

## **Supporting Planning Statement**

### **1 Introduction**

- 1.1 The applicant seeks planning permission from the Town Planning Board (the TPB) under Section 16 of the Town Planning Ordinance for a Proposed Temporary Eating Place, Shop and Services and Associated Filling of Land for a Period of 3 Years (the proposed development) at Lot 627 (Part) in D.D. 112, Shui Lau Tin Tsuen, Shek Kong, Yuen Long, New Territories (the Site) (**Plan 1**).
- 1.2 This supporting planning statement aims to provide necessary information to facilitate TPB's consideration. The applicant respectfully requests favourable consideration of this s.16 planning application.

### **2 Planning Context**

#### *The Site and its surroundings*

- 2.1 The Site is situated in Shui Lau Tin Tsuen, Shek Kong, Yuen Long. It comprises a major portion of the Lot 627 in D.D. 112, which occupies an area of about 769m<sup>2</sup> (**Plan 1** and **Plan 2**). The Site is currently vacant and is paved by asphalt and concrete. It abuts a local track of Shui Lau Tin Tsuen leading from Shek Kong Airfield Road, with its ingress/egress located at the southeast corner.
- 2.2 The Site is situated to the north-west of the village settlements of Shui Lau Tin Tsuen, of which the surrounding areas are predominately rural with some brownfield uses nearby. To the north are some temporary domestic structures, a nullah, Shek Kong Airfield Road and the Shek Kong Barracks. To the east is the village cluster of Shui Lau Tin Tsuen which is mainly zoned "Village Type Development" ("V") and straddling on the "AGR" zone. To the south is a temporary car park and some vacant farmland. To the west is an area largely occupied by brownfield uses, such as open storage yards and warehouses, and intermixed with temporary domestic structures.

*Statutory Land Use Zoning*

- 2.3 The Site falls within an area zoned “AGR” on the Approved Shek Kong Outline Zoning Plan No. S/YL-SK/11 (the OZP). It is neither a Column 1 nor a Column 2 use for the “AGR” zone; and according to the covering Notes of the OZP, temporary use or development of land or building not exceeding a period of 3 years requires permission from the TPB. In addition, the Notes for the “AGR” zone stipulate that any filling of land (except laying of soil not exceeding 1.2m in thickness for cultivation or construction of any agricultural structure with prior written approval issued by the Lands Department) requires planning permission from the TPB.

*Previous and Similar Planning Applications*

- 2.4 The Site is part of a previous planning application No. A/YL-SK/337 for Proposed Temporary Holiday Camp with Ancillary Facilities for a Period of 3 Years approved with conditions by the Rural and New Town Planning Committee (RNTPC) of the TPB on 23.12.2022. As the proposed development involves a different use as compared with the previous application, it is considered irrelevant to the current application.

*Shop and Services*

- 2.5 There is a similar application No. A/YL-SK/377 for Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in the same “AGR” zone approved with conditions by the RNTPC of TPB on 16.8.2024, on the consideration that the proposed use was not incompatible with the surrounding areas; there was no adverse comment from traffic, fire safety, drainage and environmental perspectives; planning approval is in line with the Committee’s previous decisions.
- 2.6 In addition, there are several planning applications for similar temporary shop and services use on other “AGR” zones on the OZP approved by the TPB, which are summarised in **Table 1** below.

**Table 1 – Similar Applications in other “AGR” zones on the OZP approved by the TPB**

| <b>Application No.</b> | <b>Applied Use</b>                                                                                                         | <b>Approval Date</b> |
|------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------|
| A/YL-SK/416            | Temporary Shop and Services with Ancillary Workshop and Associated Filling of Land for a Period of 3 Years                 | 20.6.2025            |
| A/YL-SK/404            | Proposed Temporary Shop and Services with Ancillary Workshop for a Period of 3 Years and Associated Filling of Land        | 28.2.2025            |
| A/YL-SK/392            | Proposed Temporary Shop and Services for a Period of 3 Years and Associated Filling of Land                                | 20.12.2024           |
| 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/348            | Temporary Shop and Services with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land               | 8.12.2023            |
| A/YL-SK/318            | Proposed Temporary Shop and Services for a Period of 3 Years and Land Filling                                              | 26.11.2021           |

*Eating Place*

- 2.7 Furthermore, the TPB has also approved several ‘Eating Place’ uses in “AGR” zones in nearby Kam Tin area. **Table 2** below lists out the similar approved applications for reference:

**Table 2 – Similar Applications for ‘Eating Place’ in “AGR” zones approved by the TPB**

| <b>Application No.</b> | <b>Applied Use</b>                                                                                      | <b>Approval Date</b> |
|------------------------|---------------------------------------------------------------------------------------------------------|----------------------|
| A/YL-KTN/1055          | Temporary Eating Place with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land | 22.11.2024           |
| A/YL-KTS/986           | Temporary Restaurant for a Period of 3 Years                                                            | 1.3.2024             |

| <b>Application No.</b> | <b>Applied Use</b>                                                                                                         | <b>Approval Date</b> |
|------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------|
| A/YL-KTS/975           | Temporary Eating Place with Ancillary Facilities for a Period of 3 Years and Filling of Land                               | 27.10.2023           |
| A/YL-KTN/876           | Proposed Temporary Eating Place (Restaurant and Outside Seating Accommodation) for a Period of 3 Years and Filling of Land | 28.7.2023            |
| A/YL-KTS/964           | Proposed Temporary Eating Place with Ancillary Facilities for a Period of 3 Years and Filling of Land                      | 14.7.2023            |

### Land Status

- 2.8 The land status plan is shown on **Plan 3**. The Site occupies a major portion of the Lot 627 in D.D. 112, which is an old schedule agricultural lot under Block Government Lease that restrict erection of structures without prior approval of the Government. The applicant will apply to the Lands Department for Short Term Waiver to permit relaxation of the user restriction on the concerned private lots.

## **3 Development Proposal**

- 3.1 The Site occupies an area of about 769m<sup>2</sup>. A total of two temporary structures with a maximum building height (BH) of 5m (one storey) are proposed at the Site for eating place and shop and services uses respectively, counting on a total floor area of about 173m<sup>2</sup>. The proposed eating place will provide fast food, snacks and light refreshments to customers, accommodating about 20 seats. The shop and services will sell daily necessities such as homeware, kitchenware and cleaning supplies etc. In total, the proposed development could accommodate about 20 customers at the same time. There will be about 6 staff working at the proposed eating place and shop and services and their operation hours will be 7:00 a.m. to 10:00 p.m. daily, including Sundays and public holidays. Besides, no open storage, storage of dangerous and dusty goods, storage of unlicensed vehicle, or other workshop activities will be involved at the Site at all times. The

proposed layout plan is shown on **Plan 2** for details.

- 3.2 The site is generally flat at a site level of +16.2mPD and has been entirely hard-paved by asphalt and concrete with a depth of not more than 0.3m. Under this application, the applicant also seeks to regularise the existing filling of land in the entire site to serve the site formation and vehicular circulation purposes. Details of the as-paved area and corresponding site levels are illustrated on **Plan 4**.
- 3.3 **Table 3** below summarises the development parameters of the proposed development:

**Table 3 – Proposed Development Parameters**

|                           |                                              |
|---------------------------|----------------------------------------------|
| <b>Site Area</b>          | About 769m <sup>2</sup>                      |
| <b>Plot Ratio</b>         | About 0.2                                    |
| <b>Total Floor Area</b>   | About 173m <sup>2</sup>                      |
| <b>No. of Structures</b>  | 2                                            |
| <b>Maximum BH</b>         | 5m (not more than 1 storey)                  |
| <b>Covered Area</b>       | About 173m <sup>2</sup>                      |
| <b>Site Coverage</b>      | About 22%                                    |
| <b>Land Filling Area</b>  | About 769m <sup>2</sup>                      |
| <b>Land Filling Depth</b> | Not more than 0.3m with asphalt and concrete |

- 3.4 The Site is accessible from Shek Kong Airfield Road via a local track. The ingress/egress at the east of the Site will be 5m in width. There are two parking spaces for private car and one loading/unloading (L/UL) space for light goods vehicle (LGV) proposed for staff's use. In view of the restriction on vessel length for the bridge over the nullah on Shek Kong Airfield Road, only LGV not exceeding 7m long will be used to transport goods to the Site. Sufficient circulation space will be provided within the Site and no vehicle is allowed to queue back onto the public road.
- 3.5 As mentioned, there will be about 6 staff working on site, who will travel to/from the Site mainly by driving. Since the Site intends to serve nearby villagers and workers in Shui Lau Tin, they are expected to visit the Site on foot. The traffic generation by the proposed development is expected to be negligible.

