

**Section 16 Application for Temporary Shop and Services  
(Metalware and Construction Materials and Equipment)  
with Installation of Solar Photovoltaic System and Ancillary Office  
for a Period of 3 Years at Lot 491RP (Part) in D.D. 130 and Adjoining  
Government Land, Lam Tei, Tuen Mun, New Territories**

**Planning Statement**

Prepared by : PlanPlus Consultancy Limited

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Reference : PPC-PLG-10187  
Report : Version 1.0

## EXECUTIVE SUMMARY

*(In case of discrepancy between English and Chinese versions, English shall prevail)*

This Planning Statement is submitted, on behalf of Chun Kai Property Development Company Limited (**“the Applicant”**), to the Town Planning Board (**“the Board”**) in support of a Section 16 planning application for Temporary Shop and Services (Metalware and Construction Materials and Equipment) with Installation of Solar Photovoltaic System and Ancillary Office for a Period of 3 Years (**“the Applied Use”**) at Lot 491RP (Part) in D.D. 130 and Adjoining Government Land, San Hing Tsuen, Lam Tei, Tuen Mun, New Territories (**“the Application Site”**).

The Application Site falls entirely within an area zoned as “Village Type Development” (**“V”**) Zone on the draft Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTTY/13 (**“the OZP”**). According to the Notes of the OZP for the “V” zone, ‘Shop and Services’ is a Column 2 Use which requires planning permission from the Board.

The Applied Use is mainly for the retail of metalware, construction materials and equipment on a temporary basis. The Application Site has an area of 2,378.5m<sup>2</sup>, occupied by seven temporary structures and three shelters with building heights of not exceeding 7.4m. The total built-over area is about 1,346.5m<sup>2</sup>.

The Applied Use is fully supported by the planning justifications below:

- Not jeopardising the long-term planning intention of the “V” zone of the OZP;
- Similar approved applications for Temporary Shop and Service within the same “V” zone;
- Compatible with the surrounding land use and environment;
- There is a genuine need for a retail shop for metalware and construction materials and equipment; and
- No adverse technical impacts will be generated.

On the basis of the above justifications, we sincerely wish that the Board can give favourable consideration to this Application.

## 內容摘要

(如內文與其英文版本有差異，則以英文版本為準)

本規劃申請謹代表駿佳置業發展有限公司（下稱「**申請人**」），根據《城市規劃條例》第16條，現就新界屯門藍地新慶村丈量約份第130約地段第491號餘段（部分）和毗連政府土地的用地（下稱「**申請地盤**」），向城市規劃委員會（下稱「**城規會**」）申請作臨時商店及服務行業（金屬製品和建築物料及器材）連太陽能光伏系統及附屬辦公室（為期三年）（下稱「**申請用途**」）。

申請地盤位於《藍地及亦園分區計劃大綱草圖編號 S/TM-LTTY/13》（下稱「**大綱草圖**」）上劃作「鄉村式發展」地帶的範圍內。根據大綱草圖的《註釋》，「商店及服務行業」屬「鄉村式發展」地帶的第二欄用途，須向城規會申請規劃許可。

申請用途主要作為金屬製品和建築物料及器材的臨時零售商店之用。申請地盤面積約為2,378.5平方米，由七個臨時構築物及三個遮蔽棚組成，而所有構築物的高度為不多於7.4米。申請用途的總上蓋面積約為1,346.5平方米。

申請用途具備充分的理據，包括以下規劃考量因素：

- 不會違背大綱草圖上「鄉村式發展」地帶的長遠規劃意向；
- 在同一「鄉村式發展」地帶內有類似的申請獲批給規劃許可；
- 與周邊土地用途及環境相協調；
- 該社區有對金屬製品、建築材料和設備的零售點的需要；及
- 不會帶來不良的技術影響。

基於上述規劃考量因素，懇請城規會委員給予考慮並批准是次規劃申請。

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## **1. INTRODUCTION**

### **1.1 The Application**

1.1.1 We are commissioned by Chun Kai Property Development Company Limited (**"the Applicant"**), to prepare and submit on their behalf this planning application to seek permission from the Town Planning Board (**"the Board"**) under Section 16 of the Town Planning Ordinance (**"the Ordinance"**) for Temporary Shop and Services (Metalware and Construction Materials and Equipment) with Installation of Solar Photovoltaic System and Ancillary Office for a Period of 3 Years (**"the Applied Use"**) at Lot 491RP (Part) in D.D. 130 and Adjoining Government Land, Lam Tei, Tuen Mun, New Territories (**"the Application Site"**) .

