

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-ST/589

<u>Applicant</u>	: Fortune Nine (HK) Company Limited represented by Lanbase Surveyors Limited
<u>Site</u>	: Lots 170 RP and 174 S.C RP in D.D. 105 and Adjoining Government Land (GL), San Tin, Yuen Long
<u>Site Area</u>	: 1,360 m ² (about) (including about 800 m ² (about 59%) of GL)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved San Tin Outline Zoning Plan (OZP) No. S/YL-ST/8
<u>Zoning</u>	: “Residential (Group D)” (“R(D)”)
<u>Application</u>	: Renewal of Planning Approval for Temporary Shop and Services (Sale of Vehicle Parts and Accessories) with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of the planning approval for temporary shop and services (sale of vehicle parts and accessories) with ancillary facilities for a period of 3 years at the application site (the Site) which is zoned “R(D)” on the approved San Tin OZP No. S/YL-ST/8 (**Plan A-1a**).
- 1.2 The Site (in whole or in part) is the subject of 12 previously approved applications for temporary uses, including 9 applications for temporary retail shop for vehicle parts and accessories with or without ancillary facilities (No. A/YL-ST/107, 195, 221, 283, 303, 366, 369, 460 and 524) approved between 1999 and 2018. The last Application No. A/YL-ST/524 was submitted by the current applicant for the same applied use, which was approved by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) on 1.6.2018 for a period of 3 years until 1.6.2021 (**Plan A-1b**), and the approval conditions have all been complied with.

- 1.3 As shown on the layout plan submitted by the applicant at **Drawing A-1** and **Plan A-2**, the Site is accessible at the south via a local track off Shek Wu Wai Road leading to Castle Peak Road – San Tin. There are 5 structures (with a height of 1-2 storeys (2.6-6.5m high) and total floor area of 317.59m²) for site offices, open sheds for rain shelter and storage use within the Site, which operates from 8:00 am to 11:00 pm daily from Monday to Sunday for the sale services. A loading/unloading space will be provided within the Site.
- 1.4 The current application is the same as Application No. A/YL-ST/524 in terms of the applied use, with a similar site layout and same operation hours.
- 1.5 In support of the application, the applicant has submitted the following documents:
- | | | |
|-----|---|----------------------|
| (a) | Application Form received on 29.3.2021 | (Appendix I) |
| (b) | Planning Statement | (Appendix Ia) |
| (c) | Further Information (FI) received on 21.5.2021 providing responses to departmental comments # | (Appendix Ib) |
| (d) | FI received on 24.5.2021 providing responses to departmental comments with an updated layout plan # | (Appendix Ic) |

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, Planning Statement and FI at **Appendices I to Ic** and can be summarised as follows:

- (a) The Site is the subject of several previously approved applications for similar shop and services use. There were similar uses within the “R(D)” zone approved by the Board.
- (b) The Site is close to the border area. Local residents of the nearby villages mainly use private cars for transport. There is a high local demand for sales service of vehicle parts. Therefore, the development on the Site is to meet the local needs.
- (c) The applied use is compatible with the surrounding sites abutting Castle Peak Road and Shek Wu Wai Road for open storage and other port back-up uses. No interface problem with the villagers is anticipated.
- (d) There will be no heavy goods vehicles including container vehicles, trailers and tractors parked/stored on the Site. Most of the staff members would take public transport to the Site. Materials would be mostly transported by light goods vehicles and there will be adequate space provided for loading/unloading purpose. The applied use has been operated at the Site for years. The traffic condition will remain unchanged without generating additional traffic.

- (e) The Site has been operated as a temporary retail shop for vehicle parts and accessories with ancillary facilities, or second hand cars under previous applications. The layout and existing facilities such as landscape planting and drainage facilities and fire service installations under Application No. A/YL-ST/524 would remain unchanged and will be maintained. The applied use would not generate additional drainage and environmental impacts.

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

The applicant is not a “current land owner” of the private land at 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 San Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the “Owner’s Consent/Notification” Requirements as set out in TPB PG-No. 31A are not applicable.

4. Town Planning Board Guidelines

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. 34C)

- 4.1 According to TPB PG-No. 34C, the main criteria for assessing applications for renewal of planning approval are as follows:
 - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
 - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
 - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
 - (d) whether the approval period sought is reasonable; and
 - (e) any other relevant considerations.

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)

- 4.2 The applied use is akin to open storage use with on-site commercial activities. TPB PG-No. 13F is therefore relevant to the application.

- 4.3 According to TPB PG-No. 13F, the Site falls within Category 3 areas where applications for open storage and port back-up uses would normally not be favourably considered unless the applications are on sites with previous planning approvals. In that connection, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. 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, planning permission could be granted on a temporary basis up to a maximum period of 3 years.

