

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/NE-KTS/492**

- Applicant** : Double Happiness Hobby Farm represented by R-riches Property Consultants Limited
- Site** : Lots 3335 S.AW, 3335 S.AX, 3335 S.AY ss.1, 3335 S.AZ ss.1, 3335 S.BG ss.1 (Part), 3335 S.BH ss.1 (Part), 3335 S.BI ss.1 (Part), 3335 S.BJ ss.1 (Part), 3335 S.BJ RP (Part), 3335 S.BM ss.1, 3335 S.BM ss.2, 3335 S.BM ss.3 and 3335 S.BM ss.4 in D.D. 91, Lin Tong Mei, Kwu Tung South, New Territories
- Site Area** : About 1,869m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plans** : Draft Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/17 (currently in force)  
Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/16 (at the time of submission)
- Zonings** : “Village Type Development Area” (“V”) (about 57% of the Site)  
“Green Belt” (“GB”) (about 43% of the Site)  
[Same zonings on the two OZPs]
- Application** : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed temporary place of recreation, sports or culture (hobby farm) for a period of 5 years and filling of land. The Site falls within an area partly zoned “V” (about 57%) and partly zoned “GB” (about 43%) on the draft Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/17 (**Plan A-1**). ‘Place of Recreation, Sports or Culture’ use is a Column 2 use within “V” and “GB” zones which require permission from the Town Planning Board (the Board). Any filling of land within the “GB” zone also requires permission from the Board. The Site is currently vacant, partly paved and

partly covered by vegetation.

- 1.2 According to the applicant, the proposed development comprises 3 single-storey structures (each of 54m<sup>2</sup> and 4.2m high) with a total floor area of about 162m<sup>2</sup> for reception, site office, changing room, storage of farm tools and plant nursery. The total farming area is about 982m<sup>2</sup> (52% of the Site). The proposed development will involve filling of land (not more than a depth of 0.2m) of about 593m<sup>2</sup> (about 32% of the Site) with concrete for the proposed structures and manoeuvring space of vehicle. The remaining areas are a strip of soil land surrounding the Site (about 242m<sup>2</sup>, 13% of the Site) and a landscaping area (about 52m<sup>2</sup>, 3% of the Site). Septic tank will be provided. The layout plan and paved ratio plan are at **Drawings A-1 and A-2**.
- 1.3 The Site is accessible from Fan Kam Road via a local track. An ingress/egress is proposed at the eastern tip of the Site (**Drawing A-1 and Plan A-2a**). 4 private car parking spaces and 1 loading/unloading space for light goods vehicles will be provided. The operation hours are from 9:00 a.m. to 6:00 p.m. daily. Visitors are required to make appointment to the Site and to reserve parking space. The estimated maximum number of visitors per day are 8 on weekdays and 22 on weekends. The estimated number of staff is 5. No loudspeaker, audio amplifier and public announcement system will be used at the Site. No medium or heavy goods vehicles exceeding 5.5 tonnes will be allowed to enter/exist the Site.
- 1.4 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with Plans received on 9.11.2020 (**Appendix I**)
  - (b) Further Information (FI) of 12.1.2021<sup>#</sup> (**Appendix Ia**)<sup>#</sup> exempted from publication
- 1.5 On 8.1.2021, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application as requested by the applicant to allow time for preparation of FI to address departmental comments. On 12.1.2021, the applicant submitted FI, and the application is scheduled for consideration by the Committee at this meeting.

## 2. **Justifications from the applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I** and the FI at **Appendix Ia**. They are summarized as follows:

- (a) As demand for recreational farming is growing recently, the applicant seeks to operate a hobby farm business to promote sustainable and organic farming in Hong Kong. Type of crops will be grown at the Site include fruit and vegetables. Crops are free to be taken away by visitor.
- (b) The proposed temporary development will not frustrate the planning intention of “V”

and “GB” zones. The proposed farming activity is similar to the always permitted agricultural use.

