

Previous Applications covering the Application Site

Approved Application

| | <u>Application No.</u> | <u>Proposed Use(s)/Development(s)</u> | <u>Date of Consideration (RNTPC/TPB)</u> | <u>Approval Conditions</u> |
|---|-------------------------------|---|---|-----------------------------------|
| 1 | A/YL-TT/101 | Proposed Temporary Private Car and Light Goods Vehicle Park for a Period of 3 Years | 20.4.2001 (approved for 1 year) [revoked on 20.10.2001] | (1), (2), (3), (4) |

Approval Condition(s):

- (1) Submission and implementation of landscaping proposals.
- (2) Submission of drainage proposals and provision of drainage facilities.
- (3) Revocation of planning approval for non-compliance with conditions by specified dates.
- (4) Reinstatement of the application site to an amenity area upon expiry of planning permission.

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/129 | Temporary Private Car Park for a Period of 3 Years | 2.8.2002 (on review)* | (1) |

* Appeal against TPB's decision was later abandoned by the appellant.

Rejection Reason(s):

- (1) There is no/insufficient information in the submission to demonstrate that a proper vehicular access would be provided to the application site.

Advisory clauses

- (a) prior planning approval should have been obtained before commencing the applied development on site;
- (b) the planning permission is given to the development/uses under application. It does not condone any other development/use (i.e. shop and services use) which currently exists on the Site but not covered by the application. The applicant shall be requested to take immediate action to discontinue such development/use not covered by the permission;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department the Site comprises an 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 Site is accessible from Long Ho Road via Government land (GL). Her Office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site. Given the proposed use is temporary in nature, no construction of New Territories Exempted Building(s) will be considered or allowed. Besides, applications for regularization or erection of temporary structure(s) involving domestic uses e.g. rest room etc. will not be considered. The lot owner(s) will need to apply to her Office to permit the structures to be erected or regularize any irregularities on site, if any. Such application(s) will be considered by her Department 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 her Department;
- (d) to note the comments from Commissioner for Transport, Transport Department that the land status of the access road/path/track leading to the Site from the bridge connecting Long Ho Road shall be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track shall be clarified with the relevant management and maintenance authorities accordingly. The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that his Department does not and will not maintain any access connecting the Site and Long Ho Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.
- (f) to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department to minimize any potential environmental nuisances;
- (g) to note the comments of the Director of Agriculture, Fisheries and Conservation that the applicant should implement necessary measures to avoid causing pollution or disturbance to the adjacent watercourse to the northeast of the Site;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the application by the Town Planning Board under s.16 application does not imply the approval of tree works such as pruning, transplanting and felling under lease. Tree work application should be submitted direct to District Lands Office for approval;
- (i) to note the Director of Fire Services' comments that in consideration of the design/nature of the proposal, fire service installations (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. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSIs to be installed should also be clearly marked on the layout plans. However, the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and

- (j) 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 the BD, they are unauthorized building works (UBW) under the BO and should not be designated for any applied 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) 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.