

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

**Temporary Eating Place (Outside Seating
Accommodation of a Restaurant)
for a Period of Three Years in “Village Type
Development” (“V”) Zone at Lot 215(Part) in DD102,
San Tin, Yuen Long, New Territories**

SUPPLEMENTARY PLANNING STATEMENT

Applicant:

Ms. SIU Yuk Chun

July, 2026

Planning Consultant:



Top Bright Consultants Ltd.

Executive Summary

This application is prepared by Top Bright Consultants Ltd. on behalf of the Applicant to the Town Planning Board (the "Board") to seek planning permission for temporary eating place (outside seating accommodation of a restaurant ("OSA")) (the "Proposed Development") for a period of three years at Lot 215(Part) in DD102, San Tin, Yuen Long, New Territories (the "Application Site").

The Application Site covers an area of approximately 44 square metres and is currently used as the OSA of a ground floor restaurant, San Hing Fat Restaurant, in a Village House ("VH"). The restaurant has been popular with local residents for over 20 years. It is located about 600m west of the San Tin interchange, close to the Lok Ma Chau/Huangguan Control Point in San Tin, and has good transport links. The Proposed Development is intended primarily for the local villagers, residents and workers in the surrounding area, as well as visitors to San Tin and Lok Ma Chau.

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.

The Application Site is an existing open dining area with a rectangular-shaped canvas awning (Height: 2.8-3.4m) located outside the VHs. The Application Site consists of three dining tables. The ground floor of the VHs is a licensed restaurant. The proposed opening hours at the Application Site are 6:00a.m. to 10:30p.m., Mondays to Sundays, including public holidays.

The justifications of this application are: provide catering facility for the local residents, visitors and workers; 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 respectfully requests that the Board give favourable consideration and approve this application for a period of 3 years.

行政摘要

這宗規劃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第 102 約地段第 215 號(部份) (“申請地點”)，用作臨時食肆(餐廳戶外座位區)為期三年 (“擬議發展”)。

申請地點佔地約 44 平方米，目前用作一幢村屋內一間位於地下層的餐廳「新興發茶餐廳」的戶外座位區。該餐廳二十多年來一直深受當地居民歡迎。它位於新田交匯處以西約 600 米，鄰近新田的落馬洲/皇崗口岸，交通便利。擬議發展項目主要服務對象為當地村民、周邊地區的居民及工人，以及前往新田和落馬洲的遊客。

申請地點位於新田科技城分區計劃大綱核准圖(編號 S/STT/2)的「鄉村式發展」地帶。根據大綱圖的註釋，雖然位於該地帶內的新界豁免屋宇地下層的「食肆」用途無需規劃許可，但若該用途設於空地作為地下層食肆的延伸部分，則屬於「食肆」的廣泛定義範圍，而該用途已列於大綱圖的第二欄內。根據大綱圖的規定，第二欄所列的用途，經向城規會提出申請。

申請地點為村屋外側現有的露天用餐區，設有長方形的帆布遮陽篷(高度約 2.8-3.4 米)。該處設有三張餐桌，而村屋的地下層為持牌餐廳。申請地點的擬議營運時間為上午 6 時至晚上 10 時 30 分，週一至週日(包括公眾假期)均開放。

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，申請人希望城規會批准三年的臨時用途。

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SUMMARY OF APPLICATION

Applicant:	Ms. SIU Yuk Chun (蕭玉珍女士)
Applied Use:	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 215(Part) in DD102, San Tin, Yuen Long, New Territories
Site Area:	44 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 Application:	Nil

1. INTRODUCTION

- 1.01 This application is prepared by Top Bright Consultants Ltd. on behalf of Ms. SIU Yuk Chun (the "Applicant") to the Town Planning Board (the "Board") to seek 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 215(Part) in DD102, San Tin, Yuen Long, New Territories (the "Application Site").
- 1.02 The Application Site covers an area of approximately 44 square metres and is currently used as the OSA of a ground floor restaurant, San Hing Fat Restaurant (新興發茶餐廳), in a Village House ("VH"). The restaurant has been popular with local residents for over 20 years. It is located about 600m west of the San Tin interchange, close to the Lok Ma Chau/Huangguan Control Point in San Tin, and has good transport links. The Proposed Development is intended primarily for the local villagers, residents and workers in the surrounding area, as well as visitors to San Tin and Lok Ma Chau.
- 1.03 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.
- 1.04 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 specified in TPB PG-No.15A. Most of the surrounding land is currently occupied by eating places, commercial facilities, public/private vehicle parks, VHs and tourist spots.
- 1.05 With the implementation of small house developments in the vicinity in recent years, there has been an increase in demand for supporting facilities such as eating places. In this regard, the Applicant wishes to seek the Board's approval to regularize the existing use at the Application Site.
- 1.06 The following sections are intended to help facilitate the Board's decision, and will briefly describe the Application Site and its surroundings, give details of the Proposed Development and provide justifications in support of the application.

