RNTPC Paper No. A/YL-HTF/1104 For Consideration by the Rural and New Town Planning Committee on 24.4.2020

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

APPLICATION NO. A/YL-HTF/1104

<u>Applicant</u>	:	Green Technology Consortium Limited represented by WONG Sun-wo William
<u>Site</u>	:	Lots 130, 131, 132 (Part), 260 (Part), 261, 262, 263, 264 and 268 in D.D.128 and adjoining Government Land (GL), Lau Fau Shan, Yuen Long
<u>Site Area</u>	:	12,563 m ² (about) (including about 376 m ² of GL)
Lease	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
Zoning	:	"Agriculture" ("AGR") (about 86%)
		"Residential (Group D)" ("R(D)") (about 14%) [No development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted Houses') uses shall result in a development and/or redevelopment in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m).]
<u>Application</u>	:	Proposed Temporary Development and Learning Centre for Graphene with Ancillary Office 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 development and learning centre for graphene with ancillary office for a period of 3 years. The Site falls within an area zoned "Agriculture" ("AGR") and "Residential (Group D)" ("R(D)") on the Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12 (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of 3 years within the zones requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for under the Notes of the OZP. The Site is currently used as a plastic recycling centre without valid planning permission (**Plans A-2** and **A-4a to 4d**).
- 1.2 The Site involves 8 previous applications (No. A/YL-HT/64, 77, 368, 391, 453, 744, A/YL-HTF/1093 and 1096) for temporary workshop for recycling plastic waste or/and open storage uses, which were all rejected by the Rural and New

Town Planning Committee (the Committee) or the Board. The last application (No. A/YL-HTF/1096) for temporary plastic bottle recycling centre with workshop and ancillary office for a period of 3 years by a different applicant was rejected by the Committee on 1.2.2019.

- 1.3 The Site is currently accessible via two local tracks, one from Deep Bay Road and one from Kai Pak Ling Road. The proposed ingress/egress is located at the south-western boundary of the Site leading to Kai Pak Ling Road (**Drawing A-1 and Plan A-2**). As shown on the proposed layout plan at **Drawing A-1**, 9 temporary structures with a total floor area of about 1,820 m² and maximum building height of 5m are proposed including 5 learning centres, 1 ancillary office, 1 staff rest room and canteen, 1 guard room and 1 toilet. Northern portion of the Site is proposed for an exhibition area of the final products. The applicant indicates that 20 private car parking spaces and 2 loading/unloading spaces for medium goods vehicles not exceeding 24 tonnes will be provided on the Site. According to the applicant, the operation hours are from 8:00 a.m. to 6:00 p.m. daily.
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application form of 25.2.2020 and attachments (Appendix I)
 - (b) Supplementary Information (Appendix Ia)
- 1.5 The site layout plan, proposed landscape plan and proposed drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Part 7 of the application form (**Appendix I**). They can be summarized as follows:

- (a) The applicant aims to set up the first green and innovation technology learning centre for contribution to the development of such sector in Hong Kong.
- (b) The learning centre for graphene will provide conference area, exhibition area and laboratory facilities for technological advancement and knowledge exchange.
- (c) There will be development and teaching of the application of various types of graphene technologies (**Appendix Ia**).
- (d) The applicant will plant 'Taxus chinensis' (紅豆杉樹) in the Site to clean the air.
- (e) The applicant will also install solar panels on the temporary structures for energy saving subject to the approval of the China Light and Power.
- (f) The applicant will cooperate with Hong Kong Polytechnic University, Hong Kong Productivity Council and Jiangnan Graphene Research Institute for the technological projects.

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 Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by publishing notice on 3 local newspapers and sending registered post to Ha Tsuen Rural Committee. For the adjoining Government land, TPB PG-No.31A is not applicable. Detailed information would be deposited at the meeting for Members' inspection.

4. <u>Background</u>

- 4.1 The Site is subject to an enforcement action against unauthorised development (UD) involving storage and workshop use. Enforcement Notice (EN No. E/YL-HTF/910) was served on 25.10.2018 and expired on 25.11.2018. The UD was not discontinued and the defendant was prosecuted and fined in 2019. Recent site inspection on 24.2.2020 revealed that UD was still not discontinued and second prosecution action would be taken against the notice recipients if no valid planning permission was granted.
- 4.2 The Site was also subject to 9 previous planning enforcement actions since 1998 for filling of pond, open storage and workshop uses.

