

Previous Applications covering the Application Site

Approved Applications

<u>No.</u>	<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
1.	A/YL-PS/216	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	24.6.2005 (2 years) [Revoked on 15.12.2005]	(1), (2), (4), (8), (10), (12), (13), (15) and (16)
2.	A/YL-PS/463	Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	27.2.2015	(1), (3), (4), (5), (6), (7), (8), (9), (10), (11), (14), (15) and (16)

Approval Conditions

- (1) No night-time operation.
- (2) Only private cars and light goods vehicles are allowed to be parked on the site.
- (3) Only private cars are allowed to enter/be parked on the site.
- (4) No parking/storage of vehicles without valid licences.
- (5) Posting of a notice at a prominent location to indicate the type of vehicles to be allowed or not allowed to enter/be parked on the site.
- (6) No vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site.
- (7) No vehicle queuing back to public road or vehicle reversing onto/from the public road is allowed.
- (8) Submission and implementation of drainage proposals or provision of drainage facilities.
- (9) Maintenance of implemented drainage facilities.
- (10) Submission and/or implementation of the (accepted) landscape and tree preservation proposals.
- (11) Submission and implementation of fire service installations proposal.
- (12) Provision of fire extinguisher.
- (13) Provision of paving and fencing.
- (14) Provision of boundary fencing.
- (15) Revocation clauses.
- (16) Reinstatement clause.

Rejected Applications

<u>No.</u>	<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
1.	A/YL-PS/90	Temporary Container Vehicles and Trailers Park with Ancillary Repair/Maintenance Workshops, Open Storage of Building Materials and Office for a Period of 3 Years	12.1.2001	(1), (3) and (6)
2.	A/YL-PS/119	Temporary Container Trailer, Lorry and Car Park for a Period of 3 Years	10.1.2003 (s.17)	(2), (4), (7) and (10)
3.	A/YL-PS/151	Temporary Public Vehicle Park for Private Cars, Lorries and Container Trailers for a Period of 3 Years	31.10.2003 (s.17)	(2), (4), (8) and (10)
4.	A/YL-PS/240	Temporary Public Vehicle Park for Private Car, Light Goods Vehicle and Container Trailer for a Period of 3 Years	13.10.2006 (s.17)	(2), (5) and (9)

Reasons for Rejection

- (1) The development is not in line with the planning intention of the “Recreation” and “Village Type Development” zones which are to designate areas for recreational developments and land for recognised villages and village expansion respectively. There is no strong justification in the submission for a departure from the planning intention, even on a temporary basis.
- (2) The development was not in line with the planning intention of the “Village Type Development” zone which was intended to designate both existing recognised (and other) villages, (and to provide land) and areas of land considered suitable for village expansion (and reprovisioning of village houses affected by Government projects). There was no strong justification in the submission for a departure from the planning intention (even on a temporary basis).
- (3) The development is incompatible with the surrounding uses which are predominantly residential and rural in nature, including the village houses and residential structures within the site as well as to its immediate west and east, the village settlement in Ha Mei San Tsuen to its north-west and the cultivated farmland to its north and north-east.
- (4) The development was not compatible with the residential dwellings located to the immediate east and further west.
- (5) The development did not comply with the Town Planning Board Guidelines No. 13D for ‘Application for Open Storage and Port Back-up Uses’ in that there was no exceptional circumstances to merit approval and the development was not compatible with the residential dwellings nearby.

- (6) There was insufficient information in the submission to demonstrate that the proposed development would not have adverse noise, dust, environmental and visual impacts on the surrounding areas.
- (7) There was insufficient information in the submission to demonstrate that the proposed development would not have adverse environmental and traffic impacts on the surrounding areas.
- (8) There was insufficient information in the submission to demonstrate that the proposed development would not have adverse traffic, landscaping and drainage impacts on the surrounding areas.
- (9) There was insufficient information in the submission to demonstrate that the proposed development would not have adverse environmental and drainage impacts on the surrounding areas.
- (10) The approval of the application would set an undesirable precedent for other similar applications. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

**Similar Applications within the Same “V” Zone
on the Draft Ping Shan OZP No. S/YL-PS/17**

Approved Applications

<u>Application No.</u>	<u>Zoning</u> (at the time of approval)	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/289	“V” & “U”	Temporary Vehicle Park for Private Car and Light Goods Vehicle with Ancillary Office and Storeroom for a Period of 3 Years	24.10.2008 (2 years)	(2), (4), (5), (7), (8), (9), (10), (12) & (13)
A/YL-PS/332	“V” & “U”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	12.11.2010 (2 years)	(2), (4), (5), (7), (8), (9), (10), (12) & (13)
A/YL-PS/397	“V” & “GB”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	11.1.2013	(2), (4), (5), (7), (8), (9), (10), (12) & (13)
A/YL-PS/509	“V” & “GB”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	8.1.2016	(1), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12) & (13)

Approval Conditions

- (1) No parking/storage of vehicles without valid licences issued under the Road Traffic Ordinance.
- (2) No (medium or heavy goods vehicle) or goods vehicles exceeding 5.5 tonnes, (coaches, container vehicles), including container tractors and trailers.
- (3) Only private cars and light goods vehicles are allowed to enter/be parked on the site.
- (4) No night time operation.
- (5) No vehicle washing/repairing/dismantling/paint spraying and other workshop uses/activities.
- (6) No vehicle is allowed to queue back to or reverse onto/from public road.
- (7) Maintenance of existing landscape planting.
- (8) Maintenance of existing drainage facilities.
- (9) Submission of condition record of existing drainage facilities.
- (10) Submission and implementation of fire services installations proposal or provision of fire service installations proposed.
- (11) Provision of boundary fencing.
- (12) Revocation Clauses.
- (13) Reinstatement Clause.

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) to note the comments of 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 Government Land (GL) adjoining Lot Nos. 44 and 72 in D.D. 122 within the Site is covered by the Short Term Tenancy (STT) No. 2858 for the purpose of “Temporary Public Vehicle Park (Private Cars)”. The Site is accessible to Yung Yuen Road via GL and private land. His office does not provide maintenance work for GL involved and does not guarantee any right-of-way to the Site. The STT holder(s) will need to apply to his office for modification of the STT conditions if there is any irregularities on Site and 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(s) will be considered by the 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 the LandsD;
- (c) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring space shall be provided within the Site. 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;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that 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 Yung Yuen Road;
- (e) to follow the the relevant mitigation measures and requirements in the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites”;
- (f) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, 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 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 FSIs to be installed should be clearly marked on the layout plans;
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD’s standards; and

- (h) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.