

S.16 PLANNING APPLICATION

APPROVED PING SHAN OUTLINE ZONING PLAN NO. S/YL-PS/20

**Proposed Temporary Eating Place with Ancillary Storage of Kitchenware
for a Period of 3 Years in “Village Type Development” Zone,
Lots 73 (Part) and 74 (Part) in D.D. 122, Ping Shan, Yuen Long, New Territories**

SUPPORTING PLANNING STATEMENT

April 2025

Applicant:

Capital Time Development Limited

Consultant:

KTA Planning Limited



S3156_PS_V01



PLANNING LIMITED

規 劃 顧 問 有 限 公 司

Executive Summary

The Applicant, Captial Time Development Limited, seeks planning approval from the Town Planning Board ("TPB") under Section 16 of the Town Planning Ordinance for Proposed Temporary Eating Place with Ancillary Storage of Kitchenware for a Period of 3 Years ("the Proposed Development") at Lots 73 (Part) and 74 (Part) in D.D. 122, Ping Shan, Yuen Long, New Territories ("the Site"). The Site is situated within an area zoned "Village Type Development" ("V") on the Approved Ping Shan Outline Zoning Plan ("the OZP") No. S/YL-PS/20.

An eating place is proposed at the Site on the ground floor adjoining to the three New Territories Exempted Houses ("NTEH"). Since "Eating Palce" is a use always permitted at the ground floor of the NTEHs, only the area outside the NTEHs falls within the Application Site.

The Site comprises two portions. The southern potion will be a covered seating accommodation forming part of the eating place. The northern potion is proposed to be a storage area for kitchenware ancillary to the proposed eating place. The Site is currently vacant. The total area of the Site is about 137m². Two single storey structures (not more than 3m) will be erected. The total gross floor area is about 137m².

The Proposed Development is fully justified by the following main reasons:

- Conforms to the TPB Guidelines for Application for Eating Place Within "Village Type Development" Zone in Rural Areas (TPB PG-No. 15A);
- Meets the demand for eating place from local residents, workers and visitors of the nearby mountain bike training ground;
- Will not adversely affect the land availability and planning intention of "V" zone;
- Compatible with the adjoining land uses in terms of scale and nature;
- Similar planning approvals have been granted within the same "V" zone;
- No adverse traffic impact on the local traffic network; and
- No adverse drainage, sewerage, visual, landscape and environmental impact to the surroundings.

In consideration of the above, we sincerely request the TPB to support this Planning Application from planning and technical points of view.

行政摘要

(內文如有差異，應以英文版本為準)

申請人興泰發展有限公司現欲根據城市規劃條例第 16 條，向城市規劃委員會（「城規會」）在新界元朗屏山丈量約份第 122 約地段第 73 號（部分）及第 74 號（部分）（「申請地點」）作擬議臨時食肆連附屬廚具貯物處（「擬議發展」）申請規劃許可，為期三年。申請地點位於屏山分區計劃大綱核准圖編號 S/YL-PS/20 的「鄉村式發展」地帶內。

申請人擬議於申請地點、即毗連三間新界豁免管制屋宇地面對外闢設臨時食肆。由於「食肆」在新界豁免管制屋宇的地面一層屬經常准許的用途，申請地點只包括上述新界豁免管制屋宇外的範圍。

申請地點由兩部份組成，南面部份為食肆，北面部份則是食肆的附屬廚具貯物處。申請地點現時為空地，面積約 137 平方米。申請發展包括兩座 1 層高（不高於 3 米）的構築物。總樓面面積為約 137 平方米。

擬議發展的申請具充份理據，原因如下：

- 符合城規會擬在鄉郊地區的「鄉村式發展」地帶內開設食肆的規劃指引（規劃指引編號 15A）；
- 滿足附近的居民、工友，以及山地單車訓練場訪客的餐飲需求；
- 不會影響該地帶的土地供應及損害「鄉村式發展」地帶的規劃意向；
- 就規模和性質而言，擬議發展與周邊的土地用途相容；
- 位於相同「鄉村式發展」地帶的同類申請已獲得批准；
- 不會對周邊道路網絡帶來負面交通影響；及
- 不會對附近造成排水、排污、視覺、景觀及環境上的負面影響。

