

**APPLICATION FOR PERMISSION OF PLANNING APPROVAL  
FOR TEMPORARY USE  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-LFS/333**

- Applicant** : Mr. MOK Fook Keung represented by the Metro Planning and Development Company Limited
- Site** : Lots 2847 (Part), 2849, 2850 and 2857 (Part) in D.D. 129, Lau Fau Shan, Yuen Long
- Site Area** : 5,900 m<sup>2</sup> (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/9
- Zoning** : “Residential (Group C)” (“R(C)”)
- Application** : Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles and Medium Goods Vehicles for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary public vehicle park for private cars, light goods vehicles and medium goods vehicles for a period of 3 years (**Plan A-1a**). The Site falls within an area zoned “R(C)”. According to the Notes of the OZP for “R(C)” zone, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The applicant currently seeks temporary permission for a period of 3 years. The Site is being used for the applied use without a valid planning permission.
- 1.2 The Site involves 9 previous applications (No. A/YL-LFS/2, 9, 24, 93, 113, 151, 195, 245 and 284) (**Plan A-1b**). The last application (No. A/YL-LFS/284) for the same use submitted by the same applicant was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 19.2.2016 for a period of 3 years and was subsequently revoked on 16.8.2018 due to non-compliance with a time-limited approval condition. Details of the previous applications are at paragraph 5 and **Appendix II**. Compared with the last application, the current application is submitted by the same applicant for the same use on the same site with similar development parameters.

1.3 A comparison of the major development parameters of the current application and the last approved application is as follows:

Major Development Parameters	Previous Approved Application (No. A/YL-LFS/284) (a)	Current Application (No. A/YL-LFS/333) (b)	Difference (b)-(a)
Applied Use	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles and Medium Goods Vehicles for a Period of 3 Years		-
Site Area	About 5,900 m <sup>2</sup>		-
Total floor Area	About 87m <sup>2</sup> (Non-domestic)	About 22m <sup>2</sup> (Non-domestic)	-65m <sup>2</sup> (-74.7%)
No. and Height of Structures	6 <ul style="list-style-type: none"> <li>• one for guard room (not exceeding 3m, 1 storey)</li> <li>• one for sun shade (not exceeding 3m, 1 storey)</li> <li>• one for toilet (not exceeding 3m, 1 storey)</li> <li>• two for site offices (not exceeding 3m, 1 storey)</li> <li>• one for meter room (not exceeding 3m, 1 storey)</li> </ul>	2 <ul style="list-style-type: none"> <li>• one for guard room (not exceeding 3m, 1 storey)</li> <li>• one for electricity meter room (not exceeding 3m, 1 storey)</li> </ul>	-4
Parking Spaces	92 for private cars and light goods vehicles, 30 for medium goods vehicles	90 for private cars, 30 for light/medium goods vehicles	-2 private car parking spaces
Operation Hours	7:00a.m. to 11:00p.m. daily (including public holidays)		-

1.4 The Site is accessible via a local track leading from Tin Wah Road (**Plan A-2**). According to the applicant, no vehicle repairing, dismantling and workshop activities will be carried out at the Site. No parking of heavy goods vehicles exceeding 24 tonnes and container trailer/tractor is allowed at the Site. Besides, all the medium goods vehicles will be restricted to park inside the internal fencing at the south-eastern part of the Site to maximize the distance between the residential dwellings and the medium goods vehicles (**Drawing A-1**). The operation hour is from 7:00 a.m. to 11:00 p.m. daily (including public holidays).

