

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

**APPLICATION NO. A/YL-KTS/822**

- Applicant** : Mr. Chan Sau Yu
- Site** : Lots 476 RP (Part) and 477 in D.D.106, Kam Sheung Road, Pat Heung, Yuen Long
- Site Area** : About 3, 000 m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) [Maximum plot ratio of 0.4 and maximum building height of 3 storeys (9m)]
- Application** : Renewal of Planning Approval for Temporary "Open Storage of Vehicles, Metal, Plastic Pipes, Machinery, Vehicle Parts and Construction Materials" 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, metal, plastic pipes, machinery, vehicle parts and construction materials 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 7 previous planning applications for various temporary open storage use which were approved with conditions by the Rural and New Town Planning Committee (the Committee) between 1997 and 2016. All the approval conditions of last application (No. A/YL-KTS/706) have been complied with and the planning permission is valid until 13.7.2019.

- 1.3 According to the applicant, the Site is occupied by 6 structures with a total floor area of about 415m<sup>2</sup> and building height ranging from 2.1m to 4.8m for godown, storeroom, office, switch room and toilet uses as well as a residential structure with a total floor area of about 163m<sup>2</sup> and a building height of about 7.3m. A total of 10 private car parking spaces and 5 lorry parking spaces are provided within the Site. The Site is accessible via Kam Sheung Road. The operation hours are from 8:30 a.m. to 7:00 p.m. on Mondays to Saturdays and no operation on Sundays and public holidays. The site layout plan submitted by the applicant is at **Drawing A-1**.
- 1.4 Compared with the last approved application (No. A/YL-KTS/706), the current application is the same in terms of site area, layout and development parameters.
- 1.5 In support of the application, the applicant has submitted the following documents:
  - (a) Application form received on 3.5.2019 **(Appendix I)**
  - (b) Further Information (FI) received on 3.6.2019 in response to departmental comments **(Appendix Ia)**
  - (c) FI received on 11.6.2019 providing clarification **(Appendix Ib)**

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

The justifications put forth by the applicant in support of the application are detailed in part 8 in **Appendix I**. They can be summarized as follows:

The planning approval will expire on 13.7.2019 and the applicant would like to continue the operation of the development at the Site. The applicant has complied with the approval conditions and will continue to maintain the fire service installations.

## **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 owners”, 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 notice and sending notice to Pat Heung Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

#### 4. Town Planning Board Guidelines

4.1 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) are relevant to this application. The relevant assessment criteria are attached at **Appendix II**.

4.2 The Town Planning Board Guidelines No. 38 for “Designation of “OU(RU)” Zone and Application For Development Within “OU(RU)” Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No.38) is relevant to the application. The relevant assessment criteria are summarized as follows:

Application for development within “OU(RU)” zone would need to demonstrate that the proposed development is in line with the planning intention of the zone and will not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings and will not overstrain the capacity of existing and planned infrastructure such as transport, drainage, sewerage and water supply in the area. Each development proposal will be assessed on its individual merits, with particular reference to its sustainability in ecological, environmental and infrastructural terms.

4.3 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 the TPB PG-No. 13E. The relevant extract of the Guidelines is attached at **Appendix III**.

#### 5. Background

The Site is currently not a subject of any outstanding enforcement case. The Site is covered by a valid planning permission until 13.7.2019. Follow-up investigation will be taken upon expiry of the current planning permission if the application is not approved by the Board.

#### 6. Previous Applications

6.1 The Site is subject to 7 previous planning applications (No. A/YL-KTS/71, 179, 269, 397, 496, 603 and 706). Details of the applications and the location of the sites are shown in **Appendix IV** and **Plan A-1b** respectively.

