

RNTPC Paper No. A/YL-NTM/387  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 12.4.2019

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**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-NTM/387**

- Applicant** : U. E. E. Limited represented by R-riches Property Consultants Limited
- Site** : Lots 396 S.A RP (Part), 433 (Part), 434 (Part), 435 (Part), 436 (Part), 437 (Part), 438 (Part) and 444 in D.D. 102, and Adjoining Government Land (GL), Ngau Tam Mei, Yuen Long
- Site Area** : About 1,655 m<sup>2</sup> (including GL of about 430 m<sup>2</sup> (26%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/12
- Zoning** : “Open Storage” (“OS”)
- Application** : Proposed Temporary Vehicle Repair Workshop with Ancillary Vehicle Stripping Yard for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed temporary vehicle repair workshop with ancillary vehicle stripping yard for a period of 3 years (**Plan A-1**). The Site falls within an area zoned “OS” on the approved Ngau Tam Mei OZP No. S/YL-NTM/12. According to the Notes for the “OS” zone, ‘vehicle repair workshop’ is a Column 1 use which is always permitted whilst ‘vehicle stripping yard’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by some temporary enclosed structures with parking of vehicles.
- 1.2 The Site is the subject of 2 approved previous applications (Nos. A/YL-NTM/323 and A/YL-NTM/370) submitted by the same applicant for the same use covering part of the Site (**Plan A-1**). Both applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 7.8.2015 and 6.7.2018 respectively for periods of 3 years. The applicant has yet to comply with the conditions under application No. A/YL-NTM/370. The current application is submitted by a different applicant on a larger site.
- 1.3 According to the applicant, the Site will mainly be used for vehicle repair

workshop with vehicle stripping use accommodated in one of the workshops. 2 vehicle repairing bays with dimension 2.5m x 5m will be provided at the western portion of the Site and one of them is interchangeable to vehicle stripping bay at structure B2 (**Drawing A-2**). The Site is accessible to Ka Lung Road via local tracks with its ingress and egress located at the eastern and north-western boundaries of the Site respectively. A 14m-diameter vehicle manoeuvring space is proposed at the western portion of the Site. The location plan with vehicular access and layout plan are at **Drawings A-1 and A-2** respectively. The development parameters of the current application as compared with the latest approved previous application (No. A/YL-NTM/370) are summarised as follows:

	<b>Previous Application No. A/YL-NTM/370</b>	<b>Current Application No. A/YL-NTM/387</b>	<b>Differences</b>
Site Area	About 553 m <sup>2</sup> (GL of about 270 m <sup>2</sup> )	About 1,655 m <sup>2</sup> (GL of about 430 m <sup>2</sup> )	+1102 m <sup>2</sup> (GL of about +160 m <sup>2</sup> )
Applied Use	Proposed Temporary Vehicle Repair Workshop with Ancillary Vehicle Stripping Yard for a Period of 3 Years	same	-
No. of Structures (No. of Storey, Building Height)	3 <ul style="list-style-type: none"> <li>• 1 enclosed structure for vehicle repair workshop including a vehicle stripping yard (2 bays for vehicle repair and 1 bay for vehicle stripping) (1 storey, 8m);</li> <li>• 1 site office (1 storey, 3.5m); and</li> <li>• 1 meter room/toilet (1 storey, 3.5m)</li> </ul>	13 <ul style="list-style-type: none"> <li>• 2 vehicle repair workshops/storage of vehicle parts with site offices (1-2 storey, 5m to 8.5m);</li> <li>• 2 vehicle repair workshop (1 with vehicle stripping yard, 1 storey, 5.5m);</li> <li>• 1 site office (2 storeys, 5.2m);</li> <li>• 4 storages of vehicle parts/tools (1 storey, 2.5m to 5m);</li> <li>• 2 unenclosed canopies (1 storey, 2.5m);</li> <li>• 1 meter room (1 storey, 2.5m); and</li> <li>• 1 toilet (1 storey, 2.5m)</li> </ul>	+10
Total Floor Area	Not exceeding 266 m <sup>2</sup>	About 849 m <sup>2</sup>	+583 m <sup>2</sup>
No. of Parking	1 parking space for private car/light goods	1 loading/unloading (L/UL) space for LGV	L/UL space instead of