- (c) As the heavy loading of structures and vehicles would compact and weaken the existing soil ground, concrete site formation is required for these areas to stabilise the ground and prevent erosion from surface runoff.
- (d) The four private car parking spaces are for visitor only. The loading/unloading space for light goods vehicles is for the use of staff to transport goods, i.e. seeds, farm tools etc, to the Site. Sufficient space is provided for manoeuvring of vehicles within the Site. Staff will monitor the traffic condition at the ingress/egress and direct incoming/exiting vehicles. No vehicle is allowed to queue back to or reverse onto/from the Site to the public road. The proposed development will not create significantly adverse traffic, environmental, landscape and drainage impacts to the surrounding areas.
- (e) The applicant will strictly follow the Professional Persons Environmental Consultative Committee Practice Notes for sewage treatment, and the ‘Code of Practice on Handling the Environmental Aspects of Temporary Use and Open Storage Sites’ by the Environmental Protection Department (EPD) to minimize all possible environmental impacts on the nearby sensitive receivers.

### **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not the “current land owner” of the Site 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 site notice and sending notice to Sheung Shui District Rural Committee (SSDRC) by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Town Planning Board Guidelines**

The Site falls within the “GB” zone. 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) are relevant to this application. The relevant assessment criteria are summarized as follows:

- (a) There is a general presumption against development (other than redevelopment) in a “GB” zone.
- (b) An application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding

areas.

- (c) Passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration.
- (d) The design and layout of any proposed development should be compatible with the surrounding areas. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment.
- (e) The vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided.
- (f) The proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area.

## **5. Background**

The Site is currently not subject to any active enforcement action.

## **6. Previous Application**

There is no previous application for the Site.

## **7. Similar Application**

There is no similar application within the same “V” and “GB” zones on the OZP.

## **8. The Site and Its Surrounding Areas (Plans A-1 and A-2a, aerial photo on Plan A-3 and site photo on Plan A-4)**

8.1 The Site is:

- (a) generally flat, abutting a local track to the south and covering a section of local track at its southwest corner;
- (b) mostly hard paved and vacant with trees and a structure in the eastern portion, and covered by vegetation in the western portion; and
- (c) accessible from Fan Kam Road via a local track.

8.2 The surrounding area is predominantly rural in nature mainly with village houses, fallow agricultural land and open storages:

- (a) to the north are open storages, village houses, domestic structures and unused land;
- (b) to the south and southwest across a local track are plant nursery, fallow agricultural land and a water course; and
- (c) to the west and northwest are village houses, domestic structures, open storage, warehouse, car parking and unused land.

## **9. Planning Intention**

- 9.1 The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- 9.2 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

## **10. Comments from Relevant Government Departments**

- 10.1 The following Government departments have been consulted and their views on the application and public comments are summarised as follows:

### **Land Administration**

- 10.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) the Site comprises private lots. The lots are Old Schedule lots held under Block Government Lease (demised for agricultural use) without any guarantee of right of access. The applicant should make his own arrangement for acquiring access to the Site. The Government shall accept no responsibility in such arrangement and there is no guarantee

that any adjoining Government land will be allowed for vehicular access to the Site for the proposed use;

- (b) the development scheme indicated that 3 temporary structures will be erected within the Site. Any erection of the structures on the lots requires prior approval of his office;
- (c) the proposed filling of land for the proposed use is not in breach of the Leases concerned. Yet, the applicant should ensure that prior consent from the relevant authorities should be sought before the said work is carried out;
- (d) portion of the Site (i.e. the western portion) falls within the village 'Environ' ('VE') of Lin Tong Mei (**Plan A-2a**);
- (e) no Small House application is received by his office for the portion of the Site within the 'VE'. His office has no comment on the application from Small House Policy perspective;
- (f) if the planning application is approved, the owners of the lots concerned shall apply to his office for a short Term Waiver (STW) and/or Letter of Approval (LoA) covering all the actual occupation area and structures. The application for STW and/or LoA will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW and/or LoA is approved, its commencement date would be backdated to the first date of occupation and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fee as considered appropriate by his office; and
- (g) regarding the public comment (**Appendix II-3**) which indicates that the relevant lot owner has raised objection to the application given his alleged right-of-way (ROW) on portion of the Site has been blocked and obstructed. ROW on private land portion is generally some sort of private agreement between the relevant lot owners. His office is not in a position to offer comment. It appears to be a matter of the land dispute over the ROW issue in this case. The lot owner concerned should seek his own legal advice to resolve the issue.

