

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/926

<u>Applicant</u>	: Mr. CHOW Ka Po represented by Metro Planning and Development Company Limited
<u>Site</u>	: Lots 1250 (Part), 1256 (Part), 1259 (Part), 1260, 1261 (Part) and 1267 (Part) in D.D.119, Pak Sha Tsuen, Yuen Long, New Territories
<u>Site Area</u>	: 3,020 m ² (about)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/12
<u>Zoning</u>	: “Undetermined” (“U”)
<u>Application</u>	: Temporary Warehouse for Storage of Construction Material and Furniture 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 warehouse for storage of construction material and furniture for a period of 3 years. The Site falls within an area zoned “Undetermined” (“U”) on the OZP. According to the Notes of the OZP for “U” zone, all uses or development except those specified in the Notes require permission from the Town Planning Board (the Board). The Site is currently occupied for the applied use with valid planning permission under application No. A/YL-TYST/798 up to 29.7.2019 (**Plans A-2, A-4a and A-4b**). The approval conditions requiring the implementation of drainage and fire service installations (FSIs) proposals are yet to be complied with.
- 1.2 The Site was involved in four previous applications (No. A/YL-TYST/583, 691, 719 and 798) (**Plan A-1b**) for temporary warehouse use, which were approved by the Rural and New Town Planning Committee (the Committee) of the Board for a period of 3 years on 20.4.2012, 22.8.2014, 27.3.2015 and 29.7.2016 respectively, but planning permission No. A/YL-TYST/583, 691 and 719 were subsequently revoked on 20.12.2013, 22.8.2015 and 27.9.2016 due to non-compliance with approval conditions on the implementation of drainage proposal and submission

and/or implementation of FSIs proposal. Details of the previous applications are at paragraph 5 and **Appendix II**. Compared with the last application, the current application is submitted by a different applicant for the same warehouse use with almost the same site layout (with an additional site office) on the same site with similar development parameters.

- 1.3 The Site is accessible from Kung Um Road to its east via a local track with an ingress/egress provided at the eastern periphery of the Site (**Plan A-3**). According to the applicant, the Site has been hard-paved and items to be stored at the Site include construction material (e.g. tiles, marble and metal pipes) and furniture. No repairing, dismantling, spraying or other workshop activities and no handling of hazardous electrical/electronic appliances/components, including cathode-ray tubes (CRT), CRT computer monitor/television sets and CRT equipment will be carried out at the Site. Only light goods vehicle not exceeding 5.5 tonnes will be used for the site operation and all loading and unloading activities will be carried out within the Site. No vehicles exceeding 5.5 tonnes, including medium and heavy goods vehicle and container trailers and tractors, will be allowed to enter the Site. Plans showing the vehicular access leading to the Site, site layout, landscape and tree preservation proposal, drainage proposal and FSIs proposal submitted by the applicant are at **Drawings A-1 to A-5**.
- 1.4 The major development parameters of the previously approved application and the current application are summarized as follows:

Major Development Parameters	Previously Approved Application No. A/YL-TYST/798 (a)	Current Application No. A/YL-TYST/926 (b)	Difference (b)-(a)
Applied Use	Temporary Warehouse for Storage of Construction Material and Furniture for a Period of 3 Years		---
Site Area	About 3,020 m ²		---
Total Floor Area (Non-domestic)	2,530 m ²	2,550 m ²	+20 m ² (+0.8%)
No. and Height of Structure	2 <ul style="list-style-type: none"> • for warehouse use (11m, 1-storey) • for warehouse and office uses (10m, 2-storey) 	3 <ul style="list-style-type: none"> • for warehouse use (11m, 1-storey) • for warehouse and office uses (10m, 2-storey) • for site office use (3m, 1-storey) 	+ 1 (+33.3%)
Loading/Unloading Space	1 (for light goods vehicle)		---
Operation Hours	7:00 a.m. to 9:00 p.m., Mondays to Saturdays, with no operation on Sundays and Public Holidays		---

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

(a) Application Form received on 8.10.2018 **(Appendix I)**

- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Supplementary Information received on 8.10.2018 **(Appendix Ib)** confirming the name and the number of the related OZP and updating the executive summary and the plan showing the vehicular access leading to the Site

