Application for Permission under Section 16 of the Town Planning Ordinance (Cap. 131)

Renewal of Planning Approval of
Temporary Eating Place (Outside Seating
Accommodation of a Restaurant)
for a Period of Three Years
in "Village Type Development" ("V") zone
at Lot 673S.C (Part) in DD99 and Adjoining
Government Land, San Tin, Yuen Long, New Territories

SUPPLEMENTARY PLANNING STATEMENT

Applicant:

Fortune Nine (HK) Company Ltd.

Planning Consultant:



Top Bright Consultants Ltd.

November, 2025

Executive Summary

This application is prepared by Top Bright Consultants Ltd. on behalf of Fortune Nine (HK) Company Ltd. (the "Applicant") to the Town Planning Board (the "Board") to seek renewal of a planning permission for a temporary eating place (outside seating accommodation of a restaurant ("OSA")) (the "Proposed Development") for a period of three years at Lot 673S.C (Part) and Adjoining Government Land in DD99, San Tin, Yuen Long, New Territories (the "Application Site").

The Application Site falls within an area zoned "Village Type Development" ("V") on the approved San Tin Technopole Outline Zoning Plan No. S/STT/2. The Proposed Development falls within the broad definitions of 'Eating Place' which is a use listed under Column 2 of the OZP. In accordance to the OZP, uses under Column 2 may be permitted with or without conditions on application to the Board.

The Application Site has a total area of about 108 square metres and is currently used for an OSA of a ground floor restaurant of a Village House ("VH") at 282 Wing Ping Tsuen. The Application Site is located about 300m to the west of the San Tin interchange and near the Lok Ma Chau/Huangguan Control Point with good transportation networks. With the implementation of small house developments in the vicinity in the last few years, it generates land use demand for supporting facilities like eating place. In this connection, the Applicant wishes to seek planning permission from the Board for the proposed use on a temporary basis of 3 years.

The Application Site is the subject of 10 previous applications of which all, except one i.e. the last application (No. A/YL-ST/637) are for temporary vehicle-related and car parking uses and 3 applications were approved by the Board. During the past 5 years, there are 6 similar applications (Application Nos. A/YL-ST/565, 622, 638, 651, 666 and A/STT/7) for temporary eating places/OSA within the same "V" zone on the OZP, which were approved by the Board.

The Proposed Development is considered to meet the planning criteria as specified under the the Town Planning Board Guidelines for Application for Eating Place within "Village Type Development" Zone in Rural Areas (TPB PG-No. 15A). When looking at the surrounding land uses, most of the sites are currently occupied by commercial facilities, private vehicle parks, VHs and tourist spots.

The Application Site will consist of a 1-storey temporary shelter for the OSA of the restaurant. The proposed hours of operation at the Application Site are restricted between 7:00 am to 10:00 pm from Mondays to Sundays, including public holidays.

The justifications of this application are: provide catering facility for the local residents, workers and visitors; in line with the planning intention; compliance with TPB PG-No. 15A; compatible with surrounding land uses; approval of similar applications; more desirable and efficient use of land; and planning gains. The Applicant therefore respectfully requests the Board to approve this application for a further period of 3 years.

行政摘要

這宗規劃續期申請乃代表申請人向城市規劃委員會("城規會")呈交,擬議在新界元朗新田丈量約份 99 地段第 673 號 C 分段(部份) 及毗連政府土地("申請地點"),用作臨時食肆(餐廳戶外座位區)("擬議發展"),為期三年。

申請地點座落於新田科技城分區計劃大綱圖編號 S/STT/2 中的"鄉村式發展"地帶。擬議發展歸屬'食肆'的定義,亦屬"鄉村式發展"地帶的第二欄用途,須向城規會提出申請。

申請地點的面積約為 108 平方米,現時用作永平村 282 號村屋地下餐廳的戶外座位區。申請地點位於新田運輸交匯處西方約 300 米,靠近落馬洲/皇崗管制站,交通網絡完善。隨著近年申請地點附近房屋落成,對食肆等配套設施產生需求。因此,申請人希望就擬議發展向城規會申請獲批為期三年的臨時規劃許可。

