

**Previous s.16 Applications Covering the Application Site**

**Approved s.16 Application**

<b><u>s.16 Application No.</u></b>	<b><u>Proposed Use(s)/Development(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
A/TM-LTYYY/273	Proposed Residential Development (Flat)	17.10.2014 RNTPC	(1), (2), (3), (4), (5) & (6)

**Approval conditions**

- (1) The provision of vehicular access, parking and loading and unloading facilities.
- (2) The submission and implementation of detailed drainage proposal.
- (3) The provision of water supplies for firefighting and fire service installations.
- (4) The submission of detailed archaeological impact assessment and implementation of the mitigation measures.
- (5) The submission and implementation of tree preservation and landscape proposal.
- (6) The design of the boundary treatment and provision of measures to mitigate the visual impact along the boundary of the proposed development.

**Deferred s.16 Application**

<b><u>s.16 Application No.</u></b>	<b><u>Proposed Use(s)/Development(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
A/TM-LTYYY/381	Proposed Residential Development (Flat)	Deferred by RNTPC on 29.11.2019 pending legal advice was sought	-

**Rejected s.16 Applications**

<b><u>s.16 Application No.</u></b>	<b><u>Proposed Use(s)/Development(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Rejection Reasons</u></b>
A/DPA/TM-LTY Y/37	Godown and Open Storage	16.12.1994 RNTPC	(1) & (2)
A/DPA/TM-LTY Y/60	Proposed Warehouse	21.7.1995 RNTPC	(3), (4), (5), (6) & (7)
A/TM-LTY Y/103	Temporary Warehouse and Open Storage of Cloths for a Period of 3 Years	28.2.2003 TPB	(8), (9), (10), (11) & (12)
A/TM-LTY Y/203	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	30.7.2010 RNTPC	(13), (14), (15) & (16)
A/TM-LTY Y/242	Proposed Temporary Recyclable Collection Centre for Metal for a Period of 2 Years	11.1.2013 RNTPC	(13), (14), (15), (17), (18) & (19)

**Rejection Reasons**

- (1) The site coverage of 33% for the proposed development is excessive and no justification has been submitted for such excessive built-up area.
- (2) The existing local road in the area is narrow and is not suitable for the use of container vehicles.
- (3) The site coverage of 56.6% and the building height of 9 metres of the proposed development are excessive and no justification has been provided in the submission.
- (4) There is no information in the submission to demonstrate that the proposed development will not have significant adverse impact on the environment.
- (5) There is insufficient information in the submission on the provision of vehicular access to the site.
- (6) The existing access to the application site is not suitable for use by heavy goods vehicles.
- (7) The proposed warehouse can be accommodated in conventional flatted factory and godown premises and no justifications had been provided in the submission for the proposed use at the application site.
- (8) The development of a vehicle park for private cars was not in line with the planning intention of the "Green Belt" ("GB") zone which was to define the limits of urban development areas by natural features and to contain urban sprawl. There was no strong justification in the submission for a departure from such planning intention, even on a temporary basis.

- (9) There was insufficient information in the submission to demonstrate that the development, which involved site levelling, would not have adverse drainage impacts on the surrounding areas.
- (10) There was insufficient information in the submission to demonstrate that the proposed use would not have adverse landscape and visual impacts on the surrounding area.
- (11) There was insufficient information in the submission to demonstrate that the western part of the application site would be kept as a landscaped area within the development.
- (12) The approval of the application would set an undesirable precedent for other similar applications within the "GB" zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- (13) The development was not in line with the planning intention of the "Residential (Group E)" ("R(E)") zone which was intended for phasing out of existing industrial uses through redevelopment for residential use. No strong planning justification had been given in the submission to justify a departure from the planning intention, even on a temporary basis.
- (14) The proposed development was not compatible with the general rural character of the surrounding areas, in particular the residential and agricultural uses to the northwest, northeast and southwest of the site.
- (15) The application did not comply with the Town Planning Board Guidelines No. 13E for 'Application for Open Storage and Port Back-up Uses' in that there was no exceptional circumstances to justify the approval of the application in Category 4 areas. No previous planning approval for the site had been granted. The applicant failed to demonstrate that the proposed development would not have adverse environmental and drainage impacts on the surrounding areas.
- (16) The approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the "R(E)" zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- (17) The application did not comply with the Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) in that there was a general presumption against development within "GB" zone and there were no exceptional circumstances that warrants approval of the application.
- (18) The applicant failed to demonstrate that the proposed development would not generate adverse environmental, traffic, drainage and landscape impacts on the surrounding areas.
- (19) The approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the "R(E)" and "GB" zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.