

RNTPC Paper No. A/YL-KTN/790
For Consideration by
the Rural and New Town
Planning Committee
on 12.11.2021

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/790

- Applicant** : Grand Access Inc Limited represented by Ever United Planning and Development Limited
- Site** : Lots 1640 (Part), 1644 (Part), 1645 S.A, 1645 S.A, 1645 RP (Part), 1646 (Part), 1647, 1648, 1672 (Part), 1674 (Part), 1675 (Part), 1676 (Part), 1680 (Part), 1682, 1683 (Part), 1684 (Part), 1685, 1687, 1688, 1689, 1690 (Part), 1691 (Part), 1692 (part), 1695 RP (Part), 1696 (Part), 1697 (Part), 1698 (Part), 1701, 1702, 1703 S.A, 1703 S.B, 1703 RP, 1704, 1705, 1706, 1707, 1709, 1710, 1711, 1713 (Part), 1714 (Part) in D.D.107 and Adjoining Government Land, Fung Kat Heung, Yuen Long, New Territories
- Site Area** : About 14,340m² (including about 705m² of Government land (about 4.92%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Open Storage of Brand New Unlicensed Vehicles (Private Cars and Light Goods Vehicles) 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 open storage of brand new unlicensed vehicles (private cars and light goods vehicles) for a period of 3 years. The Site falls within an area zoned “AGR” on the Kam Tin North OZP (**Plan A-1a**). The applied use is neither a Column 1 nor Column 2 use in the “AGR” zone. According to the covering Notes of the OZP, temporary use not exceeding a period of 3 years requires planning permission from the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. The Site is currently hard-paved and used for parking of vehicles and storage use without planning permission (**Plans A-2, A4a and A-4b**).

- 1.2 The Site is involved in 4 previous applications (No. A/YL-KTN/397, 523, 688 and 689) for various temporary uses. The last two applications (No. A/YL-KTN/688 and 689) for proposed temporary shop and services (for retail of construction materials / sale of truck mounted crane and miniature excavator) submitted by the same applicant as the current application, were both approved with conditions by the Rural and New Town Planning Committee (the Committee) in January 2021 and their planning permissions are valid until 8.1.2024. As the applicant intends to use the Site for the applied use, a fresh planning application is necessary.
- 1.3 According to the applicant, the development is intended for storage of vehicles (private cars and light goods vehicles) prior to obtaining of vehicle licenses. The estimated number of unlicensed vehicles that will be stored at the Site is about 350 to 400 vehicles. The Site is accessible from San Tam Road via a local track. The vehicles will be driven in and out the Site with temporary licenses for storage at three open storage areas within the Site. No sales activities will be carried out at the Site, and no medium/heavy goods vehicles or container tractors will be involved. There are no structure and parking space provided at the Site. The operation hours will be 9:00 a.m. to 5:00 p.m. from Mondays to Saturdays. There is no operation on Sundays and public holidays. The site layout plan submitted by the applicant is at **Drawing A-1**.
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application form with supplementary planning (**Appendix I**) statement received on 14.9.2021
 - (b) Further Information (FI) dated 5.11.2021 in response to (**Appendix Ia**) departmental comments
[exempted from publication requirement]

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the application form, supplementary planning statement and FI in **Appendices I and Ia**. They can be summarized as follows:

- (a) The applied use is temporary in nature and would not jeopardize the long-term planning intention of the “AGR” zone.
- (b) The Site is situated within Category 2 areas under TPB PG-No. 13F, which is considered comparatively suitable for open storage and port back-up uses.
- (c) Compared to the two previous planning permissions (No. A/YL-KTN/688 and 689), the applied use, which is for storage of brand new unlicensed vehicles

without retailing services involved, is more static and compatible with the surrounding environment.

- (d) The development will not result in adverse traffic, environmental, drainage and landscape impacts on the surrounding area. The applicant will provide a number of environmental mitigation measures to minimize the impacts to the surrounding area and commits to fulfill all approval conditions to be imposed by the Board.

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

The applicant is not a “current land owner” but has complied with the requirement 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 notice and publishing a notice of the application once in two Chinese and one English local newspapers. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13F) promulgated by the Board on 27.3.2020 are relevant to the application. The Site falls within the Category 2 areas under TPB PG-No. 13F. The relevant extract of the Guidelines is attached at **Appendix II**.

5. Background

Part of the Site is currently covered by two valid planning permissions. Follow-up investigation will be taken by the Planning Authority upon expiry of the planning permissions if the current planning application is not approved by the Board.

6. Previous Applications

- 6.1 Part of the Site is involved in four previous applications (No. A/YL-KTN/397, 523, 688 and 689) for various temporary uses. Details of these applications are summarized in **Appendix III** and their locations are shown on **Plan A-1b**.

