relevant to the application. Relevant extracts of the Guidelines are attached at **Appendix II**.
- 5.2 The Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” (TPB PG-No. 13E) are also relevant to this application. According to the said Guidelines, the Site falls within Category 4 areas. Relevant extracts of the Guidelines are attached at **Appendix III**.

6. Previous Applications

- 6.1 The Site is the subject of 3 previous applications (Applications No. A/YL-LFS/31, 40 and 74) (**Plan A-1b**) for pond filling and development of golf driving range; temporary golf driving range; and recreational use respectively. Details of these applications and the Rural and New Town Planning Committee (the Committee)’s/Board’s decisions are summarized at **Appendix IV** and their locations are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-LFS/31 (covering part of the Site and the land to its north with a site area of about 3.53 ha) in the subject “GB” zone for pond filling and development of golf driving range with ancillary private club, conservation and recreational facilities was rejected upon review by the Board on 18.12.1998 mainly on the grounds of not in line with the planning intention of the “GB” zone, insufficient information to demonstrate no significant environmental, drainage, and flooding impacts on the surrounding areas, unacceptable proposed vehicular access arrangement and undesirable precedent.
- 6.3 Application No. A/YL-LFS/40 (covering part of the Site and the land to its north with a site area of about 2.2 ha) in the subject “GB” zone for temporary golf driving range with ancillary pro-shop, storage area, washroom and parking area was approved by the Committee on 28.5.1999 mainly on the considerations that the application was temporary in nature and all technical issues had been addressed, the proposed use was not incompatible with the surrounding land use, there would be no significant traffic impact to the area and relevant departments had no adverse comments on the application.
- 6.4 Application No. A/YL-LFS/74 (covering part of the Site and the land to its south

and north with a site area of about 3.4 ha) for recreational use (i.e. proposed extension to the “Greenfield Garden” (including flea market for green/environmental friendly products)) for a period of 3 years was approved by the Board upon review on 8.3.2002 mainly on the considerations that similar use (i.e. Application No. A/YL-LFS/39 for recreational uses including barbecue spot, playground, refreshment kiosk, visitor centre, public car park and ancillary uses (i.e. the Greenfield Garden) had been approved within the same “GB” zone. The planning permission was lapsed on 9.3.2005.

7. Similar Applications

- 7.1 Within the same “GB” zone, there are 2 similar applications (Applications No. A/YL-LFS/118 and 341) for parking of vehicle uses. Details of the applications and the Committee’s/Board’s decisions are summarized at **Appendix V** while the locations are shown on **Plan A-1a**.
- 7.2 Application No. A/YL-LFS/118 for temporary vehicle park for private cars and light goods vehicles was rejected by the Committee on 21.11.2003 mainly on the grounds that the proposed development was not in line with the planning intention of the “GB” zone; the proposed development did not comply with the then TPB-PG No. 12B for “Application for Developments within Deep Bay Area” in that there was insufficient information to demonstrate no adverse impacts on the ecological integrity and ecological values of the adjoining fish ponds as well as those within the Deep Bay area, there was no information to demonstrate no adverse drainage, traffic and landscape impacts on the surrounding area and undesirable precedent.
- 7.3 Application No. A/YL-LFS/341 for proposed temporary public vehicle park for private cars was approved by the Committee on 31.5.2019 mainly on the considerations that the proposed development (involving the provision of 65 private car parking spaces) was not incompatible with the surrounding area and land uses which mainly comprise recreational development with public vehicle park for private cars/ coaches; the proposed development would not generate adverse ecological, environmental, traffic, drainage and landscape impacts on the surrounding areas; and there were no adverse comment from concerned Government departments.

