

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/810

- Applicant** : 鄧傑行
- Site** : Lots 2902 (Part), 2905 (Part), 2909 (Part), 2910 (Part) and 2911 (Part) in D.D. 111, Wing Ning Lei, Wang Toi Shan, Pat Heung, Yuen Long
- Site Area** : 643m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Residential (Group D)” (“R(D)”)
[maximum plot ratio of 0.2 and building height of 2 storeys (6m)]
- Application** : Temporary Open Storage of Construction Materials and Machineries 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 open storage of construction materials and machineries for a period of 3 years. The Site is currently occupied by the applied use without planning permission and fenced off (**Plans A-2 to A-4**).
- 1.2 The Site is involved in four previous applications (No. A/YL-PH/206, 304, 377 and 789) for temporary open storage or workshop uses. Three of them for open storage uses were approved with conditions by the Rural and New Town Planning Committee (the Committee) or the Town Planning Board (the Board) on review between 1999 and 2018. The last application No. A/YL-PH/789 for the same applied use submitted by a different applicant from the current application was approved with conditions by the Committee on 21.9.2018. However, the planning permission was revoked on 21.3.2019 due to non-compliance of approval conditions in relation to the submission of fire service installations (FSIs) and drainage proposals.
- 1.3 According to the applicant, 8 single-storey temporary structures (containers) with building height of 2.62m and total floor area of 107.88m² are erected within the Site as storage uses. Three loading/unloading spaces for light

goods vehicles are provided on site. The Site is for storage purpose only and does not involve workshop-related activities. The operation hours are from 9:00 a.m. to 5:00 p.m. from Mondays to Fridays, 9:00 a.m. to 1:00 p.m. on Saturdays, and no operation on Sundays and public holidays. The Site is accessible to Kam Tin Road via a local track. The layout and parking plan, landscape/FSIs and drainage proposals and access plan submitted by the applicant are at **Drawings A-1 to A-4**.

- 1.4 A comparison of the major development parameters of the current application and the previous approved application is given in the following table:

	Previous Approved Application No. A/YL-PH/789 (a)	Current Application (b)	Differences (b) – (a)
Applied Use	Temporary Open Storage of Construction Material and Machinery for a Period of 3 Years	Same	-
Site Area (m ²)	860	643	217 (-25%)
No. of Structures	6	8	+2 (+33%)
Total Floor Area (m ²)	93	107.88	+14.88 (+16%)
Building Height of Structures	2.62m – 5.24m / 1- 2 storeys	2.62m / 1 storey	-2.62m (-50%)
No. of Loading/ unloading spaces	3	Same	-

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

- (a) Application form with plans received on 18.4.2019 **(Appendix I)**
- (b) Further Information (FI) received on 23.7.2019 providing responses to departmental comments (*accepted and exempted from publication*) **(Appendix Ia)**
- (c) FI received on 30.7.2019 providing responses to departmental comments (*accepted and exempted from publication*) **(Appendix Ib)**
- (d) FI received on 3.9.2019 providing responses to departmental comments (*accepted and exempted from publication*) **(Appendix Ic)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Section 9 of the application form in **Appendix I**. They can be summarized as follows:

- (a) The proposed use is temporary in nature which would not jeopardize future land uses and there are similar uses in the vicinity.
- (b) It is difficult to accommodate the applied use within the urban area due to high rent, large size of land required, and restrictions in an industrial building such as building headroom limit and adverse traffic impacts. As such, the Site in rural area is identified for the proposed use.
- (c) The applied use would not generate adverse environmental, drainage and traffic impacts. Flooding is not expected as there are existing drainage facilities on site.
- (d) Should the application be approved, the applicant would make effort in complying with all the approval conditions.

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

The applicant is not a “current land owner” 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 the Pat Heung Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

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

5. Background

The Site was the subject of a previous enforcement case against unauthorized development (UD) involving storage use. Enforcement Notice was issued on 25.7.2018. Subsequent site inspection revealed that the UD has been discontinued. The compliance notice was issued on 7.11.2018. Notwithstanding, as the previous planning permission (No. A/YL-PH/789) on this Site was revoked on 21.3.2019, the storage use at the Site may be subject to a new round of planning enforcement action.

