

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

APPLICATION NO. A/YL-KTN/635

<u>Applicant</u>	: Ms CHIU Hei-fung represented by Midland Surveyors Limited
<u>Site</u>	: Lots 629 S.Q, 630 S.B ss.15 and 653 S.B RP (Part) in D.D. 110, Pat Heung, Yuen Long
<u>Site Area</u>	: About 835m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9
<u>Zoning</u>	: “Residential (Group D)” (“R(D)”) [maximum plot ratio of 0.4 and building height of 3 storeys (9m)]
<u>Application</u>	: Renewal of Planning Approval for Temporary Open Storage of Private Vehicles and Vehicle Parts for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning permission to use the application site (the Site) for temporary open storage of private vehicles and vehicle parts for a period of 3 years. The Site is currently used for the applied use with valid planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site is the subject of ten previous planning applications (No. A/YL-KTN/42, 57, 83, 109, 157, 240, 266, 336, 395 and 491) for the same use as the current application. Except Application No. A/YL-KTN/42 which was rejected by the Rural and New Town Planning Committee (the Committee) on 21.11.1997, all applications were approved with conditions by the Committee between 1998 and 2015. All of the approval conditions under the last approved Application No. A/YL-KTN/491 have been complied with and the planning permission is valid until 20.11.2018.
- 1.3 According to the applicant, 2 one-storey structures with total floor area of about 264 m² and building height ranging from 3.4m to 4.2m are provided on

the Site for ancillary office and storage/parking uses. A total of about 7 private car parking spaces are provided on the Site. The operation hours are between 9:00 a.m. to 7:00 p.m. on Mondays to Saturdays and there is no operation on Sundays and public holidays. The Site is directly accessible from Kam Tin Road via the ingress/egress located at the south of the Site. The layout plan, landscaping proposal plan and drainage proposal plan as submitted by the applicant are in **Drawings A-1 to A-3**.

- 1.4 The current application is same as the last approved application (No. A/YL-KTN/491) in terms of site area/boundary, applied use and total floor area with a similar site layout.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application form with supplementary planning (**Appendix I**) statement and plans received on 5.10.2018
 - (b) Further information (FI) received on 2.11.2018 in (**Appendix Ia**) response to departmental comments
 - (c) FI received on 6.11.2018 in response to departmental (**Appendix Ib**) comments
 - (d) FI received on 9.11.2018 in response to departmental (**Appendix Ic**) comments and clarifying the operation hours

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement in **Appendix I**. They can be summarized as follows:

- (a) There are previous approved planning applications for the same use at the Site and all of the approval conditions of the previous applications have been complied with. Two similar applications (No. A/YL-KTN/601 and A/YL-KTS/776) near the Site have been approved.
- (b) There are similar car-related and storage uses in the immediate neighbourhood along Kam Tin Road. The development is not incompatible with the nearby sites and not detrimental to the environment. There is no noise pollution as the applied use is open storage only.
- (c) The environment of the Site has been improved substantially as the applicant has implemented several improvement works, such as landscaping works, provision of fencing, paving of the Site, proper maintenance of drainage channels, prohibition of stacking of vehicles, etc.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is one of the “current land owners”. In respect of the other “current land owner”, the applicant 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 site notices and notifying the Pat Heung Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

- (a) 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. 34B) are relevant to this application. The relevant assessment criteria are attached at **Appendix II**.
- (b) The Town Planning Board Guidelines No. 13E for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13E) promulgated by the Town Planning Board (the Board) on 17.10.2008 is relevant to the application. The Site falls within the Category 3 areas under Guidelines No. 13E. The relevant extract of the Guidelines is attached at **Appendix III**.

5. **Background**

The Site is not subject to any active enforcement action.

6. **Previous Applications**

- 6.1 The Site is the subject of 10 previous applications (No. A/YL KTN/42, 57, 83, 109, 157, 240, 266, 336, 395 and 491) for the use same as the current application. Details of the applications are summarized in **Appendix IV** and the location of the sites are shown on **Plan A-1**.
- 6.2 Application No. A/YL-KTN/42 was rejected by the Committee on 21.11.1997 mainly on the grounds that the development was not in line with the planning intention of the zoning and was incompatible with the adjacent village houses.
- 6.3 Application No. A/YL-KTN/57 was approved with conditions for a period of 12 months by the Committee on 20.3.1998 for the reasons that the development would not frustrate the long-term planned developments in the area; adequate mitigation measures would be implemented to minimize the environmental impact; there was no local objection or adverse comment from the relevant departments; and approval of the application would not set an undesirable precedent. All the approval conditions had been complied with.
- 6.4 Applications No. A/YL-KTN/83, 109, 157, 240, 266, 336 and 395 were approved with conditions by the Committee for a period of 12 months to 3

