

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

**APPLICATION NO. A/YL-TYST/1014**

- Applicant** : Mr. TANG Mo Pun represented by Metro Planning and Development Company Limited
- Site** : Lots 2685 (Part), 2686 (Part), 2687 (Part), 2688 (Part), 2689, 2690 (Part), 2700 (Part), 2701 (Part), 2702, 2703 (Part), 2704 S.A & S.B (Part), 2705 (Part) and 2713 (Part) in D.D. 120, Shan Ha Tsuen, Yuen Long, New Territories
- Site Area** : 4,340 m<sup>2</sup> (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/12
- Zoning** : “Undetermined” (“U”)
- Application** : Renewal of Planning Approval for Temporary Open Storage of Construction Machinery, Construction Material and Ancillary Site Office for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of construction machinery, construction material and ancillary site office for a further period of 3 years at the application site (the Site) (**Plan A-1a**). According to the covering Notes of the OZP for “U” zone, all uses or development except those specified in the covering Notes require permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use with valid planning permission under application No. A/YL-TYST/838 until 26.5.2020 (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site involves 9 previous applications (No. A/YL-TYST/110, 458, 516, 564, 619, 626, 682, 838 and 935) for various temporary open storage with/without ancillary workshop and/or office uses (**Plan A-1b**). The current application is to renew the planning approval under previous application No. A/YL-TYST/838, which was approved with conditions for a period of 3 years by the Rural and New

Town Planning Committee (the Committee) of the Board on 26.5.2017. All the time-limited approval conditions under application No. A/YL-TYST/838 had been complied with and the planning permission is valid until 26.5.2020. Compared with the aforesaid application, the current application is submitted by the same applicant for the same use with the same layout and development parameters covering the same site.

1.3 According to the applicant, the proposal is for storage of construction machinery and material (i.e. mainly steel for construction use). No dismantling, repairing, cleansing and other workshop activities will be carried out at the Site. No heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, will be allowed to enter the Site. The applicant also undertakes that all existing drainage facilities within the Site will be maintained at his own expense. Plans showing the vehicular access leading to the Site, site layout, landscape and tree preservation proposal, as-built drainage facilities and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-5** respectively.

1.4 The major development parameters of the previously approved application No. A/YL-TYST/838 are the same as the current application, which are summarised as follows:

<b>Major Development Parameters</b>	<b>Previously Approved Application No. A/YL-TYST/838 (a)</b>	<b>Current Application No. A/YL-TYST/1014 (b)</b>
Applied Use	Temporary Open Storage of Construction Machinery, Construction Material and Ancillary Site Office for a Period of 3 Years	
Site Area	About 4,340 m <sup>2</sup>	
Total Floor Area (Non-domestic)	About 135 m <sup>2</sup>	
No. and Height of Structures	7 <ul style="list-style-type: none"> <li>• two for guard room (3.5m, 1 storey)</li> <li>• five for site office (3.5m, 1 storey)</li> </ul>	
No. of Parking Space	Nil	
No. of Loading/ Unloading Space	1 (for medium goods vehicle) (11m x 3.5m)	
Operation Hours	8:00 a.m. to 11:00 p.m., with no operation on Sundays and Public Holidays	

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

- (a) Application Form received on 17.3.2020 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Further Information (FI) received on 3.4.2020 providing clarification on site layout and FSIs proposal with fire certificates **(Appendix Ib)**
- (d) FI received on 4.5.2020 clarifying the proposed use **(Appendix Ic)**

*[(c) and (d) 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 mainly detailed in Section 3 of the Supplementary Planning Statement (**Appendix Ia**). They can be summarised as follows:

- (a) The Site has been subject to planning permissions since 2009. All approval conditions under application No. A/YL-TYST/838 had been complied with.
- (b) According to the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13E), the Site falls within Category 1 areas and is considered suitable for open storage and port back-up uses.
- (c) The proposal is in line with the planning intention of the “U” zone. A number of open storage yards and warehouses have been approved by the Board in the vicinity. Therefore, the development is compatible with the surrounding environment. Besides, there is a shortage of land for open storage purpose in Tong Yan San Tsuen.
- (d) There will be minimal traffic, environmental, visual and drainage impacts arising from the proposal. Adequate space for loading/unloading and manoeuvring of vehicles will be provided. The applicant undertakes to follow the environmental mitigation measures in the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Use” (Code of Practice), where applicable. Furthermore, the proposal has been set back for more than 20m from the area zoned “Village Type Development” (“V”) on the OZP (**Plan A-2**).

## **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 Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting notice of the application outside the Site and sending the notice to the Ping Shan Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Town Planning Board Guidelines**

- 4.1 The Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13F) are relevant to the application. The Site falls within Category 1 areas under TPB PG-No. 13F promulgated by the Board on 27.3.2020. The relevant extract of the Guidelines is attached at **Appendix II**.
- 4.2 The Town Planning Board Guidelines for “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use

or Development” (TPB PG-No. 34C) are also relevant to the application. The relevant assessment criteria are attached at **Appendix III**.

