

**Relevant extracts of the Town Planning Board Guidelines No. 34B for  
“Renewal of Planning Approval and Extension of Time for Compliance with Planning  
Conditions for Temporary Use or Development”  
(TPB PG-No. 34B)**

1. The criteria for assessing applications for renewal of planning approval include:
  - (a) whether there has been any material change in planning circumstance since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
  - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
  - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
  - (d) whether the approval period sought is reasonable; and
  - (e) any other relevant considerations.
  
2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

**Previous Application Covering the Application Site**

**Approved Application**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s) / Development(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
1	A/YL-TT/223	Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years	4.7.2008 (approved for 3 years)	(1), (2), (3), (4), (5), (6), (7)
2	A/YL-TT/286	Renewal of Planning Approval for Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	20.5.2011	(1), (2), (3), (6), (7), (8), (9), (10), (11)
3	A/YL-TT/331	Renewal of Planning Approval for Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	27.6.2014 [revoked on 5.10.2014]	(1), (2), (3), (6), (7), (8), (9), (10), (11), (12)
4	A/YL-TT/349	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	27.3.2015	(1), (2), (3), (6), (7), (8), (9), (10), (11), (12)

**Approval Condition(s):**

- (1) No vehicle dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out.
- (2) No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, are allowed to be parked/stored on the site.
- (3) No vehicles without valid licences are allowed to be parked/stored on the site.
- (4) Submission and implementation of drainage proposal.
- (5) Submission and implementation of landscape proposal.
- (6) Revocation of planning approval if any of the conditions is not complied with at any time or by the specified date.
- (7) Reinstatement of the site to an amenity area upon expiry of the planning permission.
- (8) Maintenance of existing vegetation/trees/landscape plantings on the site.
- (9) Maintenance of existing drainage facilities on the site.
- (10) Submission of record of existing drainage facilities on the site.
- (11) Posting of a notice at a prominent location of the site at all times to indicate that no medium or heavy good vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on or enter/exit the site.
- (12) No queuing and reverse movement of vehicles onto public road are allowed.

**Similar Applications within the subject “V” Zone on the Tai Tong OZP**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s) / Development(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
1	A/YL-TT/377	Proposed Temporary Public Vehicle Park (Private Cars and Van-type Light Goods Vehicles) for a Period of 3 Years	13.5.2016	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11)

**Approval Condition(s):**

- (1) Only private cars and van-type light goods vehicles not exceeding 1.9 tonnes permitted gross vehicle weight are allowed to enter/be parked on the site.
- (2) A notice should be posted at a prominent location of the site at all times to indicate that only private cars and van-type light goods vehicles not exceeding 1.9 tonnes permitted gross vehicle weight are allowed to enter/be parked on the site.
- (3) No vehicle without valid licences is allowed to be parked/stored on the site.
- (4) No vehicle repairing, dismantling, car beauty or other workshop activities are allowed on the site.
- (5) No open storage activity is allowed on the site.
- (6) No vehicle is allowed to queue back to or reverse onto/from public road.
- (7) Provision of boundary fence on the site.
- (8) Submission and implementation of landscape proposal.
- (9) Submission and implementation of drainage proposal.
- (10) Revocation of planning approval if any of the conditions is not complied with at any time or by the specified date.
- (11) Reinstatement of the site to an amenity area upon expiry of the planning permission.

**Rejected Application**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s) / Development(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Rejection Reason(s)</u></b>
1	A/YL-TT/148	Temporary private car, lorry and oil tanker park for a period of 3 years	2.1.2004 (on review)	(1), (2), (3), (4), (5)

**Rejection Reason(s):**

- (1) Not in line with the planning intention of the “V” zone. No strong justification has been given in the submission for the departure from the planning intention, even on a temporary basis.
- (2) Not compatible with the rural character in the surrounding areas with mainly active/fallow agricultural land, village houses and an orchard.

- (3) No information to demonstrate that a satisfactory vehicular access arrangement would be provided to the site and adequate space would be provided for manoeuvring of vehicles within the site.
- (4) No information in the submission to demonstrate that the development would not generate adverse visual and drainage impacts on the surrounding areas.
- (5) Approval of the application would set an undesirable precedent for other similar applications in the "V" zone, the cumulative effect of which would result in a general degradation of the environment of the area.

**Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site comprises an Old Schedule Agricultural Lot 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 to Tai Shu Ha Road East via Government land (GL). His office does not provide maintenance work for GL involved and does not guarantee any right-of-way to the Site. The lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site. Such application(s) will be considered by the Lands Department acting in the capacity as 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 Lands Department;
- (b) to note the comments of the Commissioner for Transport that the land status of the access road/path/track leading to the Site from Tai Shu Ha Road East shall be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track shall be clarified and relevant management and maintenance authorities shall be consulted accordingly. The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no vehicle queuing and no reverse movement of vehicles on public road are allowed;
- (c) to note the comments of the Chief Engineer/New Territories West, Highways Department (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. His department is not and shall not be responsible for the maintenance of any existing vehicular access connecting the site and Tai Shu Ha Road East;
- (d) 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” issued by the Environmental Protection Department;
- (e) to note the comments of the Director of Fire Services 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. In addition, the applicant should also be advised on the following points: (i) The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; (ii) The location of where the proposed FSIs to be installed should be clearly marked on the layout plans;
- (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to his department’s standards;
- (g) to note the comments of the Director of Electrical and Mechanical Services that for the design and operation of electricity package substation, CLP Power has to comply with the Electricity

Ordinance and relevant statutory requirements. As the electricity package substation is to provide electricity supply to some future developments in the vicinity, the associated electricity demand should be provided by the nearby substation as far as possible. The Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of electricity supply lines.