

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

**Temporary Market (Flea Market) and Eating Place for a
Period of 3 Years in “Village Type Development” Zone and
Area shown as ‘Road’, Lots 398(Part), 399SA(Part),
399RP(Part), 400(Part) and Adjoining Government Land
in DD109, Kam Sheung Road, Kam Tin, Yuen Long,
New Territories**

SUPPLEMENTARY PLANNING STATEMENT

Applicant:

Mr. Tang Shui Sang

Planning Consultant:



Top Bright Consultants Ltd.

August, 2025

Executive Summary

This planning application is submitted on behalf of Mr. Tang Shui Sang (the “Applicant”) to the Town Planning Board (the “Board”) to seek planning permission for a temporary market (flea market) and eating place (the “Applied Uses”) for a period of three years at Lots 398(Part), 399SA(Part), 399RP(Part), 400(Part) and Adjoining Government Land in DD109, Kam Sheung Road, Kam Tin, Yuen Long, New Territories (the “Application Site”).

The Application Site has previously been used as a candle factory with an ancillary sales and display centre named Angel Candle MFG, which was in place immediately before the Kam Tin South Interim Development Permission Area (IDPA) Plan gazetted on 5.10.1990. It was one of the famous candle manufacturers in Kam Tin and the structures on site were covered by a Short Term Waiver (STW) issued by the Lands Department in the past. After a successful long period of operation, the building gradually deteriorated. In 2006, a typhoon brought serious damage to the structure of the factory, which made the owner have no choice but to close down his business. On this convenient strategic location which is situated in the middle of the village with excellent transportation conditions, the villagers decided to utilize this emptiness to turn it into the current European-style market, now known as “Red Brick House”.

The Application Site covers an area of about 1,581 square metres (including about 47 square metres of Government land), falling within “Village Type Development” (“V”) zone and area shown as ‘Road’ on the Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15. The Application Site is the subject of 2 previous applications (Nos. A/YL-KTS/440 and 592) for a temporary flea market approved by the Board on 19.9.2008 and 7.6.2013, respectively for a period of 3 years. In accordance with the Notes attached to the OZP, the applied uses, i.e. ‘Market’ and ‘Eating Place’, are Column 2 uses of “V” zone which require planning permission from the Board. The Applicant seeks the Board’s permission to regularize the existing flea market and eating place uses on the Application Site.

The Application Site consists of 3 single-storey structures with a total floor area of about 1,452 square metres to accommodate the flea market and eating place, which includes 41 dry goods stalls for shopping services and 4 eating places (with 2 sitting out areas) for nearby villagers/visitors, and ancillary storage use. There are 3 pedestrian entrances/exits to the structures. The hours of operation at the Application Site are restricted from 10:00am to 8:00pm, from Saturdays to Sundays and public holidays.

The justifications of this application are: in line with planning intention of “V” zone; providing a unique tourist attraction in Kam Tin area; providing local shopping facilities and eating places for local residents; compatible with surrounding land uses; no adverse traffic, drainage, sewage and environmental impacts on the surrounding areas; and community support. The Applicant therefore seeks the Board’s permission to use the Application Site for the applied uses for a temporary period of 3 years.

行政摘要

這宗規劃申請乃代表鄧瑞笙先生向城市規劃委員會(“城規會”)呈交，擬議在新界元朗錦田錦上路丈量約份 109 地段第 398(部份), 399 號 A 分段(部份), 399 號餘段(部份), 400 號(部份)及毗連政府土地(“申請地點”)，用作臨時街市(跳蚤市場)及食肆用途(“申請用途”)，為期三年。

申請地點在 1990 年 10 月 5 日擬備《錦田南中期發展審批地區圖》前已用作蠟燭工廠及展銷點，該工廠為錦田有名的蠟燭製造商，過往已獲地政署批給短期豁免書。經長年的運作，廠房已逐漸殘舊，而 2006 年颱風襲港更對廠房結構造成嚴重破壞，使業主迫於結束經營。鑑於申請地點位於鄉村的中間位置及交通便捷，村民決定把空置的廠房改建為歐洲式市場，現時稱為“紅磚屋”。

