

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

**APPLICATION NO. A/YL-KTS/804**

- Applicant** : Chief Force Limited
- Site** : Lots 1319 (Part) and 1336 S.A (Part) in D.D.106, Kong Ha Wai, Kam Sheung Road, Pat Heung, Yuen Long
- Site Area** : About 2,508 m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/14
- Zoning** : Residential (Group D) (“R(D)”) [maximum plot ratio of 0.2 and building height of 2 storeys (6m)]
- Application** : Renewal of Planning Approval for Temporary Open Storage of Vehicles and Modification Workshop for Vans and Lorries 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 vehicles and modification workshop for vans and lorries 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 9 previous applications (No. A/YL-KTS/127, 168, 221, 259, 335, 417, 461, 594 and 684) for similar temporary open storage/ storage of vehicles and workshop uses. All the applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) or the Town Planning Board (the Board) on review between 1998 and 2015. The last application No. A/YL-KTS/684 for the same use submitted by the same applicant as the current application was approved with conditions on 18.12.2015 for a period of 3 years. All the approval conditions of the last application had been complied with and the permission is valid until 18.12.2018.

- 1.3 According to the information submitted by the applicant, the applied use involves 8 one-storey temporary structures with a total floor area of about 807.8m<sup>2</sup> and building height ranging from 2.6m to 5.3m for workshop, storage and office uses. According to the applicant, vehicles of 5.5 tonnes are used for operation of the development. The operation hours are from 9:00 a.m. to 6:00 p.m., Mondays to Saturdays and no operation on Sundays and public holidays. The Site is accessible via a local track leading from Kam Sheung Road. The layout plan, drainage and fire services installations (FSIs) proposals, and vehicular access arrangement plan submitted by the applicant are at **Drawings A-1 to A-4**.
- 1.4 The current application is the same as the last approved application No. A/YL-KTS/684 in terms of site area/boundary, applied use, total floor area, number of structures and site layout.
- 1.5 In support of the application, the applicant has submitted the following documents:
  - (a) Application form with planning statement and plans received on 26.9.2018. (**Appendix I**)
  - (b) Further information (FI) received on 25.10.2018 in response to departmental comments (**Appendix Ia**)
  - (c) FI received on 30.10.2018 in response to departmental comments (**Appendix Ib**)

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant are detailed in the planning statement and FIs in **Appendices I to Ib**. They can be summarized as follows:

- (a) The applied use does not involve permanent structures and does not contravene the planning intention. It is compatible with the surrounding area and no adverse impact on nearby residents is anticipated.
- (b) The application is for renewal of a previously approved application No. A/YL-KTS/648. No complaint was received from the local or government department since the last approval and the Site has been kept in good condition.
- (c) The applicant has properly maintained the trees and landscaping on-site. The drainage facilities on-site have been cleaned regularly to avoid flooding. The Site has also been provided with appropriate FSIs. There is no traffic impact on Kam Sheung Road or the surrounding area. The applicant will comply with all approval condition if the application is approved.

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

The applicant is not “current land owner” but has complied with the requirement as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting notice at the Site and sending notice to the Pat Heung 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 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**.
- 4.2 The Site falls within Category 3 areas under 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. The relevant extract of the Guidelines is attached at **Appendix III**.

5. **Background**

The Site is not subject to planning enforcement action. If planning permission for the same use is not granted and the open storage use on site continues after the expiry of the current planning approval (i.e. the use continues but without a valid planning permission), such use would be considered as an unauthorized development under the Town Planning Ordinance and enforcement action would be taken against it.