Space	vehicle (LGV)		parking space
Operation Hours	9:00 a.m. to 7:00 p.m. Mondays to Saturdays, no operation on Sundays and public holidays	10:00 a.m. to 5:00 p.m. on weekdays and Saturdays, closed on Sundays and public holidays	Shorter operation time

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

- (a) Application form received on 28.2.2019 **(Appendix I)**
- (b) Further Information (FI) dated 1.4.2019 providing response to departmental comments and clarification on the manoeuvring of vehicle, operation of workshops and number of vehicle repairing/stripping bays **(Appendix Ia)**
- (c) FI dated 4.4.2019 providing clarification on trip generation for vehicles using the repairing/stripping bays **(Appendix Ib)**

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Appendix I of the application form at **Appendix I**, and FIs at **Appendices Ia** and **1b**. They can be summarized as follows:

- (a) The proposed development which is temporary in nature is in line with the planning intention of the “OS” zone. In accordance with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of Town Planning Ordinance (TPB PG-No. 13E), the Site falls within “Category 1 Areas” which are considered tolerable for open storage and port pack-up uses.
- (b) The proposed development is not incompatible with the surrounding land uses. No land filling and excavation works will be involved. As such, adverse impact on the surrounding areas is minimal.
- (c) Only one L/UL space for LGV is proposed for transferring goods at the eastern portion of the Site. Goods will be transported by staff from eastern to western portion of the Site by trolleys. The applicant confirms no parking or L/UL space will be provided at the western portion of the Site; instead, 2 repairing/stripping bays for private cars will be provided in structures B2 and B3 (**Drawing A-2**). No vehicle exceeding 5.5 tones will access the Site. With sufficient manoeuvring space for the vehicle, the proposed development will not generate queuing of traffic outside the Site. The delivery trips to and from the Site will be low (estimated to be around 4 trips per day for private cars and LGVs respectively). The traffic impact on the surrounding areas is minimal.

- (d) Both vehicle repair workshop and vehicle stripping yard will be housed within enclosed structures to shield the noise generated by workshop activities. Due to the nature of repairing works is small in scale, i.e. repairing of small vehicle parts, no vehicle repairing bay will be provided at structure B1 which is proposed for vehicle repair workshop and site office use. The stripping activity will only take place in one structure, i.e. structure B2. Only hand tools will be used for stripping of vehicle. No stripping or compaction machine will be involved. Reservation of vehicle repair service has to be made in advance and only those with reservation will be served.
- (e) The recent approvals of similar applications within the same “OS” zone, including Application Nos. A/YL-NTM/323 and 370, indicate that the Site is suitable for the proposed use.
- (f) Should the application be approved, drainage, landscape and fire service installations (FSIs) proposals will be submitted to mitigate the potential impacts on the surrounding areas. The applicant will also follow Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN 5/93) and Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites (CoP) for sewerage treatment and to mitigate potential impacts on the surrounding areas.

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

The applicant is not a “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending notice to San Tin Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

The vehicle stripping yard use on the Site would be subject to planning enforcement action if there are enough evidences to confirm the subject.

### **5. Previous Applications**

5.1 The Site is the subject of 2 approved previous planning applications covering part of the Site. Application Nos. A/YL-NTM/323 and 370 submitted by a different applicant for the same use as the current application were approved with conditions by the Committee on 7.8.2015 and 6.7.2018 respectively for periods of 3 years. The applications were approved mainly for the reasons that the developments were generally in line with the planning intention of “OS” zone, not incompatible with

the surrounding areas, in line with TPB PG-No. 13E; and relevant Government departments had no objection to the applications. Application No. A/YL-NTM/323 was subsequently revoked on 7.9.2017 due to non-compliance with approval conditions related to the submission and implementation of the drainage proposal. Application No. A/YL-NTM/370 approved on 6.7.2018 is valid until 6.7.2021. The applicant is yet to comply with the approval conditions.

