

Planning Justification

規劃理由

Justifications

- i. Follow the planning permission granted in November 2024 (ref. no. A/YL-KTN/1021), the applicant intended to continue to use the site as Temporary Open Storage of Construction Materials with ancillary office and metal scaffold display. The operation period and the opening hours have not changed, i.e., 3 years and Mon to Sat; 8:00am to 6:00pm; Sun and public holidays, closed; respectively.
- ii. The applicant has made every effort to comply with the conditions of the planning approval, including:
 - a. the submission of an updated condition record of the existing drainage facilities;
 - b. maintained the drainage facilities on site in good condition all the times; and
 - c. the provision of fire extinguisher(s) with valid fire certificate.

The applicant has also submitted a revised Fire Service Installations (FSI) proposal, which has subsequently been approved by the Fire Services Department (FSD) (please refer to Appendix A)

Pursuant to the approved FSI proposal, the applicant engaged a fire services consultant/contractor to carry out the required installation work. All approved fire services installations required for the Subject Site have been completed, except for the main water connection.

The water connection works are to be carried out by the Water Supplies Department (WSD). However, WSD has advised that written consent from the authorized representative(s)/manager(s) of the relevant Tso/Tong must first be obtained before the works can proceed.

As administrative procedures are required to update the authorized name under the New Territories Ordinance (Cap. 97) following the court ruling on the delegated managers of the Tso/Tong in April/May 2026, the applicant is unable to comply with the relevant planning conditions within the agreed timeframe, i.e. by August 2026.

Under these circumstances, the applicant is submitting a fresh application to cover the period required for updating the authorized representative(s)' details, as well as the period required for WSD to complete the water connection after the necessary written consent has been obtained. Upon completion of the water connection works, a final inspection by the FSD will be arranged for the issuance of the relevant approval.

- iii. The Subject Site falls adjacent to Fung Kat Heung and suits next to San Tam Road. Currently, as the necessity of the construction material (mainly metal scaffold) is not high in the market, the number of vehicle trips to and from the Site is very rare. It is approximately 2-4 nos. of private car/van per day, mainly for transportation of site staff; and one (1) to two (2) round trip(s) on average per week for transporting the construction materials to and from the Site by lorry with crane (5.5 tonne < gross vehicle weight ≤ 38 tonne); hence it will not cause significant traffic impact to the vicinity.
- iv. A series of 2.5m - 3.0m high aluminum sheets have been installed along the periphery of the Site to minimize the potential environmental and aesthetic impacts to the surrounding areas. Apart from the above, the recommended mitigation measures as stated in the **Code of Practice on Handling the Environmental Aspects of Temporary Uses and Opens Storage Sites** would be proposed to implement on the Site.
- v. Even though the coverage of the Subject Site has been increased, however the drainage system including the periphery channels, catch pits and sump pits which installed to dissipate the

- wastewater and storm water accrued from site in accordance with the approved drainage proposal in the previous planning permission has no change since the surface runoff from the extended portion has been directly ran into the adjacent nullah. Apart from that, regular cleaning of the drainage system and the adjacent nullah would be conducted regularly.
- vi. No workshop related activities would be conducted on the Subject Site. A metal scaffold has been displayed at top of the covered private car parking area as demo for the renters.
 - vii. Existing and the planting trees (Chinese Banyans) have been found and planted around the Site and maintained in good condition all the times to improve the aesthetic impact to the vicinity.
 - viii. 400kV overhead lines (OHL) have been running adjacent to the Subject Site; however, the vertical clearance between the top of the highest structure on the Site and the lowest point of the OHL conductors is approx. 12.5m. Therefore, the Site operation will not pertain to the electricity supply safety and reliability. Also, the site operator will remind to keep a safety clearance of 5.5m from the OHL conductors in all directions.
 - ix. No hoist or crane will be operated or erected within the Subject Site, and no scaffolding will be erected within 9 m of the conductors of the 400 kV overhead line (OHL). Although the transmission towers are fenced off, should any works be required within this zone, the site operator shall consult CLP Power Hong Kong Limited (CLP Power) regarding the necessary safety precautions prior to commencement of the works. Similarly, should CLP Power require access to carry out any work within the Subject Site, the site operator shall provide the necessary assistance
 - x. The site operator will also follow the regulations as mentioned in the **Electricity Supply Lines (Protection) Regulation** and the **“Code of Practice on Working near Electricity Supply Lines”** in the day-to-day operation.
 - xi. High pressure town gas pipeline have been running along San Tam Road, which adjacent to the Subject Site, therefore the site operator should maintain liaison/coordination with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipeline/gas installations in the vicinity of the proposed works area and the minimum set back distance away from the gas pipeline if any excavation works is required. Also, the requirements of the Electric and Mechanical Services Department’s **“Code of Practice on Avoiding Danger from Gas Pipes”** would be fully followed with.
 - xii. Besides, according to the information from the nearby villagers – after the proposed development at the Site has been set up, the overall environment such as the hygiene condition, the cleanliness of the nullah has a great improvement.
 - xiii. With the above proposed measures and information, it could be concluded that the Site is suitable to use as Temporary Open Storage of Construction Materials with ancillary office and metal scaffold display since the nuisance to the vicinity has been minimal.