6. **Previous Applications**

- 6.1 The Site is the subject of 9 previous applications (No. A/YL-KTS/127, 168, 221, 259, 335, 417, 461, 594 and 684) for similar temporary open storage/storage of vehicles and workshop uses. Details of the applications are summarized in **Appendix IV** and their locations are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-KTS/127 for temporary storage of lorries and private vehicles and vehicle adaptation workshop was approved with conditions by the Committee on 31.7.1998 for a period of 12 months mainly for the reasons that the temporary use would not frustrate the permanent development at the site; any possible environmental impact could be resolved through incorporation of approval conditions; relevant departments had no adverse comment on the application; there was no local objection to the application from villagers in the area; and there was acute shortage of open storage sites in the short to medium term.
- 6.3 Application No. A/YL-KTS/168 for temporary storage of vehicles and vehicle adaptation workshop was approved with conditions by the Committee on

2.7.1999 for a period of 12 months mainly for the reasons that there was no change in the planning circumstances since the granting of previous approval and there was no adverse comment on the application from relevant government departments.

- 6.4 Applications No. A/YL-KTS/221, 259, 335, 417, 461, 594 and 684 for temporary storage of vehicles and modification workshop for vans and lorries use were approved with conditions by the Committee for a period of 3 years on 11.8.2000, 1.2.2002, 18.2.2005, 28.9.2008, 27.3.2009, 8.2.2013 and 18.12.2015 respectively mainly for the reasons that approval of the application on a temporary basis would not frustrate the planning intention; the development was generally in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” in that planning approvals had been granted and there was no change in planning circumstances since the granting of the previous approvals; relevant departments had no adverse comment and Director of Environmental Protection (DEP)’s concern could be addressed by appropriate approval conditions; the applicant had complied with the planning conditions. However, applications No. A/YL-KTS/221 and 417 were revoked on 11.5.2001 and 28.9.2008 respectively due to non-compliance with the approval conditions related to drainage and FSIs aspects. All the approval conditions of the last approved application No. A/YL-KTS/684 had been complied with and the permission is valid until 18.12.2018.
- 6.5 Compared with the last application, the current application submitted by the same applicant involves the same site area/boundary, applied use, total floor area, number of structures and site layout.

## 7. **Similar Applications**

- 7.1 There are a total of 15 similar applications (No. A/YL-KTS/463, 482, 528, 536, 563, 584, 599, 611, 637, 655, 665, 730, 763, 776 and 794) for various temporary open storage and/or workshop uses within the same and adjoining “R(D)” zones on the OZP since the promulgation of TPB PG-No.13E on 17.10.2008. All the similar applications, except two applications (No. A/YL-KTS/536 and 599), were approved with conditions by the Committee. Details of these applications are summarized in **Appendix IV** whilst the locations of the application sites are shown on **Plan A-1a**.
- 7.2 13 of the above similar applications were approved between 2009 and 2018 on similar considerations that the developments were not incompatible with the surrounding land uses; approval of the application on a temporary basis would not frustrate the planning intention of “R(D)” zone; the developments were generally in line with TPB PG-No. 13E in that previous planning approval for similar open storage uses had been granted and/or the relevant departments had no adverse comment and DEP’s concern could be addressed by appropriate approval conditions. However, planning application No. A/YL-KTS/584 and 611 were revoked on 18.6.2013 and 25.1.2014 due to non-compliance with planning conditions.

- 7.3 Applications No. A/YL-KTS/536 for temporary car breaking workshop and open storage of vehicles and vehicles parts with ancillary office and A/YL-KTS/599 for temporary warehouse and ancillary office and open storage (power generator, machinery and parts) were rejected by the Committee on 20.5.2011 and the Board on review on 13.9.2013 respectively mainly on similar grounds that the applications did not comply with the TPB PG-No. 13E in that there was no previous approval for workshop and open storage uses granted at the application sites and there were adverse departmental comment and local objections against the applications; and the approvals of the applications would also set an undesirable precedent.

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

### 8.1 The Site is:

- (a) accessible via a local track leading from Kam Sheung Road; and
- (b) used for the applied use with planning permission under application No. A/YL-KTS/684.