5.2 Details of these applications are summarized at **Appendix II**. Their locations are shown on **Plan A-1**.

## 6. **Similar Applications**

6.1 There are 16 applications for temporary container vehicle/lorry/tractor/trailer parks, container storage, open storage of vehicle parts/construction materials, all of which involve ancillary repairing workshops uses; and 1 application for container vehicles and goods vehicles repair yard use within the same “OS” zone on Ngau Tam Mei OZP since the promulgation of TPB PG-No. 13E on 17.10.2008. However, there is no similar application for vehicle stripping yard within the same “OS” zone.

6.2 Amongst the similar applications, 14 were approved with conditions by the Committee for reasons that the proposed developments were not incompatible with the surrounding uses, in line with the planning intention of “OS” zone and TPG PG-No. 13E; and the approvals of the applications were in line with the Committee’s previous decisions. Of the 14 approved applications, 5 of them were subsequently revoked due to non-compliance with approval conditions.

6.3 The remaining 3 similar applications were rejected by the Committee mainly on grounds that the developments were not in line with TPB PG-No. 13E in that the developments would have adverse environmental, traffic and drainage impacts on the surrounding areas, and the applicants failed to demonstrate that these impacts could be adequately addressed.

6.4 Details of these 17 applications are summarized at **Appendix III**. Their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible to Ka Lung Road via local tracks;
- (b) hard-paved and fenced off; and
- (c) occupied by some temporary enclosed structures with parking of vehicles.

- 7.2 The surrounding areas are intermixed with open storage/storage yards, workshops, warehouses, vehicle parks, farm, scattered residential dwellings, grave and unused land:
- (a) to its north and northeast are mainly storage yards and open storage yards of tyres, construction materials and machinery, and residential dwelling; further north is a refuse collection point and some unused land; further northeast across Ka Lung Road are warehouse and some unused land;
  - (b) to its west are mainly storage of vehicles, warehouse and residential dwelling; further northwest are a nullah and San Tin Highway; and
  - (c) to its south and southeast are vehicle repair workshops, scattered residential dwellings (the nearest is about 6.8m away at its south), warehouses, vehicle parks, pigsty farm, grave and some unused land.

## **8. Planning Intention**

The planning intention of the “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises.

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

- 9.1 The following Government departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) Without recent inspection, his comments based on the applicant’s information are as follows:
  - (i) 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;
  - (ii) a portion of GL with an area of about 257 m<sup>2</sup> of the Site is covered by Short Term Tenancy (STT) No. 2967 for the purpose of “Temporary Vehicle Repair Workshop with Ancillary Vehicle Stripping Yard”;

- (iii) no permission is given for occupation of the remaining GL with an area of about 173 m<sup>2</sup> (subject to verification) included in the Site. The act of occupation of the remaining GL without Government's prior approval is not allowed;
  - (iv) the private land of Lot Nos. 434 and 444 in D.D. 102 are covered by Short Term Waiver (STW) Nos. 4505 and 4506 respectively to permit structures for the purpose of "Temporary Vehicle Repair Workshop with Ancillary Vehicle Stripping Yard";
  - (v) the Site is accessible from Ka Lung Road through GL. LandsD provides no maintenance work for the GL involved and does not guarantee any right-of-way over GL to the Site; and
  - (vi) the Site does not fall within Shek Kong Airfield Height Restriction Area.
- (b) Should planning approval be given to the application, the STT/STW holders will need to apply to LandsD for modification of the STT/STW conditions where appropriate. The applicant has to either exclude the remaining GL from the Site or apply for a formal approval prior to the actual occupation of the remaining GL. The lot owner(s) of the lot(s) without STW will need to apply to LandsD for permitting the structures to be erected or regularize any irregularities on site, if any. 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 of the landlord or lessor at its sole discretion and there is no guarantee that such applications will be approved. If such applications are 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**

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

- (a) The Site is connected to the public road network via a section of a local access which is not managed by Transport Department (TD). The land status of the local access road should be clarified with LandsD by the applicant. The management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- (b) Should the application be approved, the following conditions should be incorporated:

- (i) 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; and
- (ii) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period.

