

Planning Statement

Introduction

1. This Planning Statement is submitted to the Town Planning Board (“the Board”) on behalf of Mr. TANG Tin Wai (“the Applicant”) in support of the planning application for the renewal of planning approval for ‘Temporary Shop and Services’ for a period of 3 years (“the Development”) at Lot Nos. 565 (Part), 566 RP (Part), 613 (Part) and 616 RP (Part) in D.D. 106 and adjoining Government Land, Kam Tin, New Territories (“the Site”) under Section 16 of the Town Planning Ordinance.

Application Site (Plans 1 and 2)

2. The Site comprises Lot Nos. 565 (Part), 566 RP (Part), 613 (Part) and 616 RP (Part) in D.D. 106 and adjoining Government Land, Kam Tin, New Territories.
3. The Site is accessible from Kam Sheung Road leading to the ingress to its east.
4. The site area is about 3,985 m², including about 53 m² of Government Land.
5. The Site is the subject of a previous application No. A/YL-KTS/970 for the same applied use submitted by the same applicant and approved by the Rural and New Town Planning Committee (“the Committee”) in 2023 for a period of 3 years, of which all approval conditions were satisfactorily complied with by the Applicant. Compared with the previous approval, the applied use, development parameters and layout of the current application remain unchanged.

Planning Context

6. The Site falls within an area zoned “Other Specified Uses (Rural Use)” (“OU(RU)”) on the Approved Kam Tin South Outline Zoning Plan (the “OZP”) No. S/YL-KTS/15.
7. The planning intention of the “OU(RU)” zone is primarily intended for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Town Planning Board, with a view to upgrading or improving the area or providing support to the local communities.
8. Provided that the Development is temporary in nature, renewal of planning approval on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the “OU(RU)” zone.

TPB Planning Guidelines

9. The TPB Guidelines for ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34D) are relevant to the application.

10. The application is in line with TPB PG-No. 34D in that there has been no material change in planning circumstances since the granting of the previous approval under application; all approval conditions of the previous approval were satisfactorily complied with; and the time period sought does not exceed the duration of the previous approval.
11. The TPB Guidelines for ‘Designation of “Other Specified Uses” annotated “Rural Use” Zone and Application for Development within “Other Specified Uses” annotated “Rural Use” Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 38) are relevant to the application. Application for development within “OU(RU)” zone would need to demonstrate that the proposed development is in line with the planning intention of the zone and will not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings and will not overstrain the capacity of existing and planned infrastructure such as transport, drainage, sewerage and water supply in the area. Each development proposal will be assessed on its individual merits, with particular reference to its sustainability in ecological, environmental and infrastructural terms.

Development Parameters

12. The following table summarises the details of the structures on site (**Plan 3**):

No.		Uses	Floor Area (ab.) (m ²)	Covered Area (ab.) (m ²)	Height (ab.) (m)	No. of Storeys
1		Open shed	624	624	7.0	1
2	a	1/F: Office	98	98	7.0	2
		G/F: Showroom	98			
	b	Open shed	18	18	3.5	1
3		Toilet	28	28	3.5	
4		Storeroom	15	15	3.5	
5		Open shed	186	186	7.0	
6		Office	41	41	3.5	
7		Container office	15	15	2.6	
8		Container office	15	15	2.6	
9		Meter room	6	6	4.0	
10		Showroom for luxury cars	48	48	4.0	
11		Open shed	481	481	7.0	
12		Container office	29	29	2.6	
13		Container office	15	15	2.6	
14		Container office	15	15	2.6	
15		Open shed	890	890	7.0	
Total			<u>2,622</u>	<u>2,524</u>		
			Plot Ratio	Site Coverage		
			0.66	63%		

13. The Site is currently used as a motor-vehicle showroom. The motor-vehicle showroom provides a venue for the display of about 100 nos. of new and/or second-hand private cars and/or light goods vehicles (LGVs). Vehicles are mostly placed under the open sheds, with some luxury cars being stored inside the indoor showroom for security concern.

