

Similar Applications within the subject “V” Zone on the Tai Tong OZP

Rejected Application

	<u>Application No.</u>	<u>Proposed Use(s) / Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejection Reason(s)</u>
1	A/YL-TT/45	Temporary Lorry Park Up to End of July 1999	23.4.1999 (on review)	(1), (2), (3), (4)

Rejection Reason(s):

- (1) Not in line with the planning intention of the “V” zone. No strong justification has been given in the submission for the departure from the planning intention, even on a temporary basis.
- (2) Not compatible with the surrounding rural area and the nearby village houses.
- (3) No information in the submission on vehicular access arrangement and the layout of the proposed lorry park.
- (4) Approval of the application would set an undesirable precedent for other similar applications in the “V” zone, the cumulative effect of which would result in a general degradation of the environment of the area.

Advisory clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. The Site is accessible to Sham Chung Road via Government land (GL). Her office does not provide maintenance works for the GL involved and does not guarantee any right-of-way to the Site. The Site does not fall within Shek Kong Airfield Height Restriction Area. The lot owner(s) will need to apply to her office to permit structures to be erected or regularize any irregularities on Site. Such application(s) will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application(s) 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;
- (c) to note the comments of the Commissioner for Transport that sufficient space within the Site should be provided for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed. The lands authority on the land status of the access road/path/track leading to the Site from Sham Chung Road should be checked. The management and maintenance responsibilities and relevant authorities of the access road/path/track should be checked;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that the applicant should provide the run-in/run-out at Sham Chung Road in accordance with the latest version of Highways Standard Drawings No. H1113 and II1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. Adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to the nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Sham Chung Road;
- (e) to note the comments of the Director of Environmental Protection to adopt the latest “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storages Sites” issued by the Environment Protection Department;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that 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. 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. 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 should be appointed as the co-ordinator for the proposed building works in accordance with the BO.

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. 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;

- (g) to note the comments of the Director of Agriculture, Fisheries and Conservation to avoid affecting the existing trees and vegetation on GL in the vicinity of the Site during operation; and
- (h) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the subject application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where appropriate) 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.