Two Rejected Applications

- 6.2 Applications No. A/YL-KTN/397 for temporary back-up warehouses (storage of new electrical components and garments in packed boxes) and No. A/YL-KTN/523 for temporary open storage of brand new vehicle (private cars), with their sites falling partly within the “Village Type Development” (“V”) zone

of Sha Po Tsuen and the site of Application No. A/YL-KTN/523 falling within Category 3 and 4 areas of the then TPB PG-No. 13E, were rejected by the Committee in 2013 and 2016 respectively mainly on the grounds that the developments were not in line with the planning intention of the “AGR” and “V” zones; the application did not comply with the then TPB PG-No. 13E (for Application No. A/YL-KTN/523 only); no strong planning justifications had been given to justify for a departure from the planning intentions, even on a temporary basis; the applicants failed to demonstrate that the developments would not generate adverse traffic, drainage and landscape impacts; and approval of the applications would set undesirable precedents.

Two Approved Applications

- 6.3 Applications No. A/YL-KTN/688 for proposed temporary shop and services (retail of construction materials) and No. A/YL-KTN/689 for proposed temporary shop and services (sale of truck mounted crane and miniature excavator), both for a period of 3 years, were approved with conditions by the Committee on 8.1.2021 mainly for the reasons that the proposed uses were considered not incompatible with the surrounding land uses; the proposed uses were unlikely to generate significant adverse traffic and drainage impacts and environmental nuisance to the surrounding area; relevant departments consulted in general had no adverse comments on the applications; and the concerns of relevant departments could be addressed by imposing approval conditions. Their planning permissions are valid until 8.1.2024.

7. Similar Applications

There are two similar applications for temporary open storage of construction materials (No. A/YL-KTN/487) and temporary open storage of brand new vehicle (private cars) (No. A/YL-KTN/524¹) within the same “AGR” zone in the vicinity of the Site. The sites of these two applications fell within Category 3 and/or Category 4 areas under the then TPB PG-No. 13E. They were both rejected by the Committee in November 2015 and September 2016 respectively mainly for the reasons that the developments were not in line with the planning intention of the “AGR” and/or “Comprehensive Development Area” (“CDA”) and “V” zones; the applications did not comply with the then TPB PG-No. 13E in that the developments were not compatible with the surrounding rural land uses; the applicants failed to demonstrate that developments would not generate adverse environmental, landscape and drainage impacts on the surrounding areas; and the approval of the applications, even on a temporary basis, would set undesirable precedents for other similar applications. Details of the two applications are summarized in **Appendix IV** and their locations are shown on **Plan A-1a**.

¹ The Site of Application No. A/YL-KTN/524 straddled “AGR”, “CDA” and “V” zones.

8. The Site and Its Surrounding Areas (Plans A-1a to A-4b)

8.1 The Site is:

- (a) currently hard-paved and used for parking of vehicles and storage uses without planning permission; and
- (b) accessible from San Tam Road via a local track.

8.2 The surrounding areas are intermixed with storage/open storage yards, warehouses, workshops, parking of container vehicles/vehicles, residential dwellings/structures, ponds and vacant land:

- (a) to its immediate east are the site for proposed temporary shop and services (retail of forklift) approved under application No. A/YL-KTN/678, a vacant residential dwelling/structure ;
- (b) to its immediate north are storage/open storage yards; and to its further north are a storage yard, a vehicle repair workshop, warehouses, residential dwellings/structures, the site for proposed temporary warehouse approved under Application No. A/YL-KTN/750, and a works in progress site under the adjoining “Industrial (Group D)” zone;
- (c) to its northwest are storage yards, parking of container vehicles, vacant land and the site for temporary open storage approved under Application No. A/YL-KTN/632 under “Other Specified Uses” annotated (Railway Reserve)” zone;
- (d) to its immediate west are Ecological Enhancement Area proposed under application No. A/YL-KTN/663 for flat development under “CDA” zone; and
- (e) to its immediate south are parking and open storage of container vehicles and trailers and open storage of vehicles under “V” zone; to its further south, across Sha Po Tsuen Road, are a storage yard, parking of vehicles, and the site for proposed temporary shop and services approved under Application No. A/YL-KTN/738, a pumping station, and residential dwellings/structures within the Sha Po Tsuen under “V” zone.

