Previous s.16 Application covering the Application Site

Rejected Application

	Application No.	Proposed <u>Use(s)/Development(s)</u>	Date of Consideration By RNTPC/TPB	Approval Conditions
1.	A/YL-PH/240	Temporary Open Storage of Construction Materials (Iron Frames) for a Period of 12 Months	13.11.1998	(1), (2), (3), (4), (5)

Rejection Reasons

- (1) The development was not in line with the planning intention of the "R(D)" zone. No strong justification had been given in the submission for a departure from the planning intention, even on a temporary basis.
- (2) The development was not compatible with the nearby village houses.
- (3) The approval of the application would set an undesirable precedent for other similar applications and the cumulative impact of approving such similar applications would result in a general degradation of the rural environment of the area.
- (4) There was insufficient information to demonstrate that the development would not have adverse drainage impacts on the surrounding areas.
- (5) There was insufficient information to demonstrate that a proper vehicular access road could be provided to connect the site with Fan Kam Road.

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Similar Applications for temporary vehicle parking uses within the same "R(D)" zone of the Site on Pat Heung OZP

Approved Applications

	Application No.	Proposed <u>Use(s)/Development(s)</u>	Date of Consideration By RNTPC/TPB	Approval <u>Conditions</u>
1.	A/YL-PH/150	Temporary Public Car Park for a Period of 12 Months	5.12.1997	(1), (2), (3), (4), (5), (6)
2.	A/YL-PH/385	Proposed Public Car Park	2.12.2001 (for a period of 3 years)	(2), (4), (5), (6), (7), (8)
3.	A/YL-PH/413	Proposed Public Car Park	21.6.2002] 25.10.2002 (for a period of 3 years) [revoked on 10.12.2002]	(2), (4), (5), (6), (8)
4.	A/YL-PH/501	Proposed Temporary Public Car Park for a Period of 3 Years	29.7.2005	(1), (2), (4), (5), (6), (8), (9), (10)
5.	A/YL-PH/604	Temporary Public Car Park for a Period of 3 Years	29.1.2010	(1), (2), (4), (5), (6), (8), (10), (11), (12)
6.	A/YL-PH/661	Temporary Public Car Park for a Period of 3 Years	15.3.2013 [revoked on 15.9.2013]	(1), (2), (4), (5), (6), (8), (10), (12), (13), (14), (15)
7.	A/YL-PH/702	Proposed Temporary Public Car Park for a Period of 3 Years	31.10.2014	(1), (2), (4), (5), (6), (8), (10), (12), (13), (15)
8.	A/YL-PH/725	Proposed Temporary Public Car Park for a Period of 3 Years	5.2.2016 [revoked on 5.5.2016]	(1), (2), (4), (5), (8), (12), (14), (16), (17)
9.	A/YL-PH/745	Proposed Temporary Public Car Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	28.7.2017 [revoked on 28.8.2019]	(1), (2), (4), (5), (6), (8), (12), (13), (14), (17)

	Application No.	Proposed <u>Use(s)/Development(s)</u>	Date of Consideration By RNTPC/TPB	Approval Conditions
10.	A/YL-PH/849	Proposed Temporary Public Vehicle Park (Private Cars only) with Ancillary Site Office for a Period of 3 Years	4.9.2020	(1), (2), (5), (8), (10), (13), (14)