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

- (a) Application Form received on 20.12.2018 **(Appendix I)**
- (b) Supplementary Planning Statement with a site plan, location plan, proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan **(Appendix Ia)**

1.6 The proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan submitted by the applicant are at **Drawings A-1 to A-3**.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed at **Appendix Ia**. They can be summarised as follows:

- (i) The proposed development meets the planning intention of “R(C)” zone by serving the parking need of the local community. There are about 1,300 residents living in Sha Kong Wai, yet only 10 public parking spaces are provided for parking of private cars and light goods vehicles near the entrance of the village. The demand for car parking is therefore acute.
- (ii) The Site is the subject of previous planning approvals for the same public vehicle park use. The scale, use and development parameters of the current application are similar to the last planning permission. The proposed development is compatible with the surrounding environment.
- (iii) The last planning permission was revoked due to non-compliance with the approval condition concerning the implementation of landscape and tree preservation proposal. The applicant claims that he has commissioned a certified arborist to carry out the implementation of landscape and tree preservation proposal but he failed to satisfy the Urban Design and Landscape Section, Planning Department (UD&L, PlanD). The applicant has submitted an updated landscape and tree preservation proposal for the current application.
- (iv) The “R(C)” zone is unattractive and financially impracticable for residential development due to the remoteness of Lau Fau Shan.
- (v) The Site is accessible via a local track connecting to Tin Wah Road and Tin Ying Road which have significant reserved capacity. The traffic generated by the proposed development is not significant to the traffic condition in the vicinity.
- (vi) The proposed development would generate neither significant environmental nor noise disturbance to both the environment and residents in the area. Any potential problem could be addressed by imposing appropriate conditions. Noise mitigation measures have been implemented and maintained for the last planning approval under Application No. A/YL-LFS/284. No heavy vehicle such as container trailers, coaches and heavy goods vehicles will access the Site.
- (vii) The applicant will maintain the implemented drainage facilities at the Site. The drainage channel surrounding the Site for collecting the surface runoff generated by the proposed development will be cleaned on regular basis.

## **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. 31) by posting site notice and sending notice to Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

#### **4. Background**

The Site is a subject of an active enforcement case for unauthorized development (UD) of use for parking of vehicle. Enforcement Notice was issued on 22.11.2018 requiring the UD to be discontinued by 22.2.2019. Subject to sufficient evidence, it is considered to instigate planning prosecution action against it.

#### **5. Previous Applications**

- 5.1 The Site is the subject of 9 previous applications (No. A/YL-LFS/2, 9, 24, 93, 113, 151, 195, 245 and 284). Applications No. A/YL-LFS/2 for temporary public lorry park and A/YL-LFS/24 for temporary container trailer park were rejected by the Committee and the Board on review on 13.1.1995 and 26.6.1998 respectively.
- 5.2 Application No. A/YL-LFS/9 for pond filling for agricultural use (fruit tree plantation) was approved with conditions by the Committee on 23.8.1996. Other applications (No. A/YL-LFS/93, 113, 151, 195 and 245) for temporary public vehicle park for private cars, light goods vehicles and/or medium goods vehicles were approved by the Committee/the Board on review each for a period of 3 years on 11.10.2002, 14.11.2003, 20.10.2006, 9.10.2009 and 15.3.2013 respectively. However, Application No. A/YL-LFS/93 was revoked on 2.5.2003 due to non-compliance with approval condition regarding the parking/storing of the heavy goods vehicles on the Site during the site inspections within the planning approval period.
- 5.3 The last application (No. A/YL-LFS/284) for temporary public vehicle park for private cars, light goods vehicles and medium goods vehicles was approved by the Committee on 19.2.2016 for a period of 3 years. However, the planning permission was subsequently revoked on 16.8.2018 due to non-compliance with the approval condition requiring the implementation of the tree preservation and landscape proposal.
- 5.4 As compared with the last approved application (No. A/YL-LFS/284), the current application is submitted by the same applicant for the same use on the same site with similar development parameters. Details of these applications are shown in **Appendix II** and their locations are shown on **Plan A-1b**.

#### **6. Similar Applications**

- 6.1 There are 11 similar applications for public vehicle park use within the same "R(C)" zone in Lau Fau Shan. 6 of these similar applications (No. A/YL-LFS/53, 84, 94, 139, 145 and 170) for parking of private cars, light and medium goods vehicles and coaches were approved by the Committee mainly on the considerations that the applied use was not incompatible with the surrounding uses, approval of the applications on a temporary basis would not frustrate the planning intention and no adverse comments from the concerned Government departments. Amongst these approved applications, 5 were subsequently revoked due to non-compliance with approval conditions regarding the

submission and implementation of landscape and tree preservation proposal, provision of drainage facilities, provision of fencing, implementation of noise mitigation measures, sewage treatment and disposal facilities and parking/storing of the heavy goods vehicles/construction vehicles within the planning approval period.