## **5. Background**

The Site is currently not subject to planning enforcement action.

## **6. Previous Applications**

- 6.1 The Site involves 9 previous applications (No. A/YL-TYST/110, 458, 516, 564, 619, 626, 682, 838 and 935) for various temporary open storage with/without ancillary workshop and/or office uses. Details of the previous applications are summarised in **Appendix IV** and the boundaries of the sites are shown on **Plan A-1b**.
- 6.2 Out of these 9 previous applications, one application (No. A/YL-TYST/564) for temporary open storage of construction machinery, construction materials and recycled materials (including metal and plastic) with ancillary workshop was rejected by the Board on review on 31.8.2012, mainly on the considerations that the proposal did not comply with the then TPB PG-No. 13E (in that the applicant could not demonstrate that the development would not generate adverse environmental, drainage and fire safety impacts on the surrounding areas and there were adverse departmental comments on the application); and approval of the application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system.
- 6.3 Applications No. A/YL-TYST/110, 458, 516, 619, 626, 682 and 935 for various temporary open storage of construction materials, machinery, recycled materials and/or other items with/without ancillary site office and/or workshop were all approved with conditions by the Committee between 2000 and 2019 for periods ranging from 1 to 3 years, mainly on the considerations that the proposals were generally in line with the then TPB PG-No. 13E; approval of the application on a temporary basis would not frustrate the long-term development of the area; the proposals were not incompatible with the surrounding uses; and the concerns of relevant government departments could be addressed by imposing approval conditions. However, the planning permissions under applications No. A/YL-TYST/110, 458, 516 and 619 were subsequently revoked between 2001 and 2013 due to non-compliance with approval conditions.
- 6.4 Application No. A/YL-TYST/838 for the same use as the current application was approved with conditions for a period of 3 years by the Committee on 26.5.2017 mainly on similar considerations as those stated in paragraph 6.3 above. All the time-limited approval conditions under the last application had been complied with and the planning permission is valid until 26.5.2020. Compared with this application, the current application is submitted by the same applicant for the same use with the same layout and development parameters covering the same site.

## **7. Similar Applications**

- 7.1 A total of 139 similar applications for various types of temporary open storage and/or warehouse uses with or without ancillary workshop/site office uses in this part of the “U” zone had been considered by the Committee or the Board on review since 17.10.2008. Details of the applications are summarised in **Appendix V** and the locations of the sites are shown on **Plan A-1a**.
- 7.2 Out of the 139 similar applications, 138 were approved mainly on similar considerations that the developments were not incompatible with the surrounding uses and the concerns of relevant departments could be addressed by imposing approval conditions. However, the planning permissions for 29 of them were subsequently revoked due to non-compliance with approval conditions.
- 7.3 The remaining one application (No. A/YL-TYST/542) was rejected by the Committee in 2011 mainly on the grounds, amongst others, that approval of application with repeated non-compliances would set an undesirable precedent for other similar planning permissions for temporary uses, thus nullifying the statutory planning control system.

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

- 8.1 The Site is:
- (a) accessible via a local track leading from Shan Ha Road to its west (**Drawing A-1, Plans A-2 and A-3**);
  - (b) paved and fenced off; and
  - (c) currently occupied by the applied use with valid planning permission under application No. A/YL-TYST/838 until 26.5.2020.
- 8.2 The surrounding areas have the following characteristics (**Plans A-2 and A-3**):
- (a) predominately open storage/storage yards with/without warehouse with a residential structure, a Small House under construction, a plant nursery, shrubland, unused land and vacant land;
  - (b) there is a residential structure located about 70m to the southwest of the Site in an area zoned “V” on the OZP;
  - (c) to the east of the Site is a nullah bisected by Lam Tai West Road and Lam Tai East Road; and
  - (d) except for five open storage/storage yards with/without warehouse operating with valid planning permissions (No. A/YL-TYST/853, 895, 897, 935 and 942), the other open storage/storage yards in the vicinity are suspected unauthorised developments (UD) subject to enforcement action taken by the Planning Authority.

## **9. Planning Intention**

The planning intention of the “U” zone is to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises. However, Kung Um Road is insufficient to cater for the heavy goods vehicular traffic from the proposed development. The area is therefore zoned “U” pending further detailed studies on the infrastructural impacts and the preparation of detailed layout plan.