申請地點的面積約為 1,581 平方米(包括約 47 平方米的政府土地)，座落於錦田南分區計劃大綱圖編號 S/YL-KTS/15 中的“鄉村式發展”地帶及顯示為‘道路’的地方。申請地點分別於 2008 年 9 月 19 日及 2013 年 6 月 7 日獲城規會批准用作臨時跳蚤市場(為期三年) (申請編號：A/YL-KTS/440 及 592)。由於申請用途屬“鄉村式發展”地帶的第二欄用途，須向城規會提出申請。申請人向城規會提出規劃申請以規範現時申請地點的跳蚤市場及食肆用途。

申請地點包括 3 座單層的構築物以容納跳蚤市場及食肆，總樓面面積約 1,452 平方米，包括 41 個乾貨購物貨攤及 4 個食肆(有 2 個食肆座位區)，並附設貯物室，服務附近村民及遊客。構築物設有 3 個行人的出入口，營業時間為逢星期六、日及公眾假期，上午十時至下午八時。

這宗規劃申請的理由為：符合“鄉村式發展”地帶的規劃意向；在錦田區提供獨特的旅遊景點；為本地居民提供購物設施及食肆；與附近土地用途協調；不會對附近地點構成不良的交通、排水、排污及環境影響；及得到公眾的支持。因此，申請人希望城規會批准三年的臨時用途。

TABLE OF CONTENTS

	Page
TABLE OF CONTENTS	i
LIST OF FIGURES	i
SUMMARY OF APPLICATION	1
1. INTRODUCTION	2
2. SITE CONTEXT	3
Location	
Existing Site Conditions	
Surrounding Land Uses	
Access	
3. LAND STATUS	4
4. PLANNING CONTEXT	4
Statutory Plan	
Previous Applications	
Similar Applications	
5. DEVELOPMENT PROPOSAL	5
Applied Uses	
Site Layout and Design	
Site Operations	
Drainage and Sewage	
Fire Service Installations	
6. JUSTIFICATIONS	6
In Line with the Planning Intention of “V” Zone	
Providing a Unique Tourist Attraction in Kam Tin Area	
Providing Local Shopping Facilities and Eating Places for Local Residents	
Compatible with Surrounding Land Uses	
No Adverse Traffic, Drainage, Sewage and Environmental Impacts on the Surrounding Areas	
Community Support	
7. CONCLUSION	9
 LIST OF FIGURES	
Figure 1 Location Plan	
Figure 2 Site Plan	
Figure 3 Plan Showing the General Area	
Figure 4 Extract from Kam Tin South Outline Zoning Plan No. S/YL-KTS/15	
Figure 5 Layout Plan	
Figure 6 Internal Layout	

SUMMARY OF APPLICATION

Applicant	: Mr. Tang Shui Sang
Applied Uses	: Temporary Market (Flea Market) and Eating Place for a Period of 3 Years
Existing Uses	: Same as the applied uses
Location	: Lots 398(Part), 399SA(Part), 399RP(Part), 400(Part) and Adjoining Government Land in DD109, Kam Sheung Road, Kam Tin, Yuen Long, New Territories
Site Area	: Private Land: 1,534 sq.m. Government Land: 47 sq.m. Total: 1,581 sq.m.
Lease	: Block Government Lease demised as agricultural land
Statutory Plan	: Kam Tin South Outline Zoning Plan No. S/YL-KTS/15 gazetted on 21.12.2018
Zoning	: "Village Type Development" ("V") (about 1,600 sq.m., 99.8%) and Area shown as 'Road' (about 3 sq.m., 0.2%)
Previous Applications	: A/YL-KTS/440 approved on 19.9.2008 A/YL-KTS/592 approved on 7.6.2013