6. Previous Applications

- 6.1 The Site was involved in four previous applications (No. A/YL-PH/206, 304, 377 and 789) covering similar site area for temporary open storage or workshop uses. Three of them for open storage uses were approved with conditions by the Committee or the Board on review between 1999 and 2018. Details of the applications are summarized in **Appendix III** and the location of the sites are shown on **Plan A-1b**.

Rejected Application (1)

- 6.2 Application No. A/YL-PH/206 for temporary lorry and private car repairing workshop for a period of 12 months was rejected by the Board on review on 18.12.1998 mainly on the grounds that the development was not in line with the planning intention of “R(D)” zone; incompatible with the surrounding land uses; and approval would set undesirable precedent for other similar applications which would result in a general degradation of the environment.

Approved Applications (3)

- 6.3 Applications No. A/YL-PH/304 and 377 for temporary open storage of construction materials for a period of 3 years were approved by the Committee or the Board on review on 5.11.1999 and 14.12.2001 respectively mainly for the reasons that the development would unlikely induce adverse traffic and environmental impacts on the surrounding areas (for No. A/YL-PH/304); previous approval had been granted for the same use; relevant governments consulted, except Director of Environmental Protection (DEP), had no adverse comment on the application and DEP’s concern could be addressed by approval conditions; there was no local objection; and the development was not incompatible with surrounding areas. The planning permission for application No. A/YL-PH/304 was revoked on 5.8.2000 due to non-compliance of approval conditions.
- 6.4 The last Application No. A/YL-PH/789 for the same use as the current application but submitted by a different applicant was approved by the Committee on 21.9.2018 mainly for similar reasons as mentioned in paragraph 6.3 above. However, the planning permission was revoked on 21.3.2019 due to non-compliance with approval conditions in relation to the submission of drainage and FSIs proposals.

7. Similar Applications

- 7.1 There are 21 similar applications (No. A/YL-PH/585, 589, 597, 610, 613, 627, 636, 641, 655, 656, 660, 677, 685, 699, 710, 716, 729, 741, 765, 776 and 814) for various temporary open storage uses within the same “R(D)” zone or straddles the adjoining “Agriculture” (“AGR”) zone since the promulgation of TPB PG-No. 13E on 17.10.2008. Except applications No. A/YL-PH/585 and 636, all the similar applications were approved with

conditions by the Committee. Details of these applications are at **Appendix IV** and their locations are shown at **Plan A-1a**.

Approved Applications (19)

- 7.2 Nineteen applications (No. A/YL-PH/589, 597, 610, 613, 627, 641, 655, 656, 660, 677, 685, 699, 710, 716, 729, 741, 765, 776 and 814) were approved with conditions by the Committee between 2009 and 2019 mainly for the reasons that the temporary development would not frustrate the planning intention of the “R(D)” zone; not incompatible with the surrounding land uses; and the application generally complied with TPB PG-No. 13E in that previous planning approval was granted. However, Applications No. A/YL-PH/610, 613, 627, 655, 656, 660 and 677 were revoked between 2011 and 2013 due to non-compliance with the approval conditions.

Rejected Applications (2)

- 7.3 The other two applications No. A/YL-PH/585 (for temporary open storage of tires) and 636 (fall mostly within the “AGR” zone for temporary open storage of construction materials) were rejected by the Committee in 2009 and 2012 respectively. Application No. A/YL-PH/585 was rejected mainly on the grounds that the development did not comply with TPB PG-No. 13E in that there were local objections and adverse departmental comments on environmental and agricultural aspects; adverse environmental impact and increase fire hazards to the surrounding area; and no technical assessment was submitted to address potential impacts. Application No. A/YL-PH/636 was rejected mainly on the grounds that the development did not comply with TPB PG-No. 13E in that there was no previous approval granted on the site and there were local objections and adverse departmental comments; there was insufficient information to demonstrate that the developments would not have adverse impacts on the surrounding areas; and the development was not in line with the planning intention of the “AGR” zone.