### **Traffic**

#### 10.1.2 Comments of the Commissioner for Transport (C for T):

- (a) he considers the proposal tolerable from traffic engineering point of view; and
- (b) the vehicular access between the site and Fan Kam Road is not managed

by his department. The applicant should seek comment from responsible party.

10.1.3 Comments of the Chief Highways Engineer/ New Territories East, Highways Department (CHE/NTE, HyD):

he has no comment on the application. The access road branching from Fan Kam Road to the Site is not maintained by his department.

**Environment**

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

- (a) provided that the applicant would minimize any environmental nuisance to nearby sensitive receivers, he has no objection to the application from environmental planning perspective. He trusts that condition would be imposed requiring that no public announcement system, portable loudspeaker or any form of audio amplification system, as proposed by the applicant, is allowed to be used on the Site;
- (b) adequate supporting infrastructure/facilities should be provided for proper collection, treatment and disposal of waste/ wastewater generated from the proposed use. Since there is no available public sewerage in the vicinity, the design and construction of septic tank and soakaway (STS) system shall follow the requirements of EPD's Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department". In particular minimum clearance distance between the STS and the nearby watercourse should be provided to protect the water bodies;
- (c) the applicant is advised to follow the relevant mitigation measures and requirements in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" (CoP) to minimize any potential environmental nuisance;
- (d) in the process of land filling, the applicant is reminded that the land should not be filled with construction waste and it is the applicant's responsibility to comply with all relevant environmental legislations during construction and operation of the project. The applicant is also advised to follow the Recommended Pollution Control Clauses for Construction Contracts to minimize the environmental impacts during the construction stage, particularly noting there is a water course 5m away from the site; and
- (e) there is no environmental complaint against the Site received by DEP in the past three years.

### **Landscape**

#### 10.1.5 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) the Site is located in an area of rural landscape characters comprising of mainly temporary structures, car parks, densely vegetated woodland at the further east and further southeast and village houses within “V” zone at the west. The proposed development is considered not entirely incompatible with the landscape character of the surrounding areas;
- (b) with reference to his site visit conducted on 26.11.2020 and aerial photos of 2007 to 2019, vegetation at the north-western part of the Site (within “V” zone) was entirely cleared in 2019 and site formation works was commenced. The eastern part of the Site within “GB” zone was hard paved for unauthorised car park use since 2016 and Enforcement Notice was issued in 2019. The landscape character of the Site was apparently changed;
- (c) based on his site visit, approximate 15 nos. of existing trees which are of common species are found mainly in the southern part of the Site. According to the layout plan (**Drawing A-1**), the proposed filling of land and the farmland near the ingress/egress will be in conflict with some of the existing trees at the south-eastern part of the Site. However, no information of the existing landscape resources within the Site and proposed landscape treatment is provided in the planning statement. Potential impact on the existing landscape resources within the Site cannot be ascertained;
- (d) having considered the proposed development would not substantially change the existing landscape character of the area and the existing trees within the Site are common species, he has no objection to the application from the landscape planning perspective. In view that there are existing trees which act as landscape buffer along the boundary outside the Site, it is considered not necessary to impose a landscape condition, should the application be approved; and
- (e) the applicant is reminded that approval of the planning application under the Town Planning Ordinance does not imply approval of tree preservation/removal scheme under the Lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate.

### **Drainage**

#### 10.1.6 Comments of the Chief Engineer/Mainland North, Drainage Services



Department (CE/MN, DSD):

- (a) he has no objection in principle to the application subject to satisfactory compliance of the approval conditions requiring submission and implementation of drainage proposal. Besides, should the application be approved by the Board, the land filling works should not be commenced before the drainage proposal is agreed. Temporary drainage measures should also be proposed and implemented during the land filling works;
- (b) the Site is close to flood prone area at Fan Kam Road with no readily available drainage system according to his department's record, the applicant shall provide details regarding the drainage system and the proper drainage discharge point, which have adequate drainage capacity, available for the Site; and
- (c) filling of land could change the formation level and may block the existing drainage path and increase the risk of flooding, the applicant should provide adequate intercepting drains to convey the surface rain water from the adjacent land.