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Section 3 of Supplementary Planning Statement (**Appendix Ia**). They can be summarised as follows:

- (a) The Site is subject to 4 previously approved applications (No. A/YL-TYST/583, 691, 719 and 798). The planning permission application No. A/YL-TYST/719 comprises 3 warehouses occupied by 3 different occupants. However, there are dispute between the occupants and they wish to submit application separately. On 29.7.2016, the Committee approved application No. A/YL-TYST/798 for the applied use on the Site with conditions.
- (b) According to the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13E), the Site falls within Category 1 areas which is considered suitable for open storage and port back-up uses. Preliminary technical assessments on traffic, drainage, visual and environmental aspects are provided in the submission to demonstrate that the development would not generate adverse impacts on the surrounding areas. It is considered that the development should have fulfilled the guidelines to a large extent and should be given favorable consideration by the Board.
- (c) The development is in line with the planning intention of the “U” zone and is compatible with the surrounding areas. A number of similar applications in the subject “U” zone have been approved by the Board. Also, taking into consideration that there is a shortage of land for open storage purpose in Tong Yan San Tsuen, sympathetic consideration of the application is sought.
- (d) There will be minimal environmental, drainage and traffic impacts. The construction materials to be stored at the site are clean and non-polluting in nature. A number of environmental mitigation measures, including restrictions on operation hours, the carrying out of workshop activities and the use of medium and heavy good vehicles exceeding 5.5 tonnes and container tractor/trailer, are proposed. The applicant also undertakes to maintain the existing tree and provide drainage facilities and maintain all the drainage facilities on the Site at his own expense. The traffic generated by the development would be insignificant and the negligible increase in traffic would not aggravate the traffic condition of Kung Um Road and nearby road networks.

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. 31A) by posting a notice of the application outside the Site and sending the notice to the Shap Pat Heung Rural Committee by registered post. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

The Site is not subject to planning enforcement action.

5. Previous Applications

- 5.1 The Site was involved in four previous applications (No. A/YL-TYST/583, 691, 719 and 798) for temporary warehouse use, which were approved by the Rural and New Town Planning Committee (the Committee) of the Board for a period of 3 years on 20.4.2012, 22.8.2014, 27.3.2015 and 29.7.2016 respectively submitted by different applicants. Details of the applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.
- 5.2 Applications No. A/YL-TYST/583 and 691 for temporary warehouse for storage of construction materials and sanitary ware or furniture involving a slightly larger site were approved with conditions each for a period of 3 years by the Committee on 20.4.2012 and 22.8.2014 respectively mainly on the considerations that the development was not incompatible with the surrounding areas; and departmental concerns could be addressed by imposition of approval conditions. However, both planning permissions were revoked on 20.12.2013 and 22.8.2015 respectively due to non-compliance with approval conditions on the implementation of drainage proposal and submission and/or implementation of FSIs proposal.
- 5.3 Application No. A/YL-TYST/719 for temporary warehouse for storage of construction material, exhibition material and furniture covering a much larger site was approved with conditions for a period of 3 years by the Committee on 27.3.2015 mainly on similar consideration as those for applications No. A/YL-TYST/583 and 691. However, the planning permission was also revoked on 27.9.2016 due to non-compliance with approval conditions on the implementation of drainage and FSIs proposals.
- 5.4 The last application (No. A/YL-TYST/798) for the same applied use on the same Site was approved with conditions for a period of 3 years by the Committee on 29.7.2016 and approval conditions on implementation of drainage and FSIs proposals have yet to be complied with. The applicant has submitted s.16A application for extension of time (EOT) for compliance with planning conditions for nine times. A total of 29 months has been allowed for compliance with the conditions on the implementation of drainage and FSIs proposals¹. The planning permission is valid up to 29.7.2019.
- 5.5 Compared with the last application, the current application is submitted by a different applicant for the same warehouse use with almost the same site layout

¹ The time limit for planning conditions on implementation of drainage and FSIs proposal has been extended to 29.12.2018.

