

RNTPC Paper No. A/YL-SK/434
For Consideration by the
Rural and New Town
Planning Committee
on 21.11.2025

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

APPLICATION NO. A/YL-SK/434

- Applicant** : Pinnacle Property Limited represented by Goldrich Planners & Surveyors Ltd.
- Site** : Lot 225 S.D (Part) in D.D. 112, Kam Sheung Road, Yuen Long
- Site Area** : About 225m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/10
(currently in force)

Approved Shek Kong OZP No. S/YL-SK/9
(at the time of submission)
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height of 3 storeys (8.23m)]
(no change on the current OZP)
- Application** : Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary shop and services (real estate agency) for a period of three years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for “V” zone, ‘Shop and Services’ other than on the ground floor of a New Territories Exempted House (NTEH) is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use with valid planning permission under application No. A/YL-SK/336 until 25.11.2025 (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Kam Sheung Road (**Plans A-2 and A-3**). According to the applicant, the applied use with a total gross floor area of about 97m² involves two single-storey structures (not more than 3.8m high) for real estate agency and ancillary storeroom that stores tools and miscellaneous items for maintenance and

cleaning of the shop. All the existing trees at the Site would be maintained by the applicant. No car parking space will be provided within the Site. No public announcement systems, whistle blowing or portable loudspeaker will be allowed and no workshop activities will be carried out at the Site at all times. The operation hours are between 9:00 a.m. and 6:00 p.m. daily (including Sundays and public holidays). The site layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Site is involved in seven previous applications for shop and services (**Plan A-1**) (details at paragraph 6 below). The last application No. A/YL-SK/336 was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 25.11.2022. All time-limited approved conditions have been complied with and the planning permission is valid until 25.11.2025. Compared with the last approved application, the current application is submitted by the same applicant for the same use at the same site with same development parameters and layout.
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with supplementary planning statement (SPS) and attachments received on 26.9.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 24.10.2025* (**Appendix Ia**)
 - (c) FI received on 31.10.2025* (**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 with SPS at **Appendix I**. They can be summarised as follows:

- (a) The applied use at the Site would provide real estate agency services for the local villagers and neighbouring residential developments. It is temporary in nature and the renewal of planning approval on a temporary basis for a period of 3 years will not frustrate the long-term planning intention of the “V” zone.
- (b) This renewal application is in-line with the Town Planning Board Guidelines for “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34D) in that there has been no material change in planning circumstances since the previous approval (i.e. No. A/YL-SK/336) and all approval conditions of previous approval were complied with to the satisfaction of relevant government departments. Compared with the previous planning approval, the development parameters and layout of the current application remain unchanged.
- (c) The existing trees, drainage facilities and FSIs at the Site will be maintained by the applicant throughout the planning approval period. The applicant has been undertaking the environmental mitigation measures in accordance with the “Code

of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”. The applied use will not induce adverse visual, environmental, landscape, drainage and traffic impacts on the surrounding area.

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

The applicant is not the 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 obtaining current land owner’s consent. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The TPB PG-No. 34D is relevant to this application. Relevant extract of the said Guideline is attached at **Appendix II**.

5. Background

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

6. Previous Applications

6.1 The Site was involved in seven previous applications (No. A/YL-SK/152, 160, 167, 185, 214, 253 and 336) for the shop and services use (including three for renewal of planning approval granted) which were all approved with conditions by the Committee between 2009 and 2022 on similar considerations that the approval of on a temporary basis will not jeopardize the long-term planning intention of “V” zone; the proposed/applied use was not incompatible with the surrounding environment; relevant government departments consulted generally had no adverse comments on the application or their concerns could be addressed by approval conditions. The planning permissions under application No. A/YL-SK/152 and 167 were subsequently revoked in March 2010 and January 2013 due to non-compliance with time-limited approval conditions. Details of the applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.

6.2 Compared with the last approved application No. A/YL-SK/336, the current application is submitted by the same applicant for the same use with the same layout and development parameters. All the time-limited approval conditions have been complied with and the planning permission is valid until 25.11.2025.

7. Similar Application

There is one similar application (No. A/YL-SK/331) for temporary shop and services use for a real estate agency and filling of land at the adjacent “V” zone in the vicinity of the Site in the past five years which was approved with conditions by the Committee on 24.6.2022 based on similar consideration as mentioned in paragraph 6.1 above. The planning permission was subsequently revoked in March 2025 due to non-compliance with time-limited approval conditions. Details of the application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

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

8.1. The Site:

- (a) is accessible from Kam Sheung Road; and
- (b) is currently occupied by the applied use with a valid planning permission under application No. A/YL-SK/336 until 25.11.2025.

8.2 The surrounding areas are rural in character comprising predominantly village settlements of Lai Uk Tsuen, low-rise residential developments including the adjacent Jazz Garden, parking of vehicles, shop and services, place of recreation, plant nursery, cultivated/fallow agricultural land and vacant land.

9. Planning Intention

The planning intention of the “V” zone is to reflect existing recognized 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 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 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 in the Recommended Advisory Clauses, if any, are provided in **Appendices IV** and **V** respectively.

11. Public Comment Received During Statutory Publication Period

On 3.10.2025, 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 permission for temporary shop and services (real estate agency) for a period of three years at the Site zoned “V” (**Plan A-1**). While the applied use is not entirely in line with the planning intention of the “V” zone, the applicant stated that the applied use would provide real estate agency services for the local villagers and neighbouring residential developments. Besides, DLO/YL, LandsD advised that there is no Small House application approved or under processing for the Site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” 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 comprising predominantly village settlements, low-rise residential developments, parking of vehicles, shop and services, place of recreation, plant nursery, cultivated/fallow agricultural land and vacant land (**Plan A-2**). 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 and has no comment on the application from landscape planning perspective.
- 12.3 Other relevant government departments consulted, including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services and Director of Environmental Protection, have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, appropriate approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will be advised 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 the potential environmental nuisance caused by the applied uses on the surrounding areas.
- 12.4 The application is considered 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; all approval conditions under the previous approval have been complied with; and the three-year approval period sought which is the same timeframe as the previous approval is reasonable.
- 12.5 There are seven previous approved applications for the same use at the Site between 2009 and 2022 and one approved similar application at the adjacent “V”

zone in vicinity of the Site in the past five year as detailed in paragraphs 6 and 7 above. Approving the current application is in line with the previous decisions of the Committee.

13. Planning Department's Views

- 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 26.11.2025 until 25.11.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a 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 **26.2.2026**;
- (c) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (d) if any of the above planning condition (a) or (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
- (e) 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 at **Appendix V**.

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

Appendix I	Application Form with SPS received on 26.9.2025
Appendix Ia	FI received on 24.10.2025
Appendix Ib	FI received on 31.10.2025
Appendix II	Relevant extract of TPB PG-No. 34D
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**