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

- 8.1 The Site is:
 - (a) currently hard-paved and used for public vehicle park; and
 - (b) accessible from Tin Wah Road via New Sha Kong Wai Road which is a local road with about 8m wide (**Drawing A-3 and Plan A-1b**).
- 8.2 The surrounding areas have the following characteristics (**Plans A-1a to Plan A-4c**):

- (a) to its immediate south is unused land; and to its further south is a recreational development named “Greenfield Garden” which is related to planning permission (Application No. A/YL-LFS/39) (**Plan A-1b**);
- (b) to its immediate west is fallow agricultural land; and to the further southwest are residential dwellings (the closest residential dwelling is about 41m away) in Sha Kong Wai;
- (c) to its immediate north is an open storage of construction materials and vehicles without valid planning permission (i.e. Application No. A/YL-LFS/358 to be considered at the same meeting); and
- (d) to its immediate east is the “O(1)” zone with presence of fish ponds and vegetation; and to its further east across Tin Ying Road is the nullah and a public housing development named Tin Yan Estate.

9. Planning Intentions

- 9.1 The planning intention of “GB” 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. However, limited development may be permitted if they are justified on strong planning grounds.
- 9.2 The planning intention of “O(1)” zone is for passive recreational uses with existing ponds preserved as landscape features.

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 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) Should planning approval be given to the subject planning application, the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularize 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. Application(s) for any of the above will be considered by the 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 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 objection to 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 (TD)'s 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.

10.1.3 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 Tin Wah Road.

Environment

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

- (a) He ~~has no adverse comment on~~ **does not support** the application **given the proposed use involves heavy vehicles and there is sensitive receiver nearby.**
- (b) No environmental complaint pertaining to the Site has been received in the past three years.
- (c) 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 and Open Storage Sites" ("COP").

Drainage

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

- (a) He has no objection in principle to the application from drainage point of view.
- (b) Should the Board consider that the application is acceptable from planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to submit a drainage proposal, to implement and maintain the proposed drainage facilities to the satisfaction of his department.

Fire Safety

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

- (a) He has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to the satisfaction of D of FS.
- (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.
- (c) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans.

Landscaping

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

- (a) According to the aerial photo taken in 2018, the Site is hard paved and no significant vegetation is observed within the Site. The applied use appears to be already in operation. The Site is located in an area of rural landscape character, comprising tree clusters, fish ponds and village houses. The extensive hard paving of the proposed development is considered not compatible with the landscape character of the surrounding area.
- (b) Approval of the application would set an undesirable precedent to encourage other similar developments to the area. The cumulative impact of which would result in a general degradation of the landscape quality of the surrounding environment and undermine the integrity of the “GB” and “O(1)” zones. In view of the above, he has reservation on the application from landscape planning perspective.

Nature Conservation

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

It is noted that the Site is paved and disturbed. It falls largely within the “GB” zone while the eastern portion falls within the “O(1)” zone. As indicated in the application, the current use of the Site is the applied use, which appears to be an unauthorized use without obtaining planning approval from the Board. It should be considered that if the proposed development is in line with the planning intention of “GB” zone.

Building Matters

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

- (a) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO).
- (b) For UBW erected on leased land, enforcement action may be taken by the Buildings Department to effect their removal in accordance with the prevailing 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 application site under the BO.
- (c) Before any demolition works are to be carried out on the Site, prior approval and consent of the BA should be obtained. An Authorized Person (AP) should be appointed as the co-ordinator for any demolition works in accordance with the BO. Should the AP confirm the works fall into the Minor Works Control System (MWCS), then the applicant may proceed with the works under the MWCS. For details of the submission procedure under the MWCS, the applicant may wish to visit BD’s website at www.bd.gov.hk.

District Officer’s Comments

10.1.10 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.

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

- (a) Project Manager (West)/West Development Office, Civil Engineering and Development Department (PM(W)/WDO, CEDD);
- (b) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);

- (c) Chief Engineer/Sewerage Projects, DSD (CE/SP, DSD);
- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Director of Leisure and Cultural Services (DLCS);
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (g) Commissioner of Police (C of P).

