

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

**APPLICATION NO. A/YL-PS/604**

- Applicant** : Mr. CHAN Chi Wing represented by Metro Planning and Development Company Limited
- Application Site** : Lots 21 RP (Part), 22 RP (Part), 24 RP (Part), 25 (Part), 28 RP (Part) and 29 RP (Part) in D.D. 121, Tong Fong Tsuen, Ping Shan, Yuen Long, New Territories
- Site Area** : About 3,280m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/18
- Zoning** : “Village Type Development” (“V”) (about 99.6%); and  
[restricted to maximum building height of 3 storeys (8.23m)]  
  
“Government, Institution or Community” (“G/IC”) (about 0.4%)
- Application** : Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and 19-seaters Coaches) 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 (private cars, light goods vehicles and 19-seaters coaches) for a period of 3 years (**Plan A-1a**). The majority of the Site (99.6%) falls within an area zoned “V” with a minor portion (0.4%) within an area zoned “G/IC” on the approved Ping Shan Outline Zoning Plan No. S/YL-PS/18 (the OZP). According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use for “V” zone which requires planning permission from the Town Planning Board (the Board); and is always permitted in the “G/IC” zone. The Site is currently used for the applied use without valid planning permission (**Plans A-3 and A-4**).
- 1.2 The Site is related to five previous applications (No. A/DPA/YL-PS/49, A/YL-PS/52, 53, 269 and 540) for temporary public vehicle park use. The last application No. A/YL-PS/540 for temporary public vehicle park for private cars and light goods vehicles for a period of 3 years was approved by the Rural and New Town Planning Committee (the Committee) on 23.6.2017. However, the

permission was revoked on 23.11.2019 due to non-compliance with the approval condition on the implementation of landscape and tree preservation proposal. Details of the previous applications are summarized at paragraph 5 below and at **Appendix II**.

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

<b>Major Development Parameters</b>	<b>Last Approved Application (No. A/YL-PS/540) (a)</b>	<b>Current Application (No. A/YL-PS/604) (b)</b>	<b>Difference (b) – (a)</b>
Development/ Use	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle (LGV)) for a Period of 3 Years	Temporary Public Vehicle Park (Private Car, LGV and 19-seaters Coach) for a Period of 3 Years	With parking of 19-seaters coaches
Site Area	About 3,280 m <sup>2</sup>		No change
Total Floor Area (non-domestic)	about 60 m <sup>2</sup>	about 80 m <sup>2</sup>	+20 m <sup>2</sup>
No. of Structures	3  (site office, toilet, and electricity meter room uses)	4  (site office, toilet, electricity meter room and guard room uses)	+1
Maximum Height of Structures	1 storey (3m)		No change
No. of Private Car, LGV and 19-seaters Coach Parking Spaces	50 (5m x 2.5m) (for both private car and LGV)	28 (5m x 2.5m) (for private car)  20 (7m x 3.5m) (for LGV and 19-seater coach)	- 2
Operation Hours	7:00 a.m. to 11:00 p.m. daily (including Sundays and public holidays)		No change

- 1.4 Compared with the last application A/YL-PS/540, the current application is submitted by the same applicant for the same use at the same site with similar development parameters and layout and changes in types of vehicles to be parked on the Site.
- 1.5 The location plan, proposed layout plan, proposed landscape and tree preservation plan and as-built drainage plan are at **Drawings A-1 to A-4**.
- 1.6 According to the applicant, the Site is served by a paved vehicular access leading from Ping Kwai Road (**Plan A-3 and Drawing A-1**). Vehicles without valid licences issued under the Road Traffic Ordinance (RTO) will not be permitted to park at the Site. No medium goods vehicle or heavy goods vehicle exceeding 5.5 tonnes including container tractor/trailer will be allowed to enter/park at the Site.

The operation hours are from 7am to 11pm every day. In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 17.4.2020 (Appendix I)
- (b) Further Information (FI) dated 7.5.2020 providing responses to comments of Transport Department (TD) and provided the estimated trip generation and attraction *[accepted and exempted from publication and recounting requirements]* (Appendix Ia)
- (c) FI dated 2.6.2020 providing clarification on operation details *[accepted and exempted from publication and recounting requirements]* (Appendix Ib)

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

The justifications put forth by the applicant in support of the application are detailed at **Appendices I to Ib**. They can be summarized as follows:

- (a) The proposed development is in line with the planning intention of the “V” zone which is primarily for the convenience of the villagers. There is insufficient supply to meet exigent parking demand in Tong Fong Tsuen.
- (b) The proposed development is compatible with the surrounding environment. Similar planning applications have been approved by the Board in the nearby “V” zone. There would be insignificant traffic, noise and environmental impacts.
- (c) The applicant would post a notice at a prominent location at the Site all time to indicate that no medium goods vehicle or heavy goods vehicle exceeding 5.5 tonnes, as defined in RTO, including container tractors/trailers are allowed to park/store on or enter/exit the Site.