1.1.2 The Application Site falls entirely within an area zoned "Village Type Development" (**"V"**) on the draft Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYY/13 (**"the OZP"**). According to the Notes of the OZP for the "V" zone, 'Shop and Services' is a Column 2 use which requires permission from the Board. This application is therefore submitted for the Board's consideration.

### **1.2 Structure of the Planning Statement**

1.2.1 In support of this planning application, this Planning Statement is divided into six chapters for the consideration of members of the Board.

1.2.2 **Chapter 1** provides an introduction outlining the purposes of the current application. **Chapter 2** gives background details of the Application Site in terms of the current land-use characteristics and the surrounding developments. **Chapter 3** provides details of the statutory planning context, previous applications and similar applications. **Chapter 4** explains the development proposal and various technical aspects of the Applied Use. Planning justifications in support of the application are provided in **Chapter 5**, and a summary of the submission is provided in **Chapter 6**.

## 2. APPLICATION SITE AND SURROUNDINGS

### 2.1 Location and Current Conditions of the Application Site

- 2.1.1 The Application Site is in San Hing Tsuen of Lam Tei, Tuen Mun, on Lot 491 RP (Part) in D.D. 130 and adjoining Government Land (**Figure 1** refers). With a site area of about 2,378.5m<sup>2</sup> (including 131.9m<sup>2</sup> Government Land), the Application Site is currently paved and fenced and largely occupied by a vacant structure.



**Figure 1** Location Plan (Source: Lands Department)

### 2.2 The Accessibility and Surroundings of the Application Site

- 2.2.1 The Application Site abuts Ng Lau Road to its north, which connects to San Hing Road to the south. The surrounding areas of the Application Site have a predominantly rural character, with a mixture of residential dwellings/structures, village houses, open storage yards, warehouses/godowns, workshops and vacant/unused land.
- 2.2.2 To the immediate north of the Application Site along Ng Lau Road is the Former Tuen Mun School and Tuen Tsz Wai Children's Playground. To the east is a mix of clusters of low-rise residential houses, including Wilhelmina Garden and Ocean Brilliance, and warehouses/open storage. To the south across Ng Lau Road is a Recognised Village of San Hing Tsuen, with the presence of temporary structures. To the west is also a cluster of low-rise residential houses, namely Hanison Garden, Sun King Garden and The Emperor Villa (**Figure 2** refers).





### 3. PLANNING CONTEXT

#### 3.1 Statutory Planning Context

3.1.1 The Application Site falls entirely within an area zoned “V” on the draft Lam Tei and Yick Yuen OZP No. S/TM-LTTY/13 (**Figure 3** refers). According to the Notes of the draft OZP for “V” zone, ‘Shop and Services’ is a Column 2 Use which requires planning permission from the Board. According to the covering Notes of the draft OZP, temporary use or development of any land or building not exceeding a period of three years requires permission from the Board.

3.1.2 The planning intention of the “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 Town Planning Board.



**Figure 3** Extract of the OZP (Source: Statutory Planning Portal 3)

#### 3.2 Similar Planning Applications

3.2.1 There are 10 similar applications (No. A/TM-LTTY/401, 408, 427, 437, 450, 464, 473, 475, 476, 480) for temporary shop and services use within/straddling the same “V” zone in the past five years, as detailed in **Table 1** below. All applications were approved with conditions by the Board, mainly on the considerations that the temporary uses would not jeopardise the long-term planning intention of the “V” zone; being not incompatible with the surrounding uses and the departmental concerns could be addressed by imposing approval conditions. The planning circumstances of the current application are similar to those of approved applications. Approval of this current application would be in line with the Board’s previous decisions, hence favourable consideration is sought.

