

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/YL-PS/649

<u>Applicant</u>	:	Long Tin Car Park Management Limited represented by PlanArch Consultants Ltd.
<u>Site</u>	:	Lots 39 RP (Part), 40 RP, 42 (Part), 43 S.B RP (Part), 43 S.C (Part), 43 S.D (Part), 43 S.E RP, 43 S.F (Part) and 43 S.G (Part) in D.D. 122 and adjoining Government Land (GL), Ping Shan, Yuen Long, New Territories ¹
<u>Site Area</u>	:	About 1,560m ² (including GL of about 17m ² or 1%)
<u>Lease</u>	:	Block Government Lease (demised for agricultural purposes)
<u>Plan</u>	:	Draft Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/19
<u>Zonings</u>	:	“Green Belt” (“GB”) (about 65%) “Village Type Development” (“V”) (about 35%) [Restricted to maximum building height of 3 storeys (8.23m)]
<u>Application</u>	:	Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval to use the application site (the Site) for temporary public vehicle park (private cars and light goods vehicles) for a period of 3 years (**Plan A-1a**). According to the Notes of the OZP for the “V” and “GB” zones, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use with valid planning permission under application No. A/YL-PS/578 (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is related to eight previously approved applications (No. A/YL-PS/26, 187, 254, 289, 332, 397, 509 and 578) all for temporary vehicle park. The first permission under application No. A/YL-PS/26 was granted with conditions on

¹ Since the last planning approval, there have been minor changes to the land lot numbers. Lot 43 S.B (Part) has been changed to Lot 43 S.B RP (Part), and Lot 43 S.E (Part) has been changed to Lot 43 S.E RP. Nevertheless, the location and area of the Site of the current application remain the same as the last approved application.

6.3.1998 when the “GB” part of the Site was zoned “Undetermined” (“U”)². The last application No. A/YL-PS/578 for the same use submitted by the same applicant was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 4.1.2019. The permission is valid until 4.1.2022. All the time-limited approval conditions under the last application have been complied with.

- 1.3 According to the applicant, the Site is accessible from Yung Yuen Road leading to Ha Mei San Tsuen Road which connects to Long Tin Road and Tin Tsz Road in the west (**Plans A-2 and A-3**). There is no change to the development parameters compared with the previous application No. A/YL-PS/578. As shown on the layout plan at **Drawing A-3**, there are two temporary structures with a total floor area of about 328m² and building height of 1 to 2 storeys (not more than 7m) for ancillary site office and canopy uses. 34 private car parking spaces are provided. As requested by the landowner of Lot 42 in D.D. 122, a right of way is provided to the east of the Site for the access to the adjoining area. No parking of heavy vehicles (i.e. tractors/trailers) and no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activities will be carried out at the Site. The operation hours of the public vehicle park are from 7:00 a.m. to 11:00 p.m. daily. The location plan, site plan and layout plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form and attachments received on 5.11.2021 (**Appendix I**)
 - (b) Planning Statement (**Appendix Ia**)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed at **Appendix Ia**. They can be summarised as follows:

- (a) The temporary vehicle park has been approved by the Board and in operation since 2004. It would not set an undesirable precedent for similar applications. It provides essential parking facilities to residents in the surrounding area and also reduces illegal road side parking in the vicinity. At present, the villagers have no intention to build Small Houses at the Site. As the applied use is on a temporary basis, it would not affect the long-term planning intentions of the “GB” and “V” zones.
- (b) The surrounding area is mainly occupied by open storage yards, vehicle parks, logistic centre, vacant land and a few village houses. The applied use is compatible with the surrounding areas and will not cause any adverse impacts to the surroundings.

² The “GB” part of the Site and the adjoining area along and to the north of the then West Rail Line (currently known as Tuen Ma Line) were previously zoned “U” before the exhibition of the then draft Ping Shan OZP No. S/YL-PS/12 on 5.11.2010.

- (c) The applied use helps meet the existing parking demand in the area and follows the Hong Kong Planning Standards and Guidelines. The public car parks in the vicinity of the Site are nearly fully occupied, and so the provision of vehicle parks can help alleviate the demand of parking spaces in the area.
- (d) The applied use is only for private cars and light goods vehicles. There is no parking of heavy vehicles and no workshop activities on the Site and it has been decently operated, well-paved and well-managed. It is a non-polluting use and no adverse noise and environmental impact is envisaged. The applicant has implemented and maintained the approved landscape proposal and fencing to screen the Site from surrounding areas and to enhance the amenity of the area. Drainage facilities are installed and well-maintained in accordance with the approved drainage proposals.
- (e) As the vehicle park has only 34 parking spaces, no adverse impact on traffic network is envisaged.
- (f) The previously approved fire services installations (FSIs) proposals have been well-maintained and in good condition with annual inspection to the satisfaction of the Fire Services Department (FSD). There is no change in the layout and FSIs provisions when compared to the previous application.