5. Background

The Site is not subject to any active enforcement action.

6. Previous Applications

Temporary Uses

- 6.1 The Site (in whole or in part) is involved in 13 previous applications No. A/YL-ST/10, 79, 107, 195, 221, 283, 303, 366, 369, 388, 401, 460 and 524 for temporary uses. Except for Application No. A/YL-ST/388, the other 12 applications were approved by the Committee between 1996 and 2018 (**Plan A-1b**).
- 6.2 The first 12 applications were submitted by other applicants. Applications No. A/YL-ST/10 and 79 for temporary retail shop were approved on 20.9.1996 and 26.2.1999 respectively mainly on the considerations that the proposed use was not incompatible with the surrounding land uses, it would provide some retail facilities to serve the cross-boundary traffic in the area, it was a non-sensitive use and considered acceptable on environmental grounds.
- 6.3 Applications No. A/YL-ST/107, 221, 303 and 369 for temporary retail shop for vehicle parts and accessories were approved on 5.11.1999, 17.1.2003, 28.4.2006 and 10.7.2009 respectively mainly on considerations that there was no change in the planning circumstance since approval of Application No. A/YL-ST/10; and the proposed use was not incompatible with the surrounding land uses.
- 6.4 Applications No. A/YL-ST/195, 283, and 366 for temporary retail shop for vehicle parts and accessories with ancillary facilities were approved on 26.4.2002, 24.6.2005 and 19.6.2009 respectively mainly on considerations that the development would unlikely generate significant adverse environmental impacts and was not incompatible with the surrounding land uses.

- 6.5 Application No. A/YL-ST/388 for temporary retail area of second-hand goods vehicles of above 5.5 tonnes, container tractors and trailers was rejected on 11.6.2010 for the reasons that the proposed development involving heavy goods vehicles was not compatible with the neighbouring residential uses, it was not in line with TPB PG-No. 13E as there were adverse departmental comments and the development would cause adverse environmental nuisances to the nearby residents.
- 6.6 Application No. A/YL-ST/401 for temporary shop and services (second-hand private car sales) was approved on 15.4.2011 mainly on considerations that the development was in line with TPB PG-No. 13E as there were previous planning approvals at the site, temporary approval would not frustrate the long-term planning intention of the “R(D)” zone, and the applied use was not incompatible with the surrounding land uses.
- 6.7 Application No. A/YL-ST/460 for temporary shop and services (sale of vehicle parts and accessories) with ancillary facilities was approved on 8.5.2015 on similar considerations as A/YL-ST/401.
- 6.8 The last Application No. A/YL-ST/524 was submitted by the current applicant for the same use as Application No. A/YL-ST/460. It was approved by the Committee on 1.6.2018 on similar considerations as Application No. A/YL-ST/460. All approval conditions including those in relation to the submission and implementation of fire services installations (FSIs) and submission of photographic records of the existing drainage facilities have been complied with.

Permanent Residential Use

- 6.9 Application No. A/YL-ST/124 submitted by a different applicant for proposed residential development at a much larger site was approved on 5.5.2000 mainly on considerations that the proposed use was in line with the planning intention of the “R(D)” zone, it would phase out open storage yards and container vehicle parks and bring about environmental improvements to the area. The approved residential development had not been implemented and the planning permission lapsed on 5.5.2003.
- 6.10 Details of these applications are summarised at **Appendix II**. Their locations are shown on **Plan A-1b**.

7. Similar Applications

- 7.1 Since 2008, there are 16 applications (No. A/YL-ST/370, 374, 386, 413, 420, 429, 432, 461, 478, 484, 493, 511, 528, 538, 548 and 551) for similar uses within the same “R(D)” zone on the OZP. All the applications were approved by the Committee mainly on the considerations that the developments were not incompatible with the surrounding land uses and the concerns of Government departments could be addressed by imposing approval conditions.
- 7.2 Details of these similar applications are summarised at **Appendix III**. Their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) located at the junction of Castle Peak Road – San Tin and Shek Wu Wai Road;
- (b) accessible at the south via a local track off Shek Wu Wai Road leading to Castle Peak Road – San Tin; and
- (c) currently used for the applied use (with planning permission under A/YL-ST/524) and open storage of vehicles.