years on 12.3.1999, 31.3.2000, 8.11.2002, 25.11.2005, 1.12.2006, 20.11.2009 and 9.11.2012 mainly for the reasons that the development was the subject of previous approval(s); no compliant or local objection had been received; the development was not incompatible with the adjacent open storage/workshop use; there was no adverse comment from the relevant departments; the development was in line with Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses”; the environmental nuisances generated should not be significant in view of its small scale; environmental mitigation measures could address the concern on noise impact (Applications No. A/YL-KTN/157, 240 and 266 only); and approval of the application would be an interim arrangement to alleviate the acute shortage of open storage land in the area; shorter approval period was granted in order not to pre-empt the road project at Kam Tin Road (Application No. A/YL-KTN/109). The planning permission for Application No. A/YL-KTN/240 was revoked on 25.5.2006 due to non-compliance with approval condition relating to provision of fire extinguisher.

- 6.5 The last Application No. A/YL-KTN/491 was approved with conditions by the Committee on 20.11.2015 for 3 years for the reasons that the development was in line with TPB PG-No. 13E and TPB PG-No. 34B in that there were previous approvals granted on the Site and all the approval conditions have been complied with; the development was not incompatible with the surrounding areas; there was no local objection or adverse comments from the relevant departments except Environmental Protection Department (EPD); and EPD’s environmental concern could be addressed by appropriate approval conditions. All approval conditions including those related to the submission of existing drainage record and the submission and implementation of fire services installations proposal have been complied with. The planning permission is valid until 20.11.2018.
- 6.6 The current application is same as the last application in terms of site area/boundary, applied use and total floor area with a similar site layout.

7. Similar Applications

- 7.1 There are 14 similar applications for various temporary open storage uses within the same “R(D)” zone (except Application No. A/YL-KTN/455 which straddles “R(D)” and “O” zones) on the OZP since the promulgation of TPB PG-No. 13E on 17.10.2008. Details of the applications are summarized in **Appendix V** and their locations are shown on **Plan A-1**.
- 7.2 13 of the 14 applications (No. A/YL-KTN/312, 328, 332, 367, 381, 389, 455, 456, 462, 486, 539, 580 and 601) were approved with conditions by the Committee on 7.11.2008, 5.6.2009, 7.8.2009, 16.12.2011, 18.5.2012, 5.10.2012, 2.1.2015, 16.1.2015, 22.5.2015, 6.11.2015, 11.11.2016, 26.1.2018 and 1.6.2018 respectively. The applications were approved mainly for the reasons that the developments on a temporary basis would not frustrate the long term planning intention; there was no programme for development of the “O” zone by Government departments (Application No. A/YL-KTN/455 only); the developments were not incompatible with the surrounding land uses and being

in line with the TPB-PG No. 13E in that previous approvals were granted and there were no adverse departmental comment / local objection or departmental concerns could be addressed by approval conditions.

- 7.3 Application No. A/YL-KTN/345 was rejected by the Committee on 15.10.2010 mainly on the grounds that the application did not comply with the TPB-PG No. 13E in that no previous approval was granted and the applicant failed to demonstrate that the development would not generate adverse drainage, traffic and landscaping impacts on the surrounding areas; and the approval of the application would set an undesirable precedent.

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

8.1 The Site is:

- (a) located between Pang Ka Tsuen and Shek Kong San Tsuen;
- (b) directly accessible from Kam Tin Road to its south; and
- (c) paved, fenced off and currently used for the applied use covered by planning permission under Application No. A/YL-KTN/491.

8.2 The surrounding areas are rural in character mixed with open storage/storage yards, a workshop, residential dwellings/structures, car service centres, agricultural land, vacant/unused land and the Shek Kong Barracks. Some of the open storage/storage yards, the workshop and car service centres are suspected unauthorised development subject to enforcement action by the Planning Authority:

- (a) to the immediate and further west and northwest are open storage yards, residential structures/dwellings (the nearest is less than 10m away), a car service centre, agricultural land and vacant/unused land;
- (b) to the north are residential structures/dwellings;
- (c) to the immediate east is the open storage yard permitted under Application No. A/YL-KTN/601. Further east are residential dwellings/structures, a storage yard, a car service centre and unused land; and
- (d) to the south across Kam Tin Road is the Shek Kong Barracks.

