RNTPC Paper No. A/YL-SK/272 For Consideration by the Rural and New Town Planning Committee on 3.1.2020

<u>APPLICATION FOR PERMISSION</u> <u>UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE</u>

APPLICATION NO. A/YL-SK/272

<u>Applicant</u>	:	Mr. CHU Yan-chai represented by Mr. WONG Sun-wo William
<u>Site</u>	:	Lot 1515 (Part) in D.D.114, Lui Kung Tin, Route Twisk, Shek Kong, Yuen Long
<u>Site Area</u>	:	About 2,543 m ²
Lease	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9
<u>Zonings</u>	:	"Conservation Area" ("CA") (about 79%) and "Residential (Group D)" ("R(D)") (about 21%) (<i>Restricted to a maximum plot ratio of 0.2 and a maximum building height</i> of 2 storeys (6m))
<u>Application</u>	:	Proposed Temporary Barbecue Site with Ancillary Site Office, Shroff and Car Park for a Period of 3 Years

1. <u>The Proposal</u>

- 1.1 The applicant seeks planning permission for proposed temporary barbecue site with ancillary site office, shroff and car park at the application site (the Site) for a period of 3 years. The Site comprises two portions separated by a local track in the middle, with a larger southern portion within the "CA" zone and the northern portion within "R(D)" zone on the approved Shek Kong OZP No. S/YL-SK/9 (**Plan A-1** and **Drawing A-1**). Barbecue site can be regarded as a 'Place of Recreation, Sports or Culture' which is a Column 2 use within "R(D)" zone, but it is neither a Column 1 nor a Column 2 use within "CA" zone. Notwithstanding this, temporary use or development of any land or building not exceeding a period of 3 years may be allowed with permission from the Town Planning Board (the Board). At present, the Site is largely vacant and vegetated, with a few containers for site office and storage use.
- 1.2 According to the applicant, the southern portion (about 79%) of the Site is proposed to be used as an open-air barbecue area (with 25 barbecue pits), with a 1-storey shroff (of about $60m^2$ and about 4.5m high), a 1-storey toilet (of about

15m² and about 3m high) and a loading/unloading bay for light goods vehicle, whereas a 1-storey site office (of about 60m² and about 4.5m high) and nine parking spaces for private cars are proposed at the northern portion (about 21% of the Site). The total non-domestic floor area of the said three structures is about 135m². The proposed operating hours will be between 11:00 am and 12:00 midnight every day (including Sundays and public holidays). It is estimated that the maximum number of visitors would be about 125 (5 persons per barbecue pit) at any one time. Besides, the applicant proposes to plant 37 *Bauhinia blakeana* trees along the Site periphery (**Drawing A-2**). The Site is accessible via a local track leading from Route Twisk and Woolwich Road. The applicant supplements that the Site is within 10-minute walking distance from the bus stop at Route Twisk (**Plan A-1**). The layout plan, landscape plan and drainage plan submitted by the applicant are at **Drawings A-1** to **A-3**.

- 1.3 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 4.11.2019 (Appendix I)
 - (b) Supplementary Information (SI) received on 12.11.2019 (Appendix Ia)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendix I**, and are briefly summarized as follows:

There is no barbecue site within Lui Kung Tin Tsuen and the Government barbecue spots nearby are usually crowded during holidays. The proposed barbecue site, which is within 5-minute walking distance from the local residences, would be for the enjoyment of the villagers.

3. <u>Compliance with the "Owner's Consent/Notification" Requirements</u>

The applicant is not the current land owner but has complied with the requirements as set out in the Town Planning Board (TPB) 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 notice to the current land owner. Detailed information would be deposited at the meeting for Members' inspection.

4. <u>Background</u>

The Site is subject to two planning enforcement actions (Nos. E/YL-SK/215 and 216) against unauthorized developments (UDs) involving filling of land (**Plan A-2**). Enforcement Notices (ENs) were issued on 9.2.2019 requiring discontinuation of the UDs by 9.5.2019. Reinstatement Notices (RNs) were issued on 9.5.2019 requiring reinstatement of the concerned land by 9.8.2019. Subsequent site inspections revealed that the reinstatement requirements have not been fully complied with, and prosecution action may follow.

5. <u>Previous Application</u>

There is no previous application in respect of the Site.

6. <u>Similar Application</u>

There is no similar application for temporary barbecue site within the same "CA" and "R(D)" zones on the OZP.