基於以上規劃及技術理由，申請人懇請城規會批准是次規劃申請。

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S.16 Planning Application
Approved Ping Shan Outline Zoning Plan No. S/YL-PS/20

**Proposed Temporary Eating Place with Ancillary Storage of Kitchenware
for a Period of 3 Years in "Village Type Development" Zone,
Lots 73 (Part) and 74 (Part) in D.D. 122,
Ping Shan, Yuen Long, New Territories**

Supporting Planning Statement

1 INTRODUCTION

1.1 Purpose

- 1.1.1 This Planning Application is prepared and submitted on behalf of Capital Time Development Limited ("the Applicant") to seek planning approval from the Town Planning Board ("TPB") under Section 16 of the Town Planning Ordinance for Proposed Temporary Eating Place with Ancillary Storage of Kitchenware for a Period of 3 Years ("the Proposed Development") at Lots 73 (Part) and 74 (Part) in D.D. 122, Ping Shan, Yuen Long, New Territories ("the Site"). The Site is situated within an area zoned "Village Type Development" ("V") on the Approved Ping Shan Outline Zoning Plan ("the OZP") No. S/YL-PS/20. This Supporting Planning Statement is to provide TPB with the necessary information to facilitate consideration of this application.

1.2 Report Structure

- 1.2.1 Following this Introductory Section, the site and planning context will be briefly set out in **Section 2**. The Development Scheme is included in **Section 3** followed by planning merits and justifications for the Planning Application in **Section 4**. **Section 5** concludes and summarizes this Supporting Planning Statement.

2 SITE AND PLANNING CONTEXT

2.1 Site Location and Existing Condition

- 2.1.1 The Site is located at the southern end of Ha Mei San Tsuen in Ping Shan area, Yuen Long and comprises two portions. The southern and northern portions are located in Lots 73 (Part) and 74 (Part) in D.D. 122, respectively (**Figure 2.1 Location Plan** refers).
- 2.1.2 The Site is accessible through a local access from Yung Yuen Road. The Site is currently vacant and well paved, adjoining village houses 126A, 126B, 126C and 128 Ha Mei San Tsuen.
- 2.1.3 An eating place is proposed at the Site on the ground floor adjoining to the three New Territories Exempted Houses ("NTEH"). Since "Eating Place" is a use always permitted at the ground floor of the NTEHs, only the area outside the NTEHs falls within the Application Site.

2.2 Land Status

- 2.2.1 The Site has a total site area of about 137m². It comprises private land only of around 110m² (southern portion) and 27m² (northern portion) on part of Lots 73 and 74 in D.D. 122, respectively. The Site stands on old scheduled agricultural lots held under the Block Government Lease.