### **Building Matters**

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

his advisory comments on new proposed buildings are at **Appendix III**.

### **Nature Conservation**

10.1.8 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) according to the aerial photo, the part of the Site that falls within "GB" zone has been paved for some time and the rest of the Site is partly bare with scarce vegetation cover. A watercourse is located to the south of the Site. He has no adverse comment on the application from nature conservation point of view; and
- (b) he advises the applicant to avoid adverse impact to the watercourse in construction and operation phase should the application be approved.

### **Fire Safety**

10.1.9 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 applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. His detailed advisory comments are at **Appendix III**; and
- (c) the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

#### **District Officer's Comments**

10.1.10 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

- (a) he has consulted the locals from 25.11.2020 to 9.12.2020; and
- (b) the Chairman of SSDRC, the Indigenous Inhabitant Representative (IIR) and the Resident Representative (RR) of Lin Tong Mei have no comment. The North District Council (NDC) member of the subject constituency supports the proposal.

10.2 The following Government departments have no comment on/no objection to the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C,WSD) (his advisory comments at **Appendix III**);
- (b) Commissioner of Police (C of P); and
- (c) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD).

### **11. Public Comments Received During Statutory Publication Period**

11.1 On 17.11.2020, the application was published for public inspection. During the three-week statutory publication period, a total of 9 public comments were received. Of which, seven object to the application (**Appendix II-1 to II-7**). Another one (**Appendix II-8**) submitted by Kadoorie Farm & Botanic Garden Corporation provides comments in that the Enforcement Notice has not been complied with<sup>1</sup> and urged the Board to investigate the site history and the landscape change at the “GB” portion of the Site. The remaining one (**Appendix II-9**) submitted by an individual indicates no comment on the application.

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<sup>1</sup> The Enforcement Notice was issued on 23.7.2019 covering part of the Site within the “GB” zone against the use for place for parking of vehicles. Subsequently, the unauthorised use was discontinued and a Compliance Notice was issued on 10.11.2020. There is currently no active enforcement action on the Site.

11.2 Seven objecting comments are from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, a law firm representing the land owner of some lots to the immediate north, ex-IIR of Lin Tong Mei Village, villagers of Lin Tong Mei Village and individuals. Main grounds of objection are:

- (a) There is a general presumption against development within “GB” zone. The proposed temporary development will change the use of “GB” zone and destroy agricultural land and ecology. Hobby farm or land filling usually becomes car park or other uses irrelevant to agricultural use.
- (b) Vegetation clearance and site formation in the Site were found in early 2000s and subsequently changed the land use to open storage and vehicle parks. Approval of the application would encourage “destroy first, development later” practice, further legitimise the unauthorized use and set an undesirable precedent, and lead to general degradation of the natural environment of the area.
- (c) The one-way local track to the area is narrow. The proposed temporary development will increase traffic flow and visitors resulting in congested traffic and pedestrian-vehicle conflict and will affect pedestrian safety.
- (d) The proposed development would cause adverse impact on noise, sewerage, environment, hygiene and feng shui. Construction works and land filling would impose risks to health and safety to adjoining residents and properties.
- (e) The previous land owner reserved an “access road” in 1973 (**Plan A-2b**) for use of nearby owners/residents, and registered in the Land Registry. A portion of it falls within the Site. The owners/occupants of the Site have blocked and obstructed the “access road” which provides access to nearby lots. Approval of the application will deprive other’s ROW and reinforce the obstruction activities.

## **12. Planning Considerations and Assessments**

12.1 The application is for proposed temporary place of recreation, sports or culture (hobby farm) for a period of 5 years and filling of land. The Site falls within an area partly zoned “V” (about 57%) and partly zoned “GB” (about 43%). The proposed use is a Column 2 use within “V” and “GB” zones. The planning intention of “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion and land within this zone is primarily intended for development of Small Houses by indigenous villagers, while the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. DLO/N, LandsD has no adverse comment on the application and advises that no Small House application at the Site has been received by his office. DAFC has no

adverse comment on the application from nature conservation point of view. The proposed hobby farm and filling of land to provide recreational outlet is considered not entirely in conflict with the planning intention of the “GB” zone. Approval of the application on a temporary basis would not frustrate and jeopardise the long-term planning intention of the “GB” and “V” zones.