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

- 8.1 The Site is:
- (a) currently occupied by the applied use without planning permission and fenced off; and
 - (b) accessible to Kam Tin Road via a local track.
- 8.2 The surrounding areas are generally rural in character mixed with open storage/storage yards, workshops, warehouses, residential dwellings/structures, parking of vehicles and vacant/unused land. Some of the open storage/storage yards, warehouses and workshops are suspected unauthorized developments subject to enforcement action by the Planning Authority:

- (a) to its northeast, east and south are various open storage yards (including three sites operated with valid planning permission under Applications No. A/YL-PH/741, 765 and 776 for different open storage uses), vehicle repair workshop, a warehouse, and vacant/unused land falling within the “R(D)” zone; and
- (b) to its north, west, southwest and northwest are various open storage / storage yards, warehouses, vehicle repair workshop, residential dwellings/structures, parking of vehicles and vacant/unused land falling within the “Village Type Development” (“V”) zone.

9. Planning Intention

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

10. Comments from Relevant Government Departments

10.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

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

- (a) The Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) The Site is accessible from Kam Tin 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.
- (c) 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.
- (d) Should the application be approved, the lot owner(s) will need to apply to his office to permit the structures 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. 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 landlord or lessor at its sole discretion and there is no guarantee that such application 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 traffic engineering perspective.
- (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. 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/NT West, Highways Department (CHE/NTW, HyD):

- (a) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads / drains.
- (b) His department shall not be responsible for the maintenance of any access connecting the Site and Kam Tin Road.

Environment

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

- (a) There was no environmental complaint received at the Site in the past three years.
- (b) Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirements

in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (COP) issued by the EPD.

Landscape

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

- (a) She has no objection to the application from the landscape planning perspective.
- (b) The Site is the subject of four previous planning applications. She had no objection to the last application (No. A/YL-PH/789) from the landscape planning perspective.
- (c) Referring to the aerial photo dated 3.4.2017, the Site is situated in an area of rural landscape character comprising of scattered tree groups, open storages and village houses. The applied use is not incompatible to the surrounding environment.
- (d) With reference to the site visit dated 7.5.2019, the Site is in operation as open storage for construction materials and machineries. Sixteen existing trees of *Ficus microcarpa* (細葉榕) in good to poor condition are found with the Site. Referring to the submitted layout plan, the proposed structure would not be in conflict with the existing trees. Significant adverse impact on landscape resources is not anticipated.
- (e) In view that tree buffer is found along the Site for screening purpose, should the Board approve this application, it is not considered necessary to impose any landscape condition.

Nature Conservation

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

He has no comment on the application from nature conservation point of view as the Site is a disturbed area within “R(D)” zone and similar uses have been approved by the Board in the past.

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 from the public drainage point of view.
- (b) Should the application be approved, approval conditions requiring the submission of a revised drainage proposal for the development and implementation and maintenance of the drainage proposal to the satisfaction of the Director of Drainage Services or of the Board should be included.
- (c) His detailed comments on the submitted drainage proposal are at **Appendix V**.

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) Further, the FSI proposal submitted by the applicant is considered acceptable to his department. The installation / maintenance / modification / repair work of FSI shall be undertaken by a Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation / maintenance / modification / repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to him.
- (c) The applicant is also advised to adhere to the “Good Practice Guidelines for Open Storage Sites” (**Appendix VI**).
- (d) Having considered the nature of the open storage use, an approval condition requiring the provision of fire extinguisher(s) within 6 weeks from the date of planning approval should be included. To address this approval condition, the applicant should submit a valid fire certificate (FS 251) to his department for approval.
- (e) The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Building Matters

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

- (a) As there is no record of approval by the Building Authority for the existing structures at the Site, his office is not in a position to offer comments on the suitability of the proposed use.
- (b) The applicant is advised of the following points:
 - (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 Buildings Ordinance (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 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.
 - (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 the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) 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) Regulations (B(P)R) respectively.
 - (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.

District Officer's Comments

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

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

Others

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

- (a) He has no comment on the application.
- (b) The applicant is advised to implement sufficient security measures such as installation of CCTV, flood light and employment of security guard to the Site as preventive of crime.

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

- (a) Director of Electrical and Mechanical Services;
- (b) Chief Engineer/Construction, Water Supplies Department; and
- (c) Project Manager(West), West Development Office, Civil Engineering and Development Department.

