

## **Supplementary Statement**

### **1) Background**

- 1.1 The applicant seeks planning permission from the Town Planning Board (the Board) to use *Lots 3250 S.B ss.24 S.A RP and 3250 S.B ss.34 RP in D.D. 104 and Adjoining Government Land (GL), Mai Po, Yuen Long, New Territories* (the Site) for ‘**Temporary Eating Place and Associated Filling of Land for a Period of 3 Years**’ (the applied use) (**Plan 1**).
- 1.2 The Site is in close proximity to nearby residential developments (i.e. Fairview Park Boulevard and Yau Pok Road Light Public Housing), where there is strong local demand for eating place. The applicant would like to continue using the Site to serve the nearby locals.

### **2) Planning Context**

- 2.1 The Site currently falls within an area zoned “Commercial/Residential” (“C/R”) and “Residential (Group D)” (“R(D)”) zones on the Approved Mai Po & Fairview Park Outline Zoning Plan (OZP) No.: S/YL-MP/8 (**Plan 2**). According to the Notes of the OZP, ‘eating place’ is a column 1 use within “C/R” zone but a column 2 use within the “R(D)” zone, which require planning permission from the Board. Filling of land also requires planning permission from the Board.
- 2.2 The applied uses are considered not incompatible with the surrounding area which is dominated by low-rise residential developments, eating places, shop and services and open storage uses. Although the applied uses are not entirely in line with the planning intention of the “R(D)” zone, the applicant (i.e. the sole landowner) current has no intention to develop the Site for residential use. Hence, approval of the application on a temporary basis would not frustrate the long-term planning intentions of the “R(D)” zone and would better utilise precious land resources in the New Territories.
- 2.3 The Site is the subject of two previous applications (Nos. A/YL-MP/318 and 342) for the same applied uses by the same applicant, which were approved by the Board on a temporary basis of 3 years in 2021 and 2023 respectively. Since the current application is in similar nature, approval of the application is in line with the Board’s previous decisions and would not set an undesirable precedent within the “R(D)” zone.
- 2.4 When compared with the previous application (No. A/YL-MP/342), gross floor area (GFA), number of structures, building height and operation mode remain unchanged while the site area

is slightly revised to reflect the existing condition of the premises. Comparison of the development parameters between the proposed scheme and the approved scheme under previous application No. A/YL-MP/354 are shown at **Table 1** below:

**Table 1** - Development Parameters Between the Proposed Scheme and Previous Application No. A/YL-MP/342

	<b>A/YL-MP/342 (a)</b>	<b>Current Application (b)</b>	<b>Difference (b) – (a)</b>
<b>Site Area</b>	1,187 m <sup>2</sup> (about)	1,213 m <sup>2</sup> (about)	+26 m <sup>2</sup> (+2%)
<b>Total GFA</b>	1,610 m <sup>2</sup> (about)		-
- Domestic GFA	Not applicable		
- Non-Domestic GFA	1,610 m <sup>2</sup> (about)		
<b>Plot Ratio</b>	1.36	1.33	-0.03 (-2%)
<b>Site Coverage</b>	83%	81%	-2%
<b>No. of Structure</b>	2		-
<b>Building Height</b>	4 m - 7 m		-
<b>No. of Storey</b>	1 – 2		-

2.5 The applicant has made effort to comply with approval conditions of the previous application, details are shown at **Table 2** below.

**Table 2** – Details of Compliance with Approval Conditions of the Previous Application

<b>Approval Conditions of Application No. A/YL-MP/342</b>		<b>Date of Compliance</b>
(b)	The submission of a revised fire service installations (FSIs) proposal	Not complied with
(c)	The implementation of the revised FSIs proposal	Not complied with
(d)	The submission of a revised drainage proposal	17.09.2024
(e)	The implementation of the revised drainage proposal	Not complied with

2.6 For condition (b), the applicant submitted multiple submissions with a FSIs proposal for compliance with this approval condition on 20.03.2024, 29.04.2024, 22.07.2024 and 10.1.2025 whilst all submissions were considered not acceptable by the Director of Fire Services (D of FS), within which the latest comments from the D of FS were received on 14.01.2025. Therefore, the applicant failed to comply with this approval condition within the specified period.