1. INTRODUCTION

- 1.01 This application is prepared by Top Bright Consultants Limited on behalf of Mr. Tang Shui Sang (the “Applicant”) to seek planning permission for a temporary market (flea market) and eating place (the “applied uses”) for a period of three years at Lots 398(Part), 399SA(Part), 399RP(Part), 400(Part) and Adjoining Government Land in DD109, Kam Sheung Road, Kam Tin, Yuen Long, New Territories (the “Application Site”).
- 1.02 The Application Site has previously been used as a candle factory with an ancillary sales and display centre named Angel Candle MFG immediately before the Kam Tin South Interim Development Permission Area (IDPA) Plan, which was gazetted on 5.10.1990. Angel Candle MFG was one of the famous candle manufacturers in Kam Tin and the structures on site were covered by a Short Term Waiver (STW) issued by the Lands Department in the past.
- 1.03 According to the Applicant, the candle factory was erected about forty years ago, with the production of candles and the selling of the end products taking place at the same premises. The reputation of the facility reached as far as the Governors of Hong Kong before 1997, who paid numerous visits to the place. It was such a fashionable venue because it represented a wide variety of candles and incorporated the sphere of European-style. Subsequently, visiting the place was a very popular activity, not only among the high-class Governors, but also among the Westerners living in Hong Kong at the time.
- 1.04 However, after a successful long period of operation, the building gradually deteriorated. In 2006, a typhoon caused significant damage to the factory's structures, forcing the owner to close down his business. On this convenient strategic location, which is situated in the middle of the village with excellent transportation conditions, the villagers decided to utilize this emptiness to turn it into the current European-style market. The market maintained the traditional sales of candles and antiques (before 1990), which may fall within the meanings of “existing use”, and it also provides a new focus on the display of European-style items and products, such as pottery, paintings, garden furniture and vases, as well as on bringing back this European atmosphere in this place. Taking into account this historical outline, the current applied uses attempt to continue the former operation at the Application Site.
- 1.05 In the process of repairing the structure, the villager has transformed the temporary factory structure into a splendid indoor European-style market and eating place to fulfil these aims, now widely known as “Red Brick House (紅磚屋)”. Only being open in weekends and public holidays, it is by nature a landmark and tourist attraction that can help to make this area flourish again. By providing a place for local villagers to display their goods, such as garden furniture, pottery, candles, and antiques, a new tourist spot in Kam Tin has been created since 2008.
- 1.06 The Application Site falls within the “Village Type Development” (“V”) zone and area shown as ‘Road’ on the Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15. The Application Site is the subject of 2 previous applications (Nos. A/YL-KTS/440 and 592) for a temporary flea market approved by the Town Planning Board (the “Board”) on 19.9.2008 and 7.6.2013, respectively, for a period of 3 years. Following the Notes attached to the OZP, the applied uses, i.e., ‘Market’ and ‘Eating Place’, are Column 2 uses of “V” zone which require planning permission from the Board.
- 1.07 On 17.4.2025, the Applicant received an Enforcement Notice (CEP/E/YL-KTS/521) (“EN”) from the Planning Authority. The EN stated that the flea market and eating place uses found at the

Application Site constituted unauthorized development and that the Applicant should either discontinue these activities or submit a planning application to seek permission from the Board. In this regard, the Applicant seeks the Board's permission to regularize the existing flea market and eating place uses on the Application Site, which are considered in harmony with the village environment, and provide both social and economic benefits to the local community.

- 1.08 To help facilitate the Board's consideration of the application, this planning statement will give a brief account of the Application Site and its surroundings, details of the Proposed Development and justifications in support of the application.

2. SITE CONTEXT

Location

- 2.01 The Application Site is located in Tai Hong Tsuen of Kam Tin South, Yuen Long, N.T., which is situated between various residential areas along Kam Sheung Road running south. It enjoys convenient transportation networks, being only 450 metres away from Kam Sheung Road MTR Station and located on Kam Sheung Road, which is well served by public transport. **Figure 1** shows the Application Site in its regional context.

Existing Site Conditions

- 2.02 The Application Site is currently being used as a flea market and eating place catering to local villagers and visitors. It covers an area of about 1,581 square metres (including about 47 square metres of Government land) and is generally irregular in shape. A single-storey temporary structure is erected on the Application Site, including a candle shop, arts shop, furniture shop, toy and stationery shops, dry goods stalls, eating places, snack shops, etc., inside the structure. Please refer to the Site Plan at **Figure 2**.