(with an additional site office) on the same site with similar development parameters.

6. Similar Applications

- 6.1 A total of 95 similar applications for various types of temporary warehouse with/without open storage and/or ancillary workshop/ site office uses in this part of the “U” zone had been considered by the Committee since the promulgation of TPB PG-No. 13E on 17.10.2008. Details of the applications are summarized in **Appendix III** and the locations of the sites are shown on **Plan A-1a**.
- 6.2 There are 93 approved applications for various types of temporary warehouse with or without open storage and/or ancillary workshop/ site office uses. They are approved mainly on similar considerations that the developments were not incompatible with the surrounding open storage/warehouse uses and the concerns of relevant government departments could be addressed by imposing approval conditions. However, amongst these approved applications, 31 were revoked due to non-compliance with approval conditions.
- 6.3 There are two applications (No. A/YL-TYST/478 and 922) rejected by the Board on review/the Committee on 22.10.2010 and 2.11.2018 respectively, mainly on the grounds, amongst others, that approval of application with repeated non-compliances would set an undesirable precedent.
- 6.4 For Members’ information, applications No. A/YL-TYST/927 and 928 both for temporary warehouse for storage of construction materials for a period of 3 years to the northwest and west of the Site within the same part of the “U” zone on the OZP will also be considered at this meeting (**Plan A-1a**).

7. The Site and Its Surrounding Areas (Plans A-1 and A-4b)

- 7.1 The Site is:
- (a) accessible via a local track leading from Kung Um Road to its east (**Plan A-3**);
 - (b) paved and occupied by temporary structures;
 - (c) currently occupied for the applied use with valid planning permission under application No. A/YL-TYST/798.
- 7.2 The surrounding areas have the following characteristics (**Plan A-2**):
- (a) intermixed with warehouses, open storage/storage yards, vehicle repair workshops, residential structures and some unused and fallow agricultural land;
 - (b) there are scattered residential structures in its vicinity with the nearest one located to its immediate northeast;

- (c) to its north, northeast, south and west are 6 warehouses and/or open storage yards operating with planning permissions under Applications No. A/YL-TYST/773, 796, 797, 833, 893 and 904; and
- (d) except for the warehouses and/or open storage yards operating under valid planning permissions, the other warehouses, open storage/storage yards and vehicle repair workshops in the vicinity are suspected unauthorised developments subject to enforcement action taken by the Planning Authority.

8. Planning Intention

The planning intention of the “U” zone is to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises. However, Kung Um Road is insufficient to cater for the heavy goods vehicular traffic generated from the proposed development. The area is therefore zoned “U” pending further detailed studies on the infrastructural impacts and the preparation of detailed layout plan.

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) Within the Site, Lots No. 1250, 1256, 1259, 1260, *and* 1261, ~~1267 (portion) and 1267 (portion)~~ in D.D. 119 are covered by Short Term Waivers (STWs) No. 4288, 4290, 4292, 4293, *and* 4294, ~~3584 and 3661~~ respectively permitting structures erected thereon for the purpose of *temporary warehouse for storage of construction material, exhibition material and furniture. Besides, Lot No. 1267 (portion) in D.D.119 is covered by STWs No. 3584 and 3661 permitting structures erected thereon for the purpose of temporary/permanent* warehouse for storage of construction materials and/or exhibition materials ~~and/or furniture~~ and/or sanitary ware.
- (c) The Site is accessible from Kung Um Road via government land (GL) *and private land*. Her office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site.
- (d) The Site does not fall within the Shek Kong Airfield Height Restriction Area.
- (e) Should planning approval be given to the application, the STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate. 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 her department 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 her department.

Traffic

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

- (a) No medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, should be allowed to park or enter/exit the Site.
- (b) The land status of the access road/path/track leading to the Site from Kung Um Road shall be checked with the lands authority.
- (c) The management and maintenance responsibilities of the access road/path/track shall be clarified and consulted with the relevant management and maintenance authorities accordingly.
- (d) 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.