**Table 1 Approved Similar Applications within the Same “V” Zone in the Past Five Years**

No.	Application No.	Applied Use	Decision by the Board
1	A/TM-LTYY/401	Proposed Temporary Shop and Services for a Period of 3 Years	Approved with condition(s) on a temporary basis on 26.03.2021
2	A/TM-LTYY/408	Proposed Temporary Shop and Services for a Period of 3 Years	Approved with condition(s) on a temporary basis on 8.1.2021
3	A/TM-LTYY/427	Proposed Temporary Shop and Services for a Period of 5 Years	Approved with condition(s) on a temporary basis on 15.7.2022
4	A/TM-LTYY/437	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	Approved with condition(s) on a temporary basis on 14.10.2022
5	A/TM-LTYY/450	Proposed Temporary Shop and Services for a Period of 3 Years	Approved with condition(s) on a temporary basis on 19.5.2023
6	A/TM-LTYY/464	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	Approved with condition(s) on a temporary basis on 8.12.2023
7	A/TM-LTYY/473	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	Approved with condition(s) on a temporary basis on 21.6.2024
8	A/TM-LTYY/475	Proposed Temporary Shop and Services with Ancillary Office for a Period of 5 Years	Approved with condition(s) on a temporary basis on 19.7.2024
9	A/TM-LTYY/476	Temporary Shop and Services for a Period of 5 Years	Approved with condition(s) on a temporary basis on 6.12.2024
10	A/TM-LTYY/480	Proposed Temporary Shop and Services for a Period of 5 Years	Approved with condition(s) on a temporary basis on 4.10.2024

## 4. DEVELOPMENT PROPOSAL

### 4.1 Development Scheme

- 4.1.1 The Applied Use is for the sale of metalware, construction materials and equipment, primarily serving customers who want to undertake DIY construction projects. The Application Site covers an area of about 2,378.5m<sup>2</sup>, including Government land of about 131.9m<sup>2</sup>. There is a total of seven single-storey temporary structures with a floor area of about 1,147.2m<sup>2</sup>, comprising a warehouse, three ancillary offices, a toilet, and two storage spaces. Together with the three shelters, the total built-over area of the Applied Use is about 1,346.5m<sup>2</sup>. The building heights (“BHs”) of these temporary structures range from 2.7m to 7.4m. The uncovered land area would mainly serve as circulation/manoeuvring space as well as the provision of one parking space for light goods vehicles (“LGVs”) and two parking spaces for private cars (“PCs”), which are intended for the loading/unloading (“L/UL”) activities and commuting of the staff. The Indicative Layout Plan is attached at **Annex 2** whilst major development parameters for the Applied Use are shown in **Table 2**.

**Table 2 Major Development Parameters**

<b>Site Area (About)</b>	2,378.5m <sup>2</sup> (including Government land of 131.9m <sup>2</sup> )
<b>Total Floor Area* (About)</b>	1,147.2m <sup>2</sup>
<b>Total Built-over Area (About)</b>	1,346.5m <sup>2</sup>
<b>Site Coverage (About)</b>	56.6%
<b>No. of Temporary Structures</b>	Total 7 - Warehouse: 1 - Office: 3 - Storage: 2 - Toilet: 1
<b>No. of Storeys</b>	1
<b>No. of Shelters</b>	3
<b>Maximum BH</b>	7.4m
<b>No. of Parking Spaces for PCs</b>	2
<b>No. of Parking Spaces for LGVs</b>	1

Remarks

\* The floor area only includes structures A to G as shown in the layout plan at Annex 2.

### 4.2 Installation of Solar Photovoltaic System

- 4.2.1 The Applied Use involves the provision of 300 solar panels (each about 2m long x 1m wide) on the roof of the temporary structures. The solar panel system has been connected to the existing electrical power network of CLP Power Hong Kong Limited (“CLP”) under the “Renewable Energy Feed-in Tariff Scheme” (“FiT Scheme”) for about four years. The electricity generated by the solar panels is not intended for consumption by the structures on the Application Site but is sold to CLP on a commercial basis.

### 4.3 Operational Arrangements

- 4.3.1 The Applied Use is exclusively for retail sales of a variety of metalware and construction materials and equipment. All the commodities under the current development proposal will also be accommodated within the designated storage area will be non-polluted and non-dangerous in nature and will remain stagnant all the time. All activities of the Applied Use will only be confined within the Application Site without affecting the neighbouring uses. No activities such as dismantling, maintenance, repair, cleaning or workshop-related works will be held within the Application Site during the planning approval period.