5. <u>Previous Applications</u>

- 5.1 The Site involves 8 previous applications (No. A/YL-HT/64, 77, 368, 391, 453, 744, A/YL-HTF/1093 and 1096) which are all rejected by the Committee or the Board on review for various open storage and workshop uses. Details of these previous applications are summarized at **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Applications No. A/YL-HT/64 and 77 for temporary open storage of construction materials and construction machinery/water pipes for a period of 12 months were rejected by the Committee/the Board on review on 8.1.1999 and 9.7.1999 respectively. Applications No. A/YL-HT/368 and 391 for temporary workshop for recycling plastic waste and open storage of plastic raw materials for a period of 3 years were rejected by the Committee/the Board on review on 14.1.2005 and 16.9.2005 respectively. Application No. A/YL-HT/453 for temporary open storage of construction materials (steel and scrap metal) for a period of 3 years was rejected by the Board on review on 10.11.2006. Application No. A/YL-HT/744 for temporary open storage of used electronic appliances and parts for a period of 3 years was rejected by the Committee on 2.9.2011. Application No. A/YL-HTF/1093 for temporary plastic bottle recycling centre with workshop and ancillary office for a period of 3 years was rejected by the Committee on 1.2.2019.
- 5.3 The last application (A/YL-HTF/1096) for temporary plastic bottle recycling centre with workshop and ancillary office for a period of 3 years was rejected by the Committee on 20.9.2019.
- 5.4 The rejection reasons for these applications are similar including, amongst others, that the development was not in line with the planning intention of the "AGR" and/or "R(D)" zones; the development was not compatible with the rural

neighborhood; the development was not in line with the then TPB PG-No.13C/13D/13E that there were adverse departmental comments and insufficient information to demonstrate no environmental, traffic, drainage and/or landscape impacts; and approval of the application would set an undesirable precedent for applications for similar developments.

6. <u>Similar Application</u>

There is no similar application within the same "AGR" or "R(D)" zone on the OZP.

7. <u>The Site and Its Surrounding Areas</u> (Plan A-2 to Plans A-4a to 4c)

- 7.1 The Site is:
 - (a) currently being used as a plastic recycle workshop without valid planning permission; and
 - (b) accessible via two local tracks from Deep Bay Road and Kai Pak Ling Road.
- 7.2 The surrounding areas have the following characteristics:
 - (a) to its north and northeast are suspected unauthorized open storage yards for construction materials and machinery, parking of heavy vehicles and metal wares;
 - (b) to its east are a residential structure (the closest one is about 10 m away), some graves, vacant land and suspected unauthorized warehouses;
 - (c) to its south and southeast are suspected unauthorized warehouses and workshops, suspected unauthorized open storage yards for construction materials/machinery and vehicles and some residential structures; and
 - (d) to its west and northeast are suspected unauthorized warehouse and open storage of construction materials and workshop; and to its further northwest across Deep Bay Road is the village cluster of Sha Kong Tsuen (**Plan A-3**).

8. <u>Planning Intentions</u>

- 8.1 The planning intention of the "AGR" zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 8.2 The planning intention of the "R(D)" zone is intended 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.

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, 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) There are three modifications of tenancy (MoTs) within the Site, MoT No. 10184 and 17090 for accommodation and porch in Lot 263 in D.D. 128 and MoT No. M18667 for residential and porch in Lot 132 in D.D. 128.
 - (c) No permission is given for occupation of Government Land (GL) (about 376 m² subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is not allowed.
 - (d) Should planning approval be given to the planning application, the lot owner(s) of the lot(s) without Short Term Waiver (STW) will need to apply to his office for permitting the structures to be erected or regularize any irregularities on site, if any. The applicant has to either exclude the GL from the Site or apply for a formal approval prior to the actual occupation of the GL. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Application(s) 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(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) The traffic of the Site would be through Kai Pak Ling Road which is a single track road. On the basis of documents provided by the applicant, the proposed development would provide parking spaces for 20 private cars and loading/unloading bays for 2 medium goods vehicles.
 - (b) The applicant is requested to conduct traffic analysis to justify that the nearby public road network has adequate capacity to accommodate the traffic induced by the proposed development. In particular, the traffic impact on Kai Pak Ling Road should be well assessed as a result of

the proposed development. It is highly likely that vehicles in opposite directions need to negotiate with each other where passing bay is not available.

- 9.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):
 - (a) The applicant should mark on the drawing the proposed vehicular access arrangement to nearby public road.
 - (b) The access arrangement should be commented by Transport Department (TD).
 - (c) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads/drains.
 - (d) HyD shall not be responsible for the maintenance of any access connecting to the Site.

Agriculture

- 9.1.4 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
 - (a) Although the Site is currently occupied by temporary structures, it has high potential for agricultural rehabilitation in terms of greenhouse cultivation and nursery. In this connection, he does not support the application from agricultural point of view.
 - (b) It is noted that '*Taxus chinensis*' (紅豆杉樹) is proposed to be planted along the boundary of the Site. Since this species is an exotic species, it is preferable to plant native species instead, should the application be approved due to other consideration and landscape planning is considered necessary.