14. Operation hours are from 8 a.m. to 9 p.m. daily (including Sundays and public holidays).
15. The Site is accessible from Kam Sheung Road. An entrance of 7.5 m in width is provided for vehicular access.
16. 7 nos. of parking space for private cars and 3 nos. of parking spaces for LGVs are provided at the Site. Sufficient space is allowed for car manoeuvring within, entering and leaving the Site. No parking, reversing or turning of vehicles on public road is expected.

Previous Applications

17. The Site is the subject of 16 previous applications approved by the Committee:

Application No.	Applied Use	Date of Approval
A/YL-KTS/36*	Open Storage of Motor Vehicles	20.10.1995
A/YL-KTS/193*	Temporary Open Storage of Motor Vehicles for a Period of 3 Years	28.1.2000
A/YL/KTS/253*	Temporary Bus Chassis and Coach Park with Ancillary Office for a Period of 3 Years	9.11.2001
A/YL-KTS/275*	Temporary Parking of Bus Chassis and New Coach with Ancillary Office for a Period of 3 Years	28.6.2002
A/YL-KTS/322*	Temporary Parking of Bus Chassis and New Coach with Ancillary Parts Assembly for a Period of 3 Years	15.10.2004
A/YL-KTS/340*	Temporary Open Storage of New Coaches and New Vehicle Parts for a Period of 3 Years	18.3.2005
A/YL-KTS/406	Renewal of Planning Approval for Temporary Parking of Bus Chassis and New Coach with Ancillary Parts Assembly Uses for a Period of 3 Years	12.10.2007
A/YL-KTS/416	Renewal of Planning Approval for Temporary Parking of Bus Chassis and New Coach with Ancillary Parts Assembly for a Period of 3 Years	7.3.2008
A/YL-KTS/462	Temporary Parking of Bus Chassis and New Coach with Ancillary Parts Assembly for a Period of 3 Years	27.3.2009
A/YL-KTS/470	Temporary Open Storage of New Coaches and New Vehicle Parts for a Period of 3 Years	7.8.2009
A/YL-KTS/479	Temporary Open Storage of New Coaches and New Vehicle Parts with Ancillary Workshop for a Period of 3 Years	4.12.2009

A/YL-KTS/562	Temporary Parking of Bus Chassis and New Coach with Ancillary Parts Assembly for a Period of 3 Years	17.8.2012
A/YL-KTS/569	Temporary Open Storage of New Coaches and New Vehicle Parts with Ancillary Workshop for a Period of 3 Years	16.11.2012
A/YL-KTS/718	Proposed Temporary Shop and Services (Motor Vehicles Showroom) for a Period of 3 Years	23.12.2016
A/YL-KTS/851	Temporary Shop and Services for a Period of 3 Years	15.9.2020
A/YL-KTS/970	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	25.8.2023

** The zoning of the Site was amended from “Undetermined (“U”) to “OU(RU)” on the draft Kam Tin South OZP No. S/YL-KTS/10 gazetted on 22.9.2006.*

18. The previous applications were approved mainly on considerations that approval of temporary uses would not frustrate the long-term use of the area; compatible with the surrounding areas; the concerns of relevant government departments could be addressed by means of approval conditions; and the applicant complied with all approval conditions.
19. Given that the planning context of the adjacent areas has not been significantly altered, it is considered that the planning circumstances of the current application are relevant to the previous approval.
20. The latest previous approval no. A/YL-KTS/970 for the same applied use submitted by the same applicant was approved by the Committee on 25.8.2023. Compared with the previous approval, the applied use, development parameters and layout of the current application remain unchanged.

Similar Applications

21. There are 3 similar applications for shop and services use approved by the Committee within the “OU(RU)” zone on the OZP in the past 5 years:

Application No.	Applied Use	Date of Approval
A/YL-KTS/911	Proposed Temporary Shop and Services for a Period of 5 Years	26.11.2021
A/YL-KTS/967	Proposed Temporary Shop and Services (Vehicles, Caravans and Construction Materials Showroom) with Ancillary Office for a Period of 5 Years	25.8.2023
A/YL-KTS/1040	Proposed Temporary Shop and Services (Vehicle Showroom) for a Period of 3 Years	4.7.2025

22. The similar applications were approved by the Committee between 2021 and 2025 on considerations that temporary approval would not frustrate the long-term planning intention of the

“OU(RU)” zone; not incompatible with surrounding land uses; and no adverse departmental comments or the concerns could be addressed by relevant approval conditions.

