

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/YL-PS/761

- Applicant** : Mr. TANG Pin Fai represented by Metro Planning and Development Limited
- Site** : Lots 255 RP (Part), 261 RP (Part), 262 RP (Part) and 263 (Part) in D.D. 122, Ping Shan, Yuen Long
- Site Area** : About 3,360m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/20
- Zonings** : “Government, Institution or Community” (“G/IC”) (about 90%); and
“Village Type Development” (“V”) (about 10%)
[Restricted to maximum building height of 3 storeys (8.23m)]
- Application** : Renewal of Planning Approval for Temporary Shop and Services (Retail Shop for Selling Construction Materials) and Wholesale of Construction Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary shop and services (retail shop for selling construction materials) and wholesale of construction materials for a period of three years at the application site (the Site) (**Plan A-1a**) zoned “G/IC” and “V” on the OZP. According to the Notes of the OZP for the “G/IC” zone, ‘Shop and Services (not elsewhere specified)’ is a Column 2 use which requires planning permission from the Board while ‘Wholesale Trade’ is a Column 1 use which is always permitted. According to the Notes of the OZP for the “V” zone, ‘Shop and Services’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board) while there is no provision of ‘Wholesale Trade’. According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Board notwithstanding that the use or development is not provided for under the Notes of the OZP. The Site is currently hard-paved, fenced-off and occupied by the applied uses with valid planning permission under application No. A/YL-PS/665 until

23.9.2025 (**Plans A-1b, 4a to 4c**).

- 1.2 The Site with ingress/egress at the western part is accessible from Tsui Sing Road via a local track (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, five one-to two-storey structures (3m to 8.5m in height) with a total floor area of 1,633m² are erected for retail, wholesale, site office, toilet and water tank and pump room uses. The construction materials sold and stored at the Site include mainly sanitary wares and marbles packed in cartons. Only light goods vehicles not exceeding 5.5 tonnes will be allowed to enter/park at the Site. The operation hours are from 9 a.m. to 7 p.m. daily. The vehicular access plan, layout plan and as-built drainage plans submitted by the applicant are at **Drawings A-1 to A-4** respectively.
- 1.3 The Site was, in whole or in part, involved in four previous applications for the same temporary shop and wholesale of construction materials uses approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2015 and 2022 (details at paragraph 6 below). Compared with the last application (No. A/YL-PS/665), the current application is submitted by the same applicant for the same uses at the same site with the same layout and similar development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 9.7.2025 (**Appendix I**)
 - (b) Further information (FI) received on 6.8.2025* (**Appendix Ia**)
 - (c) FI received on 26.8.2025* (**Appendix Ib**)
 - (d) FI received on 1.9.2025* (**Appendix Ic**)
**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 Ic**. They can be summarised as follows:

- (a) The Site is the subject of four previous planning permissions with the same applied uses since 2015. The applied uses of the current application are the same as the last approved planning permission No. A/YL-PS/665. The applicant has complied with all the approval conditions imposed under the last approved application No. A/YL-PS/665.
- (b) There are similar applications for temporary shop and services and wholesale uses approved by the Committee in the vicinity.

- (c) The applied uses are not incompatible with the surrounding environment and land uses. The temporary nature of the applied uses would not jeopardise the long-term planning intentions of the current land use zones.
- (d) No adverse environmental, traffic and drainage impacts arising from the applied uses are anticipated.

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” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting notice at the Site and sending notice to the Ping Shan Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines on 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. The relevant assessment criteria are at **Appendix II**.

5. Background

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

6. Previous Applications

The Site was, in whole or in part, involved in six previous applications (No. A/YL-PS/8, 23, 483, 531, 593 and 665). Applications No. A/YL-PS/8 and 23, covering larger sites, for temporary public vehicle park for private cars, container vehicles/trailer with/without lorries were rejected by the Committee/upon review by the Board in 1997 and 1998 respectively. Their considerations are not relevant to the current application which involve different uses. The remaining four applications for the same temporary shop and wholesale of construction materials uses were all approved with conditions by the Committee between 2015 and 2022 mainly on the considerations that the applied uses would not jeopardise the long-term planning intention of the respective zones; the applied uses were not incompatible with the surrounding areas; and there was no objection/adverse comment from relevant departments. All time-limited approval conditions under the last planning application No. A/YL-PS/655 had been complied with and the planning permission is valid until 23.9.2025. Details of the previous applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.

