

Previous Applications Covering the Site

Approved Applications

| <u>Application No.</u> | <u>Zoning</u> (at the time of approval) | <u>Development/Use</u> | <u>Date of Consideration</u> | <u>Approval Conditions</u> |
|-------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------------|
| A/YL-PS/70 | “G/IC” & “R(B)1” | Proposed Temporary Open Storage of Plastic Materials and Ancillary Workshop for Compact Disc Destruction for a Period of 3 Years | 18.2.2000 | (1), (13) & (14) |
| A/YL-PS/150 | “G/IC” & “R(B)1” | Temporary Open Storage of Plastic Materials and Workshop for a Period of 3 Years | 31.10.2003 (23 months) | (2), (3), (13) & (14) |
| A/YL-PS/488 | “G/IC”, “R(B)1” & “V” | Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Car Testing Centre (Private Cars and Light Goods Vehicles) with Ancillary Office for a Period of 3 Years | 23.10.2015 | (1) to (14) |

Approval Conditions

- (1) Provision/implementation of drainage facilities/proposal
- (2) Maintenance of existing/implemented drainage facilities
- (3) Submission and implementation of landscape (and tree preservation) proposal
- (4) No night time operation
- (5) Only private cars and light goods vehicles are allowed
- (6) Posting notice at a prominent location to indicate the types of vehicle allowed to enter/be parked.
- (7) No parking/storage of vehicles without valid licenses issued under the Road Traffic Ordinance.
- (8) No vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activities is allowed.
- (9) Openings of the structures shall be directed away from the nearby sensitive uses
- (10) No queue back to or reverse onto/from public road
- (11) Submission and implementation of FSI proposal
- (12) Provision of boundary fencing
- (13) Revocation clause(s)
- (14) Reinstatement clause

Rejected Applications

| <u>Application No.</u> | <u>Zoning</u> (at the time of approval) | <u>Development/Use</u> | <u>Date of Consideration</u> | <u>Rejection Reasons</u> |
|-------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------|-------------------------------------|---------------------------------|
| A/YL-PS/129 | “G/IC” & “R(B)1” | Temporary Open Storage of Plastic Materials and Workshop for a Period of 3 Years | 11.4.2003 (TPB) | (1) & (2) |
| A/YL-PS/154 | “G/IC” & “V” | Temporary Open Storage of Construction Machinery for a Period of 3 Years | 25.7.2003 | (1) & (2) |
| A/YL-PS/281 | “G/IC” & “R(B)1” | Temporary Recyclable Collection Centre for a Period of 3 Years | 28.3.2008 | (2) & (3) |

Rejection Reasons

- (1) Not in line with the planning intention of the zone(s)
- (2) Insufficient information to demonstrate no adverse environmental and/or drainage impacts on the surrounding areas
- (3) Approval of the application would set an undesirable precedent for similar uses to proliferate in the surrounding areas

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to resolve any land issues relating to the development with other owner(s) of the Site;
- (c) to note the comments of District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that 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. The Site is accessible from Castle Peak Road (Ping Shan) via government land (GL). His office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site. The lot owner(s) should apply to his office for permitting the structures to be erected or to regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications 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 will be approved. If such application 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;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application. 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 construed as an acceptance of any existing building works or UBW on the Site under the BO. Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorised Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. 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. 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;
- (e) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring space shall be provided within the Site. The local track leading to the Site is not under 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;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Ping Kwai

Road;

- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans. 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;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the s.16 application by the Board does not imply the approval of tree works (such as felling/transplanting or pruning) and/or requirements under lease. Tree works applications should be submitted direct to DLO for approval.;
- (i) to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise the potential environmental nuisance on the surrounding areas;