申請地點之前涉及 10 宗規劃申請,除了上一次的規劃申請外(規劃編號:A/YL-ST/637),所有申請均與臨時車輛和停車場用途相關,其中 3 宗規劃申請獲得城規會批准。過去 5 年,在大綱核准圖的同一個"鄉村式發展"地帶內有六個同類申請已獲規劃許可(規劃編號: A/YL-ST/565, 622, 638, 651, 666 及 A/STT/7)。

擬議發展符合城市規劃委員會規劃指引編號 15A《擬在「鄉村式發展」 地帶內開設食肆的規劃申請》(城規會規劃指引編號 15A)。周邊大部分 土地用作商業設施、私人停車場、村屋及旅遊景點,擬議發展與附近土地 用途協調。

申請地點以一個一層高臨時上蓋作餐廳戶外座位區。申請地點的營運時間為星期一至日(包括公眾假期)上午七時至下午十時。

這宗規劃申請的理由為:為當地居民、工人和遊客提供餐飲設施;符合規劃意向;符合城規會規劃指引編號 15A;與附近土地用途協調;同樣用途之前已獲規劃許可;擬議用途更為合適及更有效利用土地;及達至規劃增益的成效。因此,申請人希望城規會再次批准三年的臨時用途。

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SUMMARY OF APPLICATION

Applicant: Fortune Nine (HK) Company Ltd.

Applied Use: Renewal of Planning Approval of Temporary Eating Place

(Outside Seating Accommodation of a Restaurant) for a Period of

3 Years

Existing Use: Temporary Eating Place (Outside Seating Accommodation of a

Restaurant)

Location Lot 673S.C (Part) in DD99 and Adjoining Government Land,

San Tin, Yuen Long, New Territories

Site Area: Private land: 61 square metres

Government land: 47 square metres

Total: 108 square metres

Lease Block Government Lease demised as agricultural use

Statutory Plan: Approved San Tin Technopole Outline Zoning Plan No. S/STT/2

gazetted on 20.9.2024

Zoning: Village Type Development ("V")

TPB Guidelines: Application for Eating Place within "Village Type Development"

Zone in Rural Areas (TPB PG-No. 15A)

Previous A/YL-ST/637 (Approved on 13.1.2023 for Temporary Eating Place

Application: (Outside Seating Accommodation of a Restaurant for 3 years)

1. INTRODUCTION

- 1.01 This application is prepared by Top Bright Consultants Ltd. on behalf of Fortune Nine (HK) Company Ltd. (the "Applicant") to the Town Planning Board (the "Board") to seek renewal of a planning permission for a temporary eating place (outside seating accommodation of a restaurant ("OSA")) (the "Proposed Development") for a period of three years at Lot 673S.C (Part) and Adjoining Government Land in DD99, San Tin, Yuen Long, New Territories (the "Application Site").
- 1.02 The Application Site is the subject of a previous planning application (Application No. A/YL-ST/637), which was approved by the Board for a temporary eating place (outside seating accommodation of a restaurant) on 13.1.2023. The Applicant has complied with all the approval conditions of the previous approval. As planning permission will expire on 13.1.2026, the Applicant submits the current application to the Board to seek renewal of planning permission for the continued use of the Application Site as a temporary eating place (OSA).
- 1.03 The Application Site has a total area of about 108 square metres and is currently used as a ground floor restaurant of a Village House ("VH") with OSA at 282 Wing Ping Tsuen. The Application Site is located about 300m to the west of the San Tin interchange and near the Lok Ma Chau/Huangguan Control Point in San Tin with good transportation networks. The Proposed Development is mainly catered for the local villagers/residents, workers in the surrounding and visitors to San Tin/Lok Ma Chau.
- 1.04 The Application Site falls within the "Village Type Development" ("V") zone on the Approved San Tin Technopole Outline Zoning Plan ("OZP") No. S/STT/2. According to the Notes of the OZP, while 'Eating Place' use on the ground floor of a New Territories Exempted House ("NTEH") within the "V" zone does not require planning permission, such use on open ground (i.e. OSA) as an extension to a ground floor eating place falls within the broad definition of 'Eating Place' which is a use listed under Column 2 of the OZP. In accordance with the OZP, uses under Column 2 may be permitted with or without conditions on application to the Board.
- 1.05 The Town Planning Board Guidelines for Application for Eating Place within "Village Type Development" Zone in Rural Areas (TPB PG-No. 15A) is relevant to this application. The Proposed Development is considered to meet the planning criteria as specified under the TPB PG-No.15A. When looking at the surrounding land uses, most of the sites are currently occupied by commercial facilities, private vehicle parks, VHs and tourist spots.
- 1.06 This supplementary planning statement aims to provide a brief description of the Application Site, details of the Proposed Development and justifications to facilitate the Board's consideration of the application.

