

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/STT/22**

<b><u>Applicant</u></b>	: Big Firm Investment Limited represented by FiBi International Project Consultancy Co. Limited
<b><u>Site</u></b>	: Lots 1762 RP and 1768 in D.D. 105 and Adjoining Government Land (GL), Ngau Tam Mei, Yuen Long
<b><u>Site Area</u></b>	: About 730m <sup>2</sup> (including GL of about 165m <sup>2</sup> or about 22.6% of the Site)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/2
<b><u>Zoning</u></b>	: “Other Specified Uses” annotated “Effluent Polishing Plant and Food Waste Pre-treatment Facilities” (“OU(EPPFWPF)”)
<b><u>Application</u></b>	: Proposed Temporary Shop and Services for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary shop and services for a period of three years at the application site (the Site), which falls within an area zoned “OU(EPPFWPF)” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently fenced-off, hard-paved and mostly vacant with some empty containers (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from a local access leading from San Tam Road (**Plan A-2**), with an ingress/egress (about 6m wide) at the northeastern part of the Site. According to the applicant, the proposed use with a total floor area of about 735m<sup>2</sup> involves five structures, including two two-storey structures (about 6m in height) for shop and services and site office, and three single-storey structures (about 3.5m to 5m in height) for water tank and pump room for fire service installations (FSIs) and toilet. Besides, two private car parking spaces (each of 5m x 2.5m) and one loading/unloading (L/UL) space for light goods vehicle (7m x 3.5m) will be provided within the Site. The proposed use will operate from Mondays to Sundays (including public holidays) from 9:00 am to 7:00 pm. The layout plan submitted by the applicant is at **Drawing A-1**.
- 1.3 The Site is the subject of two previous applications (No. A/YL-NTM/422 and 463), which were both approved by the Rural and New Town Planning Committee (the

Committee) of the Board in 2021 and 2023 respectively. Planning permissions under both applications were subsequently revoked in 2022 and 2024 respectively due to non-compliance with approval conditions (detailed at paragraph 5 below). Compared with the last approved application (No. A/YL-NTM/463), the current application is submitted by the same applicant for the same proposed use at the same site with the same layout, development parameters and operation hours.

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 29.4.2025 and (Appendix I)  
Supplementary Information (SI) received on 30.4.2025  
and 2.5.2025
- (b) Further Information (FI) received on 28.5.2025\* (Appendix Ia)  
*\* accepted and exempted from publication and recounting requirements*

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FI at **Appendices I and Ia**, and can be summarised as follows:

- (a) The proposed shop and services use is for selling automated home accessories to the nearby residents, which could cater the demand from the residents in the vicinity.
- (b) The proposed use is not incompatible with the surrounding environment. The proposed use on a temporary basis would not jeopardise the long-term planning intention of the current zoning.
- (c) A drainage layout plan and a FSIs plan have been submitted in support of the application. Besides, the proposed use will be accommodated within an enclosed structure and will not be operated during sensitive hours. No significant traffic, noise, environmental and drainage impacts on the surrounding areas are anticipated.
- (d) The applicant will comply with the approval conditions should the application be approved by the Board.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) are not applicable.

## **4. Background**

The Site is not subject to any active planning enforcement action.

## 5. **Previous Applications**

The Site is the subject of two previous applications<sup>1</sup> (No. A/YL-NTM/422 and 463) for the same proposed use on the same site, with the former submitted by a different applicant, while the latter submitted by the same applicant of the current application. Both applications were approved with conditions by the Committee in 2021 and 2023 respectively mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the then “Residential (Group C)” (“R(C)”) zone; the proposed use was not incompatible with the surrounding land uses; and there was no adverse comment from concerned government departments or their concerns could be addressed by imposing relevant approval conditions. The planning permission under application No. A/YL-NTM/422 was subsequently revoked in 2022 due to non-compliance with the time-limited approval conditions related to the submission of drainage and FSIs proposals; whereas the planning permission under application No. A/YL-NTM/463 was subsequently revoked in 2024 due to non-compliance with time-limited approval conditions related to the implementation of drainage and FSIs proposals. Compared with the last approved application (No. A/YL-NTM/463), the current application is submitted by the same applicant for the same proposed use at the same Site with the same layout, development parameters and operation hours. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

## 6. **Similar Applications**

During the past five years, there were three similar applications<sup>1</sup> (No. A/YL-NTM/425, 457 and 458) for temporary shop and services use within the same “OU(EPPFWPF)” zone. All applications were approved with conditions by the Committee between 2021 and 2023 mainly on the similar considerations as stated in paragraph 5.1 above. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

## 7. **The Site and Its Surrounding Areas (Plans A-1 to A-4)**

7.1 The Site is:

- (a) currently fenced-off, hard-paved and mostly vacant with some empty containers; and
- (b) accessible from the northeast via a local access leading from San Tam Road.

