

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

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 Applications Covering the Application Site**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s) / Development(s)</u></b>	<b><u>Date of Consideration (RNTPC)</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)
5	A/YL-TT/420	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	26.1.2018	(1), (2), (3), (6), (7), (8), (9), (10), (11), (12), (13)

**Approval Condition(s):**

- (1) Restriction on certain workshop activities at the site.
- (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/by the specified date during the approval period.
- (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.
- (13) Submission and implementation of fire service installations.

**Similar Application within the subject “V” Zone on the OZP**

**Rejected Application**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s) / Development(s)</u></b>	<b><u>Date of Consideration (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 in the submission 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 application site (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;
- (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 should be clarified and consulted with the relevant management and maintenance authorities accordingly. Sufficient space should be provided within the Site for manoeuvring of vehicles. No parking of vehicles on public road is allowed;
- (c) to note the comments of the Chief Engineer/New Territories West, Highways Department that adequate drainage measures should be provided at the Site to prevent surface water running from the Site to nearby public roads and drains. His department shall not be responsible for any access connecting the Site and Tai Shu Ha Road East; and
- (d) 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.