11. Public Comments Received During Statutory Publication Period

- 11.1 On 30.4.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period three public comments from Designing Hong Kong Ltd. and individuals were received (**Appendices VII-1 to VII-3**).
- 11.2 All the commenters object to the application mainly on the grounds that the development is not in line with the planning intention of the “R(D)” zone; incompatible with the surrounding area; resulting in adverse traffic, noise and land contamination impacts; generate nuisance to the residents and lead to illegal workers working at the Site; approval of the application would set an undesirable precedent; and approval conditions of the last application were not complied with.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of construction materials and machineries for a period of 3 years in “R(D)” zone. The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. The applied use is not in line with the planning intention of the “R(D)” zone. Nevertheless, there is currently no known programme for long-term development at the Site. As such, it is considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone.

12.2 The development is considered not incompatible with the surrounding areas which are rural in character mixed with open storage/storage yards, workshops, warehouses, residential dwellings/structures, parking of vehicles and vacant/unused land.

12.3 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.

12.4 The applied use is considered generally in line with TPB PG-No. 13E in that previous approvals (Applications No. A/YL-PH/304, 377 and 789) for the same/similar uses have been granted since 1999 and relevant departments consulted have no adverse comment on the application. The applicant has also submitted landscape, FSIs and drainage proposals in the current application. Compared with the last approved application No. A/YL-PH/789, the current application has a smaller area with slight increase in total floor area. As there is no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application.

12.5 Relevant government departments consulted including DEP, C for T, CE/MN of DSD and D of FS have no adverse comment on the application. To minimize any possible environmental nuisance, approval conditions restricting the operation hours, types of vehicles and prohibiting workshop-related 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. Besides, the applicant will be advised to adopt the relevant mitigation measures and requirements as set out in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”. The technical requirements of C for T, CE/MN of DSD and D of FS could be addressed by approval conditions in paragraphs 13.2 (e), and (g) to (n).

12.6 The last approved application No. A/YL-PH/789 for the same applied use submitted by a different applicant was revoked on 21.3.2019 due to non-compliance with approval conditions in relation to the submission of FSIs and drainage proposals. The applicant has submitted FSIs, drainage and

landscape proposals in the current application, and stated that effort would be made to comply with the approval conditions. Concerned departments have no adverse comments on the application. Moreover, there are 19 similar applications for temporary open storage-related uses approved in the same “R(D)” zone. Approval of the current application is in line with the Committee’s previous decisions.

- 12.7 Three public comments objecting the application were received during the statutory publication period as stated in paragraph 11 above. In this regard, the departmental comments as well as planning considerations and assessments as stated above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments in paragraph 11, the Planning Department considers that the temporary open storage of construction materials and machineries 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 three years until 20.9.2022. 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 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 1:00 p.m. and 5:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (e) 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;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;

- (g) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (h) 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 20.3.2020;
- (i) in relation to (h) 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 20.6.2020;
- (j) in relation to (i) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (k) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within **6** weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 1.11.2019;
- (l) the implementation of the accepted 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 20.3.2020;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (j) 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
- (n) if any of the above planning conditions (h), (i), (k) or (l) 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 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 "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. 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.
- 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 plans received on 18.4.2019
Appendix Ia	Further Information (FI) received on 23.7.2019 providing responses to departmental comments
Appendix Ib	FI received on 30.7.2019 providing responses to departmental comments
Appendix Ic	FI received on 3.9.2019 providing responses to departmental comments
Appendix II	Relevant extract of Town Planning Board Guideline for “Application for Open Storage and Port Back-up uses” No. 13E
Appendix III	Previous applications covering the Site
Appendix IV	Similar applications within the same “R(D)” zone or straddling “R(D)” and “AGR” zones on the Pat Heung OZP
Appendix V	Detailed Comments from CE/MN of DSD
Appendix VI	Good Practice Guidelines for Open Storage Sites
Appendices VII-1 to VII-3	Public comments received during the statutory publication period
Appendix VIII	Advisory Clauses
Drawing A-1	Layout and Parking Plan
Drawing A-2	Landscape/FSIs Proposal
Drawing A-3	Drainage Proposal

Drawing A-4	Accessibility Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2019**