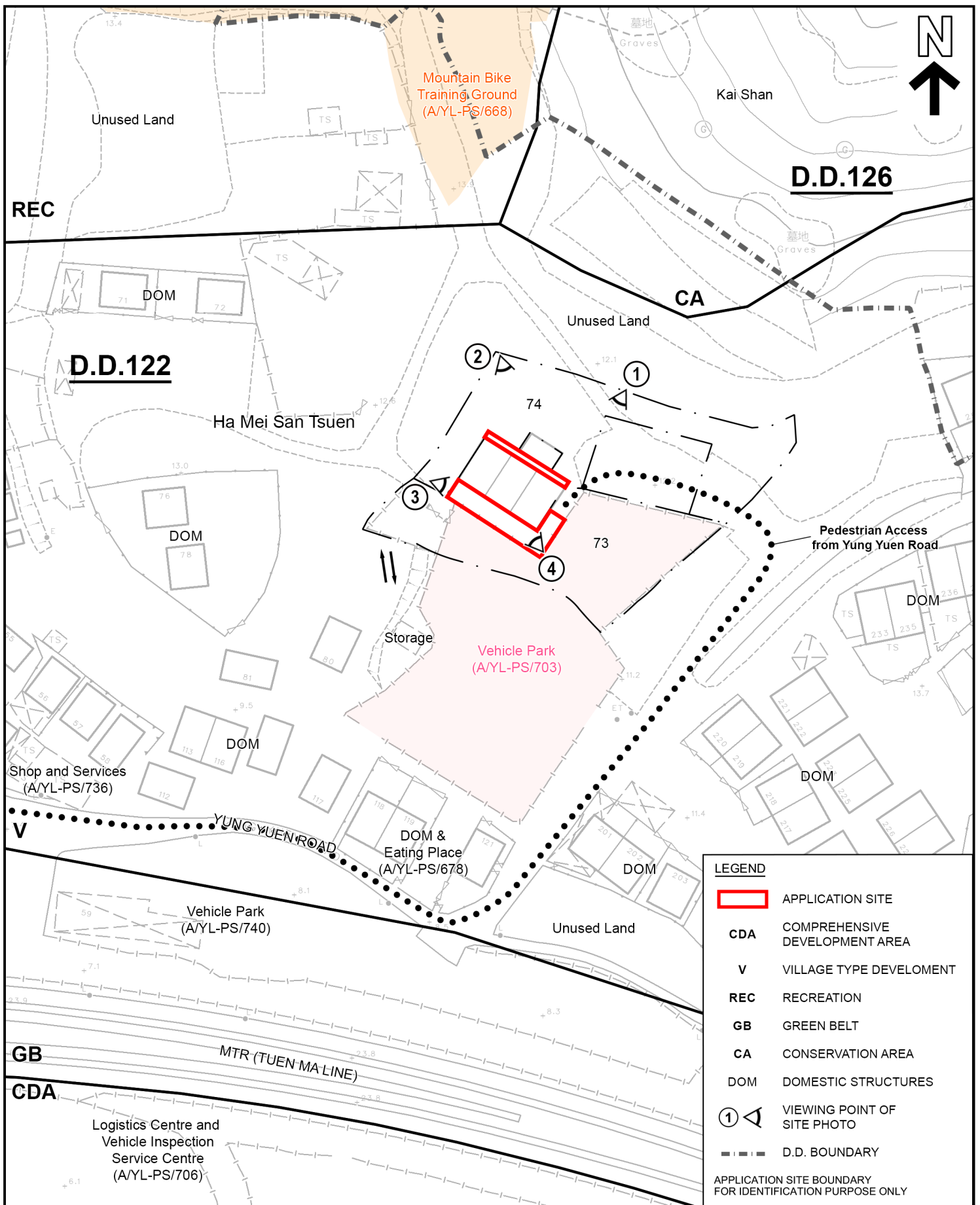
2.3 Statutory Planning Context

- 2.3.1 The Site falls within "V" zone on the OZP (**Figure 2.1** refers). According to the Statutory Notes for the "V" zones on the OZP, "Eating Place" is a Column 2 use which requires planning permission from the TPB. The planning intention of the zone is to reflect existing recognised and other villages, and to provide land for development of Small Houses by indigenous villagers. It is also intended to have an 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.

2.4 Surrounding Land Use Pattern

- 2.4.1 The Site is surrounded mainly by low-rise village settlements with a mix of domestic structures, vehicle parks and logistic centres (**Figure 2.2 Site Plan** refers):
- Adjoining the Site are village houses and a vehicle park approved under Application No. A/YL-PS/703 to the south;
 - The immediate buffer area of roughly 30 to 40m around the Site is mainly unused land;

- Further to the north of the Site is a mountain bike training ground with ancillary shop and services under Application No. A/YL-PS/668 and Kai Shan;
- To the east, south and west of the Site, scattered domestic and temporary structures, Shop and Services approved under Application No. A/YL-PS/736 and an eating place approved under Application No. A/YL-PS/678; and
- Further to the south across the MTR Tuen Ma Line viaduct are logistics and vehicle inspection service centres approved under Application No. A/YL-PS/706.



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SITE PLAN

PROPOSED TEMPORARY EATING PLACE WITH ANCILLARY
STORAGE OF KITCHENWARE FOR A PERIOD OF 3 YEARS
LOTS 73 (PART) AND 74 (PART) IN D.D. 122,
PING SHAN, YUEN LONG, NEW TERRITORIES

SCALE 1:1 000

FIGURE 2.2

EXTRACT PLAN BASED ON
SURVEY SHEETS No. 6-NW-3D & 8D

DATE: 10.4.2025

2.5 Site Accessibility

2.5.1 The Site is accessible through a local access from Yung Yuen Road. The accessibility of the area is greatly enhanced by the vehicle parks nearby, which connects to local major roads such as Long Tin Road, Yuen Long Highway, Tai Lam Tunnel and Kong Sham Western Highway. The area is well served by public transport including MTR Tuen Ma Line, Light Rail Transit, as well as buses and minibuses. Tin Shui Wai Station and bus stops are within 15 minutes' walk.