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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and publishing notice in newspapers. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements under TPB PG-No. 31A are not applicable.

4. Town Planning Board Guidelines

- 4.1 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 at **Appendix II**.
- 4.2 The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) are also relevant to the application. The relevant assessment criteria are at **Appendix III**.

5. Background

The current use on the Site is covered by valid planning permission under Application

No. A/YL-PS/578 until 4.1.2022. The Site is not subject to any planning enforcement action.

6. **Previous Applications**

6.1 The Site is related to 10 previous applications (No. A/YL-PS/26, 90, 168, 187, 254, 289, 332, 397, 509 and 578). Except two applications (No. A/YL-PS/90 and 168) which were rejected by the Committee/the Board on review in 2001 and 2004 respectively, the other eight applications (No. A/YL-PS/26, 187, 254, 289, 332, 397, 509 and 578) were approved by the Committee/the Board on review between 1998 and 2019. Details of these previous applications are shown in **Appendix IV** and their locations are shown on **Plan A-1b**.

Approved

- 6.2 Application No. A/YL-PS/26, covering a much larger site within the then “U” zone and “V” zone, for temporary container trailer, lorry and private car park for a period of 12 months, was approved by the Committee in 1998 mainly on the considerations of no residential use nearby and meeting demand for port back-up uses.
- 6.3 Application No. A/YL-PS/187, covering a slightly larger site than the current application in the then “U” zone and “V” zone, for temporary public vehicle park for private cars and light goods vehicles for a period of two years, was approved by the Board on review in 2004 on the considerations of not jeopardizing the long-term planning intention; serving the needs of the villagers; and with approved similar/previous applications.
- 6.4 Applications No. A/YL-PS/254, 289 and 332, covering more or less the same site as the current application within the then “U” zone and “V” zone, for temporary public vehicle park for private cars and light goods vehicles each for a period of two years were approved by the Committee between 2006 and 2010, on the considerations of not jeopardizing the long-term planning intention and no objection or adverse comment from relevant government departments.
- 6.5 Applications No. A/YL-PS/397, 509 and 578, covering more or less the same site as the current application within the “GB” and “V” zones, for temporary public vehicle park for private cars and light goods vehicles each for a period of three years were approved by the Committee between 2013 and 2019 on similar considerations mentioned in paragraph 6.4 above.
- 6.6 Compared with the last approved application (No. A/YL-PS/578), the current application is submitted by the same applicant for the same use on the same site with the same development parameters and layout.

Rejected

- 6.7 Application No. A/YL-PS/90, covering a much larger site in “V” and “REC”

zones, for temporary container vehicles and trailers park with ancillary repair/maintenance workshops, open storage of building materials and office for a period of three years was rejected by the Committee in 2001, on the grounds that the proposed use was not in line with planning intentions; the proposed development was incompatible with the surrounding uses; and there was insufficient information to demonstrate no adverse impact on the surrounding areas.

- 6.8 Application No. A/YL-PS/168, covering a slightly larger site than the current application within the then “U” zone and “V” zone, for temporary vehicle park for private cars, light goods vehicles, ancillary office and canteen for a period of three years, was rejected by the Board on review in 2004 on similar grounds as mentioned in paragraph 6.7 above.

7. Similar Applications

- 7.1 There are seven similar applications (No. A/YL-PS/213, 216, 240, 241, 463, 551 and 626) within the same “V” zone since 2005. Except two applications (No. A/YL-PS/240 and 241) which were rejected by the Committee/the Board in 2006, the other five applications (No. A/YL-PS/213, 216, 463, 551 and 626) were approved by the Committee between 2005 and 2021. Details of these similar applications are shown in **Appendix V** and their locations are shown on **Plan A-1a**.
- 7.2 Applications No. A/YL-PS/213, 216, 463, 551 and 626, covering three sites, for proposed temporary public vehicle park for private cars and/or light goods vehicles, for a period of two or three years, were approved by the Committee between 2005 and 2021 on the considerations of not incompatible with the surrounding uses and no objection or adverse comment from relevant government departments. The planning permissions of A/YL-PS/213 and 216 were revoked on 15.12.2005 due to non-compliance with the approval condition on prohibiting the parking of heavy vehicles on-site.
- 7.3 Applications No. A/YL-PS/240 and 241, covering two sites, for temporary public vehicle park for private car, light goods vehicle and container trailer each for a period of three years, were rejected by the Committee/the Board on review in 2006 on the grounds of not in line with planning intention, incompatible with the surrounding residential dwellings, and insufficient information to demonstrate no adverse impacts on the surrounding areas.