Surrounding Land Uses

- 2.03 The subject area is a mixture of village settlements (Tai Hong Tsuen, Tsz Tong Tsuen, Kat Hing Wai) and tourist spots. The Application Site is bounded by scattered village houses to the immediate east, west and north. A refuse collection point, a public toilet and planting areas are located to its immediate south. To its further south across Kam Sheung Road are also clusters of village houses such as Hermitage Garden, Royal Benz, Super King Court, Kam's Terrace, etc.
- 2.04 A plan showing the Application Site in the context of its local surrounds is at **Figure 3**.

Access

- 2.05 Vehicular access to the Application Site is via a local track branching off Kam Sheung Road about 25 metres away. The Application Site is well served by public transport such as MTR, buses (51, 54, 64K, 77K and 251M), public light buses (RMB: 18, 23; GMB: 71, 72, 78, 602, 608) and taxis. Most visitors go to the Application Site by MTR with about 8-minute walking

distance. A plan showing the general area and pedestrian route to/from the MTR station is at **Figure 3**.

3. LAND STATUS

- 3.01 According to the Land Registry, the Application Site comprises of Lots 398(Part), 399SA(Part), 399RP(Part), 400(Part) and Adjoining Government Land in DD109, Kam Sheung Road, Kam Tin, Yuen Long, New Territories which are demised as agricultural land. A plan showing the configuration of the lots is at **Figure 2**.
- 3.02 The subject lots are 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.
- 3.03 A small portion (about 47 square metres) of the Application Site is on Government land. Should this planning application be approved, the Applicant will apply for a Short Term Tenancy (STT) to regularize the use of Government land within the Application Site.

4. PLANNING CONTEXT

Statutory Plan

- 4.01 According to the Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15 gazetted on 21.12.2018, the Application Site falls mainly within "Village Type Development" ("V") zone (about 1,578 sq.m., 99.8%) with a very minor portion within the area shown as 'Road' (about 3 sq.m., 0.2%). An extract of the OZP is at **Figure 4**.
- 4.02 As stated in the Notes accompanying the OZP, 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....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.*"
- 4.03 In accordance with the Notes attached to the OZP, the applied uses, i.e. 'Market' and 'Eating Place', are Column 2 uses of "V" zone which require planning permission from the Board.

Previous Applications

- 4.04 The Application Site is the subject of 2 previous applications (Nos. A/YL-KTS/440 and 592) for a temporary market (flea market) approved by the Board on 19.9.2008 and 7.6.2013, respectively for a period of 3 years.

Similar Applications

- 4.05 An area to the west of the Applications Site was approved by the Board (Application No. A/YL-KTS/974) for a use of similar nature (i.e shop and services and eating place) within the same “V” zone. Details of similar uses approved by the Board within the same “V” zone are summarised as follows:

Application No.	Date of Approval	Applied Use	Length of Planning Permission
A/YL-KTS/927	11.11.2022	Temporary Shop and Services for a Period of 3 Years	3 years
A/YL-KTS/974	19.4.2024	Proposed Temporary Shop and Services for a Period of 5 Years	5 years
A/YL-KTS/1027	8.11.2024	Proposed Temporary Eating Place for a Period of 3 Years	3 years

5. DEVELOPMENT PROPOSAL

Applied Uses

- 5.01 The Applicant seeks the Board's permission to use the Application Site for a temporary market (flea market) and eating place for a period of 3 years. It provides retail and eating place services for the nearby villagers and acts as a tourist attraction to cater to local visitors and tourists.

Site Layout and Design

- 5.02 The Layout Plan (see **Figure 5**) is devised having due regard to the specific site characteristics and the retention of the existing brick structures on the Application Site. The Application Site consists of 3 single-storey structures with a total floor area of about 1,452 square metres to accommodate the flea market and eating place, which includes 41 dry goods stalls for shopping services and 4 eating places (with 2 sitting out areas) for nearby villagers/visitors, and ancillary storage use. There are 3 pedestrian entrances/exits to the structures. The internal layout of the structures is provided in **Figure 6** for reference.