## 3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not a “current landowner” 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 posting site notice and sending notice to the Ping Shan Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

## 4. **Background**

The current vehicle park use on the Site would be subject to enforcement action if the planning application was not approved.

## 5. **Previous Applications**

- 5.1 The Site was involved in five previous applications (No. A/DPA/YL-PS/49, A/YL-PS/52, 53, 269 and 540) for temporary public vehicle park for private cars, light goods vehicles, lorries and/or container trailers/tractors. Details of the

previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.

- 5.2 Application No. A/DPA/YL-PS/49 for proposed temporary public car park within “V” zone was approved by the Committee with conditions on a temporary basis for 2 years on 5.5.1995 on grounds that the development was not entirely not in line with the planning intention of the “V” zone; and was considered compatible with and supporting the village type developments in the vicinity. However, a shorter approval period for 2 years rather than 3 years sought was granted in order not to jeopardise the implementation of a PWP Item No. 191 CL Ping Shan Development Stage II scheduled to commence in mid-1997.
- 5.3 Application No. A/YL-PS/52 for temporary container trailer and car park for a period of 12 months within “V” and “G/IC” zones was rejected by the Committee on 14.5.1999 for the reasons that the use was incompatible with the village settlement in the vicinity; access to the Site was not satisfactory and the use would pose a threat to the operation of Light Rail Transit services; no information had been provided to demonstrate that the use would have no adverse environmental and visual impacts; and approval of the application would set an undesirable precedent.
- 5.4 Application No. A/YL-PS/53 for proposed public lorry and car park on a larger site within “V” and “G/IC” zones was approved by the Committee with conditions on 14.5.1999 on a temporary basis for 12 months on grounds that there were insignificant traffic, environmental and drainage impacts on the surrounding areas. The planning approval was granted on a temporary basis for 12 months rather than on permanent basis as applied in order not to jeopardise the implementation of schools reserved at the “G/IC” portion scheduled to commence in May 2001 (the school reservation was subsequently released).
- 5.5 Application No. A/YL-PS/269 for temporary public vehicle park for private cars, lorries and coaches at a different site within “G/IC” and “V” zones was approved by the Committee with conditions on a temporary basis for 12 months on 27.7.2007 on similar considerations. A shorter approval period of 12 months was granted in order to monitor the situation and fulfilment of approval conditions because of the environmental concerns raised by DEP and the public at that time. The planning permission was revoked on 27.1.2008 for failing to comply with the approval conditions on implementation of landscape proposal.
- 5.6 Application No. A/YL-PS/540 for temporary public vehicle park for private cars and light goods vehicles within “G/IC” and “V” zones was approved by the Committee with conditions on a temporary basis for 3 years on 23.11.2017 on grounds that the applied development is considered not incompatible with the surrounding land uses; and no adverse comments from concerned departments. The planning permission was revoked on 23.11.2019 due to non-compliance with the approval condition on the implementation of landscape and tree preservation proposal.
- 5.7 Compared with the last approved application No. A/YL-PS/540, the current application is submitted by the same applicant for the same use at the same site, with similar development parameters and layout and changes in types of vehicles to be parked on the Site.

## **6. Similar Application**

- 6.1 There is one similar application (No. A/YL-PS/571) for temporary public vehicle park for private cars within the same “V” zone. Details of the applications are summarised at **Appendix III** and its location is shown on **Plan A-1a**.
- 6.2 Application No. A/YL-PS/571 for temporary public vehicle park for private cars for a period of 3 years were approved with conditions by the Committee on 2.11.2018. The main considerations were temporary approval of the application would not jeopardise the long-term development of the sites; not incompatible with the surrounding areas; and no objection to or no adverse comment from government departments.

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

7.1 The Site is:

- (a) currently being used for the applied use without valid planning permission; and
- (b) accessible via a local track leading from Ping Kwai Road (**Plans A-2 and A-3**).