8.2 The surrounding areas have the following characteristics:

- (a) to the north across Castle Peak Road – San Tin are a logistics centre, open storages of container vehicles and workshop, construction waste, construction materials and construction machinery, vehicle repair workshop, container vehicle and trailer parks, vehicle park and some residential dwellings;
- (b) to the west are some residential dwellings, an approved temporary open storage and retail sale of construction machinery (Application No. A/YL-ST/551), an approved temporary cold storage (Application No. A/YL-ST/573) and some unused land;
- (c) to the south are a warehouse under construction (with temporary approval for shop and services for retail of construction materials under A/YL-ST/548), residential dwellings and a vegetable co-operation society; and
- (d) to the immediate east are a latrine and a refuse collection point. Further east across Shek Wu Wai Road are open storages of vehicles and construction materials.

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from 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) The GL of the Site is covered by a Short Term Tenancy (STT) No. 2873 for the purpose of “Temporary Shop and Services (Sale of Vehicle Parts and Accessories) with Ancillary Facilities”.
- (c) The private land within the Site (i.e. Lots No. 170 RP and 174 S.C RP in D.D. 105) are covered by Short Term Waiver (STW) No. 4231 and 4232 to permit structures for the purpose of “Temporary Shop and Services (Sale of Vehicle Parts and Accessories) with Ancillary Facilities”.
- (d) Should planning approval be given to the application, the STT/STW holders will need to apply to his office for modification of the STT/STW conditions where appropriate. Given the applied use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such applications 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 LandsD.

Traffic

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

- (a) The Site is connected to Shek Wu Wai Road via section of a local access which is not managed by Transport Department (TD). The land status of the local access road should be clarified with LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- (b) Having considered the FI submitted by the applicant at **Appendices Ib and Ic**, he has no adverse comment on the application from traffic engineering perspective.
- (c) Should the application be approved, 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) The proposed access arrangement of the Site from Shek Wu Wai Road should be approved by TD;
- (b) HyD shall not be responsible for the maintenance of any access connecting the Site and Shek Wu Wai Road; and
- (c) 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/RD2-2, RDO, HyD):

He has no comment on the application from railway development viewpoint as the Site falls outside any administrative route protection boundary, gazette railway scheme boundary or existing railway protection boundary of any railway systems.

Environment

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

- (a) The applicant is advised to follow the environmental mitigation measures as recommended in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental impacts on the surrounding areas.
- (b) There was no substantiated environmental complaint related to the Site in the past 3 years.

Nature Conservation

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

- (a) He has no strong view on the application from nature conservation point of view.
- (b) As the trees in close vicinity of the Site are used for nesting by breeding egrets and herons in recent years, should the application be approved, the applicant should be reminded to preserve the existing trees along the site boundary and in close vicinity of the Site, and avoid disturbing the breeding birds including their nests and eggs which are protected under the Wild Animals Protection Ordinance, Cap. 170. Besides, lighting facilities installed on the

Site should also avoid direct shining on the concerned trees as well as the nearby wooded area to the southwest of the Site in order to minimise glare impact on the breeding birds.

Landscape

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

- (a) The Site involves 12 previously approved applications for temporary shop and services use and the last two applications No. A/YL-ST/460 and A/YL-ST/524 submitted for the same use with the same site area were approved on 8.5.2015 and 1.6.2018 respectively.
- (b) Compared with the aerial photos taken in 2018 and 2020, there is no significant change to the surrounding landscape setting since approval of the last application. In view of the fact that the Site is not located in landscape sensitive zoning and there is no substantial change in the layout of the development, further significant impact on the existing landscape resources within the Site arising from the continuous use is not anticipated.
- (c) Should the application be approved, it is recommended to impose a condition requiring the applicant to maintain all existing trees within the Site in good condition for the duration of planning approval period. His advisory comments to the applicant are at **Appendix V**.

Fire Safety

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

He has no objection in principle to the application subject to the existing FSIs implemented on the Site maintained in efficient working order at all times by the applicant.

Building Matters

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

- (a) There is no record of approval by the Building Authority (BA) for the existing structures at the Site. If the existing structures (not being a not being New Territories Exempted House) are erected on leased land without approval of BD, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any approved use under the application.

- (b) For UBW erected on leased land, enforcement action may be taken by BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under BO.
- (c) Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of BA should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with BO.
- (d) His detailed comments are at **Appendix V**.

Drainage

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

- (a) He has no objection in principle to the application from drainage operation and maintenance point of view.
- (b) The applicant implemented the drainage facilities on the Site under the previous Application No. A/YL-ST/524. The current application is for the same use and site boundary as the previous application. The applicant should provide a set of the latest record photographs showing the completed drainage works (including the internal condition of the drains) with the corresponding photograph locations marked clearly on the approved drainage plan for DSD's reference. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs.
- (c) The applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas.
- (d) The applicant is reminded that the proposed drainage proposal / works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction.
- (e) No public sewerage maintained by CE/MN, DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained.
- (f) The applicant should consult DLO/YL, LandsD regarding all the drainage works outside the lot boundary in order to ensure unobstructed discharge from the Site in future.