23. Given that the planning context of the adjacent areas has not been significantly altered, it is considered that the planning circumstances of the current application are relevant to the similar approved applications.

No Adverse Impacts to the Surroundings

Visual

24. The Development involves the erection of temporary structures. The applied use is considered not incompatible with surrounding land uses intermixed with open storage yards, warehouses, residential dwellings, car services and unused land.
25. An existing motor-vehicle showroom is located to the immediate west of the Site. It is operating with valid planning approval No. A/YL-KTS/1040 for proposed temporary shop and services (vehicle showroom) for a period of 3 years. Given that the temporary development under the current renewal application is of similar nature, adverse visual impact to the surrounding areas should not be anticipated.

Traffic

26. The provision of parking spaces remains the same as that approved in the previous approved application No. A/YL-KTS/970. 7 nos. of parking spaces for private cars and 3 nos. of LGVs parking spaces are provided on site for daily operation of the Development. Sufficient space is allowed for car manoeuvring within, entering and leaving the Site (**Plans 4a and 4b**). 4 nos. of parking spaces for private cars will be reserved for customers who have given prior notification, whereas the remaining 3 nos. of parking spaces for private cars are reserved for staff use.
27. The trip generation and attraction rates are expected to be 7 trips per day respectively (i.e. 14 trips per day), mainly induced from staff and customers who visit the showroom under appointment. The existing traffic flow induced from the sale of vehicles is insignificant, given that only a couple of vehicles were sold per week on average.
28. Given the Development is a showroom in nature, the operation of the business does not involve frequent loading/unloading activities. Vehicles on sale are driven to the showroom with trade licences. No goods/car-carrying trailers are required for vehicle delivery to the showroom. As such, no significant increase in traffic flow is induced.
29. The Development is accessible by public transport services (**Plan 5**). There is a Green Minibus & bus stop (Ng Ka Tsuen) at a distance of about 70 m to the north of the Site. The estimated walking time is within 1 minute.
30. No vehicles exceeding 5.5 tonnes, medium goods vehicles (MGVs) and heavy goods vehicles (HGVs) are allowed to park, stall, enter or exit the Site.

31. No parking, queuing and reverse movement of vehicles are allowed on public roads.
32. In view of low trip attraction and generation rates, the Development will not cause adverse traffic impact to the adjacent area and road network.

Environment

33. The Applicant undertakes to follow the measures as set out in the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Environmental Protection Department in order to minimise any possible environmental nuisances, and to comply with all environmental protection/pollution control ordinances.
34. A peripheral fencing of 7 m in height is erected along the boundary of the Site to block any potential noise which might affect the surrounding areas.
35. The showroom is for displaying vehicles for sale. No public announcement systems, whistle blowing or portable loudspeaker will be allowed within the Site. No car beauty, washing, repairing and dismantling or other workshop-related activities are allowed to be carried out within the Site. Noting that no active movement of vehicles within the Site is expected, potential adverse noise impacts to the surrounding areas are not anticipated.

Drainage

36. The drainage proposal (**Plan 6**) and the drainage works were accepted by the Chief Engineer/Mainland North, Drainage Services Department under the previous application no. A/YL-KTS/851 (**Annexes Ia & Ib**).
37. The existing drainage facilities have been maintained in good conditions throughout the approval period of the previous renewal applications.
38. As mentioned in Sections 5 & 20 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application no. A/YL-KTS/851 and A/YL-KTS/970.

Fire Safety

39. The fire service installations (FSI) proposal (**Plan 7**) and the implementation works were accepted by the Director of Fire Services (D of FS) under the previous application no. A/YL-KTS/851 (**Annexes Ic & Id**).
40. The Applicant has requested relevant contractors for FSI inspection on site. Valid FS251 certificates will be submitted for the perusal of D of FS upon completion of the proper inspection.
41. As mentioned in Sections 5 & 20 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application nos. A/YL-KTS/851 and A/YL-KTS/970.

Planning Gain

42. The Development operates with a view to fulfil local and industrial demand for motor vehicles. It also provides job opportunities to local residents.

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