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate north is fallow agricultural land; to the northwest and northeast are open storage and parking of vehicles and coaches which are suspected unauthorised development (UD); to the further north and northeast are residential uses;
- (b) to the east are Tong Fong Tsuen and Ping Shan San Tsuen which are dominated by residential dwellings;
- (c) to the immediate south and southwest is temporary car testing centre which is covered by planning permission (application No. A/YL-PS/587); and
- (d) to the immediate west is temporary shop for retail and wholesale of construction materials which is covered by planning permission (application No. A/YL-PS/560) and parking of vehicles and coaches which is suspected UD.

## **8 Planning Intention**

The planning intention of “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small House by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories

Exempted House. Other commercial, community and recreational uses 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 summarised 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) Lots No. 25, 28 RP and 29 RP in D.D. 121 are covered by Short Term Waiver (STW) No. 5121 to permit structures erected thereon for the purpose of “Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) & Temporary Shop for Retail and Wholesale of Construction Materials”.
- (c) The proposed structure for guards room uses (i.e. Structure 4) together with another 2 proposed structures for site office (i.e. Structure 1) and toilet (i.e. Structure 2) uses each of gross floor area 20m<sup>2</sup> seems to be excessive in a villagers’ carpark. For fee-paying carpark STTs, a fee collecting booth/ office of size not exceeding 25 m<sup>2</sup> is commonly adopted. According to the established practice, any application for temporary structures for domestic uses will not be entertained.
- (d) Should planning approval be given to the subject planning application, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to this 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. 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 or premium or fee, as may be imposed by LandsD.

## **Traffic**

9.1.2 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):

- (a) He has no adverse comment on the application from the traffic engineering perspective.
- (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.
- (c) 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.

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

- (a) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the site to nearby public roads/drains.
- (b) His department shall not be responsible for the maintenance of any access connecting the Site and Ping Kwai Road.

## **Environment**

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

- (a) It is noted that the proposed temporary private vehicle park is intended for private cars, light goods vehicles and 19-seaters coaches, which would not generate traffic of heavy vehicles. Moreover, car washing, car maintenance, and other uses will not be allowed at the vehicle park.
- (b) Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the "*Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites*" ("COP") to minimise any potential environmental nuisances.
- (c) There has not been any environmental complaint pertaining to the Site over the past 3 years.

## **Landscape**

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

- (a) He has no objection to the application from landscape planning perspective.

- (b) According to the aerial photo of 2019 and site photos taken by his office, the Site is hard paved with the proposed use in operation. It is situated in an area of miscellaneous urban fringe landscape character comprised of open storage yards, low rise residential buildings and tree groups. Similar use in the same “V” zone (application no. A/YL-PS/571) was approved by the Board. The proposed development is considered not incompatible to the landscape character of the surrounding area. 67 nos. of existing trees, mainly *Bauhinia blakeana*, are generally observed along the Site boundary and a few of them are to be ascertained whether begin affected by the proposed development. Significant adverse impact arising from the proposed development is not envisaged.
- (c) According to site inspection by his office on 14.1.2020 for the compliance checking of the previous application No. A/YL-PS/540, there are 67 nos. of peripheral trees observed on site. As only 57 nos. of existing trees are shown on the proposed landscape and tree preservation plan in the current application, the applicant should review and update the landscape plan for landscape proposal submission. It is noted that “Structure 1 – Site Office” is in conflict with some existing trees. The applicant should consider relocating the proposed structure away from the trees. The applicant is advised to construct kerb or bollard at a minimum distance of 1m around the planting areas to guard against damage to the trees and provide a continued planting strip of minimum 1m wide along the tree planting area for healthy tree growth.

### **Drainage**

#### 9.1.6 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) According to the applicant’s submission, the existing drainage facilities which was implemented under approved application No. A/YL-PS/540 will be maintained for the subject development. He has no objection in principle to the proposed development from a drainage point of view.
- (b) Should the Board consider that the application is acceptable from the 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 his Division.
- (c) The applicant is reminded that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal.



## **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 his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. 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) or application for licence for the subject eating place is required, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority respectively.

## **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 (BA) for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use related to the application.
- (b) If the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the BA, they are unauthorised building works (UBW) under the Building Ordinance (BO) and should not be designated for any approved use under the application.
- (c) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing 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) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorised 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 [B(P)R] respectively.
- (f) The Site does not abut on a specific street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

### **District Officer's Comments**

9.1.9 Comment of District Officer/Yuen Long, Home Affairs Department (DO/YL, HAD):

His office has not received any feedback from locals.