2.6 Similar Planning Applications

2.6.1 There has been three similar approved applications for temporary eating place within the same "V" zone. The details of the similar application approved in the past five years are listed in **Table 2.3** below.

Table 2.1 Similar S.16 Applications for Temporary Eating Place within the Same "V" Zone on the Approved Ping Shan Outline Zoning Plan No. S/YL-PS/20 in the Past Five Years

	Application No.	Use(s)/Development(s)	Site Area (m ²) (about)	Approval Date
1.	A/YL-PS/621	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	10	8.1.2021
2.	A/YL-PS/667	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	57	15.09.2023
3.	A/YL-PS/678	Proposed Temporary Eating Place (Outside Seating Accommodation of a Restaurant) with Ancillary Storage of Kitchenware for a Period of 3 Years	184.5	17.09.2024

3 TEMPORARY DEVELOPMENT PROPOSAL

3.1 Eating Place with Ancillary Storage of Kitchenware

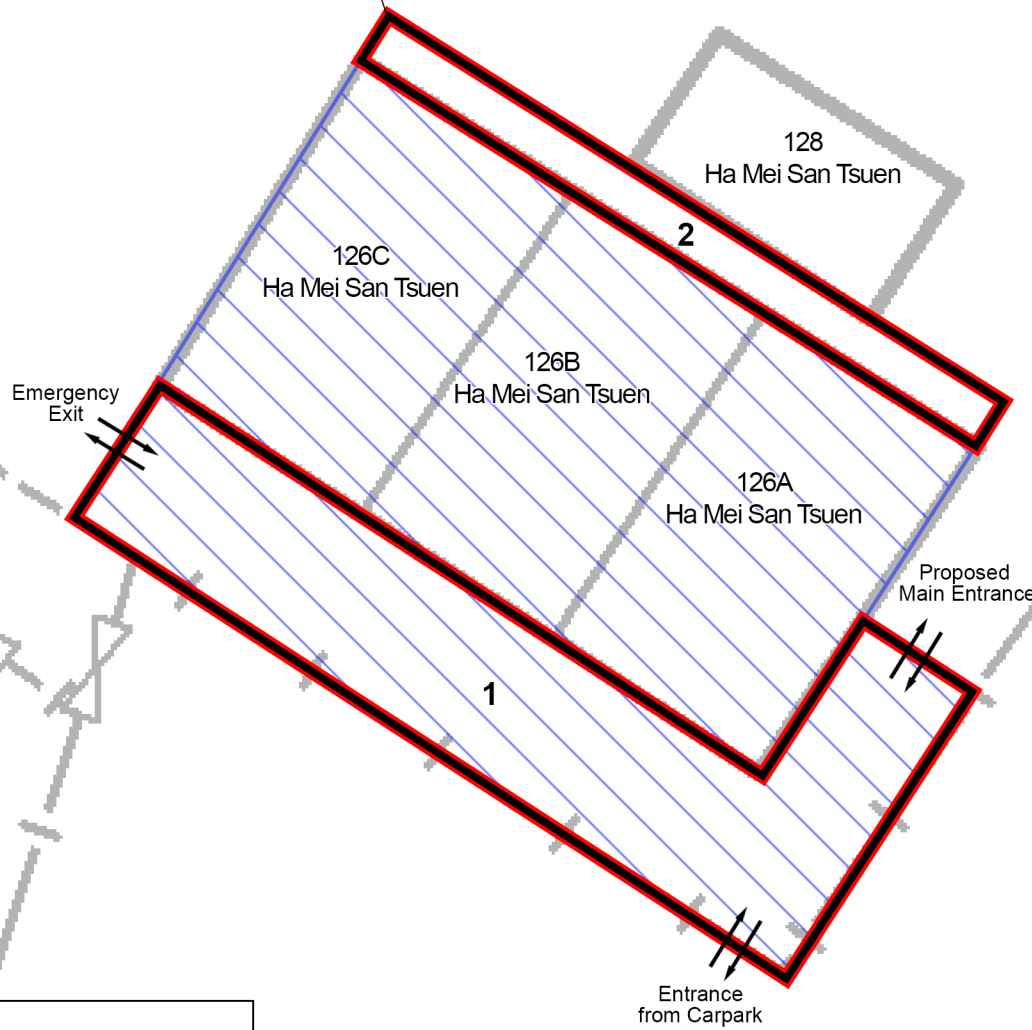
- 3.1.1 The Proposed Development is part of the proposed eating place. The proposed eating place will serve the local villagers, the visitors of the nearby mountain bike training ground and shop and services, and the workers in nearby logistics centre.
- 3.1.2 The Proposed Development comprises two structures with a building height of one storey (not more than 3m) are proposed at the Site. The total gross floor area is about 137m².
- 3.1.3 Around 12 tables (6 tables for 2 persons and 6 tables for 4 persons) will be provided in the Eating Place (Structure 1), serving a maximum of 36 patrons. For structure 2 which is a canopy, only refrigerator and cooking wares such as pots, woks, chopsticks, forks, spoons and alike will be stored within enclosed stainless steel cabinet. The estimated number of staff of the Proposed Development will be about 5.
- 3.1.4 No vehicular access and parking are proposed within the Site. The layout and details of the structures of the Proposed Development is summarised in **Figure 3.1** and **Table 3.1** below:

Table 3.1 Details of the Structures of the Proposed Development




Structure No.	Portion	Building Height (m) (about)	No. of Storey(s)	GFA (m ²) (about)	Use(s)
1	Southern	3	1	110	Eating Place
2	Northern	3	1	27	Storage of Kitchenware
Total:				137	



Canopy



LEGEND

-  APPLICATION SITE
-  PROPOSED EATING PLACE
-  ENTRANCE

STRUCTURE

- 1 EATING PLACE
- 2 STORAGE OF KITCHENWARE

APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

Public Vehicle Park

(under Application No. AYL-PS/703)



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LAYOUT PLAN

PROPOSED TEMPORARY EATING PLACE WITH ANCILLARY
STORAGE OF KITCHENWARE FOR A PERIOD OF 3 YEARS
LOTS 73 (PART) AND 74 (PART) IN D.D. 122,
PING SHAN, YUEN LONG, NEW TERRITORIES

SCALE 1 : 200

FIGURE 3.1

EXTRACT PLAN BASED ON
SURVEY SHEETS No. 6-NW-8B

DATE: 10.4.2025

3.2 Operation Hour

- 3.2.1 The operation hours of the Proposed Development will be from 8:00 a.m. to 8:00 p.m. daily.

3.3 Access and Traffic

- 3.3.1 There is no direct vehicular access to the Site and no car parking spaces are provided. However, visitors to the restaurant can park their cars at the adjacent vehicle park under Application No. A/YL-PS/703 which provides a total of 79 private cars parking spaces. As the restaurant is small-scale in nature, and the Site is well served by public transport, no adverse impact on traffic is envisaged.
- 3.3.2 The Site is accessible via the internal circulation areas of Ha Mei San Tsuen. Also, structure 2 is a canopy structure, which allows free pedestrian access to the aforementioned houses. No adverse impact on pedestrian access is envisaged.

3.4 Landscape and Visual

- 3.4.1 The Site is currently well paved and tiled. There are no trees within the Site at present. No adverse landscape impact on the surrounding areas is anticipated.
- 3.4.2 The surrounding of the Site has a low building height profile of 1 to 3 storeys. The proposed structures of one storey (about 3m) is not considered to pose a significant visual impact and is compatible with the surrounding area of suburban character with village houses, temporary structures, and an open-air vehicle park.

