

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/YL-PS/590

- Applicant** : Tang Lai Choi represented by Goldrich Planners and Surveyors Limited
- Site** : Lots 429, 430 (Part), 431 (Part), 436 (Part), 437 (Part), 438 S.A, 438 RP (Part), 446 (Part), 447 (Part) and 449 RP (Part) in D.D. 122, Hang Mei Tsuen, Ping Shan, Yuen Long, New Territories
- Site Area** : About 13,336.2 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/18
- Zoning** : “Village Type Development” (“V”)
[Restricted to maximum building height of 3 storeys (8.23m)]
- Application** : Renewal of Planning Approval for Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval to continue using the application site (the Site) for temporary rural communal public vehicle park for private cars, 5.5 tonnes goods vehicles, coaches and 24 tonnes goods vehicles for a period of 3 years (**Plan A-1a**). The Site falls within an area zoned “V” on the approved Ping Shan OZP No. S/YL-PS/18. According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use and planning permission from the Town Planning Board (the Board) is required. The Site is currently being used for the applied use with valid planning permission (No. A/YL-PS/515) until 29.7.2019. The applicant currently seeks renewal of planning approval for a period of 3 years.
- 1.2 The Site was involved in 12 previous applications (Nos. A/YL-PS/57, 123, 243, 266, 278, 294, 317, 340, 385, 437, 472 and 515) for temporary public vehicle park for private cars, coaches, lorries and goods vehicles. The last application No. A/YL-PS/515 was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board for a

period of 3 years on 29.7.2016. All the time-specific approval conditions have been complied with. The planning permission is valid until 29.7.2019. Details of the previous applications are summarised at paragraph 6 below and at **Appendix III**.

- 1.3 The major development parameters of the current application are the same as the approved application (No. A/YL-PS/515):

Site area	About 13,336.2 m ²	
Total floor area	About 323.88 m ²	
No. of structures	19 (mainly tents for parking, open sheds and storage of tools)	
Height of structures	2m to 5.5m (1 storey to 2 storeys)	
No. of parking spaces	(i) Private cars, 5.5 tonnes goods vehicles & 24-seat coaches	88
	(ii) Coaches & 24 tonnes goods vehicles	130
Operation Hours	7:00 a.m. to 11:00 p.m. daily	

- 1.4 According to the applicant, there is no change to the layout or proposed use comparing to the previously approved application (No. A/YL-PS/515). No heavy goods vehicles over 24 tonnes or container tractors and trailers are allowed to be parked on site. A notice has been posted at the entrance of the Site to indicate that no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at all time during the planning approval period. No vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the Site at any time during the planning approval period. The operation hours are between 7:00 a.m. to 11:00 p.m. daily (including Sundays and public holidays).

- 1.5 The location plan, lot index plan, site plan, tree preservation and landscape plan, fire services installations (FSI) plan and drainage proposal are at **Drawings A-1 to A-6** respectively.

- 1.6 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 23.5.2019 with supplementary information **(Appendix I)**
- (b) Planning Statement attached to Appendix I **(Appendix Ia)**
- (c) Further Information (FI) received on 17.6.2019 providing estimated trip generation and attraction rate in response to the Transport Department (TD)'s comment **(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 at **Appendix I**. They can be summarised as follows:

- (a) The Site is for the same use as the previous approval under application No. A/YL-PS/515 by the same applicant. The development parameters of the current application (No. A/YL-PS/590) remain the same as the previously approved scheme. There is no material change in terms of planning circumstances.
- (b) The applicant has complied with all the approval conditions, including landscaping, fencing, drainage and fire safety of previously approved application No. A/YL-PS/515.
- (c) The Site is the subject of 10 previous applications for the same use as public vehicle park (private cars, 5.5 tonnes goods vehicles, coaches and 24 tonnes goods vehicles).
- (d) There is no other public vehicle parking facilities in the area. The Site is owned by local Tsos/Tongs who have no intention to develop Small Houses (SHs) on the Site. They intend to use the land for a communal vehicle park for the nearby villages, which provided spacious and orderly parking of private cars, coaches and goods vehicles to the neighbourhood. The car park can contain the unplanned sprawling of vehicle parking which generates traffic problems and environmental nuisances to the community.
- (e) The Site provides car park for coaches accommodating Ping Shan Heritage Trail tourists. Using the Site as a communal vehicle park for the coaches is justified.
- (f) There will be no adverse impact on the environment. The existing trees within the Site will be properly maintained.