Site Operations

- 5.03 The hours of operation at the Application Site are restricted from 10:00am to 8:00pm, from Saturdays to Sundays and public holidays. All external lighting at the site will be turned off by 8:00 p.m. to prevent light pollution to the surrounding area and residents nearby.

Drainage and Sewerage

- 5.06 There are existing village drains along the eastern boundary of the Application Site. Drainage facilities including gutters and u-channels are provided along the eastern boundary to collect and divert surface runoff from the Application Site to the existing village drains. The Applicant will maintain these existing drainage facilities. Should this application be approved, the Applicant will provide drainage facilities to the satisfaction of the Drainage Services Department (DSD). A public toilet is located 5m to the immediate south of the Application Site which is convenient for use by the villagers and visitors.

Fire Service Installations

- 5.07 A Fire Service Installations (FSIs) proposal has been submitted by the Applicant's fire services contractor for compliance with approval conditions of the last application (No. A/YL-KTS/592). A formal submission of the revised FSIs proposal will be conducted by the contractor upon approval of this application. The Applicant will provide the FSIs to the satisfaction of Fire Services Department.

6. JUSTIFICATIONS

In Line with Planning Intention of "V" Zone

- 6.01 The planning intention of the "V" zone, as stated in the Explanatory Statement, 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." Furthermore, "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 infrastructure and services." The Applicant considers that the proposed temporary use is in line with the planning intention of the "V" zone because:
- (a) The applied uses fall within the broad definition of 'Market' and 'Eating Place' and are uses listed under Column 2 of the "V" zone of the Kam Tin South OZP. The applied uses serve the needs of villagers, supports the social and economic developments of the nearby villages and complement the local tourist industry.
 - (b) It contributes to the concentrated village type development, since the Application Site is not located at the periphery, but inside the central place of a village. On this particular spot, the applied uses can further improve the liveliness of the area.
 - (c) The applied uses do not include any construction, excavation/filling of land, or redevelopment on the Application Site.
 - (d) As the Application Site falls within the land owned by Tso Tong (祖堂), application for small house development is subject to a wide-ranging set of conditions, and additional detailed procedures would be necessary to meet the application requirements, including the sale of Tso Tong land to individual indigenous villagers. It is envisaged that it would take considerable time to resolve various land issues and that any small house development is unlikely to commence in the next 3 years.

Providing a Unique Tourist Attraction in Kam Tin Area

- 6.02 The applied uses on the Application Site have provided a unique tourist attraction which greatly improves the image and popularity of the area. The market and eating place are run by indigenous villagers, who aim to offer a European-style attraction spot to meet the increasing interest in overseas souvenirs and cultural items. Basically, the Application Site has been designed to cater for this cultural demand, which has persisted after the closure of the candle factory. It is also promoted by MTR as one of the attractions in Kam Tin as it is located within 500m walking distance from Kam Sheung Road MTR Station.



- 6.03 The marketing idea for this Application Site has a lot of similarities with Stanley Market on the south side of Hong Kong Island. This implies a strong emphasis on providing a sightseeing spot in the territory, both for local residents and tourists. The local community in this part of Kam Tin is formed by local Chinese, as well as returned overseas Chinese, expatriates and east-Asians (mainly originated from Nepal). This diverse neighbourhood has an intensifying interest in international cultures, while some of them are also looking for different kinds of lifestyles. The applied uses can meet these preferences in cultural demand and lifestyle outlets.
- 6.04 The applied uses can also function as an alternative way to promote the local economy, as it will create jobs by providing a place for the villagers to sell their products. This European-style market offers them a suitable place to satisfy this particular pressing need as well as complying with the Government's policies of encouraging local tourism and economies. The Proposed Development provides a win-win situation to all parties concerned on one hand and benefits the community at large on the other.
- 6.05 On revitalising the local tourism industry, it was stated in "Development Blueprint for Hong Kong's Tourism Industry 2.0" that to develop more distinctive local tourism products, provide better services and attractive products. The Application Site has established a local attraction and is welcomed by local visitors and tourists. It has the potential to develop into a unique tourist spot at the district level and help instill the concept of "tourism is everywhere in Hong Kong".