### 8.2 The surrounding areas are rural in character mixed with storage/open storage yards, warehouse, workshop, parking of vehicle, residential dwellings/structures, farm and vacant/unused land. Most of the open storage/storage yards and warehouse are suspected unauthorized developments subject to enforcement action by the Planning Authority (**Plan A-2**);

- (a) to its immediate west are a warehouse operated with planning permission under application No. A/YL-KTS/688, a farm, storage/open storage yards and vacant land;
- (b) to its south are open storage yards and vacant land;
- (c) to its immediate east are residential dwellings/structures (the nearest one about 5m away), storage/open storage yards and unused land. The existing residential settlement of Kam Tsin Wai is located to its further east across Kam Tin River (**Plan A-1a**); and
- (d) to its north and further northeast across the local track are parking of vehicles, open storage/ storage yards (with one operated with planning permission under application no. A/YL-KTS/730), workshop and unused land.

## **9. Planning Intention**

The planning intention of the “R(D)” zone is intended 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 Nos. 1319 and 1336 S.A in D.D. 106 within the Site are covered by a Short Term Waiver (STW) No. 3884 to permit structures erected thereon for the purpose of “temporary open storage of vehicles and modification workshop of vans and lorries”.
- (c) The Site is accessible from Kam Shui Road via Government Land (GL) and private land. His office provides no maintenance work 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 *the application be approved*, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate. 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 the LandsD.

## **Traffic**

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

- (a) He has no comment on the 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.
- (c) The Site is connected to the public road network via a section of a local access road which is not managed by Transport Department (TD). The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

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

- (a) HyD does not and will not maintain any access connecting the Site and Kam Sheung Road, Kam Shui South Road or Kam Shui Road. The applicant should be responsible for his own access arrangement.
- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

## **Nature Conservation**

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

As the Site is used for similar purpose for years and the current application seeks for renewal of the existing use, he has no comment on the application from nature conservation point of view.

## **Environment**

### 10.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) There was no environmental complaint received in the past three years in respect of the Site.
- (b) According to the “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites”, he does not support the application as there are

sensitive receivers, i.e. residential structures located to the southeast of the Site (the nearest about 5m to the east), and environmental nuisance is expected.

- (c) 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 and Open Storage Sites” issued by DEP.

### **Landscape**

#### 10.1.6 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 9 previous applications approved by the Committee from 1998 to 2015. The last application No. A/YL-KTS/684 for the same use, to which her office had no objection to the application, was approved with conditions on 18.12.2015. All approval conditions had been complied with and the planning permission will lapse on 18.12.2018.
- (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, open storage, car parks, farmland and some 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, the Site was hard paved. Existing trees within the Site were generally in good condition. As the existing temporary structure and layout remain unchanged for the renewal application, no significant landscape impact is anticipated.
- (e) Should the application be approved, the approval condition on maintenance of existing trees and landscape plantings at all time during the approval period should be included.

### **Drainage**

#### 10.1.7 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 submission, the applicant would maintain the same drainage facilities as those implemented under previous Application No. A/YL-KTS/684.
- (c) Should the application be approved, approval conditions requiring the maintenance of the drainage facilities implemented under Application No. A/YL-KTS/684 and the submission of a record of the existing drainage facilities on site to the satisfaction of the Director of Drainage Services or of the Board should be included.

### **Fire Safety**

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

- (a) He has no objection in principle to the proposal subject to 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 FSI to be installed should be clearly marked on the layout plans. The applicant should also adhere to the “Good Practice Guidelines for Open Storage Sites” in **Appendix VI**.
- (c) Having considered the nature of the open storage, approval condition on the provision of fire extinguisher(s) within 6 weeks from the date of planning approval should be included in the planning permission. To address this 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 (BO) (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) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the

co-ordinator for the proposed building works in accordance with the BO.

- (b) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of his department, they are unauthorized under the BO and should not be designated for any approved use under the application.
- (c) 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.
- (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.