11. **Public Comments Received During Statutory Publication Period**

On 21.1.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 11.2.2020, 19 public comments were received from the World Wide Fund for Nature Hong Kong, Designing Hong Kong, village representatives of Sha Kong Wai, villagers of Sha Kong Wai and members of the public all objecting to the application and the reasons are summarized below (**Appendices VI-1 to VI-19**):

- (a) the proposed development is not in line with the planning intention of the “GB” zone;
- (b) the proposed development will generate adverse traffic and environmental impacts, light pollution and lead to degradation of the surrounding area;
- (c) the Board should not encourage “destroy first, build later” attitude; and
- (d) approval of the application would set an undesirable precedent for similar applications within the same “GB” zone.

12. **Planning Considerations and Assessments**

12.1 The current application is for temporary public vehicle park (private car, medium goods vehicle, heavy goods vehicle and container vehicle) for a period of 3 years. The Site is mainly zoned “GB” on the OZP. The planning intention of “GB” zone is to define 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. However, limited development may be permitted if they are justified on strong planning grounds. This strip of “GB” zone where the Site is located mainly serves as a buffer between the Tin Shui Wai New Town to its east and the natural landscape of vegetated hill slopes to its west (**Plan A-1a and Plan A-3**). As such, the applied use is not in line with the planning intention of the “GB” zone and there is no strong planning justification given in the submission for a departure of such planning intention, even on a temporary basis.

12.2 According to the TPB PG-No.10 for Application for Developments within the “GB” Zone, there is a general presumption against development within the “GB” zone. New development will only be considered in exceptional circumstances and must be justified with very strong planning grounds. For the current application, there is no strong planning justification in the submission to support the applied use in the “GB” zone. Moreover, CTP/UD&L, PlanD has reservation on the

application from landscape planning perspective as the applied use involving extensive hard paving is considered not compatible with the landscape character of the surrounding area, which is predominated by tree clusters, fish ponds and village houses. He also points out that approval of the application would set an undesirable precedent to encourage similar applications to the area. The cumulative impact of which will result in a general degradation of the landscape quality of the surrounding environment and undermine the integrity of “GB” zone. In this regard, the applied use is not in line with the TPB PG-No. 10.

- 12.3 The Site falls within Category 4 areas under the TPB PG-No. 13E for Application for Open Storage and Port Back-up Uses. The following considerations in the Guidelines are relevant:

Category 4 areas: applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals, and subject to no adverse departmental comments and local objections, 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 applications relevant technical assessments/proposals to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. A maximum period of 2 years may be allowed upon renewal of planning permission for an applicant to identify suitable sites for relocation. No further renewal of approval will be given unless under very exceptional circumstances and each application for renewal of approval will be assessed on its individual merit.

- 12.4 The applied use is not in line with TPB PG-No. 13E in that the Site falls within Category 4 areas where the Site was not involved in any previous approvals for public vehicle park use (including container vehicle); there are no exceptional circumstances to justify for the applied use; there are *objection*/reservations from **DEP and** CTP/UD&L, PlanD on *environmental and* landscape aspects; there is local objection on the application (**Appendices VI-1 to VI-19**); and no proposals/assessments have been submitted to demonstrate that the proposal would not generate adverse *environmental and* landscaping impacts on the surrounding area.
- 12.5 Relevant departments including C for T, CE/MN of DSD, D of FS have no adverse comment on the application on the traffic, drainage and fire safety aspects.
- 12.6 The Site is the subject of three previous applications of different site extents for various recreation use with/without pond filling. Application No. A/YL-LFS/31 for pond filling and development of golf driving range was rejected in 1998 mainly on grounds of not in line with planning intention; no information to demonstrate no adverse environmental, drainage and flooding impacts; and setting undesirable precedent. Application No. A/YL-LFS/40 for temporary golf driving range and Application No. A/YL-LFS/74 for recreational use (i.e. proposed extension to the “Greenfield Garden”) were approved in 1999 and 2002 respectively mainly on the considerations of not incompatible with the surrounding land uses; and no adverse departmental comments. Within the same “GB” zone, there were two similar