## **10. Comments from Relevant Government Departments**

10.1 The following Government departments have been consulted and their views on the application and public comment, where relevant, 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, Lots 2700, 2704 S.A & S.B and 2713 in D.D. 120 are currently covered by Short Term Waivers (STWs) No. 4366, 4367 and 4369 respectively to permit the structure(s) erected thereon for the purpose of ‘Temporary Open Storage of Construction Machinery, Construction Materials, Recyclable Materials (including Paper, Metal and Plastic) with Ancillary Workshop and Office’.
- (c) Should planning approval be given to the application, the STWs holders will need to apply to her office for modification of the STW conditions where appropriate. The owner(s) of the lot(s) without STW(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.

### **Traffic**

10.1.2 Comments of the Commissioner for Transport (C for T):

- (a) The land status of the access road/path/track leading to the Site

from Shan Ha Road should be checked with the lands authority.

- (b) The management and maintenance responsibilities of the access road/path/track should be clarified with the relevant management and maintenance authorities accordingly.
- (c) The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed.

10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (b) His department shall not be responsible for the maintenance of any access connecting the Site and Shan Ha Road.

**Environment**

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

- (a) DEP does not support the application as there is residential use in the vicinity (located about 70m to the southwest of the Site) (**Plan A-2**) and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected.
- (b) There was no substantiated environmental complaint concerning the Site received in the past three years.
- (c) With respect to the public concern on the potential land contamination arising from the development (**Appendix VI**), she noted that the Site is currently occupied by the applied use. As the applied use would involve storage of construction materials, should the application be approved, the applicant should be reminded to implement mitigation measures to avoid water and soil contamination from the applied use including the followings as specified in Annex I of the Code of Practice:
  - (i) Bunds should be provided to contain any spillage of chemical storage and the chemical storage area should be properly hard-paved.
  - (ii) Drainage channels and an oil interceptor should be installed to reduce pollutants from the site run-off.
  - (iii) Materials stored in the open area which may leak out oil or chemical waste should be placed on non-slip heavy duty membrane and properly covered with water proofing sheet to avoid any soil contaminations.

- (d) Nevertheless, it is the obligation of the applicant to comply with all relevant ordinances in Hong Kong, including the Water Pollution Control Ordinance and Waste Disposal Ordinance.

### **Drainage**

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

- (a) He has no objection in principle to the development.
- (b) Based on the planning statement enclosed in the application (**Appendix Ia**), apparently the applicant would maintain the same drainage facilities as those implemented under previous application No. A/YL-TYST/838.
- (c) Should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the maintenance of the drainage facilities implemented under application No. A/YL-TYST/838 and the submission of records of the existing drainage facilities on site to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.

### **Fire Safety**

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

He has no objection in principle to the renewal application subject to the existing FSIs implemented on the Site being maintained in efficient working order at all times.

### **Building Matters**

10.1.7 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) The applicant's attention is drawn to the following points:
  - (i) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of BD, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application.
  - (ii) For UBW erected on leased land, enforcement action may be taken by 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.

- (iii) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (iv) 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.
- (v) 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**

10.1.8 Comments of the Chief Engineer/Cross-Boundary Infrastructure and Development, Planning Department (CE/CID, PlanD):

- (a) The Civil Engineering and Development Department (CEDD) and PlanD jointly commissioned the "Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation". According to the Recommended Outline Development Plan (RODP) of YLS promulgated on 8.8.2017, the Site falls within areas zoned as "Residential – Zone 1 (with Commercial)" ("R1c") and "Local Open Space" ("LO").
- (b) The objective of YLS is to transform the degraded rural land predominantly occupied by brownfield operations including open storage yards, warehouses and rural industrial uses into housing and other uses with supporting infrastructure and community facilities, and to improve the existing environment. It is noted that the application is for temporary use for a period of 3 years. In considering the application for temporary uses, due consideration should be given on the possible implication on land clearance which would affect the future implementation of YLS.

10.1.9 Comments of Project Manager (West), CEDD (PM(W), CEDD):

- (a) He has no objection to the application.
- (b) However, the Site falls within the boundary of YLS development – Stage 2 Phase 2. The land resumption and clearance programme of the project is subject to Executive Council's authorisation on

land resumption and Finance Committee's funding approval of the project. Land clearance operation is tentatively targeted to commence in 2024. Thus, the applicant shall be reminded that extension of the planning permission may not be supported in future and shall be advised not to carry out any substantial works in view of the planned YLS development – Stage 2 Phase 2.

### **District Officer's Comments**

10.1.10 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

Her office has not received any feedback from locals.

10.2 The following Government departments have no comment on the application:

- (a) Director of Electrical and Mechanical Services (DEMS);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) Chief Engineer/Project Management, DSD (CE/PM, DSD);
- (d) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);  
and
- (e) Commissioner of Police (C of P).

## **11. Public Comment Received During the Statutory Publication Period**

On 24.3.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, one public comment (**Appendix VI**) was received from a member of the Yuen Long District Council objecting to the proposal on the grounds that there would be adverse environmental, land contamination and traffic impact on the surrounding areas; the proposal would undermine the health and welfare of the nearby residents; and approval of similar applications would encourage brownfield proliferation.