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- 4.3.2 The operation hours for the Applied Use will be from 9am to 6pm, Monday to Saturday, excluding Sundays and public holidays. It is estimated that there will be no more than four staff during operation hours.

**4.4 Traffic Arrangements**

- 4.4.1 The Application Site has direct vehicular access to Ng Lau Road through an ingress/egress to the west. Within the Application Site, there will be one parking space for LGVs and two parking spaces for PCs, which are primarily for the commuting of staff and supporting small-scale operational needs, such as L/UL activities of goods and products. Adequate space has been reserved within the Application Site to facilitate smooth vehicle manoeuvring.
- 4.4.2 Due to the small-scale operation, it is estimated that L/UL activities would be taken at most twice per week. The estimated peak hour traffic attraction and generation from the Applied Use are expected to be minimal, as outlined in **Table 3**. With sufficient internal transport facilities in place, no queuing or reversing of vehicles onto Ng Lau Road is anticipated, and no adverse traffic impact to the surrounding road network is expected.

**Table 3 Estimated Peak Hour Traffic Generation and Attraction**

Time Period	Estimated Trip Generation/Attraction				
	PCs		LGVs		Two-Way Total
	In	Out	In	Out	
Trips at <b>AM peak</b> per hour (09:00 – 10:00)	2	0	1	0	3
Trips at <b>PM peak</b> per hour (18:00 – 19:00)	0	2	0	1	3
Average trip per hour (10:00 – 18:00)	0	0	1	1	2

**4.5 Drainage Arrangements**

- 4.5.1 The proposed stormwater drainage works include surface U-channels at the periphery of the Application Site collecting the runoff from catchments within the site. The U-channels will connect and discharge the surface runoff to the existing manhole. Catchpits with 300mm sump are proposed at the discharged points of proposed U-Channel to desilt the surface water before discharging to the drainage outside. The Drainage Proposal is attached at **Annex 3**. Given the small and temporary scale of the proposed development, it is anticipated that there will be no significant drainage impact on the adjoining areas.

**4.6 Environmental Arrangements**

- 4.6.1 The latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storages Sites’ issued by the Environmental Protection Department and Water Pollution Control Ordinance will be strictly followed to minimise adverse environmental impacts and nuisances to the surrounding area. As such, no adverse environmental impact and misuse of the Applied Use is anticipated.
- 4.6.2 Sewage generated from toilets and sinks will enter the septic tank system (“**STS**”). The sludge of the STS will be collected by specialist contractors for disposal on a regular basis. The Professional Persons Environmental Consultative Committee Practice Notes for sewerage treatment at the Application Site will also be followed. Hence, no adverse sewerage impact is anticipated from the operation of the Applied Use.

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**4.7 Fire Safety Arrangement**

- 4.7.1 The Applied Use will comply with relevant regulations to ensure fire safety during the operational period. According to the Fire Services Installation (“FSI”) Layout Plan at **Annex 4**, FSI including hose reel systems, automatic sprinkler systems, fire alarm systems, fire extinguishers and emergency lighting, have been proposed. Hence, no adverse fire safety concern of the Applied Use is anticipated. Upon approval of the planning application and acceptance of the FSI Layout Plan by the Director of Fire Services, the Applicant will ensure the implementation and maintenance of the FSI at the Application Site.

## **5. PLANNING JUSTIFICATIONS**

### **5.1 Not Jeopardising the Planning Intention of the “V” Zone**

5.1.1 The Application Site falls entirely within the “V” zone on the OZP, which 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.’ As such, the Applied Use of ‘Shop and Services (Metalware and Construction Materials and Equipment)’ is a Column 2 Use of the “V” zone, which may be permitted subject to consideration by the Board.

5.1.2 The Applied Use is temporary in nature and does not comprise any permanent structures or modifications to existing buildings. Also, all temporary structures of the Applied Use are single-storey with BHs ranging from 2.7m to 7.4m, which do not exceed the BH restriction of 3 storeys (8.23m) of the subject “V” zone.

5.1.3 Hence, the Applied Use on a temporary basis will not jeopardise the prevailing planning intention of the “V” zone, especially when considering that the above rationales are in principle applicable to the planning control of permanent uses. Long-term planning consequences for such temporary use can be considered negligible.

