

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-SK/406

- Applicant** : Pak Shing Properties Management Limited represented by Man Chi Consultants and Construction Limited
- Site** : Lots 803 (Part), 804 (Part) and 851 RP in D.D. 114 and adjoining Government Land (GL), Shek Kong, Yuen Long
- Site Area** : 3,295m² (about) (including GL of about 278m² (about 8.4%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9
- Zoning** : “Residential (Group D)” (“R(D)”)
[restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Temporary Vehicle Assembling and Conversion Centre with Ancillary Maintenance Workshop and Office for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary vehicle assembling and conversion centre with ancillary maintenance workshop and office for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” 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 fenced-off, hard-paved and currently used for the applied use with some temporary structures without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from a local access leading to Kam Sheung Road, with an ingress/egress (about 11m wide) at its northern part (**Drawing A-1 and Plan A-2**). The applied use with a total floor area of about 2,256m² comprises one single-storey structure (not more than 7m in height) for vehicle assembling and conversion centre, ancillary maintenance workshop and equipment storage uses, and two two-storey structures (not more than 6m in height) for ancillary office uses. Four private car parking spaces, one medium/heavy goods vehicle parking space, and two loading and unloading spaces for medium/heavy goods vehicles are provided at the Site. The operation hours are from 9:00

a.m. to 6:00 p.m. on Mondays to Saturdays, with no operation on Sundays and public holidays, and there are four staff members working at the Site. A 3.5m-high boundary fencing is erected along the boundary of the Site. Sound insulation panels will be installed at the vehicle assembling and conversion centre and all workshop activities will only be conducted within the structure. No filling or excavation of land will be involved. The existing trees near the entrance of the Site will also be preserved in-situ. The layout plan submitted by the applicant is at **Drawing A-1**.

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

- (a) Application Form with attachments and Supplementary (Appendix I) Information (SI) received on 9.1.2025 and 15.1.2025
- (b) Further Information (FI) received on 25.4.2025* (Appendix Ia)
- (c) FI received on 28.4.2025* (Appendix Ib)

* accepted and exempted from the publication and recounting requirements

1.4 On 28.2.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the applicant for two months as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form with SI and FIs at **Appendices I to Ib** and can be summarised as follows:

- (a) The applied use is not incompatible with the land uses in the immediate vicinity of the Site, particularly those located south of Kam Sheung Road which include open storage yards, vehicle repair workshops, brass wares workshop and warehouse uses.
- (b) Approval of the applied use on a temporary basis of three years will not jeopardise the long-term planning intention of the “R(D)” zone. Besides, the applied use could support the construction industry and industrial undertakings by offering vehicle parts assembling and conversion as well as ancillary maintenance services.
- (c) The applicant seeks planning permission to regularise the applied use at the Site. The existing structure of the vehicle assembling and conversion centre at the south will be retained, while the structure at the east will be rebuilt in-situ for ancillary office use. The remaining structure at the centre will be demolished and a new two-storey structure will be erected at the northwestern corner for ancillary office use, allowing sufficient space for vehicle manoeuvring and avoiding vehicles to queue back to Kam Sheung Road. No site formation works will be involved during erection of the two structures.
- (d) Only a maximum of two vehicles are allowed for vehicle assembly and conversion at the Site at a time. After completion of the assembly process, vehicles will be temporarily parked at the Site and driven away during non-peak hours. Besides, transport of lorry cranes, equipment and relevant materials to/from the Site will only take place twice a year. Such arrangements could minimise the daily traffic flows and impacts to the surrounding road network.
- (e) The applicant will follow the revised ‘Code of Practice on Handling on Environmental Aspects of Temporary Uses and Open Storage Sites’ (CoP) issued by the Environmental

Protection Department (EPD) to minimise adverse environmental impact and nuisance to the surrounding areas. The applicant is also committed to complying with all relevant approval conditions including those related to fire services and drainage aspects should the current application be approved.

- (f) The applicant will remove the concerned unauthorised structure(s) and submit Short Term Waiver (STW) and Short Term Tenancy (STT) applications to the Lands Department (LandsD) for the applied use upon approval of the application.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in 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 planning enforcement action.

5. Previous Application

The Site is not subject to any previous application.

6. Similar Application

There is no similar application in the same “R(D)” zone in the past five years.

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

7.1 The Site is:

- (a) fenced-off, hard-paved and currently used for the applied use with some temporary structures without valid planning permission; and
- (b) accessible via a local access connecting to Kam Sheung Road.

7.2 The surrounding areas are rural in character and predominated by open storage yards, vehicle repair workshops, brass wares workshop, warehouses, park, residential structures and village settlements.

8. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary

structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

9. Comments from Relevant Government Departments

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government 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 II and III** respectively.

9.2 The following government department provides specific comment on the application and public comments:

Food and Environmental Hygiene

9.2.1 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) he has no adverse comment on the application;
- (b) no Food and Environmental Hygiene Department (FEHD)'s facilities and their operation will be affected; and
- (c) advisory comments are detailed at **Appendix III**.