2. SITE CONTEXT

Location

2.01 The Application Site abuts Tung Wing On Road, San Tin, Yuen Long. It is about 300m to the west of the San Tin interchange and near the Lok Ma Chau/Huangguan Control Point and Lok Ma Chau Spur Line/Futian Control Point in San Tin, Yuen Long. Figure 1 shows the Application Site in its regional context.

Existing Site Conditions

2.02 The Application Site covers an area of approximately 108 square metres including about 47 square metres of Government Land. It is hard paved, generally flat and rectangular in shape. It is located in front of the VH at 282 Wing Ping Tsuen. The ground floor of the VH has been converted into a kitchen and restaurant called "Bo Bo Restaurant". A temporary fabric shelter is erected on the Application Site and extended from the VH as an OSA of the restaurant.

Surrounding Land Uses

2.03 The Application Site is located in an open ground in front of the cluster of VHs (restaurants on the ground floor). The Application Site is bounded by Tung Wing On Road to the north, a vacant site to the east, a number of VHs to the south, an approved temporary public vehicle park (Application No. A/STT/29) to the west. To the further north across Tung Wing On Road is the Hong Kong Institute of Construction San Tin Training Ground. To further south and southwest are the recreational uses and tourist attraction spots, including Tai Fu Tei, Man Tin Cheung Park, Man Lun Fung Ancestral Hall, Tung Shan Temple. To the west are the village settlements of Wing Ping Tsuen, Fan Tin Tsuen, Tung Chan Wai, Yan Shau Wai and On Lung Tsuen. A plan showing the Application Site in the context of its local surroundings is in Figure 3.

Access

2.04 The Application Site is accessed from Tung Wing On Road which provides direct access to Castle Peak Road – San Tin, San Tin Highway and boundary control points (via San Sham Road and San Tin Tsuen Road).

3. LAND STATUS

- 3.01 According to the Land Registry, the Application Site comprises Lot 673S.C (Part) in DD99, San Tin, Yuen Long which is demised as agricultural land. A plan showing the configuration of this lot is in **Figure 2**.
- 3.02 The subject lot is all held under Block Government Lease and demised as agricultural land with a lease term expiring on 30.6.2047. There are no user restrictions in the leases apart from the standard non-offensive trade clause.

4. PLANNING CONTEXT

Statutory Plan

- 4.01 The Application Site falls within an area zoned "Village Type Development" ("V") on the Approved San Tin Technopole OZP No. S/STT/2 gazetted on 20.9.2024. According to the Explanatory Statement accompanying the OZP, the planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. An extract of the OZP is in **Figure 4**.
- 4.02 Under the provisions of the OZP, "Eating Place" is one of the uses listed under Column 2 of the "V" zone that may be permitted with or without conditions on application to the Board. A selected range of uses including commercial, community and recreational uses may be permitted within this zone on application to the Board on the basis that these uses would serve the needs of villagers and would not adversely affect the character of villages. In order not to jeopardize the planning intention of "V" zone, the Applicant intends to use the Application Site on a temporary basis.