3.5 Environment

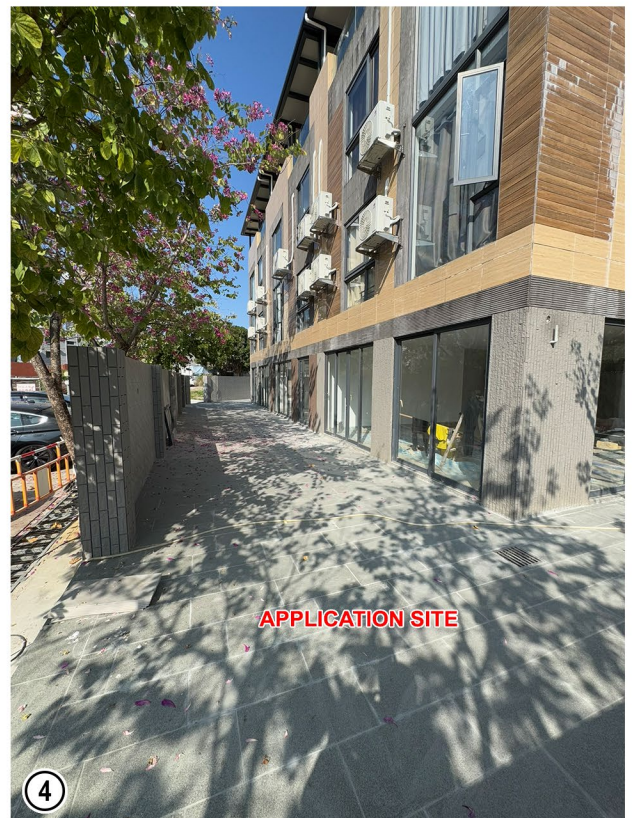
- 3.5.1 The application will adopt environmental mitigation measures in compliance with Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites issued by Environmental Protection Department to minimise the adverse environmental impacts on the surroundings.

3.6 Drainage and Sewerage

- 3.6.1 Adequate drainage facilities, including peripheral surface channels and catch pits will be installed. Adequate sewerage facilities will also be provided to ensure proper collection, treatment and disposal of waste/wastewater generated. No adverse drainage and sewerage impact on the surrounding areas is envisaged.

3.7 Fire Safety

- 3.7.1 Adequate fire service installations (FSIs) will be provided. Regular inspection and maintenance of the FSIs will be carried out.



REMARKS: LOCATION OF SITE PHOTOS AS SHOWN IN FIGURE 2.2 SITE PLAN



SITE PHOTOS

PROPOSED TEMPORARY EATING PLACE WITH ANCILLARY
STORAGE OF KITCHENWARE FOR A PERIOD OF 3 YEARS
LOTS 73 (PART) AND 74 (PART) IN D.D. 122,
PING SHAN, YUEN LONG, NEW TERRITORIES

FIGURE 3.2

BASED ON SITE PHOTOS
TAKEN ON 12.12.2024

DATE: 10.4.2025

4 PLANNING MERITS AND JUSTIFICATIONS

4.1 Conforms to the TPB Guidelines for Application for Eating Place Within "Village Type Development" Zone in Rural Areas (TPB PG-No. 15A)

- 4.1.1 The general planning intention of the "V" zone in the rural New Territories is to demarcate both existing recognised villages and areas of land considered suitable for village expansion. It is the planning intention to concentrate village and related development within the "V" zone for a more orderly development pattern, economic and efficient use of land and provision of infrastructure and services.
- 4.1.2 In view of the above planning intention, eating place use in the "V" zone should be considered compatible with the surrounding land uses and would not create any nuisance or cause inconvenience to the local residents. The Site is located adjacent to several local paths and roads, which ensures convenient access to the eating place without causing unnecessary nuisances to other village houses. As mentioned in **Section 2.4**, the immediate surroundings of the Site are also mostly vacant. Hence, nuisance nor inconvenience caused to the residents nearby is not envisaged.
- 4.1.3 The Proposed Development utilises land that is not suitable to be delineated separately for village type development due to its configuration and dimension. Therefore, it will not adversely affect the land availability for village type development.
- 4.1.4 In view of the compliance with TPB Guidelines for Application for Eating Place Within "Village Type Development" Zone in Rural Areas (TPB PG-No. 15A), and the support from local residents for additional dining options, favourable consideration should be given to this Planning Application.