### **Project Interface**

10.1.10 Comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

- (a) He has no objection to the application.
- (b) The Site falls within one of the potential housing development sites identified in the Land Use Review for Kam Tin South and Pat Heung. The application should be considered in the context of the housing developments at Kam Tin South, the existing infrastructure, the current uses permitted under the existing OZP, the prevailing land administration policy and the BO.

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

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

His office has not received any comments from locals upon close of consultation and has no particular comments on the application.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Director of Electrical and Mechanical Services (DEMS); and
- (c) Commissioner of Police (C of P).

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

On 5.10.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 26.10.2018, no public comment was 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 vehicles and modification workshop for vans and lorries for a period of 3 years in “R(D)” zone. The applied use is not in line with the planning intention of the “R(D)” zone, which is intended 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 no known programme for long-term development at the Site. Hence, it is considered that approval of the application on temporary period of 3 years would not jeopardize the long-term planning intention of the “R(D)” zone.

12.3 The surrounding areas are mixed with storage/open storage yards, warehouse, workshop, parking of vehicle, residential dwellings/structures, a farm and vacant/unused land. The Site is the subject of 9 previous applications for temporary open storage, storage of vehicles with/without workshop approved by the Committee between 1998 and 2015 mainly for the reasons as

mentioned in paragraph 6 above. There are also 13 similar applications for temporary open storage uses in the same and adjoining “R(D)” zones approved with conditions by the Committee between 2009 and 2018 mainly on the reasons as mentioned in paragraph 7 above. Approval of the 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-KTS/127, 168, 221, 259, 335, 417, 461, 594 and 684) for similar applied uses were granted since 1998 and all the approval conditions under the last approved application No. A/YL-KTS/684 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 drainage and FSIs proposals in the current application. Compared with the last approved application No. A/YL-KTS/684, the current application submitted by the same applicant is the same in terms of the applied use, site area/boundary, total floor area and 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 to the east (with the nearest one about 5m to the east) (**Plan A-2**) and environmental nuisance is expected, there has been no environmental complaint received in the past three years in respect to the Site. In order to address any potential environmental nuisance, approval conditions restricting the operation hours, types of vehicles and paint spraying activities are recommended in paragraphs 13.2 (a) to (d) 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 also be advised to adopt the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” 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 imposing approval conditions (e) to (k) in paragraph 13.2 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 vehicles and modification workshop for vans and lorries 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 19.12.2018 until 18.12.2021. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no operation between 6:00 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 paint-spraying activities shall be carried out at the open area of the Site at any time during the planning approval period;
- (d) 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;
- (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 and landscape plantings on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities implemented on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a 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 19.3.2019;
- (i) 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 30.1.2019;
- (j) 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 19.6.2019;
- (k) in relation to (j) 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 19.9.2019;
- (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) 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
- (m) if any of the above planning conditions (h), (i), (j) or (k) 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 last approved application No. A/YL-KTS/684.]*

#### Advisory Clauses

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

- 13.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members' reference:

The development is not in line with the planning intention of the "R(D)" zone which is intended 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 Town Planning 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 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**

- Appendix I** Application form with planning statement and plans received on 26.9.2018
- Appendix Ia** FI received on 25.10.2018 in response to departmental comments
- Appendix Ib** FI received on 30.10.2018 in response to departmental comments
- Appendix II** Relevant extract of the Town Planning Board Guidelines No. 34B on 'Renewal of Planning Approval and Extension of

Time for Compliance with Planning Conditions for Temporary Use or Development' (TPB PG-No. 34B)

<b>Appendix III</b>	Relevant extract of the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13E)
<b>Appendix IV</b>	Previous applications covering the application site
<b>Appendix V</b>	Similar applications within the same and adjoining "R(D)" zones on the OZP
<b>Appendix VI</b>	Good Practice Guidelines for Open Storage Sites
<b>Appendix VII</b>	Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Drainage Proposal
<b>Drawing A-3</b>	FSIs Proposal
<b>Drawing A-4</b>	Vehicular Access Arrangement
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
NOVEMBER 2018**