Town Planning Board Guidelines for Application for Eating Place within "V" Zone in Rural Areas – TPB PG-No. 15A

- 4.03 The TPB PG-No. 15A is relevant to this Application. This Guideline stipulates that "the eating place use should not create any environmental nuisance or cause inconvenience to the residents nearby. Such use should preferably be located at the fringe of a village area, e.g. "area abutting the main road" and "for a village located adjacent to recreational uses or tourist attraction spots, favourable consideration may be given to eating place use which will provide catering facilities to serve the visitors and tourists".
- 4.04 According to the TPB PG-No. 15A, eating place use on the ground floor of an NTEH within the "V" zone does not require planning permission. However, such use on other floors of an NTEH, on open ground as an extension to a ground floor eating place in an NTEH, or as a free-standing development within the "V" zone requires planning permission from the Board. Adequate car parking spaces should also be provided to serve the eating place.

Previous Applications

4.05 The Application Site, or part of it, is the subject of 10 previous applications. All, except one i.e. the last application (No. A/YL-ST/637), are for different temporary uses such as container vehicle/trailer and lorry repair workshop, container vehicle park, weigh bridge, tyre repair workshop, canteen and car parking uses (Application Nos. A/YL-ST/16, 34, 41, 57, 104, 126, 153, 203, and 294) and 3 applications (Application Nos. A/YL-ST/57, 104 and 294) were approved by the Board. Details of the approved applications are shown as follows:

Application No.	Applied Use	Date of Approval
A/YL-ST/637	Temporary Eating Place (Outside Seating	13.1.2023
	Accommodation of a Restaurant) for a	
	Period of 3 Years	
A/YL-ST/294	Temporary Public Car Park with Ancillary	24.3.2006
	Office and Staff Canteen for a Period of 3	
	Years	
A/YL-ST/104	Temporary Container Tractor/Trailer Park	8.10.1999
	with Vehicle Washing/ Repairing	
	Workshop and Canteen for a Period of 12	
	Months	
A/YL-ST/57	Temporary Container Trailer Park and	3.7.1998
	Vehicle Repairing/Washing Workshop with	
	Restaurant for a Period of 12 Months	

Similar Applications approved within the Same "V" Zone

4.06 During the past 5 years, there are 6 similar applications (Application Nos. A/YL-ST/565, 622, 638, 651, 666 and A/STT/7) for temporary eating place/OSA within the same "V" zone on the OZP, which were approved by the Board mainly on the consideration that the developments were considered not incompatible with the surrounding land uses, the eating place could meet some of the demand for eating place in the vicinity, and the applied use was generally in line with the TPB PG-No. 15A.

Application No.	Applied Use	Date of Approval
A/STT/7	Temporary Eating Place with Ancillary	16.8.2024
	Facilities for a Period of 3 Years	
A/YL-ST/666	Proposed Temporary Eating Place for a	1.3.2024
	Period of 3 Years	
A/YL-ST/651	Temporary Eating Place (Outside Seating	28.7.2023
	Accommodation of a Restaurant) for a	
	Period of 3 Years	
A/YL-ST/638	Temporary Eating Place (Outside Seating	13.1.2023
	Accommodation of a Restaurant) for a	
	Period of 3 Years	
A/YL-ST/622	Proposed Temporary Eating Place for a	29.7.2022
	Period of 3 Years	
A/YL-ST/565	Renewal of Planning Approval for	17.1.2020
	Temporary Eating Place (Outside Seating	
	Accommodation of a Restaurant) for a	
	Period of 3 Years	

5. DEVELOPMENT PROPOSAL

Renewal of Planning Permission

5.01 The Applicant seeks the Board's permission to continue using the Application Site for the temporary eating place (outside seating accommodation of a restaurant) for a period of 3 years. The Proposed Development aims to provide a catering facility to serve the nearby villagers, workers and visitors to San Tin/Lok Ma Chau.

Site Layout and Design

5.02 The Application Site is an existing open area for dining purposes located outside the VH (see Layout Plan in **Figure 5**). The ground floor of the VH, located at the immediate southwest of the Application Site is used for the kitchen and restaurant. The Application Site consists of a 1-storey (3m) fabric shelter with a total floor area of about 108 square metres for the OSA of the restaurant.

Parking and Traffic Arrangement

5.03 The Application Site is located within walking distance of the nearby village settlements. For people who are from outside of the neighbourhood, they can make use of the public transportation network, such as mini-bus, bus, taxi to the Application Site. There will be no parking space provided within the Application Site as free parking arrangements for customers have been made by the Applicant with a public vehicle park (Application No: A/STT/29) located to the immediate west of the Application Site.