6.2 Applications No. A/YL-KTS/71, 179 and 269 for open storage of vehicles with/without vehicle repair workshop and temporary open storage of vehicles, metal and PVC pipes were approved with conditions by the Committee on 16.5.1997 for 18 months, 22.10.1999 and 15.3.2002 both for 3 years respectively when the site was zoned “Undetermined” (“U”) on the then OZP. Application No. A/YL-KTS/71 was approved mainly for the

reasons that the use was considered not incompatible with the adjoining land uses and not contradict with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses; Director of Environmental Protection (DEP) had no objection to the application; temporary approval would not jeopardize the implementation of the proposed West Rail and help to satisfy the short-term demand of the open storage sites. Applications No. A/YL-KTS/179 and 269 were approved based on similar reasons but a longer approval period of 3 years was granted as the site was no longer in conflict with the West Rail alignment. However, the planning permission of A/YL-KTS/179 was revoked on 22.7.2000 due to non-compliance with the approval condition regarding provision of drainage facilities.

- 6.3 Applications No. A/YL-KTS/397, 496, 603 and 706 for the same use as the current application for a period of 3 years were approved with conditions by the Committee on 13.7.2007, 25.6.2010, 5.7.2013 and 24.6.2016 respectively for similar reasons that the applications were in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up uses” in that previous approvals had been granted and the developments were not incompatible with the surrounding land uses; concerned departments had no adverse comment on the applications and the concern of DEP and/or local objection could be addressed by appropriate approval conditions. For the last approved application (No. A/YL-KTS/706), all the approval conditions have been complied with and the planning permission is valid until 13.7.2019.

## 7. Similar Applications

- 7.1 There are 34 similar applications (No. A/YL-KTS/444, 467, 470, 479, 485, 493, 501, 503, 525, 527, 531, 541, 558, 567, 569, 572, 575, 586, 589, 602, 616, 630, 635, 641, 653, 664, 669, 708, 719, 731, 740, 751, 757 and 787) for various temporary open storage uses within the same “OU(RU)” zone on the OZP since the promulgation of TPB PG-No. 13E on 17.10.2008. Details of these applications are summarized in **Appendix V** and their locations are shown on **Plan A-1a**.
- 7.2 All the similar applications (except applications No. A/YL-KTS/525, 572, 589, 616 and 664) were approved with conditions by the Committee or the Board on review for similar reasons that the developments were generally in line with the TPG PG-No. 13E in that previous approvals were granted for the application sites and the uses were not incompatible with the surrounding land uses; there was no adverse comment from relevant departments; and the departmental or public concerns could be addressed by appropriate approval conditions. However, applications No. A/YL-KTS/444, 470, 479, 485, 493, 501, 503, 531, 541, 558, 569, 586 and 630 were revoked on due to non-compliance with approval conditions.

- 7.3 Applications No. A/YL-KTS/525, 572, 589, 616 and 664 were rejected by the Committee or the Board on review between 2011 and 2015. They were rejected mainly on the grounds that the development would jeopardize the planning intention of the “OU(RU)” zone as a proposed residential development near the site had been approved and/or there are agricultural activities near and in the vicinity of the site; not compatible with the existing and future residential land uses in the vicinity; the applicant failed to demonstrate that the development would not generate adverse environmental, landscape and drainage impacts on the surrounding areas; did not comply with TPB PG-No. 13E in that there was no previous approval for open storage use granted at the site and/or the development would cause adverse environment, drainage, traffic and landscape impacts; there were adverse departmental comment and public objections; and the approval of application would set an undesirable precedent for similar applications.

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

8.1 The Site is:

- (a) paved, fenced and currently used for the applied use with valid planning permission under application No. A/YL-KTS/706 until 13.7.2019; and
- (b) accessible via Kam Sheung Road.

8.2 The surrounding areas are mainly rural in character predominated with open storage/storage yards, workshops, residential structures/dwellings, warehouses and vacant/unused land. Some of the open storage/storage yards, workshops and warehouses are suspected unauthorized development subject to enforcement action by the Planning Authority:

- (a) to its north are open storage/storage yards;
- (b) to its south and west are open storage/storage yards (one with planning permission under application No. A/YL-KTS/757), warehouses, unused land and residential structures/dwellings (the nearest about 10m); and
- (c) to its east across Kam Sheung Road are open storage yards, warehouse and residential structures/dwellings.