7. <u>The Site and Its Surrounding Areas</u> (Plans A-1 and A-2, aerial photo on Plan A-3, and site photos on Plans A-4a to A-4b)

- 7.1 The Site is:
 - (a) cut into the northern and southern portions by a local track;
 - (b) largely vacant and vegetated with a few containers;
 - (c) traversed by a natural stream in the south; and
 - (d) accessible via a local track leading from Route Twisk and Woolwich Road.
- 7.2 The surrounding areas of the Site are predominantly rural in character intermixed with natural hillslope, fallow agricultural land, domestic dwellings/structures and unused/vacant land.
 - (a) to its north and west are some fallow agricultural land and unused/vacant land;
 - (b) to its east is a cluster of domestic dwellings/structures of Lui Kung Tin Tsuen intermixed with some fallow agricultural land and unused/vacant land; and
 - (c) to its south and southwest are mainly woodland, natural hillslope with scattered burial urns and graves.

8. <u>Planning Intentions</u>

8.1 The planning intention of the "CA" zone is primarily to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in the zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or the development is an essential infrastructure project with overriding public interest may be permitted.

8.2 The planning intention of the "R(D)" zone is primarily intended 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.

9. <u>Comments from Relevant Government Departments</u>

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL of LandsD):
 - (a) the Site comprises an Old Schedule Agricultural Lot 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 Route Twisk via Government Land (GL). His office provides no maintenance work for GL involved and does not guarantee any right-of-way over GL to the Site;
 - (c) the Site falls within the Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structures shall not exceed relevant airfield height limit within SKAHRA; and
 - (d) should planning approval be given to the planning application, 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(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 LandsD.

<u>Traffic</u>

- 9.1.2 Comments of the Commissioner for Transport (C for T):
 - (a) he could not support the application from traffic engineering perspective due to insufficient information, as the applicant fails to (i) justify the proposed nine private car parking spaces, one

loading/unloading space and the use of two Site ingress/egress for the proposed development; (ii) provide trip generation/attraction information and a route map for the local access between Route Twisk and the Site as well as the nearest bus stop; (iii) and demonstrate the smooth manoeuvring of vehicles to/from Route Twisk; and

- (b) the applicant should note that the local access between Route Twisk and the Site is not managed by Transport Department (TD). The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- 9.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW of HyD):
 - (a) Woolwich Road is not/shall not be maintained by HyD;
 - (b) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Route Twisk; and
 - (c) adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads or exclusive road drains.

Nature Conservation

- 9.1.4 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
 - (a) he has reservation on the application from nature conservation point of view, given the planning intention of the "CA" zone that there is a general presumption against development in the zone. In general, with the "CA" zone, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted;
 - (b) his site inspection reveals that the northern part of the Site is a piece of paved vacant land with a temporary structure, while the southern part is a disturbed vacant land partly overgrown by weeds and partly covered by sand and construction wastes; and
 - (c) construction wastes were observed at the southern part of the Site, which may be a case of "destroy first, develop later" that should not be encouraged.

Environment

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

- (a) noting that part of the Site is located within "CA" zone, the applicant is reminded that all projects including new access roads, railways, sewers, sewage treatment facilities, earthworks, dredging works and other building works partly or wholly in a conservation area is a designated project (DP) under Item Q.1, Schedule 2 Part I of the Environmental Impact Assessment (EIA) Ordinance, except those listed under Items Q.1(a) to (j)¹. An environmental permit (EP) is required for the construction and/or operation of a DP. There is no valid EP issued in relation to the proposed use at the Site;
- (b) the applicant is also reminded that effluent discharges from the proposed development are subject to control under the Water Pollution Control Ordinance. It is the obligation of the applicant to meet all statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures to prevent polluting the watercourse adjacent to the Site; and
- (c) there is one substantiated environmental complaint related to waste received by DEP in the past three years.

Landscape

- 9.1.6 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L of PlanD):
 - (a) he has reservation on the application from landscape planning point of view;
 - (b) the Site is situated in an area of rural landscape character comprising of natural woodland and residential structures. In view of the nature of the proposed development, the use is not in line with the planning intention of "CA" zone which is to protect and retain existing natural landscape, ecological or topographical features of the area for conservation, educational and research

¹ Items Q.1(a) to (j) include:

⁽a) minor maintenance works to roads, drainage, slopes and utilities;

⁽b) minor public utility works including the installation of telecommunication wires, joint boxes, power lines with a voltage level of not more than 66 kV, and gas pipelines with a diameter of 120 mm or less;

⁽c) education and recreational facilities not otherwise designated projects listed in Parts A to P and approved by the Country and Marine Parks Authority;

⁽d) all earthworks relating to forestry, agriculture, fisheries and the management of vegetation;

⁽e) New Territories Exempted Houses;

⁽f) footpaths and facilities relating to sitting out areas;

⁽g) minor facilities relating to the management and protection of marine parks, marine reserves, country parks and special areas;

⁽h) all works not otherwise designated projects listed in Parts A to P undertaken by the Country and Marine Parks Authority under section 4 of the Country Parks Ordinance (Cap. 208) or section 4 of the Marine Parks Ordinance (Cap. 476) for developing and managing country parks and special areas, marine parks and marine reserves; (i) maintenance of existing waterworks installations; and