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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending notice to the Ping Shan Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B) are relevant to the application. The relevant assessment criteria are at **Appendix II**.

5. **Background**

The Site is currently in use and the previous planning approval is still valid. As such, the Site is not subject to any planning enforcement action. Follow-up investigation will be taken upon expiry of the current planning permission if the subject application is not approved by the Board.

6. **Previous Applications**

- 6.1 The Site, in part of in whole, was involved in 12 previous applications (No. A/YL-PS/57, 123, 243, 266, 278, 294, 317, 340, 385, 437, 472 and 515) for temporary public vehicle park for private cars, coaches, lorries and goods vehicles. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.2 Applications No. A/YL-PS/57, 123, 243 and 266 for temporary public vehicle park for private cars, lorries and coaches were approved by the Committee/the Board on review on 27.8.1999, 14.2.2003, 28.4.2006 and 9.3.2007 respectively for 3 years on grounds that the vehicle park was not incompatible with the surrounding land uses; it would help satisfy the parking demand; and no adverse comments were received from relevant government departments. However, the permission under applications No. A/YL-PS/243 and 266 were revoked on 28.7.2006 and 6.9.2007 respectively due to non-compliance with approval conditions.
- 6.3 Applications No. A/YL-PS/278, 294, 317, 340 and 385 for the same use were approved by the Committee/the Board on review on 25.7.2008, 13.2.2009, 19.3.2010, 18.3.2011 and 10.8.2012 for a shorter approval period of 1 year (except No. A/YL-PS/294 only applying for 1 year) due to revocation records and/or environmental concerns. The planning permissions of applications No. A/YL-PS/278, 317, 340 and 385 were revoked on 25.10.2008, 8.3.2011, 12.8.2011 and 10.4.2013 due to non-compliance with conditions.
- 6.4 Applications No. A/YL-PS/437 and 472 for the same use was approved by the Committee on 7.3.2014 and 27.2.2015 for a shorter approval period of 1 year due to environmental concerns and revocation records. All the approval conditions have been complied with.
- 6.5 Application No. A/YL-PS/515 for the same use was approved by the Committee on 29.7.2016 for a period of 3 years on considerations that the use would not jeopardise the long-term planning intention of the “V” zone; not incompatible with the surrounding land uses; concerned government departments have no objection to or adverse comments on the application; and approval of the application is in line with the Committee’s previous decisions.
- 6.6 Compared with the last approved application (No. A/YL-PS/515), the current application is submitted by the same applicant for the same use on the same site with the same development parameters and same layout.

7. Similar Applications

- 7.1 There are 36 similar applications (No. A/YL-PS/306, 307, 310, 356, 363, 366, 371, 372, 382, 386, 390, 395, 410, 425, 452, 458, 466, 468, 469, 479, 485, 489, 492, 498, 516, 521, 522, 543, 549, 552, 553, 554, 561, 562, 564 and 583) for temporary public vehicle park (private cars/private cars and light goods vehicles/light buses/coaches/medium goods vehicles) use within the same “V” zone. Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1a**.
- 7.2 There are 35 similar applications (No. A/YL-PS/306, 307, 310, 356, 363, 366, 371, 382, 386, 390, 395, 410, 425, 452, 458, 466, 468, 469, 479, 485, 489, 492, 498, 516, 521, 522, 543, 549, 552, 553, 554, 561, 562, 564 and 583) for temporary public vehicle park (private cars/private cars and light goods vehicles/light buses/coaches) approved by the Committee on considerations that the temporary use would not frustrate the long term planning intention of the “V” zone; the use was not incompatible with the surrounding land uses; and the use would unlikely to create significant adverse traffic, environmental, drainage and visual impacts on the surrounding areas. Among these permissions, applications No. 458, 468, 498 and 553 were revoked due to non-compliance with approval conditions.
- 7.3 The remaining one application (No. A/YL-PS/372) were rejected on grounds including not being in line with planning intention; incompatible with surrounding land uses; and environmental nuisance to the adjacent residential development.