## **9. Planning Intention**

The planning intention of the “OU(RU)” is for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the

Board, with a view to upgrading or improving the area or providing support to the local communities.

## **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. Building Licence No. 308 was issued to Lot No. 477 in D.D. 106 for erection of one 2 storeys building with height not exceeding 25 feet and built-over-area not exceeding 700 square feet for non-industrial purposes.
- (b) Lot Nos. 476 RP and 477 both in D.D.106 are covered by Short Term Waiver (STW) No. 2795 to permit structures erected thereon for the purpose of “storage of vehicles, metal and PVC pipes and ancillary use”.
- (c) The Site is accessible to Kam Sheung Road via Government Land (GL). 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 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. 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 from the traffic engineering point of view.
- (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 the 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/North Territories West, Highways Department (CHE/NTW, HyD):

- (a) The applicant should provide the run in/out at Kam Sheung Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement.
- (b) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (c) His department shall not be responsible for the maintenance of any access connecting the Site and Kam Sheung Road.

## **Environment**

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

- (a) There was no environmental complaint concerning the Site received in the past three years.
- (b) 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/structures located to the south (the nearest about 10m on the south) (**Plan A-2**) and in the vicinity of the Site, and the development involve the use of heavy goods vehicles, environmental nuisance is expected.

- (c) Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirement in the latest COP issued by DEP.

### **Landscape**

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

- (a) He has no objection to the application from the landscape planning point of view.
- (b) The Site was the subject of seven previous applications and for the last application (No. A/YL-KTS/706), to which he had no objection to the application, all the approval conditions are complied with and the application is valid until 13.7.2019.
- (c) Based on the aerial photo of 2018, the surrounding area of the Site is comprised of storage sites, car park, temporary structures and scattered tree groups. The applied use is considered not incompatible with the landscape setting in proximity.
- (d) According to site visit conducted on 16.5.2019, the Site was hard paved. Existing trees in good conditions were found along the southwestern boundary and at the eastern part of the Site. Further significant adverse landscape impact arising from the continued uses of open storage is not anticipated.
- (e) In consideration that there are existing trees, which act as landscape buffer between the Site and Kam Sheung Road, landscape condition is therefore not recommended should the application be approved by the Board.

### **Drainage**

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

- (a) Based on the application, apparently the applicant would maintain the same drainage facilities as those maintained under the previous planning application No. A/YL-KTS/706.



- (b) He has no in-principle objection to the development. Should the application be approved, the approval conditions requiring maintenance of the drainage facilities implemented under application No. A/YL-KTS/706 and to submit the record of the existing drainage facilities on site to the satisfaction of the Director of Drainage Services or of the Board should be included in the planning permission.

### **Building Matters**

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

- (a) There is no record of approval by the Building Authority for the structures existing at the Site and BD is not in a position to offer comments on their suitability for the applied use.
- (b) 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 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 Buildings Ordinance (BO).
- (c) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of his department, they are UBW under the BO and should not be designated for any approved use under the application.
- (d) 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.
- (e) 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.
- (f) 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.

### **Nature Conservation**

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

Noting that the Site has been paved and used for the same purpose for some time, he has no comment on the application from nature conservation point of view.

### **Fire Safety**

#### 10.1.9 Comments of the Director of Fire Services (D of FS):

- (a) He has no in-principle objection to the proposal 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. Also, good practice guidelines for open storage (**Appendix VI**) should be adhered to.
- (c) Having considered the nature of the open storage use, approval condition on provision of fire extinguisher(s) within 6 weeks from the date of planning approval is recommended for inclusion 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 BO (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **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 comments from the locals upon close of consultation and 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) Director of Electrical and Mechanical Services (DEMS);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (d) Commissioner of Police (C of P).

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

On 10.5.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 31.5.2019, one public comment from an individual was received (**Appendix VII**). The commenter considers a more permanent use should be proposed for the area, such as an industrial park where storage and other related activities can be organized in a land efficient manner.