⁽j) minor works including improvements to catchwaters; or the provision of (A) water pipes and valves of diameter 450 mm or less; (B) water tanks; (C) hydrological stations and associated structures; and (D) village supply schemes.

purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development; and

(c) as revealed in his site visit of 26.11.2019, the northern part of the Site within "R(D)" zone is vacant and paved, while the southern part of the Site within "CA" zone is vacant and covered with grasses and groundcovers. No existing tree is found within the Site. A natural stream runs through the southern part of the Site from east to west (**Plan A-2**). Given that there is no information relating to treatment of existing stream, potential adverse impact to the landscape resources arising from the proposed development cannot be ascertained. Besides, the proposed development, if approved, would encourage similar application in the area and further encroachment to the "CA" zone. The cumulative impact would result in general degradation of landscape quality and cause significant adverse impact on the landscape character of the area.

Drainage

- 9.1.7 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN of DSD):
 - (a) he has no objection in-principle to the proposed development from public drainage point of view. His detailed comments on the submitted drainage proposal are at **Appendix III**; and
 - (b) should the application be approved, the conditions requiring the submission of a revised drainage proposal and the implementation and maintenance of the drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board should be included in the planning approval.

Food and Environmental Hygiene

- 9.1.8 Comments of the Director of Food and Environmental Hygiene (DFEH):
 - (a) for the operation of any type of food business, relevant food licences should also be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132); and
 - (b) if the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.

Building Matters

9.1.9 Comments of the Chief Building Surveyor/New Territories West,

Buildings Department (CBS/NTW of BD):

- (a) if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the Building Authority (BA), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
- (b) 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 unauthorized building works (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 BO;
- (c) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under BO. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with BO;
- (d) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations respectively; and
- (e) the Site does not abut on a specified street of not less than 4.5m wide, and its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulations at the building plan submission stage.

Fire Safety

- 9.1.10 Comment of the Director of Fire Services (D of FS):
 - (a) he has no objection in-principle to the proposal subject to fire service installations being provided to his satisfaction;
 - (b) in consideration of the design/nature of the proposal, fire service installations are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations 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 fire service installations to be installed should be clearly marked on the layout plans; and
 - (c) the applicant is reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

District Officer's Comments

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

he received one comment from Resident Representative (RR) of Lui Kung Tin Tsuen upon close of consultation, objecting to the application mainly on the grounds that the proposed barbecue site is not in line with the planning intention of "CA" zone; it is incompatible with the adjacent village environment; it would bring about environmental nuisance, security and hygiene issues to the villagers and the visitors of Yuen Tung Monastery nearby (**Plan A-1**); it would induce more frequent traffic and increase the burden of the narrow, single-lane local track; and the Site is not desirable as it is close to LPG station of Shek Kong Barracks (Shek Kong Village) (**Plan A-1**).

- 9.2 The following Government departments have no objection to/no adverse comment on the application:
 - (a) Project Manager/West, Civil Engineering and Development Department (PM/W of CEDD);
 - (b) Chief Engineer/Construction, Water Supplies Department (CE/C of WSD);
 - (c) Commissioner of Police (C of P); and
 - (d) Director of Electrical and Mechanical Services (DEMS).

10. <u>Public Comments Received During the Statutory Publication Period</u>

On 15.11.2019, the application was published for public inspection. During the three-week statutory public inspection period, a total of eight public comments from Pat Heung Rural Committee, RR of Lui Kung Tin Tsuen, World Wild Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and two members of public (**Appendix II**) were received. All raised objections to the application mainly on the grounds that the proposed barbecue use is not in line with the planning intention of "CA" zone; it is incompatible with the adjacent village and rural environment; it would bring about environmental nuisance, security and hygiene issues to the villagers and the visitors of Yuen Tung Monastery nearby (**Plan A-1**); it would induce more frequent traffic and increase the burden of the narrow, single-lane local track; sufficient Government barbecue spots are provided near the Site already; the Site is not desirable as it is close to LPG station of Shek Kong Barracks (Shek Kong Village) (**Plan A-1**), the approval of the application would encourage "destroy-first, build-later" approach; and the development would set an undesirable precedent to the future development.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary barbecue site with ancillary site office, shroff and car park at the Site for a period of 3 years. The southern portion of the Site falls within "CA" zone (about 79%) while the northern portion falls within

"R(D)" zone (about 21%) on the approved Shek Kong OZP (**Plan A-1** and **Drawing A-1**). "CA" zone is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development; whereas "R(D)" zone is primarily intended for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. The proposed development is not in line with the planning intentions of "CA" and "R(D)" zones. From nature conservation perspective, DAFC has reservation on the application noting that the planning intention of the "CA" zone that there is a general presumption against development in the zone. The applicant has not provided strong planning justifications in the submission to merit a departure from the planning intention of "CA" and "R(D)" zones, even on a temporary basis.