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

- 8.1 The Site is:

- (a) currently used as a temporary public vehicle park for private cars and light goods vehicles with valid planning permission under application No. A/YL-PS/578; and

- (b) accessible from Yung Yuen Road leading to Ha Mei San Tsuen Road which connects to Long Tin Road and Tin Tsz Road in the west (**Plans A-2 and A-3**).

8.2 The surrounding areas have the following characteristics:

- (a) to the east are residential dwellings and a vehicle park which is a suspected unauthorized development (UD);
- (b) to the south across the MTR Tuen Ma Line are two temporary logistics centres covered by valid planning permissions and a vehicle park which is a suspected UD;
- (c) to the west and northwest are vehicle parks which are suspected UD's and residential dwellings; and
- (d) to the north are residential dwellings. To the further northeast are a vehicle park covered by a valid planning permission and residential dwellings.

9. Planning Intentions

- 9.1 The planning intention of "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.
- 9.2 The planning intention of "V" zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. 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 the 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.

10. Comments from Relevant Government Departments

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

Land Administration

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

- (a) The Site comprises GL and 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, the following private lots are currently covered by Short Term Waiver (STW) whereas the GL therein is covered by Short Term Tenancy (STT), details of which are listed below:

Lot No./GL in D.D. 122	STW/STT No.	Permitted Use
GL	STT 3031	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles
39 RP	STW 3362	Ancillary office and shroff to vehicle park

- (c) Should planning approval be given to the subject planning application, the STW/STT holder(s) will need to apply to his office for modification of the STW/STT conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by the LandsD 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 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 is supportive of the application from traffic engineering viewpoint since a temporary public vehicle park could meet public demand of car parking spaces.
- (b) The applicant is reminded that sufficient space within the Site should be provided for manoeuvring of vehicles. In addition, no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period.

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

- (a) If the proposed access on Yung Yuen Road is approved by Transport Department (TD), the applicant should ensure that a

run-in/out is constructed in accordance with the latest version of HyD Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement.

- (b) Adequate drainage measures shall 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) The Site falls within the Railway Protection Zone of existing Tuen Ma Line. As the operation of existing railway network is not under the jurisdiction of his Office, he has no comment on the proposal.
- (b) The applicant should be reminded of the detailed comments at **Appendix VII**.

Landscape

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

- (a) His office has no objection to the application from landscape planning perspective.
- (b) The Site is the subject of previously approved application No. A/YL-PS/578 submitted by the same applicant for the same use. According to the aerial photo of 2021 and site photos taken on 12.11.2021, the Site is a hard-paved vehicle park in operation with existing trees on northern and southern boundaries within the Site. The Site is situated in an area of miscellaneous rural fringe landscape character predominated by open storage yards, temporary structures, tree groups and woodlands. The applied use is considered not incompatible with the landscape character of the surrounding area.
- (c) Further significant landscape impact on existing landscape resources within the Site arising from the applied use is not anticipated.

Environment

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

- (a) He has no objection to the application.
- (b) The applicant is advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open

Storage Sites” issued by the DEP to minimize potential environmental nuisance to the surrounding area.

- (c) There is no complaint pertaining to the Site received in the past 3 years.

Drainage

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

- (a) He has no objection in principle to the application from a drainage point of view.
- (b) According to the applicant’s submission, the existing drainage facilities which was implemented under approved application No. A/YL-PS/578 will be maintained for the development.
- (c) Should the Board consider that the application is acceptable from the planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities to the satisfaction of his department.

Fire Safety

10.1.8 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the proposal subject to 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.
- (c) The applicant should be reminded of the detailed comments at **Appendix VII**.

Building Matters

10.1.9 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, his office is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) The applicant should be reminded of the detailed comments at

Appendix VII.

District Officer's Comments

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

His office did not receive any comments from the locals on the application.

10.2 The following departments have no comment on the application:

- (a) Antiquities and Monuments Office, Development Bureau (AMO, DEVB);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Chief Engineer/Land Works, CEDD (CE/LW, CEDD);
- (d) Director of Agriculture, Fisheries and Conservation (DAFC);
- (e) Director of Electrical and Mechanical Services (DEMS);
- (f) Project Manager (West), CEDD (PM(W), CEDD); and
- (g) Commissioner of Police (C of P).

11. Public Comments Received During the Statutory Publication Period

On 12.11.2021, the application was published for public inspection. During the statutory public inspection period, two objecting public comments from individuals (**Appendices VI-1 and VI-2**) were received on the grounds that the proposed use will cause adverse fire safety, traffic and environmental impacts to the surrounding areas, inefficient use of land for non-multi-storey vehicle park, and the need to restore the green belt.