9. Planning Intention

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

10. Comments from Relevant Government Departments

- 10.1 The following government departments have been consulted and their views on the application are summarized as follows:

Land Administration

- 10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises Old Scheduled 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) It is noted that no structure was proposed in the application.
- (c) No permission has been given for occupation of Government Land (GL) (about 705m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is not allowed.
- (d) The applicant has to exclude GL portion from the Site or apply to this office for a Short Term Tenancy to occupy the GL. Applications for any of the above will be considered by LandsD acting in the capacity as 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 rent or fee, as may be imposed by the LandsD.

Traffic

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

- (a) He has no comment on the application from traffic engineering perspective.
- (b) Should the application be approved, approval condition on no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period should be included.
- (c) The Site is connected to the public road network via a section of a local access road which is not managed by the Transport Department. The land status of the local access road should be

checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) His department shall not be responsible for the maintenance of any access connecting the Site and San Tam Road.
- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

10.1.4 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD):

- (a) Part of the Site falls within the area of influence (AOI) of the Northern Link (NOL). The detailed planning and design of the NOL are still under development. The scheme (including railway alignment, railway structures and the corresponding route protection area, and potential tunnel design and corresponding construction methods, etc.) is subject to further changes. The area within the AOI would be subject to nuisance, such as noise and vibration of the NOL. The applicant should have taken the impact from the NOL, such as the nuisance from the future construction, operation and maintenance of NOL, into consideration.
- (b) The construction of NOL may commence in 2025 tentatively, and the ground investigation (GI) works would commence in October 2021. As there may be proposed GI works for the NOL near the Site, MTR may contact the applicant for any arrangement for the GI works at the location concerned. The applicant is reminded to coordinate with the associated parties of the GI works.

Landscape

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

- (a) She has no objection to the application from landscape planning perspective.
- (b) According to aerial photo of 2021, the Site is located in an area of miscellaneous rural fringe landscape character surrounded by temporary structures, storage of vehicles, vacant land and scattered

tree groups. According to site record taken on 27.9.2021, the Site is hard paved and occupied by vehicles and construction materials. Some invasive weed trees and trees of common species are observed within the Site, however, significant adverse impact on existing landscape resources arising from the development is not anticipated.

- (c) Further to the above, according to her record, there are planning applications in proximity of the Site for temporary use and open storage within the same “AGR” zone approved by the Board. The applied use is considered not entirely incompatible with the surrounding environment of the Site.

Environment

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

- (a) There was no environmental complaint concerning the Site received by DEP in the past three years.
- (b) According to the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“COP”), he does not support the application as sensitive receivers, i.e. residential dwellings/structures are found in the vicinity of the Site (the nearest is about 50m to its north (**Plan A-2**)) and environmental nuisance is expected.
- (c) Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the latest COP issued by DEP.

Agriculture and Nature Conservation

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

- (a) The Site falls within the “AGR” zone and is currently paved land. Agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as greenhouses, plant nurseries, etc. As the Site possessed potential for agricultural rehabilitation, the application is not supported from the agricultural point of view.
- (b) Nevertheless, he has no comment on the application from nature conservation perspective.

Drainage

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

- (a) He has no objection in-principle to the development from the public drainage point of view.
- (b) Should the application be approved, approval conditions requiring the submission, implementation and maintenance of a revised drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board should be included.
- (c) His detailed comments on the submitted drainage proposal are at **Appendix VI**.

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) In consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, 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. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans.
- (c) Having considered the nature of the open storage use, the condition on provision of fire extinguisher(s) within 6 weeks from the date of planning approval should be included in the planning permission. To address this condition, the applicant should submit a valid fire certificate (FS251) to his department for approval.
- (d) The applicant is reminded that if structure 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.

Building Matters

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

- (a) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (b) His detailed comments on UBW, provision of access, temporary or licensed structures are at **Appendix VI**.
- (c) Detailed checking under the BO will be carried out at building plan submission stage.

District Officer's Comments

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

His office has not received any locals' comment on the application and he has no comment on the application.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Director of Electrical and Mechanical Services;
- (c) Chief Estate Surveyor/Railway Development, LandsD
- (d) Project Manager (West), Civil Engineering and Development Department; and
- (e) Commissioner of Police.

11. Public Comments Received During Statutory Publication Period

On 21.9.2021, the application was published for public inspection. During the three-week statutory publication period, one public comment from an individual was received (**Appendix V**). The commenter objects to the application mainly on the grounds that approval of this application would legitimize unauthorized open storage operation.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of unlicensed brand new vehicles (private cars and light goods vehicles) for a period of 3 years in the "AGR" zone.