Environment

- 9.1.5 Comment of the Director of Environmental Protection (DEP):
 - (a) DEP does not support the application as the application involves the use of medium goods vehicle and there are sensitive receivers of residential use in the vicinity (with the nearest one situated about 10 m to its east) (Plan A-2), thus environmental nuisance is expected.
 - (b) Should the planning application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the latest "Code of Practice (COP) on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites".

Landscape

- 9.1.6 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):
 - (a) The Site is located to the east of Deep Bay Road and lies mainly in the area of "AGR" zone and partly in "R(D)" zone. The Site is subject to 8 previous rejected planning applications (No. A/YL-HT/64, 77, 368, 391, 453, 744, A/YL-HTF/1093 and 1096) for various temporary open storage and recycling workshop uses. The last application No. A/YL-HTF/1096 for temporary plastic bottle recycling centre with workshop use to which he had reservation from landscape planning perspective. The current application seeks planning approval for temporary development and learning centre for graphene with ancillary office for a period of 3 years.
 - (b) With reference to the aerial photo taken in 2018, most of the site area is hard paved and used as open storage of construction machinery with some large temporary structures. Existing trees are generally along the boundary outside the Site. Some existing trees are located at the eastern and south-eastern end of the Site. The Site is situated in an area of rural landscape character disturbed by open storage yards and temporary structures. The proposed use is not entirely compatible with the surrounding landscape character.
 - (c) Since the planning intention of the "AGR" zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, approval of the application would set an undesirable precedent to encourage other similar applications to modify the site prior to obtaining planning permission. The cumulative impact of which would result in a general degradation of the surrounding rural environment. Hence, he has reservation on the application from the landscape planning perspective.
 - (d) In view that the Site is not facing any prominent public frontage and there are existing trees along the site boundary, it is considered that the approval condition to maintain all existing vegetation within the Site in good condition for the duration of the approval period is adequate should the application be approved by the Board.

Drainage

- 9.1.7 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):
 - (a) He has no objection in principle to the application from a drainage point of view.
 - (b) Should the Board consider that the application is acceptable from planning point of view, a condition should be stipulated in the approval requiring the applicant to submit a revised drainage proposal, to implement and to maintain the proposed drainage facilities to the satisfaction of the Director of Drainage Services or of the Board.

Building Matters

- 9.1.8 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):
 - (a) 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.
 - (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 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 application site under the BO.
 - (c) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on Site, prior approval and consent of 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.
 - (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 B(P)R respectively.
 - (e) 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.

Fire Safety

- 9.1.9 Comments of the Director of Fire Services (D of FS):
 - (a) He has no objection in principle to the proposal subject to fire service installations (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 his department for approval.
 - (c) 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.
 - (d) 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.

Others

- 9.1.10 Comments of the Director of Food and Environmental Hygiene (DFEH):
 - (a) No Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.
 - (b) Proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.
 - (c) For any waste generated from such work / operation, the applicant should arrange disposal properly at their own expenses.

District Officer's Comments

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

His office has not received any comment from the locals on the application.

- 9.2 The following Government departments have no comment on the application:
 - (a) Commissioner for Innovation and Technology (C for IT);
 - (b) Antiquities and Monuments Office, Development Bureau (AMO, DEVB);
 - (c) Project Manager/New Territories West, Civil Engineering and Development Department (PM/NTW, CEDD);
 - (d) Chief Engineer/Sewerage Projects, DSD (CE/SP, DSD);
 - (e) Director of Electrical and Mechanical Services (DEMS);
 - (f) Director of Leisure, Cultural and Services (DLCS);
 - (g) Commissioner of Police (C of P); and
 - (h) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

10. Public Comments Received During Statutory Publication Period

On 3.3.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, 6 public comments were received from Kadoorie Farm & Botanic Garden Corporation (KFBG), the Hong Kong Bird Watching Society (HKBWS), World Wide Fund for Nature Hong Kong (WWF), Designing Hong Kong (DHK) and 2 individuals objecting to the application (**Appendix III**). The main objecting reasons are summarized below:

- (a) The proposed use is not in line with the planning intention of the "AGR" zone.
- (b) No previous approval has been granted for the Site.

- (c) The proposed use is incompatible with rural neighborhood and associated with unauthorized development. The Board should not encourage "develop first, apply later".
- (d) There were numerous complaints from the residents of nearby Sha Kong Tsuen on the air pollution from the previous occupant of the plastic recycling workshop at the Site.
- (e) There is insufficient information in the submission to demonstrate that the proposed use will not have significant impacts on the environment, ecology, sewerage and traffic in the area.
- (f) Approval of the application would set an undesirable precedent for similar applications and cumulative effect of which would result in general degradation of the environment of the area.

