

Planning Statement

Introduction

1. This Planning Statement is submitted to the Town Planning Board (“the Board”) on behalf of Pinnacle Property Limited (“the Applicant”) in support of the planning application for the renewal of planning approval for ‘Temporary Shop and Services (Real Estate Agency)’ for a period of 3 years (“the Development”) at Lot No. 225 S.D (Part) in D.D. 112, Kam Sheung Road, Yuen Long, New Territories (“the Site”) under Section 16 of the Town Planning Ordinance.

Application Site (Plans 1 and 2)

2. The Site comprises Lot No. 225 S.D (Part) in D.D. 112, Kam Sheung Road, Yuen Long, New Territories.
3. The site area is about 225 m². No Government Land is involved.
4. The Site is the subject of a previous application No. A/YL-SK/336 for the same applied use submitted by the same applicant. 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

5. The Site falls within an area zoned “Village Type Development” (“V”) on the Approved Shek Kong Outline Zoning Plan (the “OZP”) No. S/YL-SK/9.
6. The planning intention of the “V” zone is primarily intended for development of Small Houses by indigenous villagers. Other commercial, community and recreational uses may be permitted on application to the Board.
7. 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 “V” zone.

TPB Planning Guidelines

8. 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) is relevant to the application.
9. 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.

Development Parameters

10. 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 Storey
1	Office	81	81	3.8	1
2	Storeroom	16	16	2.8	
Total		<u>97</u>	<u>97</u>		
		Plot Ratio	Site Coverage		
		0.43	43.1%		

11. The Development serves to meet the demand of local residents for real estate agency services.
12. The storeroom is for storage of tools and miscellaneous items relating to the maintenance and cleaning of the shop.
13. No car parking space will be provided at the Site.
14. Operation hours are from 9 a.m. to 6 p.m. daily (including Sundays and public holidays).

Previous Applications

15. The Site, in part or in whole, is the subject of 6 previous applications approved by the Rural and New Town Planning Committee (“the Committee”):

Application No.	Applied Use	Date of Approval
A/YL-SK/152	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	8.5.2009
A/YL-SK/160	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	28.1.2011
A/YL-SK/167	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) Use under Application No. A/YL-SK/160 for a Period of 3 Years	20.1.2012
A/YL-SK/185	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	3.5.2013
A/YL-SK/214	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	22.4.2016
A/YL-SK/253	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	3.5.2019
A/YL-SK/336	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	25.11.2022

16. 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.
17. 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.
18. The latest previous approval no. A/YL-SK/336 for the same applied use submitted by the same applicant was approved by the Committee on 25.11.2022. Compared with the previous approval, the applied use, development parameters and layout of the current application remain unchanged.

Similar Applications

19. There are 14 similar applications for shop and services use approved by the Committee within the “V” zone on the OZP in the past 5 years:

Application No.	Applied Use	Date of Approval
A/YL-SK/284	Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	23.10.2020
A/YL-SK/295	Proposed Temporary Shop and Services for a Period of 5 Years	5.2.2021
A/YL-SK/308	Proposed Temporary Shop and Services (Car Audio Shop) and Ancillary Office for a Period of 3 Years	25.6.2021
A/YL-SK/343	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	11.9.2023
A/YL-SK/352	Renewal of Planning Approval for Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	27.10.2023
A/YL-SK/351	Proposed Temporary Shop and Services for a Period of 3 Years	10.11.2023
A/YL-SK/366	Renewal of Planning Approval for Temporary Shop and Services (Car Audio Shop) and Ancillary Office for a Period of 3 Years	19.4.2024
A/YL-SK/382	Temporary Shop and Services (Real Estate Agency) for a Period of 5 Years and Filling of Land	20.9.2024
A/YL-SK/385	Proposed Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 5 Years and Associated Filling of Land	20.12.2024
A/YL-SK/370	Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 5 Years and Associated Excavation and Filling of Land	10.1.2025
A/YL-SK/405	Temporary Shop and Services (Solar Power System Shop) for a Period of 5 Years and Associated Filling of Land	28.2.2025

Application No.	Applied Use	Date of Approval
A/YL-SK/409	Temporary Shop and Services (Motor-vehicle Showroom) with Ancillary Facilities for a Period of 5 Years and Associated Filling of Land	28.3.2025
A/YL-SK/411	Proposed Temporary Shop and Services and Public Vehicle Park (excluding Container Vehicle) and Associated Filling of Land for a Period of 5 Years	11.4.2025
A/YL-SK/408	Temporary Shop and Services for a Period of 3 Years and Associated Filling and Excavation of Land	4.7.2025

20. The similar applications were approved by the Committee between 2020 and 2025 on considerations that temporary approval would not frustrate the long-term planning intention of the “V” zone; not incompatible with surrounding land uses; and no adverse departmental comments or the concerns could be addressed by relevant approval conditions.
21. 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 and Landscape

22. The Development involves the erection of temporary structures. The applied use is considered not incompatible with surrounding land uses intermixed with residential structures and grassland.
23. The landscape and tree preservation plan was accepted under previous application no. A/YL-SK/214 (**Plan 5**). The trees within the Site will be well-maintained.

Environment

24. 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.
25. No public announcement systems, whistle blowing or portable loudspeaker will be allowed within the Site. No workshop activity will be carried out within the Site. Potential adverse noise impacts to the surrounding areas are not anticipated.

Drainage

26. The drainage proposal (**Plan 4**) was accepted by the Chief Engineer/ Mainland North, Drainage Services Department (CE/MN, DSD) under the previous application no. A/YL-SK/336. The drainage works were completed to the satisfaction of the CE/MN, DSD on 7.2.2024 (**Annex Ia**).

27. As mentioned in Sections 4 & 18 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application no. A/YL-SK/336.

Fire Safety

28. The fire service installations (FSI) proposal (**Plan 6**) was accepted by the Director of Fire Services (D of FS) under the previous application no. A/YL-SK/336 on 7.2.2024 (**Annex Ib**). The subsequent FSI implementation was accepted by D of FS on 18.4.2024 (**Annex Ic**).
29. 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.
30. As mentioned in Sections 4 & 18 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application no. A/YL-SK/336.

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