The applied use is neither a Column 1 nor Column 2 use under the “AGR” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes, and requires planning approval of the Board. The applied use is not in line with the planning intention of the “AGR” zone, and DAFC does not support the application from agriculture point of view. However, the Site is currently not under cultivation. Moreover, part of the Site falls within the AOI of the NOL and CE/RD 2-2, RDO of HyD advises that the detailed planning and design of the NOL is still under review and has no adverse comment on the application. It is considered that approval of the application on a temporary basis of 3 years would not jeopardize the long-term planning intention of the “AGR” zone and the future implementation of the NOL.

- 12.2 The Site is located at the fringe of the “AGR” zone to the south and adjoined by the “I(D)” zone to the north (**Plan A-1a**). The development is considered not incompatible with the surrounding land uses which are intermixed with storage/open storage yards, warehouses, workshops, parking of container vehicles/vehicles, residential dwellings/structures, ponds, vacant/unused land (**Plan A-2**). The residential settlements are mainly located to the further south of the Site in “V” zone and vehicles can enter the Site via a short local track branching off San Tam Road to its west without passing through the residential settlements (**Plan A-2**).

- 12.3 The Site falls within Category 2 areas under TPB PG-No. 13F (**Appendix II**). The following guidelines are relevant:

Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas.

- 12.4 The application is generally in line with the TPB PG-No. 13F as relevant departments consulted, except DAFC and DEP, have no adverse comments on the application. While DEP does not support the application as sensitive receivers, i.e. residential dwellings/structures are found in the vicinity of the Site (the nearest is about 50m to its north (**Plan A-2**)) and environmental nuisance is expected, there has been no environmental complaint received in the past three years. Besides, the applied use is for open storage of brand new unlicensed vehicles and no workshop activity is involved, and there is vehicular access to the Site on the west without passing through these residential dwellings/structures in the north and the “V” zone of Sha Po Tsuen in the south (**Plan A-2**). To mitigate any potential environmental impacts, approval conditions restricting the operation hours and types of vehicles are recommended in paragraphs 13.2 (a) to

(c) below. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorized development on the Site will be subject to enforcement action by the Planning Authority. In addition, the applicant will also be advised to adopt the environmental mitigation measures as set out in the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” in order to alleviate any potential impact. The technical requirements of C for T, CE/MN of DSD and D of FS could be addressed by approval conditions in paragraphs 13.2 (d) to (j) below.

- 12.5 The Site is involved in four previous applications (No. A/YL-KTN/397, 523, 688 and 689) for various temporary uses. The latest two applications (No. A/YL-KTN/688 and 689) for proposed temporary shop and services uses (one for retail of construction materials and one for sale of truck mounted crane and miniature excavator), submitted by the same applicant as the current application, were approved by the Committee in January 2021. The former two applications (No. A/YL-KTN/397 and 523) (one for temporary back-up warehouses for storage of new electrical components and garments in packed boxes, and one for temporary open storage of brand new vehicle (private cars)) were rejected by the Committee in 2013 and 2016 respectively, as their sites were located partly within the “V” zone of Sha Po Tsuen and the circumstances were different. There are two similar applications for temporary open storage uses within the same “AGR” zone in the vicinity of the Site, both of which were rejected by the Committee in 2013 and 2016 for reasons as stated in paragraph 7 above. The sites of these two applications fell within Category 3 and/or 4 areas under the then TPB PG-No. 13E and the circumstances are also different from the current application. In this regard, approval of this application is in line with the Committee’s previous decisions.
- 12.6 One public comment objecting to the application was received during the statutory publication period as mentioned in paragraph 11 above. In this regard, the departmental comments and planning assessments and considerations above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11 above, the Planning Department considers that the open storage of unlicensed brand new vehicles (private cars and light goods vehicles) could be tolerated for a period of 3 years.
- 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 3 years until 12.11.2024. The following approval conditions and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed at 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 medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of a revised 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 12.5.2022;
- (f) in relation to (e) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 12.8.2022;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the provision of fire extinguisher(s) with a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.12.2021;
- (i) the submission of a 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 12.5.2022;
- (j) in relation to (i) above, the implementation of the fire service installations proposal 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 12.8.2022;
- (k) if any of the above planning condition (a), (b), (c), (d) or (g) 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;

- (l) if any of the above planning condition (e), (f), (h), (i) or (j) 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; and
- (m) Upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are at **Appendix VI**.

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

the development is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong justification has been given 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

- Appendix I** Application Form and Supplementary Planning Statement received on 14.9.2021
- Appendix Ia** Further Information received on 5.11.2021
- Appendix II** Relevant Extract of TPB PG-No. 13F

Appendix III	Previous Applications covering the Site
Appendix IV	Similar Applications within the Same “AGR” Zone in the Vicinity of the Site
Appendix V	Public Comment
Appendix VI	Advisory Clauses
Drawing A-1	Site Layout Plan
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
NOVEMBER 2021**