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

10. Comments from Relevant Government Departments

10.1 The following Government departments have been consulted and their views on the application are summarized 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) Lot No. 629 S.Q in D.D. 110 is covered by Short Term Waiver (STW) No. 2461 to permit structures erected thereon for the purpose of “storage of private vehicles and vehicle parts”.
- (c) The Site is accessible from Kam Tin Road via Government land (GL). His office provides no maintenance works for the GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site falls within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure shall not exceed the relevant airfield height limit within SKAHRA.
- (e) Should planning approval be given to the application, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate. The owner(s) of the lot without STW will need to apply to his 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 regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD 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 LandsD.

Traffic

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

- (a) He has no comment on the renewal application.

- (b) Should the application be approved, approval condition on no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period should be included.

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

Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

Environment

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

- (a) There was no environmental complaint received for the Site in the past three years. However, in accordance with the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“COP”), he does not support the application as there are sensitive receivers, i.e. residential dwellings located to the immediate west of the Site (less than 10m away) and in the vicinity (**Plan A-2**), and environmental nuisances are expected.
- (b) Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses” issued by the EPD.

Landscape

10.1.5 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) She has no objection to the application from the landscape planning point of view.
- (b) The Site is the subject of 10 previous applications for temporary open storage of private vehicles and vehicle parts. Except Application No. A/YL-KTN/42, all the applications were approved with conditions by the Committee between 1998 and 2012. The last application No. A/YLKTN/491, to which she has no objection to the application, was approved with conditions by the Committee on 20.11.2015.
- (c) Compared the aerial photo of 2015 to the latest aerial photo of 2018, there is no significant change in the rural landscape characters where the Site is located. The surrounding area

comprises of temporary structures, car parks, open storage and scattered tree groups. The applied use is considered not incompatible with the landscape setting in proximity.

- (d) According to the site visit conducted on 12.10.2018, there was no significant change on the existing landscape character since the planning permission granted in 2015, and the Site was hard paved and fenced off. Existing trees and shrub were found in fair condition, except the tree at northeastern part of the Site was found decaying at root flare and the other tree at southeastern part of the Site was found with sign of pest attack. Further adverse landscape impact arising from the same use is not anticipated.
- (e) Should the application be approved, approval condition on the maintenance of the existing trees within the Site in healthy condition at all times during the planning approval period should be included.
- (f) Detailed comments of the landscape proposal are at **Appendix VI**.

Drainage

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

- (a) He has no in-principle objection to the development.
- (b) The applicant should add cut-off drains at the site boundary abutting the footpath of Kam Tin Road to collect the surface runoff from the Site.
- (c) Should the application be approved, approval conditions on the submission of a revised drainage proposal and implementation and maintenance of the drainage proposal for the development should be included.

Nature Conservation

10.1.7 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

She has no comment on the application from nature conservation point of view, as the Site has been used for similar purposes approved by the Board in the past and is seeking for renewal of the existing use.

Fire Safety

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

- (a) He has no objection in principle to the application subject to fire service installations (FSIs) being provided to his satisfaction.
- (b) 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. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The applicant is advised to adhere to the 'Good Practice Guidelines for Open Storage Sites' in **Appendix VII**.
- (c) Having considered the nature of the open storage, the approval condition on 'the provision of fire extinguisher(s) within 6 weeks from the date of planning approval' should be included. To address this approval condition, the applicant should submit a valid fire certificate (FS 251) to his department for approval.
- (d) 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.

Building Matters

10.1.9 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application.
- (b) 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.
- (c) 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 co-ordinator for the proposed building works in accordance with the BO.

- (d) 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.
- (e) 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.

District Officer's Comments

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

He has not received any comment from locals upon close of consultation and he has no particular comment on the application.

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

- (a) Project Manager/West, Civil Engineering and Development Department (PM/W, CEDD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Director of Electrical and Mechanical Services (DEMS); and
- (d) Commissioner of Police (C of P).

11. Public Comment Received During Statutory Publication Period

On 12.10.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 2.11.2018, no public comment has been received.

12. Planning Considerations and Assessments

12.1 The Site falls within Category 3 areas under the TPB PG-No. 13E. The following consideration in the Guidelines are relevant:

Category 3 areas: within these areas, "existing" and approved open storage and port back-up uses are to be contained and further proliferation of such uses is not acceptable. Applications would normally not be favourably considered unless the applications are on sites with previous planning approvals. Sympathetic consideration may be given if the applicants have

demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions.