- 6.2 The other 5 applications (No. A/YL-LFS/3, 17, 18, 23 and 73), of which the first 4 are for public lorry/container trailer and tractor park and the last one is for public vehicle park for private cars, light goods vehicles and coaches, were rejected by the Committee. They were rejected mainly on grounds that the applied use was not in line with planning intention of the “R(C)” zone, the development was not compatible with the surrounding area and the adjoining village developments, there was no/insufficient information to demonstrate no adverse visual, drainage, sewerage, noise, environmental and/or traffic impacts, no measure had been proposed to address the interface problems between the development and the nearby villages, no proper vehicular access to the Site, and/or approval of the application would set an undesirable precedent. Details of the applications are summarized at **Appendix III** and the locations of the applications are shown on **Plan A-1a**.

## **7. The Site and Its Surrounding Areas (Plan A-1 to Plan A-4b)**

7.1 The Site is:

- (a) being used for the applied use without a valid planning permission ; and
- (b) accessible via a local track connecting to Tin Wah Road (**Plan A-2**).

7.2 The surrounding areas have the following characteristics:

- (a) to its north and northeast are areas zoned “Green Belt” (“GB”) which is currently occupied by recreation uses, vehicle park and storage yards;
- (b) to its northwest and west are areas zoned “Village Type Development” (“V”) which comprise the villages of Sha Kong Wai and Sha Kong Wai Tsai (the closest residential dwelling is about 10m away), fallow agricultural land, cultivated agricultural land, vacant land and unused land; and
- (c) to its south within the same “R(C)” zone are occupied by parking vehicles and trailers and vacant land.

## **8. Planning Intention**

The planning intention of the “R(C)” zone is intended for low-rise, low-density residential development where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

## **9. Comments from Relevant Government Departments**

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) The Site is accessible from Tin Wah Road through Government Land (GL). Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way.
- (c) The Site does not fall within Shek Kong Airfield Height Restriction Area.
- (d) Should the application be approved, the lot owner will need to apply to her office to permit the structures to be erected or regularize any irregularity 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 of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD.

### **Traffic**

9.1.2 Comments of the Commissioner for Transport (C for T):

- (a) Sufficient manoeuvring spaces shall be provided within the Site. No vehicle is allowed to queue back to public roads or reverse onto/from the public roads.
- (b) The local track leading to the Site is not under Transport Department (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.

9.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) The access arrangement should be commented by TD.
- (b) Adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to the nearby public roads/drains.
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Deep Bay Road.

### **Environment**

9.1.4 Comment of the Director of Environmental Protection (DEP):

- (a) ***He does not support the application as it involves heavy vehicles (parking of medium goods vehicles) and there are sensitive receivers (i.e. the nearest residential dwelling is about 10m away to the northwest) and environmental nuisance is expected.***
- (b) No substantiated environmental complaint pertaining to the Site has been received in the past three years.
- (c) Should the 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".

### **Drainage**

9.1.5 Comments of the Chief Engineer/Mainland North, DSD (CE/MN, DSD):

- (a) According to the applicant's submission, the existing drainage facilities which was implemented under an approved application (No. A/YL-LFS/284) will be maintained for the subject development.
- (b) He has no objection in-principle to the proposed development from drainage point of view.
- (c) Should the Board consider that the application is acceptable from planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to the satisfaction of DSD.

### **Landscaping**

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

- (a) With reference to the aerial photo of 2018, it is observed that the Site is hard-paved and used as a vehicle park. Existing trees are observed along the Site boundary. The Site is situated in an area

of rural landscape character. Significant change to the landscape character arising from the application is not envisaged.