9.3 The following government departments have adverse comments on or do not support the application:

Land Administration

9.3.1 Comments from the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) he has adverse comment on the application;
- (b) the Site comprises GL and Old Schedule Agricultural Lots 803, 804 and 851 RP all in D.D. 114 held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) Lot 851 RP in D.D. 114 is covered by STW No. 1942 and part of GL within the Site is covered by STT No. 1638, both are used for the purpose of Dismantling of Vehicles & Storage of Vehicles Parts;
- (d) LandsD has reservation on the application since there is/are unauthorized structure(s) on the Lots 803 and 804 both in D.D. 114 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD;

- (e) the GL within the Site has been unlawfully occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice;
- (f) the GL adjoining Lot 803 in D.D. 114 has been unlawfully occupied with unauthorised structure(s) without permission. The GL being unlawfully occupied is not included in the application. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice; and
- (g) advisory comments are detailed at **Appendix III**.

Environment

9.3.2 Comments from the Director of Environmental Protection (DEP):

- (a) he does not support the application from environmental planning perspective in accordance with the latest CoP as there are sensitive receivers in the vicinity (i.e. the nearest residential structure is about 30m north of the Site) and the application would cause traffic of heavy vehicles. It is anticipated that the applied use would cause environmental nuisance to the residential structures nearby;
- (b) there was no environmental complaint related to the Site in the past three years; and
- (c) advisory comments are detailed at **Appendix III**.

10. Public Comments Received During the Statutory Publication Period

On 17.1.2025, the application was published for public inspection. During the statutory public inspection period, a total of 17 public comments were received, including 16 from villagers of Pat Heung Sheung Tsuen in the form of standard letter and one from an individual (**Appendix IV**). Villagers from Pat Heung Sheung Tsuen object to the application claiming that a refuse collection point (RCP) was previously relocated due to the applied use. The remaining public comment from the individual objects to the application mainly on the ground that the applied use has been in operation without valid planning permission and there will be potential adverse environmental impact and fire concern arising from the applied use.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary vehicle assembling and conversion centre with ancillary maintenance workshop and office for a period of three years at the Site zoned "R(D)" on the OZP (**Plan A-1**). While the applied use is not in line with the planning intention of the "R(D)" zone, the applicant claims that the applied use is intended to support the construction industry and industrial undertakings by offering vehicle parts assembling and conversion services. Besides, there is currently no known proposal for long-term

development at the Site or in its vicinity within the “R(D)” zone. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)” zone. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis for three years.

- 11.2 The applied use is considered not incompatible with the surrounding areas which are predominated by open storage yards, vehicle repair workshops, brass wares workshop, warehouses, park, low-rise residential structures and village settlements (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) considers that no significant landscape impact arising from the applied use is anticipated and has no adverse comment on the application from landscape planning perspective.
- 11.3 DEP does not support the application as the applied use would cause traffic of heavy vehicles and environmental nuisance is expected as there are sensitive receivers in the vicinity of the Site. In this regard, it is noted that there has not been any environmental complaint related to the Site in the past three years. To address DEP’s concerns, a 3.5m-high boundary fencing along the site boundary is erected to minimise the potential visual and environmental impacts on the surrounding areas. All workshop activities will be conducted within the structure of vehicle assembling and conversion centre, which will be installed with sound insulation panels to further minimise the noise impact on the surrounding areas. Besides, the operation is subject to relevant pollution control ordinances and environmental protection regulations in which the applicant has committed to complying with. The applicant will also be advised to follow the CoP issued by EPD to minimise any potential environmental nuisance caused by the applied use on the surrounding areas should the application be approved by the Committee.
- 11.4 Other relevant government departments consulted including the Commissioner for Transport, Chief Engineer/Mainland North, Drainage Services Department and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below.
- 11.5 Regarding DLO/YL of LandsD’s concern on the unauthorised structure(s) and uses on the concerned lots and the illegal occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. The applicant also commits to removing the concerned unauthorised structures and applying to LandsD for STW and STT for the applied use.
- 11.6 Regarding the public comments received during the statutory inspection period as stated in paragraph 10 above, the planning considerations and departmental comments above are relevant. In respect of the public comments on the previous relocation of a RCP, DFEH advises that no FEHD facilities and their associated operation will be affected arising from the current application.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taking into account the public comments mentioned in paragraph 10, 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 submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 20.12.2025;
- (b) in relation to (a) above, the implementation of the drainage proposal 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) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 20.12.2025;
- (e) in relation to (d) above, the implementation of the fire service installations proposal 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;
- (f) if the above planning condition (c) 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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 at **Appendix III**.

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

the applied use is not in line with the planning intention of the "R(D)" zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings and for low-rise, low-density residential developments subject to planning permission from the Board. There is no strong planning justification 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

Appendix I	Application Form with attachments and SI received on 9.1.2025 and 15.1.2025 respectively
Appendix Ia	FI received on 25.4.2025
Appendix Ib	FI received on 28.4.2025
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
JUNE 2025**