- 12.2 The application is for renewal of the planning permission for temporary open storage of private vehicles and vehicle parts for a period of three years in “R(D)” zone. The applied use is not in line with the planning intention of the “R(D)” zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. Nevertheless, there is currently no known programme for long-term development at the Site. As such, it is considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone.
- 12.3 The applied use is considered not incompatible with the existing surrounding land uses which are mainly rural in character and mixed with open storage/storage yards, a workshop, residential dwellings/structures, car service centres, agricultural land, vacant/unused land and the Shek Kong Barracks. The Site is the subject of 9 previous applications for the same applied use as the current application approved with conditions by the Committee between 1998 and 2015 mainly for the reasons as mentioned in paragraph 6 above. Moreover, there are 13 approved similar applications within the same “R(D)” zone for various open storage uses, including the adjacent site under Application No. A/YL-KTN/601. Approval of the current application is in line with the Committee’s previous decisions.
- 12.4 The application is considered generally in line with the TPB PG-No. 34B and 13E in that previous approvals (Application No. A/YL KTN/57, 83, 109, 157, 240, 266, 336, 395 and 491) for the same use were granted since 1998 and all the approval conditions under the last approved Application No. A/YL-KTN/491 had been complied with. There is also no adverse comment from the relevant departments except DEP, and no local objection to the application. The applicant also submitted landscape and drainage proposals in the current application. Compared with the last approved application No. A/YL-KTN/491, the current application submitted by the same applicant is the same in terms of site area/boundary, applied use and total floor area with a similar site layout. As previous approvals have been granted and there is no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application.
- 12.5 While DEP does not support the application as there are sensitive receivers, i.e. residential dwellings, located less than 10m to the west and in the vicinity of the Site (**Plan A-2**) and environmental nuisance is expected, no

environmental complaint has been received in the past three years in respect to the Site and no local objection was received during the statutory publication period. Also, the Site's access abuts Kam Tin Road without passing through residential dwellings/structures. To address any possible environmental nuisance, approval conditions restricting the operation hours, types of vehicles, prohibiting workshop-related activities and maintenance of existing mitigation measures are recommended in paragraphs 13.2 (a) to (g) below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on site will be subject to enforcement action by the Planning Authority. In addition, the applicant will be advised to adopt the latest "Code of Practice on Handling the Environmental Aspects of Open Storage and Other Temporary Uses" in order to alleviate any potential impact. The technical requirements of C for T, CTP/UD&L of PlanD, CE/MN of DSD and D of FS could be addressed by approval conditions in paragraphs 13.2 (h) to (n) below.

12.6 No public comment was received during the statutory publication period.

13. Planning Department's Views

- 13.1 Based on the assessment made in paragraph 12 above, the Planning Department considers that the temporary open storage of private vehicles and vehicle parts could be tolerated for a 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, and be renewed from 21.11.2018 until 20.11.2021. The following conditions of approval and advisory clauses are also suggested for Members' reference.

Approval Conditions

- (a) no operation between 7:00 p.m. and 9:00 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 medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (e) the setting back of the southern boundary of the Site by 25m from Kam Tin Road, as proposed by the applicant, at all times during the planning approval period;

- (f) the stacking height of vehicles and vehicle parts should not exceed the height of the peripheral fencing of the Site at any time during the planning approval period;
- (g) the existing fencing erected should be maintained at all times during the planning approval period;
- (h) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (i) the existing trees within the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a revised drainage proposal within **6** 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 21.5.2019;
- (k) in relation to (j) above, the implementation of the drainage proposal within **9** 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 21.8.2019;
- (l) in relation to (k) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (m) the provision of fire extinguisher(s) with a valid fire certificate (FS251) within **6** weeks from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 2.1.2019;
- (n) the submission of fire service installations proposal within **6** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 21.5.2019;
- (o) in relation to (n) above, the provision of fire service installations within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 21.8.2019;
- (p) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i) or (l) 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
- (q) if any of the above planning conditions (j), (k), (m), (n) or (o) 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.

[The above approval conditions are similar to those under the planning permission for previous Application No. A/YL-KTN/491, except the conditions on the submission and implementation of drainage proposal are added based on CE/MN, DSD's comments.]

Advisory Clauses

The recommended advisory clauses are attached at **Appendix VIII**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference.

The development is not in line with the planning intention of the "R(D)" zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning application.
- 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

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| Appendix I | Application form with supplementary planning statement and plans received on 5.10.2018 |
| Appendix Ia | FI received on 2.11.2018 |
| Appendix Ib | FI received on 6.11.2018 |
| Appendix Ic | FI received on 9.11.2018 |

Appendix II	Relevant Extracts of 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. 34B)
Appendix III	Relevant extract of Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up uses’ (TPB PG-No. 13E)
Appendix IV	Previous applications covering the application site
Appendix V	Similar applications within the same “R(D)” zone on the OZP
Appendix VI	Detailed comments of the CTP/UD&L, PlanD
Appendix VII	Good Practice Guidelines for Open Storage Sites
Appendix VIII	Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Landscaping Proposal
Drawing A-3	Drainage Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2018**