

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

**APPLICATION NO. A/YL-TT/719**

- Applicant** : Wo Hing Real Estate Management Limited represented by Top Bright Consultants Limited
- Site** : Lots 4918 S.B RP (Part) and 4918 RP (Part) in D.D.116 and adjoining Government Land (GL), Tai Tong Road, Tai Tong, Yuen Long, New Territories
- Site Area** : 319 m<sup>2</sup> (about) (including GL of about 105m<sup>2</sup> or 32.9%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Residential (Group D)”  
*[Restricted to a maximum plot ratio (PR) of 0.4 and a maximum building height (BH) of 3 storeys (9m)]*
- Application** : Proposed Temporary Shop and Services (Convenience Store and Real Estate Agency) for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary shop and services (convenience store and real estate agency) for a period of three years at the application site (the Site) zoned “R(D)” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “R(D)” zone, ‘Shop and Services’ is a Column 2 use requiring planning permission from the Town Planning Board (the Board). The Site is currently formed, fenced off and largely vacant (**Plans A-2 to A-4**).
- 1.2 The Site is abutting Tai Tong Road to its east with an ingress/egress point at the east (**Drawing A-2** and **Plan A-2**). According to the applicant, the proposed use consists of two two-storey structures (not more than 7m in height) with a total floor area of about 118m<sup>2</sup> for convenience store and real estate agency uses. No parking space is proposed. One loading/unloading (L/UL) space for light goods vehicle (LGV) (7m x 3.5m) will be provided within the Site. The operation hours are from 8:00 a.m. to 8:00 p.m. daily. No medium or heavy goods vehicles, including container trailer/tractor will be allowed to access the Site. Plans showing the site layout, run-in/out proposal with vehicular access, as-built drainage plan and fire

service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site is the subject of three previous applications (No. A/YL-TT/126, 238 and 581) for various uses (details at paragraph 5 below). The last application (No. A/YL-TT/581) for temporary shop and services was approved with conditions for a period of three years by the Rural and New Town Planning Committee (the Committee) of the Board in 2023. Compared with the last approved application (No. A/YL-TT/581), the current application is submitted by the same applicant for the same use at the same site, with the same site layout and development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 17.7.2025 **(Appendix I)**
  - (b) Supplementary Information (SI) received on 23.7.2025 **(Appendix Ia)**
  - (c) Further Information (FI) received on 15.8.2025 **(Appendix Ib)**  
*[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 to Ib**. They can be summarised as follows:

- (a) the proposed use would meet the needs of the nearby residents/villagers, create job opportunities and optimise the use of land;
- (b) the proposal is not incompatible with the surrounding environment. Similar applications have been approved within the same “R(D)” zone;
- (c) the Site is the subject of a previously approved application No. A/YL-TT/581 submitted by the same applicant for the same use. The site layout and major development parameters under the current application remain unchanged as compared to the previously approved application. The applicant has made efforts to comply with the approval conditions, e.g. submission of run-in/out proposal. However, it was revoked due to awaiting the approval of the Short Term Waiver (STW) by the Lands Department (LandsD) for construction of the proposed temporary structures;
- (d) the proposed use is temporary in nature and would not jeopardise the long-term planning intention of the “R(D)” zone; and
- (e) no adverse traffic, environmental, visual and drainage impacts 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 site notices and sending the notices to the Shap Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

### 4. **Background**

The Site is currently not subject to planning enforcement action.

### 5. **Previous Applications**

5.1 The Site was involved in three previous applications (No. A/YL-TT/126, 238 and 581) for various uses. Details of these applications are summarised at **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.

#### *Rejected Application*

5.2 Application No. A/YL-TT/238 for temporary recyclable collection centre (including plastic goods, paper and metal) for a period of three years was rejected by the Committee in 2009. Considerations for this application are not relevant to the current application which involves a different use.

#### *Approved Applications*

5.3 Application No. A/YL-TT/126<sup>1</sup> for extension of school building was approved with conditions by the Committee in 2002. Considerations for this application are not relevant to the current application which involves a different use.