- (b) Having reviewed the submitted information, he considers the landscape proposal acceptable from the landscape planning perspective.
- (c) Should the application be approved by the Board, he would advise the approval condition to implement the approved landscape proposal to the satisfaction of the Director of Planning or of the Board.
- (d) The applicant is reminded that approval of the application under S.16 does not imply approval of tree works such as felling, transplanting or pruning under lease. The applicant shall be reminded to approach relevant authority /government department(s) direct to obtain the necessary approval for any proposed tree preservation or removal scheme involving trees within or outside the Site.
- (e) The applicant is reminded that regardless of whether the lease contains any clause requiring the owner of a private lot to properly maintain the trees within his/her lot, it is the responsibility of the owner to properly manage his/her property including the trees planted on the lot. Private lot owners may be held liable for any casualty or properly loss arising from their failure to properly maintain the trees within their properties.
- (f) The applicant is reminded of the importance of undertaking proper tree care for the existing tree. Useful information published by the Greening, Landscape and Tree Management Section, Development Bureau on general tree maintenance and tree risk management is available for reference in the following links:

護養樹木的簡易圖解:

[http://www.greening.gov.hk/filemanager/content/pdf/tree\\_care/Pictorial\\_Guide\\_for\\_Tree\\_Maintenance.pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf)

樹木管理手冊:

[https://www.greening.gov.hk/tc/tree\\_care/Handbook\\_on\\_Tree\\_Management.html](https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html)

樹木風險評估及管理安排:

[https://www.greening.gov.hk/tc/tree\\_care/tra\\_arrangements.html](https://www.greening.gov.hk/tc/tree_care/tra_arrangements.html)

護養樹木 保障安全:

[http://www.greening.gov.hk/filemanager/content/pdf/tree\\_care/Chinese\\_Leaflet\\_Big\\_font\\_size\\_v1\\_2012\\_03\\_29.pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Chinese_Leaflet_Big_font_size_v1_2012_03_29.pdf)



減低樹木風險的樹木護養簡易圖解：

[http://www.greening.gov.hk/filemanager/content/pdf/tree\\_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)

### **Fire Safety**

#### 9.1.7 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 the satisfaction of D of FS.
- (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 are 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.

### **Building Matters**

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

- (a) There is no record of approval by the Building Authority for the existing structures at the Site and Buildings Department (BD) is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) If the existing structures (not being New Territories Exempted Houses) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the subject application.
- (c) 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.

- (d) 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.
- (e) 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.
- (f) 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 Building (Planning) Regulations at the building plan submission stage.

### **Others**

#### 9.1.9 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 activity and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.
- (b) For any waste generated from the activity / operation, the applicant should arrange disposal properly at her own expenses.
- (c) Proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.

### **District Officer's Comment**

#### 9.1.10 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) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Project Manager (West)/West Development Office, Civil Engineering and Development Department (PM(W)/WDO, CEDD);
- (c) Chief Engineer/Civil Engineering Office, CEDD (CE/CEO, CEDD);
- (d) Chief Engineer/Sewerage Projects, DSD (CE/SP, DSD);
- (e) Director of Electrical and Mechanical Services (DEMS);

- (f) Director of Housing (D of H);
- (g) Director of Leisure and Cultural Services (DLCS);
- (h) Commissioner of Police (C of P); and
- (i) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

#### **10. Public Comment Received During Statutory Publication Period**

On 28.12.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 18.1.2019, one public comment (**Appendix IV**) was received from an individual objecting the application as the proposed development will create inefficient use of land resources and parking spaces should be accommodated in multi-storey buildings.

