

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1074

- Applicant** : 順盈汽車服務有限公司
- Site** : Lots 460 RP (Part) and 461 RP (Part) in D.D.103, Kam Tin, Yuen Long, New Territories
- Site Area** : About 1,295m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Vehicle Repair Workshop and Shop and Services (Vehicle Spare Parts and Vehicle Sales) with Ancillary Storage Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary vehicle repair workshop and shop and services (vehicle spare parts and vehicle sales) with ancillary storage facilities for a period of three years at the application site (the Site) zoned “AGR” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, fenced-off, and largely vacant with some temporary structures and a very minor proportion covered by overgrown vegetation (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Kam Tin Road via a local track (**Plans A-2 and A-3**). According to the applicant, the proposed use with a total floor area of about 406m² involves three single-storey structures (not more than 7m in height) for vehicle repair workshop, storage, shop and services (vehicle spare parts and vehicle sales) and toilet. All the workshop activities and operation works will be confined within the fully enclosed structures, and no open storage and workshop activities, or dismantling and car washing activities will be conducted at any part of the Site at all time. No tree felling and filling of land would be required. Two private car parking spaces for staff use and five loading/unloading spaces for heavy goods

vehicle will be provided within the Site. Sufficient manoeuvring space will also be provided within the Site to avoid vehicles turning back to the local access road. The operation hours are between 9:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The site layout plan submitted by the applicant are at **Drawings A-1**.

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

- (a) Application Form with Supplementary Planning Statement (SPS) and Supplementary Information (SI) received on 8.5.2025 and 15.5.2025
- (b) Further Information (FI) received on 24.6.2025* **(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 and FI at **Appendices I** and **Ia** respectively. They can be summarised as follows:

- (a) The proposed use is compatible with the surrounding areas. Previous planning approvals for the same/similar uses covering the Site have been granted and similar planning approvals are also observed in the vicinity of the Site.
- (b) The proposed use is temporary in nature and would not frustrate the planned development, if any, at the Site. The applicant is committed to actively communicate with relevant government departments and locals to ensure that the proposed use will not bring adverse impacts to the surrounding areas.
- (c) The proposed use would not cause adverse drainage, traffic, ecological and environmental impacts.

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

The applicant is not a ‘current land owner’ but has complied with the requirements as set out in the Town Planning Board Guidelines on satisfying the “Owner’s Consent/Notification” Requirement under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting notice at the Site and sending notice to Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

- 4.1 The Site was filled before the incorporation of land filling control to the Notes for the “AGR” zone on the draft Kam Tin South OZP No. S/YL-KTS/8 gazetted on 1.4.2005.

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

5. **Previous Application**

The Site, in part or in whole, is involved in 14 previous applications (No. A/DPA/YL-KTS/70 and 88, and A/YL-KTS/70, 147, 194, 289, 360, 458, 483, 515, 628, 687, 821 and 922) for various temporary open storage uses with/without ancillary workshop, and considerations of these applications are irrelevant to the current application due to different uses involved. Details of the previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.

6. **Similar Applications**

There are two similar applications, including No. A/YL-KTS/931 for temporary vehicle repair workshop and shop and services (motor-vehicle showroom) with ancillary office uses and No. A/YL-KTS/1064 for temporary vehicle repair workshop within the same “AGR” zone in the vicinity of the Site in the past five years. Both of them were approved with conditions each for a period of three years by the Committee in 2022 and 2025 respectively, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention; the proposed/applied use was not incompatible with the surrounding areas; and government departments consulted in general had no adverse comment or their concerns could be addressed by relevant approval conditions. Details of the similar applications are summarised in **Appendix II** and the locations are shown on **Plan A-1a**.

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

7.1 The Site is:

- (a) accessible from Kam Tin Road via a local track; and
- (b) currently hard-paved, fenced-off, and largely vacant with some temporary structures and a very minor proportion covered by overgrown vegetation.

7.2 The surrounding areas are rural in character comprising predominantly open storage yards, vehicle repair workshop, car service, site office and tyre shop. Village settlement of Ko Po Tsuen (高埔村) is located to the further north across Kam Tin Road. Tsing Long Highway and Kam Tin Road are located to its immediate south and north of the Site respectively.

8. **Planning Intention**

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to

retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9. Comments from Relevant Government Departments

9.1. Apart from the government department 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 does not support the application:

Agriculture and Nature Conservation

9.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone and is generally occupied by some structures and vehicles. Agricultural infrastructures such as road access and water source are available in the area. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and
- (c) no comment on the planning application from nature conservation perspective.

10. Public Comment Received During Statutory Publication Period

On 20.5.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary vehicle repair workshop and shop and services (vehicle spare parts and vehicle sales) with ancillary storage facilities for a period of three years at the Site zoned “AGR” (**Plan A-1a**). Whilst the proposed use is not in line with the planning intention of “AGR” zone and DAFC does not support the application from agricultural perspective, the applicant claims that the proposed use could serve the demand for vehicle repairing works and shop and services in the locality. In view of the above and taking into account the assessments below, there is no objection to the proposed use on a temporary basis for a period of three years.

- 11.2 The proposed use is considered not incompatible with the surrounding areas which comprise predominantly open storage yards, vehicle repair workshop, car service, site office, tyre shop, village settlement of Ko Po Tsuen as well as major roads including Kam Tin Road and Tsing Long Highway. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective considering that the proposed use is not incompatible with the surrounding landscape character and significant adverse impact on existing landscape resources arising from the proposed use is not 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 and Director of Fire Services have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety aspects respectively. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Environmental Protection Department to minimise possible environmental nuisance generated by the proposed use on the surrounding areas.
- 11.4 The Committee has approved two similar applications within the same "AGR" zone in the vicinity of the Site in the past five years as stated in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 4.7.2028. 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 4.1.2026;
- (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 4.4.2026;
- (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 4.1.2026;
- (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 4.4.2026;
- (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 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 "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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 Supplementary Information received on 8.5.2025 and 15.5.2025
Appendix Ia	Further Information received on 24.6.2025
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
JULY 2025**