5.4 The last application No. A/YL-TT/581 for shop and services was approved with conditions by the Committee for a period of three years on 3.2.2023 mainly on the considerations that approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)” zone; the proposal was not incompatible with the surrounding uses; and the concerns of relevant government departments could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked on 3.11.2024 due to non-compliance with the time-limited approval conditions regarding the implementations of run-in/out and FSIs proposals.

### 6. **Similar Applications**

There are two similar applications (No. A/YL-TT/523 and 661) involving one site for temporary shop and services use within the subject “R(D)” zone. Both were approved by

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<sup>1</sup> The approved scheme was not implemented and the planning permission lapsed on 15.3.2005.

the Committee for a period of three years in 2021 and 2024 respectively mainly on similar considerations as those mentioned in paragraph 5.4 above. Details of the applications are summarised in **Appendix II** and the location of the site is shown on **Plan A-1a**.

## **7. 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.

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

8.1 The Site is:

- (a) currently paved, fenced off and largely vacant; and
- (b) abutting Tai Tong Road to its east.

8.2 The surrounding areas are predominantly rural in character comprising village houses/residential dwellings intermixed with shops, open storage/storage yards, a warehouse, carparks, offices, and vacant/unused land.

## **9. 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 in the Recommended Advisory Clauses are provided in **Appendices III and IV** respectively.

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

On 25.7.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application mainly on the ground that the applicant failed to comply with the conditions under the previously approved 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 “R(D)” on the OZP. Although the proposed use is not entirely in line with the planning intention of the “R(D)” zone, it could meet such demand for shop and services in the area. Besides, there is no known development proposal for the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “R(D)” zone.

- 11.2 The proposed use is generally not incompatible with the surrounding areas which are predominately rural in character comprising village houses/residential dwellings intermixed with shops, open storage/storage yards, a warehouse, carparks, offices, and vacant/unused land (**Plan A-2**).
- 11.3 Concerned government departments consulted, including the Director of Environmental Protection, Commissioner for Transport (C for T), Director of Fire Services (D of FS) and Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) have no objection to or no adverse comment on the application from environmental, traffic, fire safety and drainage aspects respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of the concerned government departments. 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 the potential environmental nuisances on the surrounding areas.
- 11.4 The Site is the subject of a previous application (No. A/YL-TT/581) submitted by the same applicant for the same use with the same layout and development parameters, which was approved by the Committee in 2023. However, its planning permission was subsequently revoked due to non-compliance with time-limited approval conditions on the implementation of run-in/out and FSIs proposals. The applicant explains that it was due to awaiting the approval of the STW by LandsD for construction of the proposed temporary structures. In the support of the current application, the applicant has submitted an as-built drainage plan, a run-in/out proposal and a FSIs proposal and there is no in-principle objection to the application by CE/MN of DSD, C for T, Chief Engineer/New Territories West, Highways Department and D of FS respectively. In view of the above, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.
- 11.5 Two similar applications were approved by the Committee in the past five years. Approval of the application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 above and taking into account the public comment mentioned in paragraph 10 above, the Planning Department 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 5.9.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a condition record of the existing drainage facilities on the site within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.12.2025;
- (b) in relation to (b) above, the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of a revised 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 5.3.2026;
- (d) in relation to (c) above, the implementation of the revised 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 5.6.2026;
- (e) if the above planning condition (b) 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
- (f) if any of the above planning condition (a), (c) or (d) 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 Member's reference:

the proposed use is not in line with the planning intention of the "Residential (Group D)" zone which is primarily for improvement and upgrading of existing temporary structures into permanent buildings and for low-rise, low-density residential developments. 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 with attachments received on 17.7.2025
<b>Appendix Ia</b>	SI received on 23.7.2025
<b>Appendix Ib</b>	FI received on 15.8.2025
<b>Appendix II</b>	Previous and Similar Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment
<b>Drawing A-1</b>	Site Layout Plan
<b>Drawing A-2</b>	Run in/out Proposal
<b>Drawing A-3</b>	As-Built Drainage Plan
<b>Drawing A-4</b>	FSIs Proposal
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
SEPTEMBER 2025**