- (g) All the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage works on the Site under proper maintenance at all times.

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

- (a) Commissioner of Police;
- (b) Project Manager (West), Civil Engineering and Development Department;
- (c) Chief Engineer/Construction, Water Supplies Department; and
- (d) District Officer (Yuen Long), Home Affairs Department.

11. Public Comments Received During Statutory Publication Period

On 9.4.2021, the application was published for public inspection. During the first 3 weeks of the statutory publication period, 2 public comments (**Appendix IV**) were received from the San Tin Rural Committee and an individual raising objection to the application on the grounds that there is significant increase in traffic volume of Shek Wu Wai Road in recent years and the traffic condition at Castle Peak Road – San Tin/ Shek Wu Wai Road is worsening, the development is in close proximity to Mai Po Lung Village and it will induce environmental pollution, fire risk, traffic congestion, road safety problem and affect the living environment of the villagers.

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of the planning permission which will expire on 1.6.2021 for the temporary shop and services (sale of vehicle parts and accessories) with ancillary facilities for a period of 3 years at the Site within “R(D)” zone. The planning intention of the “R(D)” zone is for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. Although the applied use is not in line with the planning intention of the “R(D)” zone, approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the “R(D)” zone as there is no immediate development proposal for the Site.
- 12.2 The applied use is not incompatible with the surrounding open storage yards, vehicle parks and storage/warehouse uses amidst residential dwellings (**Plan A-2**). As detailed in paragraph 7, approvals have been granted for similar uses within the same “R(D)” zone.
- 12.3 The applied use is akin to open storage use with on-site commercial activities and TPB PG-No. 13F is applicable. Under the guidelines, the Site falls within Category 3 areas where applications would normally not be favourably considered unless the applications are on sites with previous planning approvals.

The current application is in line with TPB PG-No. 13F in that planning approvals for the same or similar uses at the Site have been granted since 1996. Permission was given to the current applicant for temporary shop and services (sale of vehicle parts and accessories) with ancillary facilities in 2018 and all the approval conditions have been complied with. There was no substantiated environmental complaint related to the Site in the past 3 years. Concerned Government departments, including DEP, CE/MN of DSD, C for T, D of FS, and CTP/UD&L of PlanD, have no objection to or no adverse comment on the renewal application. Adverse impacts on environmental, drainage, traffic, fire safety and landscape aspects are not envisaged. Should the application be approved, the previous approval conditions restricting the operation hours, types of vehicles and activities, and requirements on maintenance of the existing paving, boundary fencing, drainage facilities, trees, and submission and provision of FSIs are recommended to be retained and updated according to the latest departmental requirements as paragraphs 13.2 (a) to (l) below. Besides, the applicant should be advised to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the possible environmental impacts.

- 12.4 The current proposal is same as the last application (No. A/YL-ST/524) in terms of the applied use, with similar site layout and same operation hours. The renewal application is in line with TPB PG-No. 34C as there has been no major change in planning circumstances since the last approval, approval conditions under the previous application have been complied with, and adverse planning implications arising from the renewal of the planning approval are not expected. Approval of the current application is in line with the previous decisions of the Committee.
- 12.5 There were 2 public comments objecting to the application as detailed in paragraph 11. The planning considerations and the departmental comments 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 in paragraph 11, the Planning Department has no objection to the application.
- 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 2.6.2021 to 1.6.2024. 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 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no heavy goods vehicles including container vehicles, trailers and tractors as defined in the Road Traffic Ordinance are allowed to be parked/stored

on the Site, as proposed by the applicant, at any time during the planning approval period;

- (c) no car washing, dismantling, repairing and workshop activity involving metal cutting, drilling, hammering, paint spraying, and oil/lubricant changing is allowed on 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 existing trees within the Site shall be maintained in good condition at all times during the planning approval period;
- (f) the paving and boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of photographic records of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 2.9.2021;
- (i) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (i) 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 the above planning condition (h) 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 application site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

[The approval conditions are same as those imposed under the last Application No. A/YL-ST/524, except conditions (h) and (i) which are updated to reflect the latest departmental requirements.]

Advisory clauses

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

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

the planning intention of the "R(D)" zone is for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. The development is not in line with the planning intention of the "R(D)" zone. No strong planning 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 for renewal of the planning 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 received on 29.3.2021
Appendix Ia	Planning Statement
Appendix Ib	FI received on 21.5.2021
Appendix Ic	FI received on 24.5.2021
Appendix II	Previous s.16 applications at the Application Site
Appendix III	Similar s.16 applications within the same "R(D)" zone on the approved San Tin Outline Zoning Plan No. S/YL-ST/8
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	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