

Previous s.16 Application covering the Application Site

**Rejected Application**

	<u>Application No.</u>	<u>Zoning and OZP at the time of consideration</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Main Reason(s) for Rejection</u>
1	A/YL-HT/120	"V" on draft Ha Tsuen OZP No. S/YL-HT/3	Temporary Open Storage of Lorries, Trailers and Tractors for a Period of 1 Years	17.12.1999 (Review was rejected on 7.4.2000)	1-4

**Main Reason(s) for Rejection:**

1. The development is not in line with the planning intention.
2. The development is not compatible with the Greenville Park residential development to its south, and the nearby village houses, the nearest of which is less than 15 m to its south-east.
3. There is insufficient information in the submission to demonstrate that the development would have no adverse environmental and drainage impacts on the surrounding areas and the residential buildings in its vicinity.
4. The approval of the application would set an undesirable precedent for similar applications within "V" zone. The cumulative effect of approving such similar applications would result in a general degradation of the village environment of the area.

**Similar Applications within the same “V” Zone on the draft HSK and HT OZP**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Zoning(s) and OZP at the time of consideration</u></b>	<b><u>Applied Use(s)/Development(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
1.	A/YL-HT/149	“V” on approved Ha Tsuen OZP No. S/YL-HT/4	Temporary Public Car Park (3 Years)	19.5.2000 (revoked on 19.2.2001)	1, 2, 3, 4, 6, 7
2.	A/YL-HT/1022	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Public Vehicle Park (Private Car) (3 Years)	13.5.2016	1, 2, 3, 4, 5, 6, 8, 9

**Approval Condition(s):**

1. The submission and implementation of drainage proposals/ submission of a condition record of existing drainage facilities/ the existing drainage facilities on site shall be maintained.
2. The submission and implementation of tree preservation and/or landscape proposals.
3. Revocation clauses.
4. Reinstatement clause.
5. No vehicle queuing back to public road and reverse onto/from the public road.
6. No vehicles without valid licences issued under the Traffic Regulations are allowed to be parked/stored.
7. No container vehicles are allowed to be parked/stored.
8. Only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site.
9. No car washing, vehicles repair, dismantling, paint spraying or other workshop activities is allowed.

**Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the development on-site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) 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 Site is accessible to Hung Chi Road through a local road on both private lots and Government Land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way. The Site does not fall within Shek Kong Airfield Height Restriction Area. The lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site. Such application will be considered by the LandsD acting in the capacity of the landlord 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;
- (d) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring spaces shall be provided. The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that the access arrangement should be commented by TD. Adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and nearby public road;
- (f) to follow the relevant mitigation measures and requirements in the latest 'Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses' issued by the Environmental Protection Department; and
- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the structures, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to him for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans. However, 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.