## **12. Planning Considerations and Assessments**

12.1 The application is for renewal of the planning permission under previous application No. A/YL-TYST/838 for temporary open storage of construction machinery, construction material and ancillary site office for a further period of 3 years at a site zoned "U" on the OZP. The applied use is not in conflict with the planning intention of the "U" zone which is generally for open storage use but is designated with this zoning mainly due to concerns of the capacity of Kung Um Road. In this regard, the proposed vehicular access is from Shan Ha Road and C for T has no adverse comment on the application. Whilst the Site falls within areas zoned "R1c" and "LO" on the RODP of YLS promulgated on 8.8.2017, CE/CID, PlanD does not raise objection to the application and PM(W), CEDD has no objection to the proposed temporary use for further 3 years. Approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area.

12.2 The surrounding areas comprise predominantly open storage/storage yards with/without warehouse (**Plan A-2**). Although there is a residential structure in the vicinity, the development is generally not incompatible with the surrounding uses in the “U” zone.

12.3 According to TPB PG-No. 13F, the Site falls within Category 1 areas. The following guidelines are relevant:

Category 1 areas are considered suitable for open storage and port back-up uses. Favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns.

12.4 The application is generally in line with TPB PG-No. 13F in that the Site falls within Category 1 areas which are considered suitable for open storage and port back-up use; and the local concerns and technical concerns of the relevant government departments could be addressed through the implementation of approval conditions.

12.5 The application is also generally in line with TPB PG-No. 34C in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/YL-TYST/838; the approval conditions under the previous application No. A/YL-TYST/838 had been complied with; and the 3-year approval period sought is reasonable and of the same timeframe as the previous approval.

12.6 There is no adverse comment on the application from concerned government departments, except DEP. DEP does not support the application as there is a sensitive receiver of residential use in the vicinity of the Site (located about 70m to its southwest) (**Plan A-2**), and the applied use will cause traffic of heavy vehicles; environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to minimise any potential environmental nuisances or to address the local concerns and the technical requirements of other concerned government departments. Any non-compliance with the approval conditions will result in revocation of the planning permission and UD 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 latest Code of Practice in order to minimise any potential environmental impact on the surrounding areas and to keep the Site clean and tidy at all times.

12.7 Given that 8 previous applications for various open storage uses at the Site and 138 similar applications in this part of the “U” zone have been approved since 2008, approval of the renewal application is generally in line with the Committee’s previous decisions. There were one previous application (No. A/YL-TYST/564) and one similar application (No. A/YL-TYST/542) rejected by the Committee mainly on the grounds, amongst others, that approval of the application with repeated non-compliances would set an undesirable precedent for other similar

planning permissions for temporary use, thus nullifying the statutory planning control system. However, this consideration is not applicable to the current application as all the time-limited approval conditions under the previous application (No. A/YL-TYST/838) had been complied with.

- 12.8 There was one objecting public comment received during the statutory publication period as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.7 are relevant.

### **13. Planning Department's Views**

- 13.1 Based on the assessments made in paragraph 12, and having taken into account the public comment as mentioned in paragraph 11 above, the Planning Department considers that the temporary open storage of construction machinery, construction material and ancillary site office could be tolerated for a further period of 3 years.
- 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 27.5.2020 to 26.5.2023. 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 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no dismantling, repairing, cleansing or other workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no heavy goods vehicle exceeding 24 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees within the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the Site 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 27.8.2020;

- (i) the existing fire service installations implemented on the Site should be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) 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
- (k) if the above planning condition (h) 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), (b), (c), (d), (e), (g) and (h) are the same as those under the permission for application No. A/YL-TYST/838, conditions (f) and (i) have been updated as per the current proposal, and the reinstatement clause is deleted to accord with the departments' latest requirements.]

Advisory clauses

The recommended advisory clauses are at **Appendix VII**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Member's reference:

the applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas.

**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**

<b>Appendix I</b>	Application Form received on 17.3.2020
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendix Ib</b>	FI received on 3.4.2020
<b>Appendix Ic</b>	FI received on 4.5.2020

<b>Appendix II</b>	Relevant extract of TPB PG-No. 13F
<b>Appendix III</b>	Relevant extract of TPB PG-No. 34C
<b>Appendix IV</b>	Previous Applications covering the Site
<b>Appendix V</b>	Similar Applications in this Part of the “U” zone on the OZP since 17.10.2008
<b>Appendix VI</b>	Public Comment received during the Statutory Publication Period
<b>Appendix VII</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Site Layout Plan
<b>Drawing A-3</b>	Landscape and Tree Preservation Proposal
<b>Drawing A-4</b>	As-built Drainage Plan
<b>Drawing A-5</b>	FSIs Proposal
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2020**