2. SITE CONTEXT

Location

- 2.01 The Application Site is located next to Castle Peak Road - San Tin, Yuen Long. It is about 600m west of the San Tin interchange, close to the Lok Ma Chau/Huangguan Control Point and the Lok Ma Chau Spur Line/Futian Control Point. **Figure 1** shows the Application Site in its regional context.

Existing Site Conditions

- 2.02 The Application Site covers an area of approximately 44 square metres. It is hard-paved and generally flat, with a rectangular-shaped canvas awning. It is located in front of the VHs at Nos. 3-4 Main Road, San Tin, Yuen Long. The ground floor of the VHs has been used as a licensed restaurant.

Surrounding Land Uses

- 2.03 The Application Site is located on the open ground in front of the cluster of VHs, which have restaurants on the ground floor. To the immediate south is Castle Peak Road – San Tin. To the south across Castle Peak Road – San Tin is the San Tin Rural Committee. To the east is the San Tin Post Office. To the east and west are village houses with restaurants on the ground floor and OSAs. Further west is Tung Shan Temple. To the north are more village houses, and further north are the village settlements of Wing Ping Tsuen, On Lung Tsuen, Fan Tin Tsuen and Yan Shau Wai. A plan showing the Application Site in the context of its local surroundings is in **Figure 3**.

Access

- 2.04 The Application Site can be accessed from Castle Peak Road – San Tin, which provides direct access to the San Tin Highway and the boundary control points via San Sham Road and San Tin Tsuen Road.

3. LAND STATUS

- 3.01 The Application Site comprises Lot 215(Part) in DD102, San Tin, Yuen Long, N.T. A plan showing the application area is in **Figure 2**.
- 3.02 Should this application be approved, the Applicant will apply for a Short Term Waiver (STW) from the Lands Department.

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 Application

- 4.05 There is no previous application pertaining to the Application Site.

Similar Applications Approved within the Same “V” Zone

- 4.06 Over the past 5 years, 7 similar applications (Application Nos. A/YL-ST/565, 622, 638, 651, 666, A/STT/7 and 30) for a temporary eating place/OSA within the same “V” zone on the OZP were approved by the Board. This was mainly because the

developments were deemed to be compatible with the surrounding land uses, the proposed eating place would meet demand in the area, and the intended use was generally in line with the TPB PG-No. 15A.

Application No.	Applied Use	Date of Approval
A/STT/30	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	9.1.2026
A/STT/7	Temporary Eating Place with Ancillary Facilities for a Period of 3 Years	16.8.2024
A/YL-ST/666	Proposed Temporary Eating Place for a Period of 3 Years	1.3.2024
A/YL-ST/651	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	28.7.2023
A/YL-ST/638	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	13.1.2023
A/YL-ST/622	Proposed Temporary Eating Place for a Period of 3 Years	29.7.2022
A/YL-ST/565	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	17.1.2020

5. DEVELOPMENT PROPOSAL

Proposed Development

- 5.01 The Applicant seeks the Board's permission to use the Application Site as an outside seating accommodation of a restaurant for a period of 3 years. The Proposed Development aims to provide catering facilities for nearby villagers, workers, and visitors to San Tin/Lok Ma Chau.

Site Layout and Design

- 5.02 The Application Site is an existing open dining area with a rectangular-shaped canvas awning (Height: 2.8-3.4m) located outside the VHs (see Layout Plan in **Figure 5**). The Application Site consists of three dining tables. The ground floor of the VHs is a licensed restaurant.

Parking and Traffic Arrangement

- 5.03 The Application Site is located within walking distance of the nearby villages. People from outside the neighbourhood can use the public transport network, including

minibuses, buses, taxis, to reach the Application Site. The bus and mini-bus stops are located 5m from the Application Site. No parking spaces will be provided at the Application Site.

- 5.04 Most of the restaurant's supplies will be delivered by private vehicles or vans, which will use the public car park near the Application Site for loading and unloading purposes. According to the Applicant, only one delivery trip per day is required to supply the restaurant.

Site Operations

- 5.05 The Proposed Development is intended to serve walk-in customers from nearby local villages, as well as workers and visitors to San Tin/Lok Ma Chau. It could accommodate around 12 people at any one time. The proposed opening hours at the Application Site are 6:00a.m. to 10:30p.m., Mondays to Sundays, including public holidays. Peak hours are expected to be between 11:30a.m. to 2:30p.m. during weekdays.

Drainage and Sewage Facilities

- 5.06 The Application Site is currently served by the drainage facilities that connect to the village drains along the access road to the east. Should this application be approved, a drainage proposal will be submitted to the satisfaction of Drainage Services Department (DSD). A septic tank and soakaway system have already been installed in accordance with the Professional Persons Environmental Consultative Committee Practice Notes ("ProPECC PN") No. 1/23 for sewage treatment and disposal.