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

- 8.1 The Site is:
- (a) currently used for the applied use with valid permission under application No. A/YL-PS/515;
 - (b) located at the south of Sheung Cheung Wai Site of Archaeological Interest (**Plan A-2**) and in the vicinity of the Ping Shan Heritage Trail (**Plan A-3**); and
 - (c) accessible from a local track connects with Tsui Sing Road leading to Ping Ha Road (**Plan A-2**).
- 8.2 The surrounding areas have the following characteristics:
- (a) to the north are mainly residential dwellings (Sheung Cheung Wai), vehicle park with valid permission under applications No. A/YL-PS/543 and 549; and parking of vehicles and storage which are suspected unauthorised development (UD);
 - (b) to the east are mainly residential dwellings (Hang Tau Tsuen and Hang Mei Tsuen) intermixed with parking of vehicles, storage, restaurant which are suspected UD;

- (c) to the south and west are mainly vehicle parks with valid permissions under applications No. A/YL-PS/552, 564 and 583, residential dwellings, ponds, pumping station and refuse collection point; intermixed with parking of vehicles and storage which are suspected UD.

9. Planning Intention

The planning intention of “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

10. Comments from Relevant Government Departments

- 10.1 The following government departments have been consulted and their views on the application and the public comments are summarised 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) Within the Site, the following private lots are currently covered by Short Term Waivers (STWs), details of which are listed below:

Lot No. in D.D. 122	STW No.	Permitted Use
429	STW 3957	Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Buses (Coaches) and 24 Tonnes Goods Vehicles
431 & 436	STW 3958	
438 S.A	STW 3959	
449 RP	STW 3960	

- (c) The Site is accessible from Tsui Sing Road 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.

- (d) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (e) Should planning approval be given to the subject planning application, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or 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 other the payment of premium or fee, as may be imposed by the LandsD.
- (f) There is no SH application received or approved at the Site. In its vicinity (within 30m), 8 SH applications have been approved.

Traffic

10.1.2 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):

- (a) He has no 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 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) Currently, only the section of Tsui Sing Road of about 120m abutting Ping Ha Road is maintained by HyD. HyD shall not be responsible for the maintenance of any access connecting the Site and the section of Tsui Sing Road being maintained by HyD.

Environment

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

- (a) He does not support the application according to the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“COP”) as the development involves traffic of heavy vehicles, and there are sensitive users (residential dwellings) within 100m from the site boundary or such traffic is expected to travel along access road within 50m from residential dwellings. The nearest residential development is adjacent to the eastern and northern boundaries of the Site (**Plan A-2**). Environmental nuisance is expected.
- (b) There was no environmental complaint pertaining to the Site received in the past 3 years.
- (c) Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the latest “COP”.

Landscape

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

- (a) The Site is subject to previous approved planning application No. A/YL-PS/515 for temporary public vehicle park use. With reference to his site records and aerial photos of 2018, it is observed that the Site is hard paved and with existing trees generally along the site boundary. Significant change to the landscape character arising from the continued use is not envisaged.
- (b) The applicant is advised that approval of the s.16 application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works.

Drainage

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

- (a) According to the applicant's submission, the existing drainage facilities which was implemented under an approved application No. A/YL-PS/515 will be maintained for the subject development. He has no objection in principle to the proposed development from a drainage point of view. Should the Board consider that the application is acceptable from the planning point of view, he would suggest that 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 Division.
- (b) The applicant is reminded that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal cat pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal.

Fire Safety

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

- (a) He has no objection to the proposal subject to FSIs 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.
- (c) 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.
- (d) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

Building Matters

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

- (a) As 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 unauthorised building works (UBW) under the Buildings 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 construed 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 Authorised Person (AP) should be appointed as the co-ordinator 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.

Others

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

As the Site has been hard-paved and used for the same applied use as previously approved, he has no strong view on the application. Should the application be approved, the applicant is advised to implement necessary measures to avoid causing disturbance and water pollution to the nearby ponds to the west of the Site.

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 feedback from locals.

10.2 The following Departments have no comment on/no objection to the application:

- (a) Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (ES(A&M), AMO);
- (b) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Director of Leisure and Cultural Services (DLCS);
- (e) Director of Electrical and Mechanical Services (DEMS); and
- (f) Commissioner of Police (C of P).

