



長春社 Since1968

The Conservancy Association

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31<sup>st</sup> August 2020

Town Planning Board  
15/F North Point Government Offices  
333 Java Road  
North Point  
Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

RE: Comment on the Section 16 Application No. A/YL-TT/505

The Conservancy Association (CA) OBJECTS to the captioned application.

**1. Not in line with the planning intention of Agriculture (AGR) zone**

The proposed hobby farm is largely within AGR zone. According to The Approved Tai Tong Outline Zoning Plan No. S/YL-TT/17, the planning intention of AGR “*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*”. However, only 52% of the hobby farm is proposed for “farming area” while the remaining area is largely not for cultivation or farming-associated ancillary use. We do not think such plan is in line with the planning intention.

**2. Adverse environmental impacts**

2 similar planning applications, namely A/YL-TT/394 and A/YL-TT/417, have been approved at the proposed site. Comparing the existing application with the previous applications (see the table below), its development scale is larger, with larger site, more structures, parking spaces, loading/unloading space, higher maximum building height. We especially worry that the current paved area ratio is much higher than the previous applications (Figure 1). Paving too excessive materials such as concrete, brick, gravel on the existing farmland is largely incompatible with the subject site



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and its surrounding area.

Major Development Parameters	A/YL-TT/394	A/YL-TT/417	A/YL-TT/505
Site Area	4,654.4m <sup>2</sup> (about)	5,310.4m <sup>2</sup> (about)	<b>10,370m<sup>2</sup> (about)</b>
No. of structures	6 (for portable toilet, site office and reception, agriculture teaching centre, agriculture activities centre and plant sales office, seed and farm tool storage and farmer rest room uses)	9 (for portable toilet, site office and reception, greenhouses, seed and farm tool storage, farmer rest room and lounges uses)	<b>32</b> (for reception, storage of farm tools, agricultural education centre, covered seating area, covered activates areas, refreshment kiosk, meter room, water tank for farming use, greenhouse and farmer resting room)
No. of Parking Spaces	23	23	<b>25</b>
No. of Loading/Unloading Space	1	1	<b>3</b>
Covered Area Ratio	7.4%	8.2%	<b>11%</b>
Paved Area Ratio	Paved: 6.2%	Paved: 5.4%	<b>Paved: 14% [land filling area (hard-paved)] 22% [brick floor + land filling area (hard-paved)] 32% [soiled</b>



			ground (gravel) + brick floor + land filling area (hard-paved)
Building Height	3 -3.5m (1 storey)	3 -3.5m (1 storey)	2.3 – 6m (1 storey)

Details above are extracted from RNTPC Paper No. A/YL-TT/417A and Gist of A/YL-TT/505

Regarding those structures proposed, we do not understand the justification to build a 6-meter-high water tank for farming. From the landscape perspective, its height is highly incompatible with the proposed 31 structures. More importantly, the number of structures proposed this time is much more than the previous approved applications. Even some of them are highly related to farming activities, we cannot see justification for such a large increase in structures for the farm operation.

### 3. Undesirable precedent for similar applications

From the RNTPC Paper No. A/YL-TT/417A<sup>1</sup> prepared for the previous planning application A/YL-TT/417, Planning Department has made the following comments provided that sympathetic consideration may be given to the application:

*“However, **shorter compliance period is recommended** in order to closely monitor the progress on compliance with associated approval conditions.” (Section 12.5)*

*“Moreover, should the application be approved, the applicant will be advised that **should he fail to comply with any of the approval conditions again** resulting in revocation of the planning permission, **sympathetic consideration may not be given** to any further application.” (Section 12.5)*

The reality is that extension of time limit has been submitted by the project proponent of this application **9 times**. Date of compliance of the approved conditions has already been delayed for nearly 2 years (i.e. from 2018 to 2020) (Figure 2). Such a long delay is in contradictory to the comment made by Planning

<sup>1</sup> RNTPC Paper No. A/YL-TT/417A

[https://www.info.gov.hk/tpb/en/papers/RNTPC/TMYLW/A\\_YL-TT\\_417/A\\_YL-TT\\_417\\_MainPaper\\_revised.pdf](https://www.info.gov.hk/tpb/en/papers/RNTPC/TMYLW/A_YL-TT_417/A_YL-TT_417_MainPaper_revised.pdf)



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Department. Meanwhile, the current application has been submitted to Town Planning Board on 11<sup>th</sup> August 2020, just after the expiry date of compliance of the approved conditions (i.e. 4<sup>th</sup> August 2020). This is highly suspected that the project proponent failed to comply with the associated approved conditions.

While the proposed application would pose adverse environment impact, the project proponent also failed to comply the approved conditions of A/YL-TT/417 within short period of time. Therefore, we do not think further sympathetic consideration should be given or it would set undesirable precedent for similar applications in future.

Thank you for your attention.

Yours faithfully,

Ng Hei Man

Campaign Manager

The Conservancy Association





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**Figure 2** For A/YL-TT/417, it was approved by TPB on 4<sup>th</sup> August 2018. But extension of time limit has been submitted by the project proponent of this application 9 times (circled in red). The latest extension of time limited (i.e. A/YL-TT/417-9) was approved on 29<sup>th</sup> May 2020. In this way, date of compliance of the approved conditions has already been delayed for nearly 2 years

The screenshot displays the Town Planning Board's Statutory Planning Portal 2. On the left, a list of applications for planning permission is shown, with A/YL-TT/417-9 circled in red. Two information panels are overlaid on the map, providing details for the original application and the latest extension.

Decision Date (DD/MM/YYYY)	04/05/2018
Type Of Consideration	Application for Planning Permission
Decision	Approved with condition(s) on a temporary basis
Authority	Rural & NT Planning Committee
Detailed Decision	Show

  

Decision Date (DD/MM/YYYY)	29/05/2020
Type Of Consideration	Class B Amendment - extension of time limit
Decision	Approved/Agreed
Authority	Assistant Director Of Planning
Detailed Decision	Show