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

Environment

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

- (a) There was no environmental complaint concerning the Site received in the past three years.
- (b) Should the planning application be approved, the applicant should be advised to follow the relevant mitigation measures and requirements in the "Code of Practice on Handling

Environmental Aspects of Temporary Uses and Open Storage Sites”.

Drainage

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

- (a) Based on the drainage proposal (**Drawing A-4**) enclosed in the application, apparently the applicant would implement the same drainage proposal under planning application No. A/YL-TYST/798.
- (b) In view of the above, he has no objection in principle to the applied development. Should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the implementation and maintenance of the accepted drainage proposal to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.

Water Supply

9.1.6 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

He has no objection to the application subject to the following comments:

- (i) For provision of water supply to the development, the applicant may need to extend his inside services to the nearest government water mains for connection.
- (ii) The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the installation, operation and maintenance of any sub-main within the private lots to the WSD's standards.

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) The submitted FSIs proposal (**Drawing A-5**) is considered acceptable to his department.
- (c) The installation/ maintenance/ modification/ repair work of FSIs shall be undertaken by a Registered Fire Services Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/ maintenance/ modification/ repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to his department.

- (d) In addition, the applicant is reminded that the F.S. Notes as stated in the FSIs proposal, in particular the item B2 in relation to the hose reel coverage, shall be strictly adhered to.

Building Matters

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

- (a) As there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) The applicant's attention is drawn to the following points:
 - (iii) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of his department, they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the application.
 - (iv) For UBW erected on leased land, enforcement action may be taken by his department to effect their removal in accordance with his department'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.
 - (v) 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 his department 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.
 - (vi) 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.
 - (vii) 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.

Others

9.1.9 Comments of the Chief Engineer/Cross-Boundary Infrastructure and Development, Planning Department (CE/CID, PlanD):

- (a) CEDD and PlanD jointly commissioned the “Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation” (the Study). According to the Recommended Outline Development Plan of YLS promulgated on 8.8.2017, the Site falls within the area zoned as “Residential - Zone 2 (Subsidised Sale Flats with Commercial)” (“R2(SSF)c”), “Amenity” (“A”) and an area shown as ‘Road’.
- (b) The objective of YLS is to transform the degraded rural land predominantly occupied by brownfield operations including open storage yards, warehouses and rural industrial uses into housing and other uses with supporting infrastructure and community facilities, and to improve the existing environment. It is noted that the application is for temporary use for a period of 3 years. In considering the application for temporary uses, due consideration should be given on the possible implication on land clearance which would affect the future implementation of YLS.

9.1.10 Comments of Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

- (a) He has no objection to the application.
- (b) However, the Site falls within the boundary of the proposed YLS Development which would provide land to meet the medium to long term housing needs of Hong Kong. While the detailed implementation programme with phasing and packaging of works for YLS Development is being formulated, the YLS Development project is now expected to be completed by 2038.

District Officer’s Comments

9.1.11 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

The local consultation was completed and his office has not received any comments from the village representatives in the vicinity regarding the application.

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

- (a) the Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Director of Electrical and Mechanical Services (DEMS); and
- (c) Commissioner of Police (C of P).