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

12.1 The application is for renewal of the planning permission for temporary open storage of vehicles, metal, plastic pipes, machinery, vehicle parts and construction materials for a period of 3 years within "OU(RU)" zone. The planning intention of the "OU(RU)" zone is for the preservation of the character of the rural area, and uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities. The applied use is not in line with the planning intention of the "OU(RU)" zone. Nevertheless, there is no known programme for long-term development at the Site. Hence, it is considered that approval of the application on temporary basis would not jeopardize the long-term planning intention of the "OU(RU)" zone.

12.2 The development is considered not incompatible with the surrounding areas which are predominated by open storage/storage yards, workshops, residential structures/dwellings, warehouses and vacant/unused land. There are also previous applications for the same applied use and similar applications for various temporary open storage uses approved with conditions by the

Committee in the same “OU(RU)” zone. Approval of the current application is in line with the Committee’s previous decisions.

- 12.3 The Site falls within Category 3 areas under the TPB PG-No. 13E. The following considerations 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 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.

- 12.4 The current application is generally in line with TPB PG-No. 13E and TPB PG-No. 34B in that previous applications for the same open storage use have been granted and all approval conditions under the last Application No. A/YL-KTS/706 have been complied with. Also, relevant departments consulted, including C for T, CTP/UD&L of PlanD, CE/MN of DSD and D of FS have no adverse comment on the application except DEP. Compared with the last approved application, the current application is the same in terms of site area, layout and development parameters. As there is no 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 structures/dwellings located in the vicinity of the Site (the nearest about 10m on the south) (**Plan A-2**) and the development involves the use of heavy goods vehicles, environmental nuisance is expected. Nevertheless, there is no environmental complaint concerning the Site received by DEP in the past three years. Also, the Site abuts Kam Sheung Road and the site access does not need to pass through residential dwellings/structures. To address the possible environmental nuisance, approval conditions restricting the operation hour and prohibiting workshop activities are recommended as approval conditions (a) to (c) in paragraph 13.2 below. Any non-compliance with the approval condition will result in revocation of the planning permission and unauthorized development on site will be subject to enforcement action by the Planning Authority. The applicant will also be advised to undertake the environmental mitigation measures as set out in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”. In addition, the technical requirements of C for T, CE/MN of DSD and D of FS could be addressed by approval conditions in paragraph 13.2 (e) to (j).

- 12.6 One public comment was received during the statutory publication period providing comment on the application as detailed in paragraph 11 above. In this regard, the above departmental and planning assessments and considerations are relevant.

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

- 13.1 Based on the assessment made in paragraph 12 and having taking into account the public comment in paragraph 11 above, the Planning Department considers that the temporary open storage of vehicles, metal, plastic pipes, machinery, vehicle parts and construction materials 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 14.7.2019 until 13.7.2022. 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 8:30 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, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (d) the boundary fence along the Site shall be maintained at all times 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 drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a record of the existing drainage facilities on 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 14.10.2019;
- (h) the provision of fire extinguisher(s) 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 25.8.2019;

- (i) 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 14.1.2020;
- (j) in relation to (i) 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 14.4.2020;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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
- (l) if any of the above planning conditions (g), (h), (i) or (j) 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 planning conditions are the same as those under the planning permission of the previous application No. A/YL-KTS/706, except the condition on submission and implementation of tree preservation proposal is deleted based on CTP/UD&L of PlanD's comment.]*

#### 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' consideration:

the development is not in line with the planning intention of the "OU(RU)" zone, which is for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities. 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 renewal of the planning approval.

- 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 3.5.2019
<b>Appendix Ia</b>	FI received on 3.6.2019
<b>Appendix Ib</b>	FI received on 11.6.2019
<b>Appendix II</b>	Relevant extract of 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 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 Site
<b>Appendix V</b>	Similar applications in the same “OU(RU)” zone on approved Kam Tin South OZP
<b>Appendix VI</b>	Good practice guidelines for open storage
<b>Appendix VII</b>	Public comment received during statutory public inspection period
<b>Appendix VIII</b>	Advisory clauses
<b>Drawing A-1</b>	Layout Plan
<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

**Plans A-4a and b**      Site Photos

**PLANNING DEPARTMENT  
JUNE 2019**