- 3.6 In terms of environmental considerations, the applicant will strictly follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (CoP) promulgated by the Environmental Protection Department (EPD) to minimise adverse environmental impacts and nuisance to the surrounding area. Other environmental protection/pollution control ordinances, such as Water Pollution Control Ordinance, Air Pollution Control Ordinance, Noise Control Ordinance, etc. will also be complied with at all times during the planning approval period.
- 3.7 The applicant will also follow the Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs) for sewage treatment, including collection, treatment and disposal of waste/wastewater within the Site. Regarding the eating place portion, the applicant will follow the measures suggested in “Control of Oily Fume and Cooking Odour from Restaurants and Food Business” to minimise oily fume and cooking odour.
- 3.8 A drainage proposal (**Appendix 1**) is prepared to demonstrate that stormwater in the Site could be collected with adequate drainage facilities such as peripheral drainage channels. The applicant will also submit fire service installations (FSIs) proposal to the authority and provide suitable FSIs as approved.

#### **4 Planning Justifications**

##### *Support Daily Needs of the Villagers and Workers in Shui Lau Tin Tsuen*

- 4.1 Shui Lau Tin Tsuen and the surroundings are relatively remote from the town centre in the district, such as Kam Tin and MTR Kam Sheung Road Station and hence lacking shopping options to support villagers’ daily needs. It is purely residential without any shop and fast food options serving the villagers and workers from the brownfield operations nearby. The proposed development could meet the daily needs of them by selling daily necessities and providing an alternative option of fast food and light refreshment.

*Land Use Compatibility*

- 4.2 While the Site falls within an area zoned “AGR”, it is situated at the northeastern fringe of the prevailing zoning and is close to the village cluster of Shui Lau Tin Tsuen to the east, which is zoned “V”. The surrounding areas are predominantly composed of village houses intermixed with domestic structures, vacant land and grassland. A large cluster of brownfield uses including open storage yards and warehouses are observed to the west of the Site. The proposed development with a floor area of about 173m<sup>2</sup> and a maximum BH of 5m is considered small in scale. Hence, the proposed development is compatible with the surrounding environment. Moreover, since the proposed use is temporary in nature, it will not jeopardise the long-term planning intention of the “AGR” zone. The applicant will reinstate the Site to an amenity area upon expiry of the planning approval so as to uphold the planning intention of the “AGR” zone.
- 4.3 As shown on **Tables 1 and 2**, The TPB has approved a number similar planning applications for eating place and shop and services uses in “AGR” zones in Shek Kong, Kam Tin North and Kam Tin South areas. Approval of the current application is in line with the TPB’s previous decisions and would not set an undesirable precedent within the “AGR” zone.

*No Adverse Impact to the Surrounding Areas*

- 4.4 As demonstrated in paragraphs 3.4 to 3.8, the proposed development will not pose adverse traffic, environmental, drainage and fire safety impacts to the surrounding areas.
- 4.5 Regarding traffic aspect, only two parking spaces for private car and one L/UL space for LGV will be provided to serve the proposed development, mainly for staff commuting and transport of goods to the Site. Sufficient manoeuvring space will be provided within the Site to allow turning of vehicles. As a result, no vehicle queueing onto the public road is expected. Since the proposed development mainly serves nearby villagers and workers, it is expected that customers visit the Site by walking. Hence, the traffic generation is considered minimal which will not cause adverse impact on the public road network.

- 4.6 In terms of environmental aspect, the applicant will strictly comply with all relevant environmental protection/pollution control ordinances, as well as the relevant mitigation measures and requirements stipulated in the latest CoP, ProPECCPNs, guidelines and notes issued by the EPD. Nuisance to the surrounding area will be duly controlled and minimised. As such, no adverse environmental impact is expected.
- 4.7 Adequate drainage facilities will be provided in accordance with the submitted drainage proposal (**Appendix 1**) to minimise flood risk. Similarly, the applicant will submit FSIs proposal as required and provide adequate FSIs to ensure fire safety. Regarding the landscape impact, as there is no tree in the Site, no adverse landscape impact is anticipated as well.

## **5 Conclusion**

- 5.1 In light of the planning justifications furnished in this planning statement supported by technical assessment and the applicant's strong commitment to strictly comply with all control ordinances. The applicant respectfully requests favourable considerations on this s.16 planning application by the TPB.

**Tensor Planning and Surveying Limited**  
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