- 12.2 According to the applicant, the proposed development comprises 3 single-storey (4.2m high) structures (total floor area of 162m<sup>2</sup>) for reception, site office, changing room, storage of farm tools and plant nursery, with 4 private car parking spaces and 1 loading/unloading space. The total agriculture related area (farming area plus plant nursery) is about 1,036m<sup>2</sup> (55% of the Site). The proposed land filling involves an area of about 593m<sup>2</sup> (about 32% of the Site) for building the structures and manoeuvring space of vehicle. In terms of scale and intensity, the proposed development is not entirely incompatible with the surrounding areas which are predominantly rural in nature mainly with village houses, domestic structures, plant nursery, fallow agricultural land and open storages. CTP/UD&L, PlanD has no objection to the application as the proposed development would not substantially change the existing landscape character of the area and the existing trees within the Site are common species. The proposed development would not cause adverse impact on visual and natural landscape features.
- 12.3 According to the applicant, septic tank will be provided and loudspeaker, audio amplifier and public announcement system will not be used at the Site. Only light goods vehicle will be used. The proposed hobby farm would unlikely cause significantly adverse environmental, traffic and drainage impacts to the surroundings. Relevant departments consulted including DEP, C for T, CE/MN, DSD and D of FS have no adverse comment on the application. In view of the above, it is considered that the temporary use does not contravene the TPB PG-No. 10. To minimize any possible environmental nuisance, approval conditions restricting the operation hours, prohibiting the use of public announcement system are recommended in paragraph 13.2 below. The applicant will also be advised to adopt the environmental mitigation measures and requirements in the revised COP and the Recommended Pollution Control Clauses for Construction Contracts. The technical requirements suggested by CE/MN, DSD and D of FS are recommended in paragraph 13.2 below. For the conditions in relation to drainage facilities, in view of DSD’s concern on possible drainage impact from land filling works, shorter compliance periods are recommended to closely monitor the progress of compliance of the approval conditions.
- 12.4 The Site does not involve any previous application. There is no similar application in the same “V” and “GB” zones.
- 12.5 There are local views conveyed by DO(N) and 9 public comments received during the statutory publication period as stated in paragraph 10.1.10 and 11, with both supportive and objecting comments. The departmental comments and planning considerations and assessments above are relevant. For the ROW issue, relevant advisory clause has been incorporated in **Appendix III** to remind the applicant to

resolve the issue with concerned persons.

### **13. Planning Department's Views**

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the local views and public comments mentioned in paragraphs 10.1.10 and 11, the Planning Department has no objection to the proposed temporary place of recreation, sports or culture (hobby farm) for a period of 5 years and filling of land.
- 13.2 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 5 years until 12.3.2026. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval Conditions

- (a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system, as proposed by the applicant, is allowed to be used on the Site at any time during the planning approval period;
- (c) no medium or heavy vehicles exceeding 5.5 tones, including container tractor/trailer, as proposed by the applicant, is allowed to enter/exit the Site at any time during the planning approval period;
- (d) the submission of proposal for fire service installations 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 12.9.2021;
- (e) in relation to (d) above, the implementation of proposal for fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.12.2021;
- (f) the submission of drainage proposal within 3 months from the date of Planning Department approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 12.6.2021;
- (g) in relation to (f) above, the implementation of 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 12.9.2021;

- (h) if any of the above planning condition (a), (b) or (c) 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
- (i) if any of the above planning condition (d), (e), (f) or (g) 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 attached at **Appendix III**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed development is not in line with the planning intention of the "Green Belt" zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets and there is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

### **14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

### **15. Attachments**

<b>Appendix I</b>	Application Form with Plans received on 9.11.2020
<b>Appendix Ia</b>	FI of 12.1.2021
<b>Appendices II-1 to II-9</b>	Public Comments
<b>Appendix III</b>	Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Paved Ratio Plan
<b>Plan A-1</b>	Location Plan
<b>Plans A-2a and A-2b</b>	Site Plans

**Plan A-3**

Aerial Photo

**Plan A-4**

Site Photo

**PLANNING DEPARTMENT  
MARCH 2021**