- 11.2 The proposed development, having a capacity to accommodate a total of 125 visitors, would attract a considerable amount of activities and is therefore considered not entirely compatible with the tranquil character of the surrounding areas which is mostly woodland and fallow agricultural land, scattered with domestic dwellings/structures and unused/vacant land (**Plan A-2**). CTP/UD&L of PlanD has reservation on the application on the consideration that the development is incompatible with the surrounding rural landscape character.
- Regarding the potential environmental, traffic and drainage impacts of the 11.3 proposed use, DEP states that all projects including earthworks and other building works partly or wholly in a conservation area is a DP under EIA Ordinance, except those stated in paragraph 9.1.5, and there is no valid EP issued in relation to the proposed use at the Site. In the past three years, there is one substantiated environmental complaint related to waste on the Site. There is a natural stream running through the southern part of the Site (Plan A-2). According to DEP, the applicant should comply with the requirements under the Water Pollution Control Ordinance if there is any effluent discharges from the proposed development, and provide necessary mitigation measures to prevent polluting the watercourse adjacent to the Site. However, no information is provided by the applicant to demonstrate that the proposed development would not generate adverse impacts to the existing stream and other watercourses. In addition, C for T does not support the application as the applicant fails to provide sufficient traffic-related information to demonstrate that the proposed development would not cause adverse traffic impact to the surrounding area. Other relevant departments including CE/MN of DSD, CE/C of WSD and DFEH have no objection to/adverse comment on the application.
- 11.4 The Site is not subject to any previous application nor any similar application within the same "CA" and "R(D)" zones on the OZP. The proposed development, if approved, would set an undesirable precedent for similar applications within the "CA" zone; and encourage similar application in the area and further encroachment of development onto the "CA" zone. The cumulative impact would result in general degradation of the landscape quality and impact on the landscape character of the area.
- 11.5 Regarding the local views conveyed by DO/YL of HAD as stated in paragraph 9.1.11 and public comments received during the statutory publication period as

stated in paragraph 10, relevant Government departments' comments and planning considerations set out in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the local views conveyed by DO/YL of HAD as stated in paragraph 9.1.11 and public comments as stated in paragraph 10, the Planning Department <u>does not support</u> the application for the following reasons:
 - (a) the proposed development is not in line with the planning intentions of the "CA" and "R(D)" zones, which are primarily to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development; and for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings respectively. There are no strong planning justifications in the submission to merit a departure from the planning intention of "CA" and "R(D)" zones, even on a temporary basis;
 - (b) the proposed development is incompatible with the surrounding areas which are tranquil and predominantly rural in character intermixed with woodland, natural hillslope, fallow agricultural land and domestic dwellings/structures;
 - (c) the applicant fails to demonstrate that the proposed development would not cause adverse environmental, landscape and traffic impacts to the surrounding area; and
 - (d) the approval of the application would set an undesirable precedent for similar applications within the "CA" zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.
- 12.2 Alternatively, 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 <u>3.1.2023</u>. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no operation between 12:00 a.m. and 11:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) 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;

- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of vehicular access, parking and loading/unloading proposals within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by <u>3.7.2020</u>;
- (e) in relation to (d) above, the implementation of vehicular access, parking and loading/unloading proposals within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by <u>3.10.2020</u>;
- (f) the submission of a revised 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 **3.7.2020**;
- (g) in relation to (f) above, the implementation of 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 <u>3.10.2020</u>;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- the submission of proposal for fire service installations and water supplies for fire-fighting 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 <u>3.7.2020</u>;
- (j) in relation to (i) above, the implementation of proposal for fire service installations and water supplies for fire-fighting 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 <u>3.10.2020</u>;
- (k) the submission of a precautionary/protective measures proposal for the "Conservation Area" zone adjacent to the Site within 6 months from the date of planning approval to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board by <u>3.7.2020</u>;
- in relation to (k) above, the implementation of the precautionary/ protective measures proposal for the "Conservation Area" zone adjacent to the Site within 9 months from the date of planning approval to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board by <u>3.10.2020</u>;
- (m) if any of the above planning condition (a), (b), (c) or (h) 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;

- (n) if any of the above planning condition (d), (e), (f), (g), (i), (j), (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; and
- (o) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at Appendix III.

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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, 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. Attachments

Appendix I	Application Form with attachments received on 4.11.2019
Appendix Ia	Supplementary Information (SI) received on 12.11.2019
Appendix II	Public Comments
Appendix III	Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Landscape Plan
Drawing A-3	Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

PLANNING DEPARTMENT JANUARY 2020