Approval Conditions

- (1) No vehicles without valid licences issued under the Traffic Regulations were allowed to be parked on the site.
- (2) No lorries/ tractor/ container vehicles/ trailers/ medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes) were allowed to be parked/stored on the site.
- (3) Design and provision of vehicular access.
- (4) Submission / implementation of landscape proposal / tree preservation proposals / maintenance of existing landscape plantings.
- (5) Submission / provision of drainage facilities / implementation of drainage proposal / maintenance of drainage facilities.
- (6) Reinstatement of the site to amenity area upon expiry of the planning permission.
- (7) Submission / implementation of environmental mitigation measures.
- (8) Revocation of the planning permission if any planning conditions are not complied with any time during the planning approval period / by the specific date.
- (9) No vehicle repair activities.
- (10) Submission / implementation of fire service installations proposal.
- (11) Restriction on operation hours.
- (12) No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities.
- (13) Posting of notice at a prominent location to indicate no medium or heavy goods vehicles exceeding 5.5 tonnes are allowed.
- (14) No reversing of vehicles into or out from the site / no vehicle is allowed to queue back or reverse onto / from public road at any time.
- (15) Submission of records of existing drainage facilities.
- (16) No operation shall commence prior to provision / implementation of natural terrain hazard mitigation measures.
- (17) Provision of boundary fencing.

Rejected Applications

	Application No.	Proposed <u>Use(s)/Development(s)</u>	Date of Consideration By RNTPC/TPB	Approval Conditions
1.	A/YL-PH/4*	Temporary Lorry / Coach Park for 12 Months	2.12.1994	(1), (2), (3), (4), (5)

	Application No.	Proposed <u>Use(s)/Development(s)</u>	Date of Consideration By RNTPC/TPB	Approval Conditions
2.	A/YL-PH/13	Temporary Private Car and Lorry Carpark and Open Storage of Vehicle Part for 12 Months	19.5.1995	(1), (5), (6), (7)
3.	A/YL-PH/439	Temporary Private Car, Lorry & Tractor Park for a Period of 3 Years	25.7.2003 28.11.2003 [on review]	(1), (3), (6)
4.	A/YL-PH/524	Temporary Lorry Park and Fixing of Lorry Company Name on Lorries for a Period of 3 Years	16.6.2006	(1), (3)
5.	A/YL-PH/529	Proposed Temporary Vehicle Park for Heavy Vehicles (including Container Vehicles) for a Period of 3 Years	3.11.2006	(1), (2), (6)
6.	A/YL-PH/819*	Proposed Temporary Public Vehicle Park for Medium Container Vehicles for a Period of 3 Years	1.11.2019	(1), (2), (5)
7.	A/YL-PH/836	Proposed Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years	15.5.2020	(1)

^{*}Straddles the "R(D)" and adjacent "AGR" zone

Rejection Reasons

- (1) The proposed development is not in line with the planning intention of the "R(D)" zone. No strong justifications have been submitted to justify a departure from the planning intention.
- (2) The proposed development does not comply with the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance" as it is not compatible with the nearby residential developments / in that the site did not have previous planning approvals / adverse departmental comments were received / no relevant technical assessments or proposals were submitted to demonstrate the proposed development would not generate adverse environmental, drainage, traffic and landscape impacts on the surrounding area.
- (3) There is insufficient information to demonstrate that the development will not cause environmental / drainage / landscape impact on the surrounding areas.
- (4) There is insufficient information on the vehicular access to the site.
- (5) Approval of the application will set undesirable precedents for other applications which will lead to a general degradation of the area.
- (6) The proposed development is not compatible with the nearby residential developments / agricultural activities.

(7) No detailed landscape proposal has been included in the submission.

Appendix V of RNTPC Paper No. A/YL-PH/852

Advisory Clauses

- (a) note DLO/YL, LandsD's comments that 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. The STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office to permit the structure to be erected or regularize any irregularities on Site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. 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 application will be approved. If such application 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;
- (b) note C for T's comments that the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. 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;
- note CHE/NTW, HyD's comments that HyD shall not be responsible for the maintenance of any access connecting the Site and Fan Kam Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) 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 the DEP;
- (e) note D of FS's comments that 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; and
- (f) note CE/C, WSD's comments that existing water mains will be affected as shown on Plan A-2 of the RNTPC paper. The cost of any necessary diversion shall be borne by the proposed development. In case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5 meters from the center line of the water main shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works. No trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on Plan A-2 of the

RNTPC paper. 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.