

Similar Applications within the subject “R(D)” or “V” Zones on the OZP

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s) / Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1	A/YL-TT/51*	Temporary public car and lorry park for a period of 2 years	28.5.1999	(1), (3), (4), (6), (9)
2	A/YL-TT/119*	Temporary public car and lorry park for a period of 3 years	21.9.2001 (revoked on 21.3.2002)	(1), (3), (6), (7), (8)
3	A/YL-TT/135*	Temporary public car and lorry park for a period of 3 years	27.9.2002	(1), (3), (6), (7), (8), (9)
4	A/YL-TT/170*	Proposed temporary public vehicle park for parking of private cars, light and medium goods vehicles for a period of 3 years	17.12.2004 (revoked on 17.9.2005)	(1), (3), (4), (5), (6), (7), (8)
5	A/YL-TT/185*	Temporary public vehicle park (including private cars, lorries and container vehicles) for a period of 3 years	9.9.2005	(1), (3), (5), (6), (7), (8)
6	A/YL-TT/229*	Temporary public vehicle park (private cars and lorries) for a period of 3 years	24.10.2008	(1), (3), (4), (5), (6), (7), (8), (9)
7	A/YL-TT/488*	Temporary Public Vehicle Park (excluding container vehicle) for a Period of 5 Years	3.1.2020	(2), (4), (5), (6), (7), (9), (10), (11)

* Site located in the subject “V” zone

Approval Condition(s):

- (1) Submission and implementation of landscape proposal/maintain of existing trees.
- (2) Submission and implementation of water supplies for fire-fighting, emergency vehicular access and/or fire service installations proposal.
- (3) No medium and/or heavy goods vehicles, container trailers/tractors are allowed to enter/be parked on the Site.
- (4) No vehicle without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the Site.
- (5) No open storage and/or vehicle repairing, dismantling, car beauty or other workshop activities are allowed on the Site.
- (6) Submission and implementation of drainage proposal and maintenance of implemented drainage facilities.
- (7) Revocation of planning approval if any of the conditions is not complied with at any time or by the specified date.
- (8) Reinstatement of the Site to an amenity area upon the expiry of the planning permission.
- (9) The design and/or provision of run-in/out to the site within a specified time limit.
- (10) Only private cars are allowed to enter/be parked on the Site.
- (11) No vehicle is allowed to queue back to or reverse onto/from public road.

Rejected Applications

	<u>Application No.</u>	<u>Proposed Use(s) / Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejection Reason(s)</u>
1	A/YL-TT/5#	Public Car Park	13.10.1995 on review	(1), (2), (3)
2	A/YL-TT/158*	Temporary vehicle repair workshop, parking of private cars/lorries and mini-buses and storage of vehicle parts for a period of 3 years	17.7.2004	(2), (4), (5), (6)

Site located in the subject "R(D)" zone

* Site located in the subject "V" zone

Rejection Reason(s):

- (1) The proposed development is not in line with the planning intention of the "R(D)" zone of the area which is to improve and upgrade the existing domestic accommodations with a view to improving the local environment;
- (2) There is insufficient information in the submission to demonstrate that the proposed development will not cause adverse traffic problem.
- (3) There is no proposal in the submission to address the adverse visual impact of the proposed development.
- (4) The proposed development was not in line with the planning intention of the "V" zone which was to designate both existing recognised villages and areas of land considered suitable for village expansion. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis.
- (5) The proposed development was not compatible with the residential character in the surrounding areas.
- (6) Approval of the application would set an undesirable precedent for other similar uses to proliferate into the "V" zone. The cumulative effect of approving such applications 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) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises Old Scheduled 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 lots owner(s) will need to apply to her 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. Applications for any of the above 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 will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by her department;
- (c) to note the comments of the Commissioner for Transport that the land status of the access road/path/track leading to the Site from Shui Tsiu San Tsuen Road shall be checked with the lands authority. Sufficient space should be provided within the Site for manoeuvring of vehicles. No parking of vehicles on public road are allowed;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that if the proposed access arrangement is agreed by the Transport Department, the run in/out at Shui Tsiu San Tsuen Road should be constructed in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. 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 shall not be responsible for the maintenance of any access connecting the Site and Shui Tsiu San Tsuen Road;
- (e) to note the comments of the Director of Environmental Protection that 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 should be followed to minimise any potential environmental nuisances on the surrounding areas;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the drainage facilities on site should be implemented in accordance with the agreed drainage proposal. The drainage system should be rectified by you if they are found to be inadequate or ineffective during operation. You shall be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by a failure of the drainage system. The proposed development would neither obstruct overland flow nor adversely affect any existing natural streams, village drains, ditches and the adjacent areas. DLO/YL, LandsD should be consulted and consent from relevant lot owners should be sought for any works to be carried out outside your lot boundary before commencement of the drainage works;
- (g) to note the comments of the Director of Fire Services that in consideration of the

design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted 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 FSIs to be installed should also be clearly marked on the layout plans. If the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (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 Building Surveyor/New Territories West, Buildings Department (BD) that before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works (UBW) under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. For UBW erected on leased land, enforcement action may be taken by the BD 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 Site under 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. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and
- (i) to note that comments of the Director of Electrical and Mechanical Services that you should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The Electricity Supply Lines (Protection) Regulation and the 'Code of Practice on Working near Electricity Supply Lines' established under the Regulation should be observed when carrying out works in the vicinity of the electricity supply lines.