7.2 The surrounding areas are rural in character and predominated by warehouse, storage yards, residential structures (including The Step – a transitional housing development), car shed, fallow agricultural land, grassland and woodland.

## 8. **Planning Intention**

The planning intention of the “OU(EPPFWPF)” zone is primarily for the provision of the reserved effluent polishing plant and food waste pre-treatment facilities.

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<sup>1</sup> The application sites fell within the then “R(C)” zone on the previous version(s) of OZP at the time of consideration by the Committee.

## **9. Comments from Relevant Government Departments**

- 9.1 Apart from the government departments as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided in **Appendices III** and **IV** respectively.
- 9.2 The following government department has specific comments on the application:

### **Project Interface**

- 9.2.1 Comments from the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD):

the Site falls within the boundary of Phase 1 Stage 1 Development of the San Tin Technopole (the Technopole). The Site is scheduled to be resumed and handed over to CEDD for works under San Tin Technopole Phase 1 Stage 1 (West) – Contract 1 – Site Formation and Associated Works (Contract No. ND/2024/09) in Q4 2025. The current application clashes with the proposed works under the contract.

## **10. Public Comment Received During Statutory Publication Period**

On 6.5.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual expressing concern that the approval conditions regarding implementation of FSIs and drainage proposal were not complied with under the previous application (**Appendix V**).

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary shop and services for a period of three years at the Site zoned “OU(EPPFWPF)” (**Plan A-1**). The proposed use is considered not in line with the planning intention of the “OU(EPPFWPF)” zone and PM(N), CEDD advises that the Site under Phase 1 Stage 1 Development of the Technopole is scheduled to be resumed and handed over to CEDD for site formation works in October 2025. Notwithstanding this, the proposed use of temporary basis only will not affect the long-term planning intention of the Site. To address PM(N), CEDD’s concerns on the potential interface issue, an advisory clause could be incorporated to remind the applicant that the Site may be resumed by the Government and the proposed use may be terminated at any time during the planning approval period for implementation of Government projects, should the application be approved by the Committee. In view of the above and taking into account the planning assessments below, there is no objection to the proposed use on a temporary basis of three years.
- 11.2 The Site is currently fenced-off, hard-paved and mostly vacant with some empty containers. The proposed use is considered not incompatible with the surrounding land uses are rural in character and predominated by warehouse, storage yards, residential structures (including The Step – a transitional housing development), car shed, fallow agricultural land, grassland and woodland. The Chief Town Planner/Urban Design and

Landscape of Planning Department (PlanD) advises that no significant landscape impact arising from the proposed use is anticipated.

- 11.3 Other relevant government departments consulted including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) and Director of Fire Services (D of FS) have no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas.
- 11.4 As detailed in paragraph 5, the Site is the subject of two previous applications (No. A/YL-NTM/422 and 463) for the same use on the same Site, with the former submitted by a different applicant and the latter submitted by the same applicant of the current application. However, both planning permissions were subsequently revoked in 2022 and 2024 due to non-compliance with time-limited approval conditions related to the submission of drainage and FSIs proposals (for application No. A/YL-NTM/422); and those related to the implementation of drainage and FSIs proposals (for application No. A/YL-NTM/463). To support the current application, the applicant has submitted FSIs proposal and drainage proposal, which are considered acceptable by D of FS and CE/MN, DSD respectively. As such, sympathetic consideration may be given to the current application. Should the Committee decide to approve the application, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration may not be given to any further application.
- 11.5 Given the two approved previous applications for the same proposed use and three approved similar applications in the vicinity of the Site in the past five years as mentioned in paragraphs 5 to 6 above, approving the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comment as stated in paragraph 10 above, the planning considerations and departmental comments above are relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 20.6.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during

the planning approval period;

- (b) the implementation of the accepted drainage proposal on the site within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 20.3.2026;
- (c) the implementation of the accepted fire service installations proposal on the site within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 20.3.2026;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if any of the above planning condition (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

#### Advisory clauses

The recommended advisory clauses are attached at **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use is not in line with the planning intention of the "Other Specified Uses" annotated "Effluent Polishing Plant and Food Waste Pre-treatment Facilities" zone, which is primarily for the provision of the reserved effluent polishing plant and food waste pre-treatment facilities. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

### **14. Attachments**

<b>Appendix I</b>	Application Form received on 29.4.2025 and SI received on 30.4.2025 and 2.5.2025
<b>Appendix Ia</b>	FI received on 28.5.2025
<b>Appendix II</b>	Previous and Similar Applications
<b>Appendix III</b>	Government Departments' General Comments

**Appendix IV**  
**Appendix V**

Recommended Advisory Clauses  
Public Comment

**Drawing A-1**  
**Plan A-1**  
**Plan A-2**  
**Plan A-3**  
**Plan A-4**

Proposed Layout Plan  
Location Plan with Similar Applications  
Site Plan  
Aerial Photo  
Site Photos

**PLANNING DEPARTMENT**  
**JUNE 2025**