11. Public Comment Received During the Statutory Publication Period

On 31.5.2019, the application was published for public inspection. During the first 3 weeks of the statutory public inspection periods, which ended on 21.6.2019, one public comment was received (**Appendix V**). An individual objects to the application on grounds of inefficient land use and parking could be provided in stacked facilities.

12. Planning Considerations and Assessments

- 12.1 The subject application is for renewal of planning approval for temporary rural communal public vehicle park (private cars, coaches and goods vehicles) for a period of 3 years at a site zoned "V" on the OZP. The planning intention of the "V" zone is primarily intended for development of Small House by indigenous villagers. Whilst the development is not entirely in line with the planning intention of the "V" zone, according to the DLO/YL, LandsD, there is no Small House application approved or under processing at the Site. Approval of the application on a temporary basis will not frustrate the planning intention of the "V" zone.
- 12.2 Although the Site is near village settlements of Sheung Cheung Wai to the north, Hang Tau Tsuen to the east and Hang Mei Tsuen to the southeast, it is immediately surrounded by vehicle parks in the north, southeast and south. The development is not incompatible with the surrounding land uses (**Plans A-2 and A-3**).
- 12.3 The application is generally in line with TPB PG-No. 34B in that there is no material change in planning circumstances since the previous temporary approval was granted; adverse planning implications arising from the renewal of the planning approval are not envisaged; all conditions under previous approval have been complied with; and the approval period sought is the same as the previous approval.

- 12.4 There is no adverse comment on the application from relevant government departments, except DEP. DEP does not support the application as there are sensitive receivers of residential use in the vicinity (**Plan A-2**), and environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. To address the concerns on the possible environmental nuisances generated by the temporary use or to address the technical requirements of other concerned government departments, relevant approval conditions are recommended in paragraph 13.2 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. Should the planning application be approved, the applicant will also be advised to follow the relevant mitigation measures and requirements set out in the “COP” in order to minimize any potential environmental impact.
- 12.5 The Committee has approved 12 previous applications for the same use at the Site. Within the same “V” zone, there are 35 similar applications approved by the Committee since 2009. Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 There is one public comment received during the statutory publication period objecting to the application on grounds as summarised in paragraph 11 above. The planning considerations and assessments above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12, and having taken into account the public comment mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 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 from 30.7.2019 to 29.7.2022. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site to indicate that no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers as defined in the Road Traffic

Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, during the planning approval period;

- (d) 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;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (f) no vehicle is allowed to queue back to public roads or reverse onto/from public roads;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the existing vegetation within the Site shall be maintained in good condition during the planning approval period;
- (i) the existing boundary fencing shall be maintained during the planning approval period;
- (j) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **30.10.2019**;
- (k) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **30.1.2020**;
- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **30.4.2020**;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (i) 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
- (n) if any of the above planning conditions (j), (k) or (l) 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.

[Approval conditions (a) to (g), (j) to (l) are the same as the previous application No. A/YL-PS/515 and conditions (h) and (i) have been revised

to accord with the latest departmental comments]

Advisory clauses

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

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

- (a) the planning intention of "V" zone is primarily intended for development of Small Houses by indigenous villagers. The development is not in line with the planning intention of the "V" zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the development would not cause adverse environmental impacts on the surrounding area.

14. Decision Sought

14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

14.2 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.

14.3 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.

15. Attachments

Appendix I	Application form received on 23.5.2019 with supplementary information
Appendix Ia	Planning Statement attached to Appendix I
Appendix Ib	FI received on 17.6.2019 providing trip generation and attraction rate in response to TD's comment
Appendix II	Extracts of Town Planning Board Guidelines for Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use of Development (TPB-PG No. 34B)
Appendix III	Previous s.16 applications covering the Site
Appendix IV	Similar applications within the same "V" zone on the approved Ping Shan OZP No. S/YL-PS/18
Appendix V	Public comment received during the statutory publication period
Appendix VI	Advisory clauses

Drawing A-1	Location Plan
Drawing A-2	Lot Index Plan
Drawing A-3	Site Plan
Drawing A-4	Tree Preservation and Landscape Proposal
Drawing A-5	Fire Services Installations Proposal
Drawing A-6	Drainage Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
JULY 2019**