11. Planning Considerations and Assessments

- The subject application is for proposed temporary development and learning 11.1 centre for graphene with ancillary office for a period of 3 years at the Site mainly zoned "AGR" (about 86%) with a portion straddling on the adjacent "R(D)" zone (about 14%) on the OZP. The planning intention of the "AGR" zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. The planning intention of "R(D)" zone is intended 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. The proposed temporary development and learning centre for graphene with ancillary office use is not in line with the planning intentions of the "AGR" and "R(D)" zones. The applicant did not provide any justifications on the suitability of the Site for the proposed development. In this regard, DAFC does not support the application from the agricultural point of view as the Site is considered having high potential for agricultural rehabilitation in terms of greenhouse cultivation and nursery. There is no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis.
- 11.2 The Site is situated in an area of rural landscape character disturbed by open storage yards and temporary structures (**Plan A-3**). Besides, village cluster of Sha Kong Tsuen is located to its further north and northwest. The proposed use is not entirely compatible with the surrounding landscape character. The approval of the application would set an undesirable precedent to encourage other similar applications with site modification prior to planning permission is obtained. The cumulative impact of which would result in a general degradation of the surrounding rural environment. In this regard, CTP/UD&L, PlanD has reservation on the application from the landscape planning perspective.
- 11.3 DEP does not support the application as it involves the use of medium goods vehicles and there are sensitive receivers of residential use in the vicinity of the Site, with the nearest one located about 10m to its east (**Plan A-2**), and environmental nuisance is expected. C for T also raised concerns over the traffic impact of the proposed development with 20 private car parking spaces and 2

loading / unloading bays for medium goods vehicles on Kai Ping Ling Road (a single track road) and the nearby public road network. The applicant has yet to address C for T's concerns. In this regard, the applicant fails to demonstrate that the proposed use would not have adverse environmental and traffic impacts on the surrounding areas.

- 11.4 The Site is subject of 8 previous applications (No. A/YL-HT/64, 77, 368, 391, 453 744, A/YL-HTF/1093 and 1096) for various open storage and workshop uses which were rejected by the Committee/the Board on review from 1999 to 2019 mainly on the grounds, inter alia, that the development was not in line with the planning intentions of the "AGR" and "R(D)" zones; the development was not compatible with the rural neighborhood; there were adverse departmental comments and insufficient information to demonstrate no environmental, traffic, drainage and/or landscape impacts. Rejecting the current application is in line with the Committee's previous decisions.
- 11.5 There were 6 public comments objecting to the application mainly on grounds stated in paragraph 10. The planning considerations and assessments in paragraphs 11.1 to 11.4 are relevant.

12. <u>Planning Department's Views</u>

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department <u>does not support</u> the application for proposed temporary development and learning centre for graphene with ancillary office for a period of 3 years for the following reasons.
 - (a) the proposed development is not in line with the planning intentions of the "AGR" and "R(D)" zones. The planning intention of the "AGR" zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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. There is no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis;
 - (b) the applicant fails to demonstrate that the proposed development would not generate adverse environmental and traffic impacts on the surrounding areas; and
 - (c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the "AGR" zone, the cumulative effect of which will result in a general degradation of the rural environment.
- 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>24.4.2023</u>. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no operation from 6:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle exceeding 24 tonnes, as proposed by the applicant, is allowed to enter/exit or to be parked/stored on the Site at any time during the planning approval period;
- (c) the submission of the 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 <u>24.10.2020</u>;
- (d) in relation to (c) above, the implementation of the revised 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>24.1.2021</u>;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the existing trees within the Site shall be maintained in good condition at all times during the planning approval period;
- (g) the submission of a 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 <u>24.10.2020</u>;
- (h) in relation to (g) above, the implementation of the fire service installations proposal 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 24.1.2021;
- (i) if any of the above planning conditions (a), (b), (e) or (f) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning conditions (c), (d), (g) or (h) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon 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 IV.

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. <u>Attachments</u>	
Appendix I Application Form received on 25.2.2020 with attachmed	ents
Appendix Ia Supplementary Information	
Appendix IIPrevious Applications covering the Site	
Appendix III Public Comments	
Appendix IVAdvisory Clauses	
Drawing A-1Proposed Layout PlanDrawing A-2Proposed Drainage Plan	
Drawing A-3 Proposed Landscape Plan	
Plans A-1a and 1b Location Plans	
Plan A-2Site Plan	
Plan A-3 Aerial Photo	
Plans A-4a to 4d Site Photos	

PLANNING DEPARTMENT APRIL 2020