Providing Local Shopping Facilities and Eating Places for Local Residents

- 6.06 The improvement of the rail and road systems in Kam Tin enables more and more residential developments in this part of the New Territories, such as the newly developed residential developments in Kam Shueng Road Station. It is anticipated that this area will eventually become a popular residential choice for both locals and expatriates. In particular, the Shek Kong has already developed as a centre for east-Asians. The applied European-style market with items such as candles, garden sculptures and furniture, wine specialists, florists, painting, pottery, Chinese antique etc, will certainly enhance the quality of life and fulfill the demand of different varieties of decorative items for residential developments. Through these choice possibilities, the quality of life will be enhanced.

Compatible with Surrounding Land Uses

- 6.07 The surrounding areas mainly comprise villages, warehouses, car dealers and repair workshops, real estate agency and fallow agricultural land. As the Application Site will only be used as a market and eating place that is akin to other retail/dining facilities commonly found in villages, the applied uses are considered compatible with the surrounding land uses and help to maintain a harmonious rural environment by preserving and reinforcing the rural setting of the area. It also complements the local tourist industry by providing a unique experience for those local and overseas visitors who are interested in exploring the way of life of indigenous villages.

No Adverse Traffic, Drainage, Sewage and Environmental Impacts on the Surrounding Areas

Traffic Impact

- 6.08 Apart from local villagers, other visitors can make use of the public transportation network (e.g. bus, minibus and taxi) serving the area or walk to the Application Site. According to the last application, the Transport Department had no comment on the application. In this regard, it is anticipated that there will be no adverse traffic impact on the surrounding areas.

Drainage and Sewage Impacts

- 6.09 The applied uses would not involve any pond filling or paving of the site, which will remain the same as the current situation. Surface runoff will flow into the periphery and existing drainage channels along the eastern boundary of the site. The Applicant will maintain the existing drainage facilities and prevent blocking at any time. Drainage facilities will be provided to the satisfaction of DSD. For the sewage disposal from the eating place, the Applicant will adhere to ProPECC PN No. 1/23 to manage the sewage treatment and disposal at the Application Site. A public toilet is provided to the south of the Application Site for using by local villagers and visitors. In this regard, no adverse drainage and sewage impacts are anticipated.

Environmental Impact

- 6.10 Since the European-style market is designed as such to keep all the activities indoors, the potential noise and visual disturbance will be confined within the main structure. The enclosed design constitutes an insignificant environmental impact to the surrounding environment, as possible disturbing factors, such as chatting, will be drown out. The operation hours will be restricted from 10am to 8pm, therefore no adverse noise impact is anticipated.

Community Support

- 6.11 Since the last applications were approved, the Application Site is most welcomed by the local community and tourists. This facility was well reported by the local newspapers and magazines and included in the MTR Tourist Guide for spots of interest along the Tuen Ma Line. Therefore, the applied uses are a good example of encouraging private initiative and participation in promoting tourism in Hong Kong.

7. CONCLUSION

- 7.01 The Application Site is located along Kam Sheung Road which is characterized by a mixed use of shops, eating place, village houses, warehouses, and vehicle-related businesses. The application is in line with the planning intention of the “V” zone. The applied uses should be supported from the planning and land use points of view and result in more economic and efficient use of land.
- 7.02 The Application Site was previously approved by the Board for the same use (Application Nos. A/YL-KTS/440 and 592). It is considered that the applied uses are compatible in land use terms, and the provision of such a unique market as well as a local-scale tourist attraction will certainly help instill the concept of “tourism is everywhere in Hong Kong” and enhance the quality of life of the local residents. It is anticipated that the Proposed Development would not create any adverse traffic, drainage/sewage and environmental impacts.
- 7.03 For the reasons stated above, the applied uses (i.e. market and eating place) are considered suitable temporary uses in this location and the Board is therefore invited to consider it favourably.

Top Bright Consultants Limited
August 2025