2.7 For condition (e), the submission of a drainage proposal was considered acceptable by the Chief Engineer/Mainland North, Drainage Service Department (CE/MN, DSD) on 17.09.2024. The applicant did not have sufficient time to implement the accepted drainage proposal, which led to the revocation of the previous application on 14.01.2025.

2.8 In support of the application, the applicant has submitted a fire service installations (FSIs) proposal to enhance fire safety of the Site and the accepted drainage proposal under the previous application (No. A/YL-MP/342) to mitigate potential drainage impacts that would have arisen from the applied use (**Appendices I and II**).

### 3) Development Proposal

3.1 The Site occupies an area of 1,213 m<sup>2</sup> (about), including 233 m<sup>2</sup> (about) of GL (**Plan 3**). 2 structures are proposed at the Site for eating places and rain shelter with total GFA of 1,610 m<sup>2</sup> (about) (**Plan 4**). The Site is accessible from Fairview Park Boulevard via Kam Pok Road. Details of the development parameters are shown at **Table 3** below:

**Table 3 – Major Development Parameters**

<b>Site Area</b>	1,213 m <sup>2</sup> (about), including 233 m <sup>2</sup> (about) of GL
<b>Covered Area</b>	980 m <sup>2</sup> (about)
<b>Uncovered Area</b>	233 m <sup>2</sup> (about)
<b>Plot Ratio</b>	1.33 (about)
<b>Site Coverage</b>	81% (about)
<b>No. of Structure</b>	2
<b>Total GFA</b>	1,610 m <sup>2</sup> (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	1,610 m <sup>2</sup> (about)
<b>Building Height</b>	4 - 7 m (about)
<b>No. of Storey</b>	1 - 2

3.2 The entire Site has already been hard paved since the 1990s (**Plan 5**). The applied 'filling of land' is intended to regularize the hard-paving at the Site. No further filling of land will be carried out at the Site after planning permission has been granted from the Board.

#### 4) Operation Mode

- 4.1 The operation hours of the eating place will be from 08:00 to 23:00 daily, including public holidays. The estimated number of staff working at the Site is 10. It is estimated that the shop and services would attract 40 visitors per day. No parking or loading/unloading space will be proposed within the Site. Staff and visitors are required to access the Site by walking. If illegal parking activities were observed in vicinity of the Site, they will be reported to respective departments by staff deployed at the entrance/exit of the Site. For the logistic arrangement, only one 5.5 tonnes lorry will be deployed for delivery of goods to the Site once a week between 10:00 am to 11:00 am for approximately 10 mins at Ha San Wai Road on the basis that it will not affect traffic flow. Goods/tools to support the daily operation of the Site will either be transported by trolleys or hand-carried by staff.
- 4.2 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*.
- 4.3 Garbage or other forms of waste will be taken away by staff to the nearest public refuse collection point regularly by the use of trolleys. 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 (ProPECC PNs 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.

#### 5) Conclusion

- 5.1 The applied use is not anticipated to create significant nuisance to the surrounding area. Adequate mitigation measures have been provided by the applicant i.e. submission of a FSIs proposal and the accepted drainage proposal under the previous application (No. A/YL-MP/342) to alleviate any potential adverse impact arising from the applied use (**Appendices I and II**).

5.2 In view of the above, the Board is hereby respectfully recommended to approve the subject application for **‘Temporary Eating Place and Associated Filling of Land for a Period of 3 Years’**.

**R-riches Planning Limited**

**August 2025**

### **LIST OF PLANS**

<b>Plan 1</b>	Location plan
<b>Plan 2</b>	Plan showing the zoning of the Site
<b>Plan 3</b>	Plan showing the land status of the Site
<b>Plan 4</b>	Layout plan
<b>Plan 5</b>	Filling of Land
<b>Plan 6</b>	Swept path analysis

### **LIST OF APPENDICES**

<b>Appendix I</b>	Fire Service Installations Proposal
<b>Appendix II</b>	Accepted Drainage Proposal under Previous Application No. A/YL-MP/342