applications for public vehicle park. Application No. A/YL-LFS/118 for temporary vehicle park for private cars and light goods vehicles was rejected mainly on no information to demonstrate no adverse ecological, drainage, traffic and landscape impacts and adverse departmental comments. Application No. A/YL-LFS/341 for temporary public vehicle park for private cars was approved in 2019 mainly on the considerations that the proposed development (involving 65 private car parking spaces) was not incompatible with the surrounding recreational development within public vehicle park for private cars/coaches and no adverse departmental comments.

12.7 No approval for similar public vehicle park including heavy goods vehicle and container vehicle use has been granted by the Committee within the same “GB” zone. The Site is currently used as a public vehicle park without planning permission and subject to active enforcement actions. Approval of the application would set an undesirable precedent and encourage proliferation of public vehicle park use including heavy goods vehicle and container vehicle use within the same “GB” zone thereby frustrating its planning intention. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area. As such, rejecting the current application is in line with the Committee’s previous decisions

12.8 There are 19 public comments received from the public all objecting to the application on the grounds as summarized in paragraph 11 above. The planning considerations and assessments in the paragraphs 12.1 to 12.7 are relevant.

13. Planning Department’s Views

13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department does not support the application for temporary public vehicle park (private car, medium goods vehicle, heavy goods vehicle and container vehicle) for the following reasons:

- (a) the applied use is not in line with the planning intention of the “Green Belt” zone, which 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. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applied use is not in line with the TPB PG-No. 10 for Application for Developments within the “Green Belt” Zone in that the applied use is incompatible with the surrounding areas and would have adverse landscape impact;
- (c) the applied use is not in line with the TPB PG-No. 13E for Application for Open Storage and Port Back-up Uses in that there are adverse departmental

comments on *environmental and* landscape aspects and there is local objection on the application; and

- (d) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications in the “GB” zone, the cumulative effect of which would result in a general degradation of the environment of the area.

13.2 Alternatively, 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 **6.3.2023**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no operation from 11:00p.m. to 7:00a.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 vehicle without valid licence issued under the Road Traffic Ordinance, is allowed to be parked/stored 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 roads at any time during the planning approval period;
- (e) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **6.9.2020**;
- (f) in relation to (e) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **6.12.2020**;
- (g) the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a 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 **6.9.2020**;
- (i) in relation to (h) above, the implementation of the 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 **6.12.2020**;
- (j) if any of the above planning conditions (a), (b), (c), (d) 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;

- (k) if any of the above planning conditions (e), (f), (h) or (i) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse the planning permission.
- 14.2 Should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.
- 14.3 Alternatively, 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.

15. Attachments

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| Appendix I | Application Form received on 13.1.2020 with lot index plan, proposed layout plan and vehicular access plan |
| Appendix Ia | Further Information received on 2.3.2020 providing responses to the comment of the Transport Department regarding the estimated trip generation and attraction and access route to/from the Site |
| Appendix II | Relevant Extracts of Town Planning Board Guidelines for Application for Development within the Green Belt Zone (TPB PG-No. 10) |
| Appendix III | Relevant Extracts of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) |
| Appendix IV | Previous Applications covering the Site |
| Appendix V | Similar Applications within the same “GB” Zones |
| Appendices VI-1 to VI-19 | Public Comments |
| Appendix VII | Advisory Clauses |
| Drawing A-1 | Lot No. Plan |
| Drawing A-2 | Proposed Layout Plan |
| Drawing A-3 | Vehicular Access Plan |
| Plans A-1a and A-1b | Location Plan with Previous Applications and Similar |

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| Plan A-2 | Applications |
| Plan A-3 | Site Plan |
| Plans A-4a and A-4c | Aerial Photo |
| | Site Photos |

**PLANNING DEPARTMENT
MARCH 2020**