

Supplementary Statement

1) Background

1.1 The applicant seeks to use Lot 390 RP (Part) in D.D. 106, Kam Sheung Road, Yuen Long, New Territories (the Site) for '**Temporary Shop and Services and Eating Place for a Period of 5 Years** (the proposed development) (**Plan 1**). The applicant intends to continue to operate the shop and services (estate agency) and eating place (restaurant) to serve nearby locals living in Kam Tin and Pat Heung.

2) Planning Context

2.1 The Site falls within an area zoned as "Village Type Development" zone ("V") on the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15 (**Plan 2**). According to the Notes of the OZP, both 'shop and services' and 'eating place' are column 2 uses within the "V" zone, which requires permission from the Board. As the applied use intends to serve the nearby locals and the application is only on a temporary basis, it will not frustrate the long term planning intention of the "V" zone. The building height and form of structures are similar to its surrounding area (i.e. Tin Sam San Tsuen) within the "V" zone (i.e. maximum building of 3 storeys (8.23m)), therefore, it is considered not incompatible with the surrounding environment.

2.2 The Site is the subject of four previous S.16 planning applications for the similar 'shop and services' and 'eating place' uses submitted by the same applicant, within which, the latest application (No. A/YL-KTS/890) was approved by the Board on a temporary basis of 3 years in 2021, hence, approval of the current application would not set an undesirable precedent within the same "V" zone.

2.3 When compared with the previous application (No. A/YL-KTS/890), the major development parameters, i.e. site area, building height and parking spaces remain unchanged while the plot ratio, site coverage and number of structures are slightly changed to meet the operational needs. The applicant has made effort in complying with approval conditions of the previous application (No. A/YL-KTS/890), details are shown at **Table 1** below:

Table 1 – Details of Compliance with Approval Condition of the Previous Application

Approval Conditions of Application No. A/YL-KTS/890		Date of Compliance
(d)	The implementation of the accepted drainage proposal	Not complied with
(f)	The implementation of fire service installations (FSIs) proposal	Not complied with

- 2.4 Regarding the planning approval conditions (d), the drainage facilities has been built in accordance with the approved drainage proposal in Dec 2022. However, the applicant did not have sufficient time to comply with this approval condition by the designated time period.
- 2.5 Regarding the planning approval condition (f), the applicant made submission with a certificate of FSIs and equipment (FS251) for compliance with this approval condition on 31/1/2023. However, the applicant could not fully comply with this approval condition prior to the site inspection of D of FS, hence, the applicant did not have sufficient time to address comments of F of FS by the designated time period, which led to the revocation of the application on 27/02/2023.
- 2.6 In support of the application, the applicant submitted a FSIs proposal and an as-built drainage plan to mitigate any adverse impact arising from the proposed development (**Appendices I to II**).

3) Development Proposal

- 3.1 The Site occupies an area of 1,217 m² (about) (**Plan 3**). A total of 4 structures are proposed at the Site for shop and services, offices, kitchen, washroom, and rain shelter for parking space with a total GFA of 489 m² (about) (**Plan 4**). Details of development parameters are shown at **Table 1** below:

Table 1 - Major Development Parameters

Application Site Area	1,217 m ² (about)
Covered Area	381 m ² (about)
Uncovered Area	836 m ² (about)
Plot Ratio	0.4 (about)
Site Coverage	31% (about)

Number of Structure	4
Total GFA	489 m ² (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	489 m ² (about)
Building Height	3m – 8m (about)
No. of Storey	1 to 2

3.2 When compared with the previous approved application (No. A/YL-KTS/890), the current application involves of converting existing structures to the proposed scheme with 4 proposed structures (i.e. structures B1 to B4) to meet the operational needs (**Plan 5**). No outside seating area will be provided at the Site.

3.3 The operation hours of the proposed development are 09:00 to 22:00 daily, including public holidays. The estimated number of staff working at the Site are 12 and it is estimated that the Site would attract not more than 40 visitors per day. The Site is accessible from Kam Sheung Road via a local access (**Plan 1**). A total of 10 PC parking spaces and 1 LGV loading/unloading (L/UL) space are provided at the Site for staff and visitors., details are shown below:

Table 2 - Provision of Parking and L/UL Space

Type of Space	No. of Space
Parking Space for PC for Staff - 2.5 m (W) x 5 m (L)	3
Parking Space for PC for Visitor - 2.5 m (W) x 5 m (L)	7
L/UL Space for LGV for Staff - 3.5 m (W) x 7 m (L)	1

3.4 5.5 tonnes lorry would be deployed for transportation of goods to/out of the Site, hence, 1 L/UL space for LGV is provided to support the operation. Medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the *Road Traffic Ordinance*, are prohibited to be parked/stored on or enter/exit the Site at any time during the planning approval period. Sufficient space is provided for vehicles to smoothly manoeuvre within the Site to ensure that no vehicle will turn back onto the local road (**Plan 5**). As trips generated and attracted by the proposed development is minimal (as shown below), adverse

traffic impacts on the surrounding road network should not be anticipated.

Table 3 – Estimated Trip Generation and Attraction

Time Period	Trip Generation and Attraction				2-Way Total
	PC		LGV		
	In	Out	In	Out	
Trips at <u>AM peak</u> per hour (08:00 – 09:00)	4	2	1	1	8
Trips at <u>PM peak</u> per hour (18:00 – 19:00)	3	4	1	1	9
Traffic trip per hour (average)	2	2	0.5	0.5	5

3.5 The applicant will follow 'Control of Oil Fume and Cooking Odour from Restaurants and Food Business' issued by EPD to control oily fume and cooking odour emissions generated from the eating place for the operation. Adequate air pollution control equipment is provided at the kitchen ventilation system for treating cooking fume emissions before being discharged to the odour environment, in order to fulfill the requirements of the *Air Pollution Control Ordinance*.

3.6 The applicant will strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by Environmental Protection Department and statutory requirements under relevant pollution control ordinances to minimize adverse environmental impacts and nuisance to the surrounding area. The applicant will strictly follow the *Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs 1/23)* when designing the on-site sewage system within the Site. Licensed collectors will be employed by the applicant to collect and dispose of sewage regularly to ensure no overflowing of sewage at the Site.

4) Conclusion

4.1 The proposed development will not create significant nuisance to the surrounding areas. Adequate mitigation measures are provided, i.e. submission of a FSIs proposal and an as-built drainage plan to mitigate any adverse impact arising from the proposed development (**Appendices I to II**).

4.2 In view of the above, the Board is hereby respectfully recommended to approve the subject

application for **‘Temporary Shop and Services and Eating Place for a Period of 5 Years’**.

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LIST OF PLANS

Plan 1	Location Plan
Plan 2	Plan Showing the Zoning of the Application Site
Plan 3	Plan Showing the Land Status of the Application Site
Plan 4	Layout Plan
Plan 5	Swept Path Analysis

APPENDICES

Appendix I	Fire Service Installations Proposal
Appendix II	As-built Drainage Proposal