#### **11. Planning Considerations and Assessment**

- 11.1 The current application is for temporary public vehicle park for private cars, light goods vehicles and medium goods vehicles for a period of 3 years. The Site falls within “R(C)” zone, which is intended for low-rise, low-density residential development where commercial uses serving the residential neighbourhood may be permitted on application to the Board. Whilst the development is not entirely in line with the planning intention of the “R(C)” zone, the public vehicle park could provide parking spaces to serve any such demand in the area. Therefore, approval of the application on a temporary basis for 3 years would not jeopardise the long term planning intention of the “R(C)” zone.
- 11.2 The proposed development is considered not incompatible with the surrounding land uses which mainly comprise rural residential dwellings/structures, public vehicle park, storage yard and vacant land (**Plan A-2**).
- 11.3 There is no adverse comment from the concerned Government departments, *except DEP. DEP does not support the application as there are sensitive receivers in the vicinity and it involves heavy vehicles (parking of medium goods vehicles), and environmental nuisance is expected. However, there has been no environmental complaint concerning the Site received in the past 3 years. including DEP, C for T and CE/MN of DSD. The proposed development will unlikely create significant adverse environmental, traffic and drainage impacts to the surrounding area.* To minimize any possible environmental impacts and nuisance on the surrounding developments, and to address the technical requirements of the concerned Government departments, relevant approval conditions are recommended in paragraph 12.2 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. Should the planning application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimize the possible environmental impacts on the nearby sensitive receivers.
- 11.4 Given that ~~6~~ previous approvals for the same use has been granted to the Site and 6 similar applications have been approved in the same “R(C)” zone, approval of the current application is in line with the Committee’s previous decisions. Nevertheless, the previous approval (No. A/YL-LFS/284) for the same use by the same applicant was revoked due to non-compliance with the time-limited approval

condition requiring the implementation of the tree preservation and landscape proposal. For the current application, the applicant has undertaken to comply with the approval conditions to be imposed and has submitted a landscape and tree preservation proposal in support of the application (**Drawing A-2**). CTP/UD&L, PlanD has no objection in principle to the application. In view of this, sympathetic consideration may be given to the application. However, shorter compliance period is recommended in order to closely monitor the progress on compliance with associated approval condition. Moreover, should the application is approved, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application.

11.5 There is one public comment received from the public (**Appendix IV**) objecting the application on the grounds as summarized in paragraph 10 above. The planning considerations and assessments in the above paragraphs are relevant.

## **12. Planning Department's Views**

12.1 Based on the assessment made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10, the Planning Department has no objection to the application.

12.2 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 3 years until 1.2.2022. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) no operation from 11:00pm to 7:00am, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle repairing, dismantling or other workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (c) no heavy goods vehicle exceeding 24 tonnes, including container trailer/tractor, as defined in the Road Traffic Ordinance, is allowed to be parked/stored on the Site, as proposed by the applicant, at any time during the planning approval period;
- (d) a notice should be posted at a prominent location of the Site to indicate that no heavy goods vehicle exceeding 24 tonnes, including container trailer/tractor, as defined in the Road Traffic Ordinance is allowed to be parked/stored on the Site at all times during the planning approval period;
- (e) no vehicle without valid license issued under the Road Traffic Ordinance

is allowed to be parked/stored on the Site at any time during the planning approval period;

- (f) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) the existing drainage facilities on-site shall be maintained at all times during the planning approval period;
- (h) the submission of a record of the existing drainage facilities within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **1.5.2019**;
- (i) the implementation of the accepted landscape proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **1.8.2019**;
- (j) the submission of fire service installations proposal within **3** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **1.5.2019**;
- (k) in relation to (j) above, the implementation of 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 **1.8.2019**;
- (l) the provision of fencing within **3** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **1.5.2019**;
- (m) if any of the above planning conditions (a), (b), (c), (d), (e), (f) or (g) 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), (j), (k) or (l) 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.

#### Advisory clauses

The recommended advisory clauses are attached at **Appendix V**.

12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

approval of the application with non-compliance with approval conditions would set an undesirable precedent for other similar applications.

**13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission
- 13.2 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.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

**14. Attachments**

<b>Appendix I</b>	Application Form received on 20.12.2018
<b>Appendix Ia</b>	Supplementary Planning Statement with a site plan, location plan, proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan
<b>Appendix II</b>	Previous Applications covering the Site
<b>Appendix III</b>	Similar Application within the same “R(C)” zone
<b>Appendix IV</b>	Public Comment
<b>Appendix V</b>	Advisory Clauses
<b>Drawing A-1</b>	Proposed Layout Plan
<b>Drawing A-2</b>	Proposed Landscape and Tree Preservation Plan
<b>Drawing A-3</b>	As-built Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Location Plan with Previous Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a &amp; 4b</b>	Site Photos

**PLANNING DEPARTMENT  
FEBRUARY 2019**