9.2 The following Government departments have no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) Commissioner of Police (C of P);
- (d) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (e) Director of Leisure and Cultural Services (DLCS);
- (f) Executive Secretary (Antiquities & Monuments Office), Antiquities and Monuments Office (ES(A&M), AMO); and
- (g) Director of Electrical and Mechanical Services (DEMS).

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

On 24.4.2020, the application was published for public inspection. During the first three weeks of statutory public inspection period, one public comment was received (**Appendix IV**). An individual objects to the application as the previous permission had been revoked and the Site could be considered for transitional housing.

## **11 Planning Considerations and Assessment**

11.1 The current application is for temporary public vehicle park for private cars, light goods vehicles and 19-seaters coaches for a period of three years. The Site is mainly zoned "V" with a minor portion within "G/IC" zone on the OZP. The planning intention of the "V" zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small House by indigenous villagers. Whilst the development is not entirely in line with the planning intention of the "V" zone, it could serve the local villagers/residents for meeting their car parking needs. Nevertheless, DLO/YL, LandsD advises that there is no Small House application approved or under processing at the Site. In this regard, approval of the application on a temporary basis of 3 years would not frustrate the long-term planning intention of the area.

- 11.2 The Site is located within an area predominately occupied by residential dwellings, parking of vehicles, car testing centre and open storage (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.
- 11.3 Relevant government departments, including DEP, AC for T/NT of TD, CE/MN of DSD, D of FS and CTP/UD&L of PlanD have no objection to or no adverse comment on the application. The proposed use will unlikely create significant adverse traffic, environmental, drainage and landscape impacts to the surrounding areas. To minimize any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate 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 application be approved, the applicant will be advised to follow the latest “COP” in order to minimise the possible environmental impacts on the nearby sensitive receivers.
- 11.4 The Committee has approved four previous applications within the subject “V” and “G/IC” zones for temporary public vehicle park use (**Plan A-1b**). Approval of the current application is in line with the previous decisions.
- 11.5 The planning permission of the last application No. A/YL-PS/540 submitted by the same applicant for the same use at the same site was revoked due to non-compliance with the time-specific approval condition on the implementation of landscape and tree preservation proposal as dead trees and leaning trees were found. The applicant explained that he would rectify such situation in order to comply with the approval conditions as imposed under the current application. For the current application, the applicant has submitted a proposed landscape and tree preservation plan. CTP/UD&L has no objection to the application. Sympathetic consideration may be given to the current application. Nevertheless, shorter compliance periods are recommended in order to closely monitor the progress of compliance with approval conditions. Should the application be approved, the applicant should be advised that should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration would not be given to any of the application.
- 11.6 There is one public comment received as summarized in paragraph 10 above. The planning considerations and assessments above 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 **12.6.2023**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium and 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, as proposed by the applicant, at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site at all times, as proposed by the applicant, to indicate that no medium and 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;
- (d) no vehicle without valid licences issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the Site at any time during the planning approval period;
- (e) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activities, as proposed by the applicant, is allowed 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 fencing of the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities within **3** months to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **12.9.2020**;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a 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 **12.9.2020**;
- (k) in relation to (j) above, the implementation of the 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 **12.12.2020**;
- (l) the submission of a revised landscape and tree preservation proposal within **3** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **12.9.2020**;
- (m) in relation to (l) above, the implementation of the revised landscape and tree preservation 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 **12.12.2020**;

- (n) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (i) 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
- (o) if any of the above planning conditions (h), (j), (k), (l) or (m) 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.

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:

the development is not in line with the planning intention of the "V" zone which is primarily intended for development of Small Houses by indigenous villagers. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

**13 Decision Sought**

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

13.1 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.

13.2 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 17.4.2020
<b>Appendix Ia</b>	FI dated 7.5.2020 providing responses to comments of TD and provided the estimated trip generation and attraction
<b>Appendix Ib</b>	FI dated 2.6.2020 providing clarification on operation details
<b>Appendix II</b>	Previous Applications covering the Site
<b>Appendix III</b>	Similar Application within the Same "V" and "G/IC" Zone on the approved Ping Shan OZP No. S/YL-PS/18
<b>Appendix IV</b>	Public Comment
<b>Appendix V</b>	Advisory Clauses

<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Proposed Landscape and Tree Preservation Plan
<b>Drawing A-4</b>	As-built Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Application
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JUNE 2020**