

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

**APPLICATION NO. A/YL-SK/432**

<b><u>Applicant</u></b>	: Mr. LAI Wing-ming represented by Man Chi Consultants and Construction Limited
<b><u>Site</u></b>	: Lot 1445 S.A (Part) in D.D. 114, Kam Sheung Road, Yuen Long, New Territories
<b><u>Site Area</u></b>	: About 94.86m <sup>2</sup>
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9
<b><u>Zoning</u></b>	: “Residential (Group D)” (“R(D)”) <i>[restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]</i>
<b><u>Application</u></b>	: Renewal of Planning Approval for Temporary Rural Workshop (Food Processing Workshop) for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval for temporary rural workshop (food processing workshop) 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 not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is occupied by the applied use with valid planning permission under application No. A/YL-SK/334 until 4.10.2025 (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kam Sheung Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the applied use involves one single-storey structure with height of not more than 3.75m and a total floor area of about 94.86m<sup>2</sup> for food processing workshop. No parking or loading/unloading space will be provided within the Site. The applied use is operated during festive seasons for preparation of basin meals and the operation hours are between 8:00 a.m. and 5:00 p.m. daily. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.

- 1.3 The Site is the subject of two previous applications (details at paragraph 6 below) submitted by the same applicant as the current application for the same use. The last application No. A/YL-SK/334, which was a renewal of planning approval granted, was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2022. The time-limited approval condition under the last application has been complied with. Compared with the last application, the current application is the same in terms of site area/boundary, 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 8.8.2025 (**Appendix I**) and 13.8.2025
  - (b) Further Information (FI) received on 5.9.2025\* (**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**, and can be summarised as follows:

- (a) The applied use serves a nearby restaurant located on Kam Sheung Road about 200m away from the Site for preparation of basin meals during festive seasons. Transportation of materials and products between the Site and the restaurant solely relies on trolley and the utilisation frequency of the Site is not high. The drainage facilities and the fire service installations have been under proper maintenance by the applicant. No complaint has been received against the applied use.
- (b) The layout and development parameters of the applied use are the same as the previously approved application. The time-limited approval condition on submission of drainage facilities record under the last application has been complied with.

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

The applicant is not the ‘current land owner’ but has complied with the requirement 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 obtaining consent from the ‘current land owner’. 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) are relevant to the application. Relevant extracts of the Guidelines are at **Appendix II**.

## 5. **Background**

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

## 6. **Previous Applications**

The Site is the subject of two previous applications (No. A/YL-SK/262 and 334) submitted by the same applicant for the same use (including one renewal of planning approval granted) approved with conditions by the Committee in 2019 and 2022 respectively, mainly on the considerations that the proposed/applied use on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone; the proposed/applied use was not incompatible with the surrounding areas; the relevant government departments consulted generally had no adverse comment on the application or the concerns could be addressed by approval conditions; and the applied use was generally in line with the TPB PG-No. 34D (for the renewal one). The time-limited approval condition under the last application No. A/YL-SK/334 has been complied with and the planning permission is valid until 4.10.2025. Compared with the last application, the current application is the same in terms of site area/boundary, layout and development parameters. Details of the previous applications are at **Appendix III** and their locations are shown on **Plan A-1**.

## 7. **Similar Application**

There is no similar application within the same “R(D)” zone in the vicinity of the Site.

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

8.1 The Site is:

- (a) occupied by the applied use with valid planning permission under application No. A/YL-SK/334 until 4.10.2025; and
- (b) accessible from Kam Sheung Road via local tracks.

8.2 The surrounding areas are rural in character with an intermix of open storage/storage yards/warehouses, workshops, restaurants, residential structures and vacant land. A drainage nullah is located to the north of the Site.

## 9. **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.

## **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 in the Recommended Advisory Clauses, if any, are provided at **Appendices IV and V** respectively.

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

On 19.8.2025, 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 planning approval for temporary rural workshop (food processing workshop) for a period of three years at the Site zoned “R(D)” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “R(D)” zone, there is currently no known development proposal at the Site. It is considered that approving the application on a temporary basis would not frustrate 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 a further period of three years.
- 12.2 The applied use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards/warehouses, workshops, restaurants, residential structures and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant landscape impact arising from the applied use is not anticipated.
- 12.3 Other relevant government departments consulted, including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection and Director of Fire Services, have no objection to or no adverse comment on the application. To minimise any potential environmental nuisance caused by the applied use, it is recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ should the application be approved by the Committee.
- 12.4 The application is considered generally in line with TPB PG-No. 34D in that there has been no material change in the planning circumstances since the previous approval was granted; no adverse planning implication arising from the renewal is anticipated; the time-limited approval condition under the last application has been complied with; and the three-year approval period sought which is the same timeframe as the last approval is reasonable.
- 12.5 There are two previous approvals for the same use at the Site as detailed in paragraph 6 above. Approving the current application is in line with the Committee’s previous decisions.

### **13. Planning Department's View**

- 13.1 Based on the assessments made in paragraph 12 above, PlanD 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 5.10.2025 to 4.10.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) the submission of a revised record of the existing drainage facilities on the site 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 5.1.2026;
- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) 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
- (d) if the above planning condition (a) 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 V**.

- 13.3 There is no strong reason to recommend rejection of the application.

### **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**

<b>Appendix I</b>	Application Form with attachments received on 8.8.2025 and 13.8.2025
<b>Appendix Ia</b>	FI received on 5.9.2025
<b>Appendix II</b>	Relevant extracts of TPB PG-No. 34D
<b>Appendix III</b>	Previous applications
<b>Appendix IV</b>	Government departments' general comments
<b>Appendix V</b>	Recommended advisory clauses
<b>Drawing A-1</b>	Site layout plan
<b>Plan A-1</b>	Location 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**