12. Planning Considerations and Assessments

12.1 The application is for renewal of planning approval for temporary public vehicle park (private cars and light goods vehicles) for a period of 3 years at the Site zoned "GB" and "V" on the OZP. About 65% of the Site falls within the "GB" zone which is intended 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. The development is not in line with the planning intention of the "GB" zone. However, it should be noted that the "GB" part of the Site was previously zoned "U" before the exhibition of the then draft Ping Shan OZP No. S/YL-PS/12 on 5.11.2010, and the first permission for temporary vehicle park covering the Site was granted on 6.3.1998. The development does not involve clearance of natural vegetation. DAFC has no comment on the application. An approval condition requiring the reinstatement of the Site to an amenity area upon expiry of the planning permission is recommended.

12.2 About 35% of the Site falls within the "V" zone which is intended for development of Small Houses by indigenous villagers. The development is not

entirely in line with the planning intention of the “V” zone. However, it could serve some of the parking demand of residents in the nearby villages and the locality. C for T is supportive of the application since a temporary public vehicle park could meet public demand of car parking spaces. Approval of the application on a temporary basis for 3 years would not jeopardize the long-term planning intention of the “V” zone.

- 12.3 The Site is situated in an area of miscellaneous rural fringe landscape character predominated by open storage yards, temporary structures, residential dwellings and woodlands. The applied use is considered not incompatible with the landscape character of the surrounding area. Besides, the development does not involve clearance of natural vegetation. The development does not contravene the TPB PG-No. 10.
- 12.4 The application is generally in line with TPB PG-No. 34D in that there is no material change in planning circumstances since the previous temporary approval was granted; adverse planning implications arising from the renewal of the planning approval are not envisaged; all conditions under the previous approval (Application No. A/YL-PS/578) have been complied with; and the approval period sought is the same as that of the previous approval.
- 12.5 Other relevant Government departments, including DEP, CE/MN of DSD, CTP/UD&L of PlanD and D of FS have no objection to or no adverse comment on the application. The applied use will unlikely create significant adverse environmental, drainage, landscape and fire safety impacts to the surrounding areas. There has been no environmental complaint concerning the Site received in the past 3 years. To minimise any potential environmental nuisances and to address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below. Any non-compliance with the approval conditions will result in revocation of the planning permission and UD on the Site will be subject to enforcement action by the Planning Authority. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimise the possible environmental impacts on the nearby sensitive receivers.
- 12.6 There are eight previously approved planning applications (No. A/YL-PS/26, 187, 254, 289, 332, 397, 509 and 578) covering the Site for same/similar uses. The last application No. A/YL-PS/578 for the same use submitted by the same applicant was approved with conditions by the Committee on 4.1.2019. The permission is valid until 4.1.2022. All approval conditions have been complied with. Within the same “V” zone, there are five approved applications (No. A/YL-PS/213, 216, 463, 551 and 626) for temporary public vehicle park for private cars and light goods vehicles uses since 2005. For the rejected applications (No. A/YL-PS/240 and 241), they all involved parking of heavy vehicles, whilst only parking of private cars and light goods vehicles is involved in the current application. Approval of the current application is in line with the previous decisions of the Committee.
- 12.7 There are two public comments received during the statutory publication period

objecting to the application as mentioned in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.6 above are relevant.

13. **Planning Department's Views**

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department considers that the temporary public vehicle park (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, and be renewed from 5.1.2022 until 4.1.2025. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site at all times during the planning approval period;
- (c) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site at any time during the planning approval period;
- (d) no vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing shall be maintained during the planning approval period;
- (h) the submission of 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 5.7.2022;
- (i) in relation to (h) 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 5.10.2022;

- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (f) 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;
- (k) if any of the above planning conditions (h) or (i) 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
- (l) upon the 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.

[Approval conditions (a), (b), (c), (d), (e), (f), (h), (i) and (l) are the same as those under the permission for application No. A/YL-PS/578. Condition (g) is added as the previous approval condition on the provision of boundary fencing has been complied with. Previous approval conditions on drainage and landscape aspects are deleted to accord with the relevant department's latest requirements.]

Advisory clauses

The recommended advisory clauses are attached at **Appendix VII**.

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

the applied use is not in line with the planning intentions of the "GB" and "V" zones. The planning intention of "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. The planning intention of "V" zone is for development of Small Houses by indigenous villagers. No strong planning justification has been given in the submission for a departure from the planning intentions, 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 attachments received on 5.11.2021
Appendix Ia	Planning Statement
Appendix II	Relevant assessment criteria of Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance
Appendix III	Extract of Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D)
Appendix IV	Previous Applications
Appendix V	Similar Applications
Appendices VI-1 and VI-2	Public Comments
Appendix VII	Advisory Clauses
Drawing A-1	Location Plan
Drawing A-2	Site Plan
Drawing A-3	Layout Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2021**