

**Similar Application Within the Same “V” Zone  
on the Approved 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/423	Temporary Private Vehicle Park (Private Cars only) for a Period of 3 Years	2.3.2018	(1), (2), (3), (4), (5), (6), (7), (8), (9)

**Approval Condition(s):**

- (1) Only private cars 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 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 vehicle is allowed to queue back to or reverse onto/from public road.
- (6) Submission and implementation of run-in/out proposal
- (7) Submission and implementation of drainage proposal and maintenance of drainage facilities implemented therein.
- (8) Revocation of planning approval if any of the conditions is not complied with at any time or by the specified date.
- (9) Reinstatement of the site to an amenity area upon expiry of the planning permission.

**Rejected Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use/Development</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Rejection Reason(s)</u></b>
1	A/YL-TT/45	Temporary Lorry Park up to the End of July 1999	23.4.1999 (on review)	(1), (2), (3), (4)

**Rejection Reason(s):**

- (1) Not in line with the planning intention of the “V” zone and no strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.
- (2) Not compatible with the surrounding rural area and the nearby village houses.
- (3) No information in the submission on vehicular access arrangement and the layout of the proposed lorry park.
- (4) Approving the application would set an undesirable precedent for other similar applications, the cumulative effect of which would result in a general degradation of the environment of the area.

**Advisory Clauses**

- (a) to resolve any land issues relating to the development with the concerned owner(s) at the Site;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site comprises Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. The Site is accessible to Kiu Hing Road via Government land (GL). Her office does not provide maintenance works for the GL involved and does not guarantee any right-of-way to the Site. The lot owner(s) will need to apply to her office to permit structures to be erected or regularize any irregularities on Site. Such application(s) will be considered by her department acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application(s) 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 her department;
- (c) to note the comments of the Commissioner for Transport that the applicant is reminded that sufficient space within the Site should be provided for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed;
- (d) to note the comments of the Chief Engineer/New Territories West, Highways Department 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 access connecting the Site and Kiu Hing Road;
- (e) 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;
- (f) 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. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and the location of where the proposed FSIs 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; and
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BD, they are unauthorized 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 the Site, prior approval and consent of the BD should be

obtained, otherwise they are UBW. An Authorized Person should be appointed as the coordinator 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.