### **5.2 Similar Approved Applications for Temporary Shop and Service within the Same “V” Zone**

5.2.1 Considering that the Board has approved 10 planning applications for temporary shop and service uses within the “V” zone in the vicinity of the Application Site (**Table 2 in Section 3.2** refers), these approvals imply a degree of flexibility by the Board to recognise and permit ‘Shop and Services’ use within the “V” zone. Therefore, approving the current application would not set an undesirable precedent within the “V” zone.

### **5.3 Compatible with the Surrounding Land Use and Environment**

5.3.1 The Applied Use is compatible with the surrounding land uses and development density in terms of its operational nature and development scale. The Applied Use is solely for providing small-scale and temporary retail services for metalware and construction materials and equipment, which is not incompatible with the rural uses of open storage and rural factories in the vicinity.

5.3.2 The development scale of the Applied Use is also compatible with the surroundings, as the surrounding areas of the Application Site are a developed residential locality whilst the maximum BH of 7.4m is not excessive with reference to nearby temporary structures and village houses, such as San Hing Tsuen. Considering the nearby residential developments are 3 to 4 storeys high, the massing of the Applied Use will harmonise with the surrounding context without causing any adverse visual impact.

#### **5.4 Genuine Need for a Retail Shop of Metalware and Construction Materials and Equipment**

- 5.4.1 The surrounding area of the Application Site features a village cluster layout and temporary structures for open storage and office use. Despite the likely demand for construction materials among these temporary facilities, there is currently no retail shop for metalware and construction supplies nearby, resulting in an unmet need for these essential goods. Therefore, the Applied Use will fulfil this genuine need for accessible construction goods within the community.

#### **5.5 No Adverse Technical Impacts**

##### Environmental Aspect

- 5.5.1 The Applicant shall ensure good management during the operation of the Applied Use. All metalware and construction materials will be kept in enclosed structures at all times. Thus, all retail activities will only be confined to within the Application Site without affecting the neighbouring uses. Given that no heavy vehicle or dusty operation would be involved, significant nuisances associated with air quality and noise to nearby residents are not anticipated during the operation of the retail shop.
- 5.5.2 Sewage generated will also be properly treated. Relevant practice notes and guidelines will be strictly followed to minimise adverse environmental impacts and nuisances to the surrounding area.

##### Drainage Aspect

- 5.5.3 Adequate drainage facilities will be provided at the Application Site, as demonstrated in the Drainage Proposal (**Annex 3** refers). There will be sufficient capacity to dissipate the collected stormwater. With the implementation of good management practices, it is anticipated that no adverse drainage impacts will arise from the Applied Use.

##### Traffic Aspect

- 5.5.4 The Applied Use will only make use of LGVs and PCs to travel to/from the Application Site via Ng Lau Road. No medium goods vehicle, heavy goods vehicle or container trailer/tractor, as defined in the Road Traffic Ordinance, is allowed to enter/exit or to be parked/stored on the Application Site during the planning approval period, and negligible traffic attraction and generation is anticipated. Hence, the traffic flow of Ng Lau Road and San Hing Road will not be adversely affected due to the Applied Use and no adverse traffic impacts are expected in the surrounding area.

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## **6. CONCLUSION**

- 6.1.1 This Planning Statement is submitted to the Board in support of the Temporary Shop and Service (Metalware and Construction Materials and Equipment) with Installation of Solar Photovoltaic System and Ancillary Office for a Period of 3 Years at Lot 491RP (Part) in D.D. 130 and Adjoining Government Land, San Hing Tsuen, Lam Tei, Tuen Mun, New Territories.
- 6.1.2 This Planning Statement serves to provide background information and planning justifications in support of the Applied Use. As detailed in the previous chapters, the Applied Use is well-justified on the grounds that:
- The Applied Use will not jeopardise the long-term planning intention of the “V” zone;
  - There are similar approved applications for temporary shop and services within the same “V” zone;
  - It is compatible with the surrounding land uses and environment;
  - There is a genuine need for a retail shop for metalware and construction materials and equipment; and
  - It will not generate adverse technical impacts.
- 6.1.3 In view of the above and the detailed planning justifications in this Planning Statement, we respectfully request the Board Members to give favourable consideration to this planning application.

**August 2025**  
**PlanPlus Consultancy Limited**