

Planning Statement

Introduction

1. This Planning Statement is submitted to the Town Planning Board (“the Board”) on behalf of Mr. CHAN Wah Tat (“the Applicant”) in support of the planning application for the renewal of planning approval for ‘Temporary Shop and Services’ for a period of 3 years (“the Development”) at Lot No. 1075 (Part) in D.D. 121 and adjoining Government Land, Tong Yan San Tsuen, 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. 1075 (Part) in D.D. 121 and adjoining Government Land, Tong Yan San Tsuen, Yuen Long, New Territories.
3. The Site is accessible from Sha Tseng Road leading to the ingress to its east.
4. The site area is about 680 m², including about 122 m² of Government Land.
5. The Site is the subject of a previous application No. A/YL-TYST/1186 for the same applied use submitted by the same applicant and approved by the Rural and New Town Planning Committee (“the Committee”) in 2022 for a period of 3 years, of which 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

6. The Site falls within an area zoned “Residential (Group B)1” (“R(B)1”) on the Approved Tong Yan San Tsuen Outline Zoning Plan (the “OZP”) No. S/YL-TYST/14.
7. The planning intention of the “R(B)” zone is primarily intended for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.
8. 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 “R(B)” zone.

TPB Planning Guidelines

9. 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.

10. 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

11. 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	G/F	Guardroom with toilet	80	40	7	2
	1/F	Guardroom with toilet				
2	G/F	Car Manoeuvring Space	220	110	7	2
	1/F	Site Office				
3	G/F	Shop & Service (Sales of Private Cars)	220	110	7	2
	1/F	Site Office				
Total			<u>520</u>	<u>260</u>		
			Plot Ratio	Site Coverage		
			0.764	38.24%		

12. The Development serves to sell private cars to the nearby residents to meet the strong demand for private cars in the area as there is low density housing in the surrounding area.
13. Operation hours are from 9 a.m. to 7 p.m. daily (including Sundays and public holidays).
14. The Site is accessible by vehicles from Sha Tseng Road. 4 nos. of parking space for private cars are provided at the Site. Sufficient space is provided for vehicle manoeuvring within the Site (**Plan 4**).

Previous Application

15. The Site is the subject of a previous application No. A/YL-TYST/1186 for ‘Proposed Temporary Shop and Services for a Period of 3 Years’ submitted by the same applicant and is approved by the Committee on 11.11.2022 mainly on considerations that the development would not frustrate the long-term planning intention of the “R(B)” zone; not incompatible with surrounding land uses; and no adverse departmental comments or the concerns could be addressed by relevant approval conditions.
16. Compared with the previous approval, the applied use, development parameters and layout of the current application remain unchanged.
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.

Similar Applications

18. There are 11 similar applications for shop and services use approved by the Committee within the “R(B)” zone on the OZP in the past 5 years:

Application No.	Applied Use	Date of Approval
A/YL-TYST/1029	Proposed Temporary Shop and Services for a Period of 3 Years	10.7.2020
A/YL-TYST/1127	Proposed Temporary Shop and Services for a Period of 3 Years	14.1.2022
A/YL-TYST/1216	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	23.6.2023
A/YL-TYST/1248	Proposed Temporary Shop and Services and Wholesale of Carpet for a Period of 3 Years	12.1.2024
A/YL-TYST/1250	Temporary Shop and Services for a Period of 3 Years	16.2.2024
A/YL-TYST/1277	Proposed Temporary Shop and Services for a Period of 3 Years	20.9.2024
A/YL-TYST/1294	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	10.1.2025
A/YL-TYST/1296	Proposed Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years	14.2.2025
A/YL-TYST/1306	Temporary Shop and Services for a Period of 5 Years	28.3.2025
A/YL-TYST/1308	Temporary Shop and Services for a Period of 3 Years	23.5.2025
A/YL-TYST/1309	Proposed Temporary Shop and Services for a Period of 3 Years	23.5.2025

19. 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 “R(B)” zone; not incompatible with surrounding land uses; and no adverse departmental comments or the concerns could be addressed by relevant approval conditions.
20. 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

21. The Development involves the erection of temporary structures. The applied use is considered not incompatible with surrounding land uses intermixed with warehouse and residential structures.
22. No vegetation clearance and tree felling will be carried out at the Site. As such, adverse visual and landscape impacts to the surrounding areas are not anticipated.

Traffic

23. The trip attraction and generation rates are expected as follows:

	Attractions	Generations
09:00 – 10:00	1	0
10:00 – 11:00	1	1
11:00 – 12:00	0	1
12:00 – 13:00	1	0
13:00 – 14:00	0	1
14:00 – 15:00	0	0
15:00 – 16:00	1	1
16:00 – 17:00	2	0
17:00 – 18:00	0	1
18:00 – 19:00	0	1
Total Trips	<u>6</u>	<u>6</u>

24. In view of the low trip attraction and generation rates, it is expected that the Development should not cause adverse traffic impacts to the adjacent areas and road network.
25. The Site is accessible by vehicles from Sha Tseng Road. 4 no. of parking space for private car is provided at the Site for daily operation of the Development. Sufficient space is allowed for car manoeuvring within, entering and leaving the Site (**Plan 4**). No parking, reversing or turning of vehicles on public road is expected.

Environment

26. 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.
27. 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

28. The drainage proposal was accepted by the Chief Engineer/ Mainland North, Drainage Services Department (CE/MN, DSD) under the previous application no. A/YL-TYST/1186. The drainage works were completed to the satisfaction of the CE/MN, DSD.

29. As mentioned in Sections 5 & 16 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application no. A/YL-TYST/1186.

Fire Safety

30. The fire service installations (FSI) proposal was accepted by the Director of Fire Services (D of FS) under the previous application no. A/YL-TYST/1186. The subsequent FSI implementation was accepted by D of FS.
31. 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.
32. As mentioned in Sections 5 & 16 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application no. A/YL-TYST/1186.

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