7. Similar Applications

There are 11 similar applications for temporary shop and services and/or wholesale trade uses with/without other uses within/straddling the same “G/IC” and “V” zones in the past five years which were all approved by the Committee mainly on similar considerations as those mentioned in paragraph 6 above. Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1a**.

8. The Site and Its Surrounding Areas (Plans A-1a to A-4c)

8.1 The Site is:

- (a) currently hard-paved, fenced-off and occupied by the applied uses with valid planning permission under application No. AYL-PS/665; and
- (b) accessible from Tsui Sing Road via a local track (**Plans A-2 and A-3**);

8.2 The surrounding areas comprise predominantly wholesales, parking of vehicles, open storage yard uses and a logistic centre, intermixed with residential dwellings, vacant and unused lands (**Plan A-2**).

9. Planning Intentions

9.1 The planning intention of “G/IC” zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

9.2 The planning intention of “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses (SHs) by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

10. Comments from Relevant Government Departments

All government departments consulted have no objection to or no adverse comment

on the application. Their general comments on the application and advisory comments are provided in **Appendices IV and V** respectively.

11. Public Comment Received During the Statutory Publication Period

On 18.7.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of the planning approval for temporary shop and services (retail shop for selling construction materials) and wholesale of construction materials for a period of three years at the Site zoned “G/IC” and “V” on the OZP. Whilst ‘Wholesale Trade’ is always permitted within “G/IC” zone, the applied uses are not entirely in line with the planning intentions of the “G/IC” and “V” zones. Nonetheless, the applied uses could serve any such demand for shop and services and wholesale trade in the area. Besides, there is no known development programme or proposal for the “G/IC” zone at the Site. According to the District Lands Officer/Yuen Long of Lands Department, there is also no SH application approved or under processing at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intentions of the “G/IC” and “V” zones.
- 12.2 The Site is mainly surrounded by wholesales, parking of vehicles, open storage yard and a logistic centre intermixed with residential dwellings, vacant and unused lands (**Plan A-2**). The applied uses are considered not incompatible with the surrounding land uses.
- 12.3 The application is generally 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 No. A/YL-PS/665; adverse planning implications arising from the renewal of the planning approval are not envisaged; all time-limited conditions under previous approval have been complied with; and the three-year approval period sought is the same timeframe as the previous approval and is considered reasonable.
- 12.4 Relevant government departments consulted including the Commissioner for Transport, Director of Fire Services, Director of Environmental Protection and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application on traffic, fire safety, environmental and drainage aspects respectively. Relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of concerned government departments. Should the planning application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise possible environmental nuisance on the surrounding areas.

- 12.5 The Committee has approved four previous applications for the same applied uses at the Site between 2015 and 2022 and 11 similar applications within/straddling the same “G/IC” and “V” zones in the past five years. Approval of the current application is in line with the Committee’s previous decisions.

13. **Planning Department’s Views**

- 13.1 Based on the assessment made in paragraph 12 above, the Planning Department has no objection to the application.
- 13.2 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 and be renewed from 24.9.2025 to 23.9.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 24.12.2025;
- (c) 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
- (d) if the above planning condition (b) 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 VI**.

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

the applied shop and services use is not in line with the planning intentions of the “G/IC” and “V” zones and the applied wholesale use is not in line with the planning intention of the “V” zone which are primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory, and for development of SHs by indigenous villagers respectively. No strong planning justification has been given in the submission for a

departure from the planning intentions, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application form received on 9.7.2025
Appendix Ia	FI received on 6.8.2025
Appendix Ib	FI received on 26.8.2025
Appendix Ic	FI received on 1.9.2025
Appendix II	Relevant Extracts of TPB PG-No. 34D
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Layout Plan
Drawings A-3 and A-4	As-built Drainage Plans
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4c	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**