理由

- i. 根據2024年11月獲批的規劃許可(參考編號：A/YL-KTN/1021)，申請人希望繼續將主題地點用作臨時露天存放建築材料之用，並連附屬寫字樓及金屬支架示範。而營業期和營業時間不變，分別為三年和星期一至星期六；早上八時至下午六時；星期日及公眾假期則休息。
- ii. 申請人已盡一切努力遵守規劃許可附帶條件，包括：
 - a. 提交現有排水設施狀況的更新記錄；
 - b. 時刻妥善保養及維持場地內的排水設施於良好狀況；以及
 - c. 提供持有有效消防證書的滅火筒。

申請人亦已提交經修訂的消防裝置 (Fire Service Installations, FSI) 建議書，並已獲消防處 (FSD) 批准 (請參閱附錄 A)。

根據已獲批准的消防裝置建議書，申請人已委聘消防顧問 / 承辦商進行所需的安裝工程。除主要供水接駁外，所有涉及申請地點的已批准消防裝置均已完成安裝。

有關供水接駁工程須由水務署 (WSD) 負責進行。然而，水務署表示，在工程展開前，必須先取得相關祖 / 堂的獲授權代表 / 司理的書面同意。

由於在 2026 年 4 月 / 5 月有關祖 / 堂司理授權事宜的法院裁決後，須根據《新界條例》(第 97 章) 完成更新獲授權人士名稱的行政程序，因此申請人未能於協定時限內(即 2026 年 8 月前)符合相關規劃許可條件。

在此情況下，申請人現提交新的規劃申請，以涵蓋更新獲授權代表資料所需的時間，以及在取得所需書面同意後由水務署完成供水接駁工程所需的時間。待供水接駁工程完成後，將安排消防處進行最終檢查，以取得相關批准。

- iii. 主題地點位於逢吉鄉；鄰近新潭路。由於現時市場需求建築材料(主要金屬支架)不太，每日出入主題地點車輛的數目亦不多(主要是私家車或小型貨車作為員工上下班之用、約貳至肆架次)。至於運送建築材料，會採用有伸縮吊臂的中型貨車(車輛總重為 5.5 噸至 38 噸)；每周約有一至兩次來回運送建築材料，所以；不會對交通做成影響。
- iv. 在申請範圍四周安上約 2.5 米至 3.0 米高的鋁質坑板以作消減對環境和美化主題地點外觀之用。令外，亦會根據指引 **Code of Practice on Handling the Environmental Aspects of Temporary Uses and Opens Storage Sites** 在場內加裝合適的消減設施來減低對環境的影響。
- v. 儘管主題地點的覆蓋範圍有所擴大，但根據獲批方案安裝的渠道設施包括周邊渠道、集水坑和收水井就沒有改變。因為延伸部分所產生的水會直接流進相鄰的明渠。另外，會定期作出清理來維持暢通；而現存及種植的樹木亦會繼續保養；以改善去水和對周圍環境的影響。
- vi. 在主題地點上沒有任何與工場有關的工作。一個金屬支架展示於有蓋私家車停車處的頂部，作為示範給租客。

- vii. 400kV 架空電纜（OHL）已經在主題地點附近運行；然而現場最高結構的頂部與架空電纜導體的最低點之間的垂直間隙大約是 12.5 米。因此，現場操作將不涉及電力供應的安全性和可靠性。此外，會提醒現場工作的人，要與架空電纜導體保持 5.5 米的安全距離。
- viii. 在主題地點內不得操作或建造起重機，且任何時候都不得在距離 400kV 架空電纜導體 9 米範圍內放置任何棚架。雖然 400kV 的架空電纜塔已用鐵絲網圍封，但若果工程需要在這範圍內進行，工地經營者須在工程展開前就安全措施諮詢中華電力（CLPP）。或者，如果中華電力的任何工程需要在主題地點內進行，則工地經營者將會提供幫助。
- ix. 工地經營者亦會按照供電電纜（保護）規例及電力供應線附近工作守則的規定進行日常運作。
- x. 煤氣管道沿鄰近主題地點的新潭路鋪設，因此，工地經營者應就現有或計劃的煤氣管道鋪設的位置，與中華煤氣有限公司保持聯絡/協調，以及如有需要進行挖掘工程，須將距離輸氣管道保持一段距離。此外，機電工程署的「防止氣體管道危險的實務守則」內的要求亦會全面貫徹。
- xi. 此外，根據鄰近村民的資料，發展主題地點後，整體環境；包括衛生、河道清潔度都有極大的改善。
- xii. 集合以上各點得出，主題地點是適合作為臨時露天存放建築材料連附屬寫字樓及金屬支架示範之用。