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

- (a) His department does not and will not maintain the vehicular access connecting the Site and Ka Lung Road.
- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

9.1.4 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD):

The Site falls within the area of influence (AOI) of the proposed Northern Link (NOL) which is a recommended railway scheme under the Railway Development Strategy 2014 (RDS-2014) (**Plan A-1**). Although the programme and the alignment of the proposed NOL are still under review, those areas within the AOI may be required to be vacated at the time for the construction of the proposed NOL. The applicant should review its planning in view of the above requirement, and contact MTR Corporation Limited regarding the planning of the proposed NOL.

**Environment**

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

- (a) DEP has no objection to the application, as it is noted that only vehicles not exceeding 5.5 tones will be allowed to access the Site and all workshop activities will be housed in enclosed structures.
- (b) The applicant is advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by DEP to minimize potential environmental impacts on the surrounding areas.
- (c) No environmental complaint pertaining to the Site has been received over the past 3 years.

**Nature Conservation**

9.1.6 Comments of the Director of Agriculture, Fisheries and Conservation



(DAFC):

Noting that the Site is located within “OS” zone and a similar use on the Site has been approved by the Board, she has no comment on the application from nature conservation perspective.

### **Fire Safety**

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

- (a) He has no objection in principle to the application 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 FSD for approval. The applicant should also be advised on the following points:
  - (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
  - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (c) 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**

9.1.8 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 (BA) for the existing structures at the Site and his department is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) The following issues should be observed by the applicant:
  - (i) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BD, they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the application;
  - (ii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with BD’s

enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing works or UBW on the Site under the BO;

- (iii) 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 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;
- (iv) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulation (B(P)R) respectively; and
- (v) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

### **Drainage**

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

- (a) He has no objection in principle to the application from drainage operation and maintenance point of view. Sewerage Projects Division (SPD) of DSD also has no comment on the application from the project interface point of view.
- (b) Should the application be approved, the applicant should be advised on the followings:
  - (i) he notes that the Site is related to previous application No. A/YL-NTM/370. However, the previous application is with a smaller site area submitted by a different applicant. Therefore, it should be processed as a new case. In this respect, the applicant shall submit a drainage submission to demonstrate how he will collect, convey and discharge rain water falling onto or flowing to his site. A clear drainage plan showing full details of the existing drains and the proposed drains (e.g. cover and invert levels of pipes/catchpits/outfalls and ground levels justifying waterflow etc.) with supporting design calculations and charts should be included. (Guideline on preparation of the drainage proposal is available in DSD homepage at [http://www.dsd.gov.hk/EN/Files/Technical\\_Manual/dsd\\_guideline/Drainage\\_Submission.pdf](http://www.dsd.gov.hk/EN/Files/Technical_Manual/dsd_guideline/Drainage_Submission.pdf)). Should additional

drainage works be required, the applicant is reminded that approval of the drainage proposal must be sought prior to the implementation of drainage works on site;

- (ii) after completion of the required drainage works, the applicant shall provide DSD for reference a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs;
- (iii) the applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas;
- (iv) no public sewerage maintained by his office is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained;
- (v) the applicant is reminded that the proposed drainage proposal/works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction;
- (vi) the applicant should consult DLO/YL regarding all the proposed drainage works outside the lot boundary in order to ensure the unobstructed discharge from the Site in future; and
- (vii) all the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage works on site under proper maintenance at all times.

### **Landscaping**

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

In consideration that there is inadequate space for meaningful landscape within the Site, it is opined that landscape condition is not recommended should the application be approved by the Board.

### **Water Supply**

9.1.11 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) He has no objection to the application.

- (b) The following requirements shall be observed:
- (i) existing water mains will be affected. A waterworks reserve within 1.5m from the centerline of the water mains shall be provided to WSD;
  - (ii) no structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all time for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
  - (iii) no trees or shrubs with penetrating roots may be planted within the waterworks reserve or in the vicinity of the water mains; and
  - (iv) Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site.