4.2 Meets the demand for eating place from local residents, workers and visitors of the nearby mountain bike training ground

- 4.2.1 A mountain bike training ground is located within a minute's walk north of the Site. The training ground is aimed at providing a space for bikers of different levels, drawing a diverse visitor base to the recreational use. Two bicycle rental stores are also located in Ha Mei San Tsuen within a 3 minutes walk from the Site, drawing leisure cyclists to the village as well. Also, there are a number of logistics centres to the south of Ha Mei San Tsuen. The Proposed Development can meet the demand for eating place from local villagers, workers as well as visitors in the nearby area.
- 4.2.2 Although car-parking spaces are not provided due to the limited site area, customers of the restaurant may park at the adjacent vehicle parks.

4.3 Will Not Adversely Affect the Land Availability and Planning Intention of "V" Zone

- 4.3.1 The Site is zoned "V" on 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. 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 NTEH."*
- 4.3.2 At present, the Site is vacant and there are sufficient land within the "V" zone provided for the development of Small Houses. Moreover, both the northern and southern portions are limited in configuration and dimension and are considered unsuitable for constructing Small Houses. Therefore, utilising the Site as part of the eating place is a efficient use of land. Besides, the temporary nature of this application will not jeopardise the long-term planning intention of the "V" zone. In fact, the Proposed Development will serve the local villagers and complement the village type development.

4.4 Compatible with the Adjoining Land Uses in Terms of Scale and Nature

- 4.4.1 As stated in **Section 3.4**, the Site is surrounded by mainly village houses, temporary structures, and an open-air vehicle park. The small-scale and low-rise structures of one storey (about 3m) is not considered to have significant visual impact, and is compatible with the surrounding area of suburban character of a low building height profile from 1 to 3 storeys.

4.5 Similar Planning Approvals Have Been Granted within the Same "V" Zone

- 4.5.1 As stated in **Section 2.6**, three similar applications were approved within the same "V" zone. Approval of the current application is in line with the TPB's previous decision.

4.6 No Adverse Traffic Impact on the Local Traffic Network

- 4.6.1 The restaurant is small-scale in nature and will not result in a significant traffic impact. The Site is also well served by public transport, as discussed in **Section 2.5**; while the adjacent vehicle park could be used when arriving by car, as discussed in **Section 3.3**. No adverse traffic impact on the local traffic network is envisaged.

4.7 No Adverse Drainage, Sewerage, Visual, Landscape and Environmental Impact to the Surroundings

- 4.7.1 As mentioned in **Section 3.6**, adequate drainage and sewerage facilities will be installed under the previous approved application, and they will be well-maintained to ensure no adverse impact to the surroundings.
- 4.7.2 As mentioned in **Section 3.5**, the application will adopt environmental mitigation measures in compliance with Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites issued by Environmental Protection Department to minimise the adverse environmental impacts to the surrounding.
- 4.7.3 As mentioned in **Section 3.4**, no adverse visual and landscape impact on the surrounding areas is anticipated.

5 SUMMARY AND CONCLUSION

- 5.1.1 The Applicant seeks planning approval from the TPB for Proposed Temporary Eating Place with Ancillary Storage of Kitchenware for a Period of 3 Years, Lots 73 (Part) and 74 (Part) in D.D. 122, Ping Shan, Yuen Long, New Territories. The Site is situated within "V" zone on the OZP No. S/YL-PS/20. The Site has an area of about 137m².
- 5.1.2 The Site is currently vacant. The Proposed Development comprises two structures with a building height of one storey (not more than 3m). The total gross floor area is about 137m². No vehicular access and parking are proposed within the Site.
- 5.1.3 As detailed in the Planning Statement, the applied development is well justified on the grounds that:
- Conforms to the TPB Guidelines for Application for Eating Place Within "Village Type Development" Zone in Rural Areas (TPB PG-No. 15A);
 - Meets the demand for eating place from local residents, workers and visitors of the nearby mountain bike training ground;
 - Will not adversely affect the land availability and planning intention of "V" zone;
 - Compatible with the adjoining land uses in terms of scale and nature;
 - Similar planning approvals have been granted within the same "V" zone;
 - No adverse traffic impact on the local traffic network; and
 - No adverse drainage, sewerage, visual, landscape and environmental impact to the surroundings.
- 5.1.4 In view of the above planning justifications, members of the TPB are respectfully requested to give favourable consideration to the application.