

Planning Statement

Introduction

1. This Planning Statement is submitted to the Town Planning Board (“the Board”) on behalf of Mr. Cheung Kam Kwong (“the Applicant”) in support of the planning application for the renewal of planning approval for ‘Temporary Shop and Services (Motor-Vehicle Showroom)’ for a period of 3 years (“the Development”) at Lot No. 1543 (Part) in D.D. 121, Shan Ha 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. 1543 (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long, New Territories.
3. The Site is accessible from Shan Ha Road via a local track leading to the ingress to its west.
4. The site area is about 1,987.8 m². No Government Land is involved.
5. The Site is the subject of a previous application No. A/YL-TYST/1188 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 “Village Type Development” (“V”) on the Approved Tong Yan San Tsuen Outline Zoning Plan (the “OZP”) No. S/YL-TYST/14.
7. 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.
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 “V” 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.) (m²)	Covered Area (ab.) (m²)	Height (ab.) (m)	No. of Storey
1	Toilet	6.6	6.6	3	1
2	Open Shed	75	75	5	
3	Site Office	-	under structure 2	3	
4	Storeroom	-	under structure 2	3	
5	Open Shed	225	225	5	
6	Site Office	21	21	3	
7	Open Shed	155	155	5	
8	Open Shed	155	155	5	
Total		<u>637.6</u>	<u>637.6</u>		
		Plot Ratio	Site Coverage		
		0.32	32.1%		

12. The Development provides a venue for the display of second-hand private cars. No car beauty, car washing, car repairing, car dismantling or other workshop activities will be conducted at the Site.
13. Operation hours are from 9 a.m. to 6 p.m. daily (including Sundays and public holidays).
14. The Site is accessible by vehicles from Shan Ha Road. 4 nos. of parking space for private cars (5m (L) x 2.5m (W) each) are provided at the Site. A loading/unloading space for light goods vehicle (7m (L) x 3.5m (W) each) will be provided for weekly logistics. Sufficient space is allowed for car manoeuvring within, entering and leaving the Site. No parking, reversing or turning of vehicles on public road is expected.

Previous Applications

15. The Site is the subject of 2 previous applications approved by the Committee:

Application No.	Applied Use	Date of Approval
A/YL-TYST/912	Proposed Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	7.9.2018
A/YL-TYST/1188	Temporary Shop and Services (Motor-Vehicle Showroom) for a Period of 3 Years	9.12.2022

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-TYST/1188 for the same applied use submitted by the same applicant was approved by the Committee on 9.12.2022. Compared with the previous approval, the applied use, development parameters and layout of the current application remain unchanged.

Similar Applications

19. There are 8 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-TYST/1043	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle and Shop and Services (Real Estate Agency) for a Period of 3 Years	21.8.2020
A/YL-TYST/1129	Proposed Temporary Shop and Services for a Period of 3 Years	14.1.2022
A/YL-TYST/1148	Proposed Temporary Shop and Services for a Period of 3 Years and Excavation of Land	18.3.2022
A/YL-TYST/1219	Temporary Shop and Services for a Period of 3 Years	14.7.2023
A/YL-TYST/1222	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Shop and Services for a Period of 3 Years	28.7.2023
A/YL-TYST/1228	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle and Shop and Services (Real Estate Agency) for a Period of 3 Years	11.8.2023
A/YL-TYST/1251	Temporary Shop and Services for a Period of 3 Years and Excavation of Land	1.3.2024
A/YL-TYST/1278	Proposed Temporary Shop and Services (Motor-vehicle Showroom) with Ancillary Facilities for a Period of 5 Years	6.12.2024

20. The similar applications were approved by the Committee between 2020 and 2024 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

22. The Development involves the erection of temporary structures. The applied use is considered not incompatible with surrounding land uses intermixed with open storage uses and residential structures. As such, adverse visual 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	0
11:00 – 12:00	0	1
12:00 – 13:00	0	0
13:00 – 14:00	0	0
14:00 – 15:00	1	0
15:00 – 16:00	1	1
16:00 – 17:00	0	1
17:00 – 18:00	0	1
Total Trips	<u>4</u>	<u>4</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 Shan Ha Road. 4 no. of parking spaces for private car (5m (L) x 2.5m (W) each) are provided at the Site for daily operation of the Development. A loading/unloading space for light goods vehicle (7m (L) x 3.5m (W) is provided for weekly logistics. Sufficient space is allowed for car manoeuvring within, entering and leaving the Site. No parking, reversing or turning of vehicles on public road is expected.
26. Only private cars will be displayed at the Site. No medium or heavy goods vehicles over 24 tonnes, as defined by the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 A), will be parked at the Site. Container tractors and trailers are not allowed to park at the Site.

Environment

27. 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.

28. 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

29. The drainage proposal (**Plans 4.1 & 4.2**) was accepted by the Chief Engineer/ Mainland North, Drainage Services Department (CE/MN, DSD) under the previous application no. A/YL-TYST/1188. The drainage works were completed to the satisfaction of the CE/MN, DSD on 5.1.2024 (**Annex Ia**).
30. As mentioned in Sections 5 & 18 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application no. A/YL-TYST/1188.

Fire Safety

31. The fire service installations (FSI) proposal (**Plan 5**) was accepted by the Director of Fire Services (D of FS) under the previous application no. A/YL-TYST/1188 on 7.12.2023 (**Annex Ib**). The subsequent FSI implementation was accepted by D of FS on 9.9.2024 (**Annex Ic**).
32. 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.
33. As mentioned in Sections 5 & 18 above, the applied use, development parameters and layout of the current application remain unchanged when compared with the previous application no. A/YL-TYST/1188.

- End -