Fire Services Installations (FSIs)

- 5.07 Should this application be approved, the Applicant will submit a FSIs proposal to the satisfaction of the Fire Services Department (FSD), ensuring that the proposed eating place (OSA) is operated safely.

6. JUSTIFICATIONS

Provide Catering Facility for the Local Residents, Visitors and Workers

- 6.01 The Application Site is located in the "V" zone, where many of the commercial activities of the surrounding villages, such as Wing Ping Tsuen, On Lung Tsuen, Fan Tin Tsuen and Yan Shau Wai, are based. As there are very few licensed eating places in San Tin, nearby residents have limited options. They would need to travel to Yuen Long Town Centre or Sheung Shui to eat out. With small house developments implemented in the area in recent years, demand for dining in San Tin has increased among local residents. The Proposed Development will offer local residents, workers and visitors a larger area in which to dine out within walking distance.

- 6.02 The Application Site is located approximately 600 metres west of the San Tin interchange, close to the Lok Ma Chau/Huangguan control point and the Lok Ma Chau spur line/Futian control point. San Tin receives a large number of visitors at weekends and on public holidays. Significant infrastructure development is planned for the San Tin Technopole, which will create a large number of job opportunities and attract a significant workforce. The Proposed Development will benefit residents, visitors and workers alike, creating 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

- 6.04 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 in the "V" zone and has direct access to Castle Peak Road – San Tin, where most of the commercial facilities on the ground floor of VHs 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 5.06 above, the Application Site is served by existing drainage facilities, and a formal drainage proposal will be submitted to the satisfaction of DSD. Septic tank and soakaway system have already been installed to deal with the sewage discharge. In this regard, no adverse drainage or sewage impacts are anticipated.
- 6.07 As stated in Paragraph 5.07 of this statement, the Applicant will provide the appropriate FSIs to the satisfaction of FSD to ensure that the proposed eating place (OSA) is operated safely. In this regard, no adverse fire safety impacts are anticipated.

In the Vicinity of Recreation Uses and Tourist Attractions

- 6.08 According to TPB PG-No. 15A, favourable consideration may be given to applications for sites located adjacent to recreational areas or tourist attractions. The Application Site is located near recreational facilities and tourist attractions, including Tung Shan Temple, Tai Fu Tei, San Tin Park, Man Tin Cheung Park and Man Lun Fung Ancestral Hall. It will serve as a catering facility for visitors and tourists. This eating place would complement the recreational facilities and, in turn, help to promote tourism in this part of San Tin.

No Adverse Traffic Impact

- 6.09 Apart from local residents, other visitors can use the public transport network serving the area to reach the Application Site on foot. The Application Site is easily accessible by public transport, with buses, minibuses and taxis running along Castle Peak Road – San Tin. As the Application Site is also located near the 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 VHs. The restaurant has been popular with local residents for over 20 years. The operation hours of the Proposed Development are restricted from 6:00 am to 10:30 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 located in the "V" zone where most commercial activities are concentrated. The Proposed Development is complemented by the surrounding villages. Nevertheless, 'eating place' is always permitted on the ground floor of an NTEH. The surrounding area consists mainly of villages, restaurants, village stores, low-rise temporary structures and public car parks. The Proposed Development, comprising only 1 canvas awning and 3 dining tables, is considered compatible with the surrounding land uses and the village settings in terms of its geographical location and land use.

Approval of Similar Applications

- 6.12 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 within the same “V” zone. 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 is a passageway and cannot be developed into a village house. The Proposed Development is preferable as it makes better use of scarce land resources and provides supporting facilities for the surrounding areas. It is expected to have a positive impact on the local area, without making it susceptible to untidiness.

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 stimulate economic activity and create employment opportunities in the area. Since the development is small-scale and abuts a major road, it would provide convenient access for people in San Tin and bring social and economic benefits to the wider community. In this regard, the Proposed Development is considered a planning gain for the general public and the local community.

7. CONCLUSION

- 7.01 The Application Site falls within the “V” zone and, as evidenced by the existing surrounding land uses, has historically supported commercial activities. The Proposed Development would not contravene the planning intention of the “V” zone as it is intended for temporary use of 3 years. Instead, it would efficiently utilize scarce land resources and serve the needs of the nearby villagers, as well as people working in and visiting the area.
- 7.02 It is considered that the Proposed Development is compatible with the surrounding land use, and that there will be no interface problems. The application also complies with TPB PG-No. 15A. It is anticipated that the proposed use will not have any adverse impact on traffic, drainage, sewage or environmental in the surrounding areas.
- 7.03 For the reasons stated above, the Proposed Development is considered suitable for temporary use at this location. The Applicant respectfully requests that the Board give favourable consideration to this application and approve it for a period of 3 years.

Top Bright Consultants Ltd.
July 2026