**Others**

9.1.12 Comments of the Commissioner of Police (C of P):

No obstruction caused to the vicinity would be tolerated. There is no other comment from Lok Ma Chau Division of Hong Kong Police.

9.1.13 Comments of the Director of Food and Environmental Hygiene (DFEH):

If the proposal involves any commercial/trading activities, its state should not as to be a nuisance or injurious or dangerous to health and surrounding environment. For any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.

**District Officer's Comments**

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

There is no village representative in the vicinity of the concerned location, no consultation will be conducted by her office. She has no comment on the application and the local comments should be submitted to the Board directly, if any.

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

- (a) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (b) Project Manager (West), Civil Engineering and Development Department

(PM(W), CEDD);

- (c) Director of Electrical and Mechanical Services (DEMS); and
- (d) Director of Leisure and Cultural Services (DLCS).

## **10. Public Comments Received During Statutory Publication Period**

On 8.3.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 29.3.2019, two objecting comments from members of the public were received raising concerns that the proposed development would generate adverse traffic and environmental impacts on the surrounding areas; aggravate flooding risk; and generate waste, air, noise and water pollution (**Appendix IV**).

## **11. Planning Considerations and Assessments**

- 11.1 The application is for temporary vehicle repair workshop with ancillary vehicle stripping yard for a period of 3 years. The proposed use is generally in line with the planning intention of the “OS” zone which is intended primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses.
- 11.2 The proposed use is considered not incompatible with the surrounding land uses which are mostly open storage/storage yards, vehicle parks, warehouses and workshops (**Plan A-2**). Concerned Government departments including C for T, DEP, DAFC, CE/MN of DSD, D of FS and CTP/UD&L of PlanD have no objection to or no comment on the application on traffic, environmental, ecological, drainage, fire safety and landscape aspects respectively. The technical requirements from CE/MN of DSD and D of FS could be addressed by imposing the approval conditions recommended in paragraphs 12.2 (g) to (j) below should the Board decide to approve the application. To mitigate any potential environmental impacts on the surrounding area, approval conditions restricting the operation hours, traffic arrangement and type of stripping tools, and requiring the maintenance of existing fence have been recommended in paragraphs 12.2 (a) to (f) below. Any non-compliance with these approval conditions would result in revocation of the planning permission and unauthorized development on-site would be subject to enforcement action by the Planning Authority. Besides, the applicant will also be advised to follow the latest ‘Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses’ to minimize any possible environmental impacts on the adjacent areas.
- 11.3 The Site is the subject of 2 approved previous applications (Nos. A/YL-NTM/323 and 370) submitted by a different applicant for the same use on a smaller portion of the Site. Since 2008, the Committee has approved 14 similar applications involving ancillary repairing workshops uses within the same “OS” zone based on similar considerations. Approval of the subject application is in line with the

previous decisions of the Committee.

- 11.4 There are two objecting public comments received raising concern on traffic, noise and environmental impacts on surrounding areas. The planning assessment and the departmental comments above are of relevance.

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

12.1 Based on the assessments in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.

12.2 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 until 12.4.2022. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) no operation between 5:00 p.m. and 10:00 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 vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (e) only hand tools will be used for vehicle stripping, and no stripping or compaction machine shall be used on Site at any time during the planning approval period;
- (f) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 12.10.2019;
- (h) in relation to (g) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 12.1.2020;

- (i) the submission of fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.10.2019;
- (j) in relation to (i) above, the provision of fire service installations within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.1.2020;
- (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.

#### Advisory Clauses

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

12.3 There is no strong reason to recommend rejection of the application.

### **13. Decision Sought**

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

13.2 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.

13.3 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.

### **14. Attachments**

<b>Appendix I</b>	Application Form received on 28.2.2019
<b>Appendix Ia</b>	FI dated 1.4.2019
<b>Appendix Ib</b>	FI dated 4.4.2019
<b>Appendix II</b>	Previous Applications

<b>Appendix III</b>	Similar Applications
<b>Appendix IV</b>	Public Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Layout Plan
<b>Plan A-1</b>	Location Plan with Similar Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
APRIL 2019**