Site Operations

5.04 The Proposed Development is targeted to serve walk-in customers from the nearby local villages, workers in the surrounding and visitors to San Tin/Lok Ma Chau. The Proposed Development could serve around 30 people at maximum at the same time. The proposed hours of operation at the Application Site are restricted between 7:00a.m. to 10:00p.m. from Mondays to Sundays, including public holidays. Peak hours will fall between 11:30a.m. to 2:30p.m. during weekdays.

Drainage and Sewage Facilities

5.05 The Application Site is currently served by the drainage facilities of the VH (restaurant on the ground floor) that will be maintained by the Applicant for the current application. The drainage facilities provided were considered satisfactory by Drainage Services Department (DSD) under previous planning application (No. A/YL-ST/637) (see Appendix A). Septic tank and soakaway system have already been installed according to Professional Persons Environmental Consultative Committee Practice Notes ("ProPECC PN") No. 1/23 for sewage treatment and disposal.

Fire Services Installations (FSIs)

5.06 The FSIs proposal and implementation were approved by the Fire Services Department (FSD) for the last application (see **Appendix B**). Should this application be approved, the Applicant is committed to maintain the FSIs to the satisfaction of FSD to ensure that the proposed eating place (OSA) will be operated in a safe manner.

6. JUSTIFICATIONS

Provide Catering Facility for the Local Residents, Visitors and Workers

- 6.01 The Application Site is situated at the fringe of the "V" zone where many of the commercial activities of the surrounding villages, such as Wing Ping Tsuen, Fan Tin Tsuen, Tung Chan Wai, Yan Shau Wai and On Lung Tsuen, are situated. There are very few licensed eating places in San Tin, so nearby residents have limited options. Local villagers and residents would need to travel to Yuen Long Town Centre or Sheung Shui to eat out. With small housing developments implemented in the area in recent years, demand for dining in San Tin has increased among local residents. The proposed development offers local residents, workers and visitors a larger area in which to dine out within walking distance.
- The Application Site is located approximately 300 metres west of the San Tin interchange, near the Lok Ma Chau/Huangguan control point and the Lok Ma Chau spur line/Futian control point. A large number of visitors come to San Tin at weekends and on public holidays. With large-scale infrastructure development planned for the San Tin Technopole, a significant number of job opportunities are set to arise, attracting a large workforce. The proposed development will serve residents, visitors and workers, providing a win-win situation for the applicant and the local community.

In Line with the Planning Intention

6.03 The Proposed Development falls within the broad definition of 'Eating Place', which is a use listed under Column 2 of the "V" zone of the San Tin Technopole OZP. The proposed development aims to serve the needs of villagers and support the social and economic development of the surrounding area. As 'Eating Place' use on the ground floor of a New Territories Exempted House is always permitted and other commercial uses may be permitted upon application to the Board, the proposed development is closely related to the 'V' zone and is therefore in line with its planning intention.

Compliance with TPB PG-No. 15A

The Proposed Development is considered to meet the planning criteria as specified under the TPB PG-No.15A for assessing planning applications, the reasons are:

Suitable Location

6.05 The Application Site is located at the fringe of the "V" zone and has direct access to Tung Wing On Road, which provides access to Castle Peak Road – San Tin, where most of the commercial facilities are located. This makes it a suitable location for the Proposed Development.

No Adverse Drainage, Sewage or Fire Safety Impacts

- 6.06 As mentioned in Paragraph 5.05 above, the Applicant has provided appropriate drainage facilities to the satisfaction of DSD under previous planning application. Septic tank and soakaway system have already been installed to deal with the sewage discharge. In this regard, no adverse drainage and sewage impacts are anticipated.
- 6.07 As stated in Paragraph 5.06 of this statement, the Applicant has provided appropriate FSIs to the satisfaction of FSD. In this connection, no adverse fire safety impacts are anticipated. The Applicant will maintain the FSIs to ensure that the proposed eating place (OSA) will be operated in a safe manner.