10. Public Comment Received During the Statutory Publication Period

On 16.10.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 6.11.2018, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The subject application is for temporary warehouse for storage of construction material and furniture at the Site zoned “U” on the OZP. The applied use is not in conflict with the planning intention of the “U” zone on the OZP which is generally intended for open storage use but is designated with this zoning mainly due to concerns of the capacity of Kung Um Road. In this regard, C for T has no adverse comment on the application. Whilst the Site falls within an area zoned “R2(SSF)c”, “A” and an area shown as ‘Road’ on the RODP of YLS promulgated on 8.8.2017, CE/CID of PlanD does not raise objection to the application and PM(W) of CEDD has no objection to the proposed temporary use for 3 years. Approval of the application on a temporary basis of 3 years would not jeopardise the long-term development of the area.
- 11.2 The subject “U” zone is mainly occupied by warehouses intermixed with open storage/ storage yards and vehicle repair workshops, and similar uses are found in the vicinity of the Site (**Plan A-2**). As such, the development is not incompatible with the surrounding uses in the subject “U” zone.
- 11.3 The Site is the subject of three previously revoked planning permissions (No. A/YL-TYST/583, 691 and 719) for almost the same warehouse use covering larger sites. The planning permissions were revoked due to non-compliance with approval conditions on the implementation of drainage proposal and submission and/or implementation of FSIs proposal. Although the Site is still covered by a valid planning permission (No. A/YL-TYST/798) approved on 29.7.2016 for 3 years up to 29.7.2019 by a different applicant for the same applied use on the same Site, the approval conditions on implementation of drainage and FSIs proposals have yet to be complied with. The applicant has submitted s.16A application for EOT for compliance with planning conditions for nine times. Noting that a total of 29 months has already been allowed for compliance with the conditions on the implementation of drainage and FSIs proposals and no further EOT would be allowed, unless the applicant could comply with the approval conditions of implementation of drainage and FSIs proposals by 29.12.2018, the planning permissions No. A/YL-TYST/798 will be revoked. The applicants of planning permissions No. A/YL-TYST/583, 691, 719 and 798 were unable/could not demonstrate sincerity to comply with the approval conditions regarding submission and/or implementation of drainage and FSIs proposals within the specified time limits repeatedly since the granting of the first planning approval at the Site (No. A/YL-TYST/583) in 2012. Whilst the applicant of the current application is different from those of the four previously approved applications, it is noted that the site condition and proposed layout of the Site under the current application are almost the same as those under the previous planning permissions. In view of the above, the applicant has not sincerely demonstrated that he will implement the said proposal if the application is approved. It is doubtful that the potential drainage impact and fire risk could be duly addressed by way of imposing approval conditions. Under such circumstances, the development could

cause adverse drainage and fire safety impacts on the surrounding areas. Approval of the application with repeated non-compliances with approval conditions would set an undesirable precedent for other similar applications, thus nullifying the statutory planning control mechanism.

- 11.4 Although 93 similar applications have been approved in this part of the “U” zone, there are also two applications rejected by the Board in October 2010 and September 2018 mainly on the grounds, amongst others, that approval of application with repeated non-compliances would set an undesirable precedent.
- 11.5 There is no public comment received on the application during the statutory publication period.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11, the Planning Department does not support the application for the following reason:

three previous planning permissions granted on the Site by the Board were revoked due to non-compliance of the approval conditions and the approval conditions requiring implementation of drainage and FSIs proposals under the last previous application are yet to be complied with since granting of planning permission by the Board. Approval of the application with repeated non-compliances with approval conditions would set an undesirable precedent for other similar applications, thus nullifying the statutory planning control mechanism.

- 12.2 Alternatively, 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 up to 7.12.2021 but with shorter compliance periods to monitor the fulfilment of the approval conditions. The following conditions of approval with shorter compliance periods and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no storage or handling (including loading and unloading) of used electrical appliances, computer/electronic parts (including cathode-ray tubes) or any other types of electronic waste, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no repairing, dismantling, spraying or any other workshop activities, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (e) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance is

- allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, 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 shall be maintained at all times during the planning approval period;
 - (h) all existing trees and landscape plantings within the Site shall be maintained at all times during the planning approval period;
 - (i) the implementation of the accepted drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 7.6.2019;
 - (j) in relation to (i) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
 - (k) the implementation of the accepted 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 7.6.2019;
 - (l) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h) or (j) 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
 - (m) if any of the above planning conditions (i) or (k) 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 at **Appendix IV**.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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 reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I

Application Form received on 8.10.2018

Appendix Ia	Supplementary Planning Statement
Appendix Ib	Supplementary Information received on 8.10.2018 confirming the name and the number of the related OZP and updating the executive summary and the plan showing the vehicular access leading to the Site
Appendix II	Previous Applications covering the Site
Appendix III	Similar Applications in this Part of the “U” Zone on the OZP since the Promulgation of TPB PG-No. 13E
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Plan showing the vehicular access leading to the Site
Drawing A-2	Proposed Layout Plan
Drawing A-3	Proposed Landscape and Tree Preservation Plan
Drawing A-4	Proposed Drainage Proposal
Drawing A-5	Proposed FSIs Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2018**