In the Vicinity of Recreation Uses and Tourist Attractions

6.08 According to TPB PG-No. 15A, for sites located adjacent to recreational uses or tourist attraction spots, favourable consideration may be given to the application. The Application Site is located to the north-east of the recreational uses and tourist attraction spots, including Tai Fu Tei, Man Tin Cheung Park, Man Lun Fung Ancestral Hall, Tung Shan Temple and fishponds and serves as a catering facility for the visitors and tourists. The eating place would also complement the recreational facilities and in turn assist promoting tourism in this part of Yuen Long.

No Adverse Traffic Impact

6.09 Apart from local residents, other visitors can use the public transport network serving the area and walk to the application site. The Application Site is well served by public transport, with buses, minibuses and taxis running along Castle Peak Road – San Tin. As the Application Site is surrounded by public car parks, visitors can park their vehicles there and walk to the site. This is unlikely to cause circulation problems for pedestrians or vehicles at the Application Site

Insignificant Environmental Impact

6.10 The Proposed Development is an OSA of an existing restaurant on the ground floor of the VH. The restaurant is well-supported by nearby villagers. The operation hours of the Proposed Development are restricted from 7:00 am to 10:00 pm daily, including public holidays and it is mainly used during lunchtime. According to the Hong Kong Planning Standards and Guidelines, the permitted noise level for residential buildings is 70 decibels. The Proposed Development's noise source is mainly human chatting, which is far lower than 70 decibels. As there is no kitchen or cooking area at the Application Site, no oil fumes or cooking odours will be emitted into the outdoor

environment. Given that the Application Site is already hard-paved and relatively small, it is anticipated that it would not generate adverse noise or air pollution.

Compatible with Surrounding Land Uses

6.11 The Application Site is situated at the fringe of the "V" zone where most commercial activities are situated. The proposed development is complemented by the surrounding residential area. Nevertheless, 'eating place' is always permitted on the ground floor of an NTEH. The surrounding area is mainly made up of villages, restaurants, village stores, low-rise temporary structures and public car parks. The proposed development comprises a one-storey shelter with a total floor area of approximately 108 square metres and is considered to be compatible with the surrounding land uses and village settings in terms of its geographical location and land use.

Approval of Similar Applications

As mentioned in Paragraph 4.06 above, the Board has granted a number of planning approvals in the past for similar eating places and OSAs located to the south and west of the Application Site. This suggests that the subject area is suitable for temporary use as an eating place.

More Desirable and Efficient Use of Land

6.13 The Proposed Development could result in the land being used more efficiently. The Application Site used to be a passageway. The Proposed Development is more desirable as it allows for better utilisation of scarce land resources and provides supporting facilities for the surrounding areas. The proposed development is expected to have a positive impact on the area and, with monitoring, would not make the surrounding areas susceptible to an untidy environment.

Planning Gains

6.14 The Proposed Development would meet the needs of the local villagers, residents and workers in the San Tin area. It would also bring in economic activities and hence employment opportunities in the area. Since the scale of development is small and the Proposed Development abuts a major road, the Proposed Development would provide convenient access for people in San Tin, and social and economic benefits to the community at large. In this regard, the Proposed Development is considered a planning gain for the general public and the local community.

TB/25/876

7. CONCLUSION

- 7.01 The Application Site falls within the "V" zone and, as evidenced by the existing surrounding land uses, has been a popular location for supporting commercial activities. The Proposed Development would not contravene the planning intention of the "V" zone as the Proposed Development is for a temporary use of 3 years, and instead, efficiently utilize scarce land resources and serve the needs of the nearby villagers and people working in and visiting the area.
- 7.02 It is considered that the Proposed Development is compatible with land use terms and that there will not be any interface problems as a result. The application also complied with TPB PG-No. 15A. It is anticipated that the proposed use will not generate any adverse traffic, drainage, sewage or environmental impacts on the surrounding areas.
- 7.03 For the reason stated above, the Proposed Development is considered a suitable temporary use in this location and the Applicant respectfully requests that the Board give favourable consideration and approve this application for a further period of 3 years.

Top Bright Consultants Ltd. November 2025

TB/25/876