

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

APPLICATION NO. A/YL-MP/400

- Applicant** : TSOI Wai Ling
- Site** : Lot 3250 S.B ss.44 (Part) in D.D. 104, Mai Po, Yuen Long
- Site Area** : About 420m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/8
- Zoning** : “Residential (Group D)” (“R(D)”) (about 70% of the Site) and
“Commercial/Residential” (“C/R”) (about 30% of the Site)
- [“R(D)” : restricted to a maximum plot ratio (PR) of 0.2 and a maximum building height (BH) of 2 storeys (6m);*
“C/R” : restricted to a maximum PR of 0.4, a maximum site coverage of 30% and a maximum BH of 3 storeys (9m)]
- Application** : Renewal of Planning Approval for Temporary Car Trading Use for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary car trading use for a period of three years at the application site (the Site), which falls within an area partly zoned “R(D)” and partly zoned “C/R” 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 currently occupied by the applied use with valid planning permission under application No. A/YL-MP/334 until 13.12.2025 (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from an access to Fairview Park Boulevard (**Plan A-2**), with an ingress/egress at the south-western part of the Site. According to the applicant, the applied use involves one single-storey structure (about 3.1m in height) with a total floor area of about 36m² for ancillary office use (**Drawing A-1**). No car washing, repairing, car beauty and other workshop activities or open storage activity will be carried out at the Site at all times. Seven private car parking spaces for car trading or visitors’ use are provided at the Site. Sufficient maneuvering space are provided within the Site to avoid vehicles turning back to the local access road. No medium or heavy goods vehicles

exceeding 5.5 tonnes including container trailers/tractors as defined in the Road Traffic Ordinance are allowed to be parked/stored at the Site at all times. The applied use operates from 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays and from 10:00 a.m. to 5:00 p.m. for Sundays, excluding public holidays. The layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Site is the subject of eight previous applications for the same applied use (details at paragraph 6). The last application No. A/YL-MP/334 submitted by the same applicant, which was a renewal of temporary approval granted for the same use with the same Site, layout and development parameters as the current application, was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 9.12.2022, and all approval conditions have been complied with.
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 15.10.2025 and (Appendix I)
Supplementary Information (SI) received on 23.10.2025 and
24.10.2025
 - (b) Further Information (FI) received on 1.12.2025 (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, SI and FI at **Appendices I and Ia**. They can be summarised as follows:

- (a) The applied use is intended to serve the need of local residents for car trading service.
- (b) The applied use has been operating at the Site since 2001 and there were eight previous applications for the same use at the Site. The applicant will continue to maintain all the drainage facilities and fire services installations at the Site. Approval of the current application is in line with the previous decisions of the Board.
- (c) No adverse impacts on the surrounding area are anticipated from the applied use since there were no adverse comments or objections from relevant government departments for the applied use on the previous applications.
- (d) The applicant has applied Short Term Waiver (STW) for structure erected at Lot 3250 S.B RP in D.D. 104 after planning permission was granted under the previous application at the Site. The STW application is still under processing by the Lands Department (LandsD).

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

The applicant is not a “current land owner” of the Site 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 notifying 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) is also relevant to the application. Relevant extracts of the above-mentioned Guidelines are attached 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 eight previous applications (No. A/YL-MP/96, 135, 163, 187, 227, 253, 288 and 334) for the same applied use (in which five were for renewal of planning approvals granted and the former six were with a larger site area) submitted by the same applicant as the current application. All these applications were approved by the Committee or by the Board upon review between 2001 and 2022 mainly on the considerations that the applied use on a temporary basis would not frustrate the long-term planning intention of the “R(D)” and “C/R” zones; the applied use was not incompatible with the surrounding areas; and relevant government departments consulted in general had no adverse comment or their concerns could be addressed by relevant approval conditions. For the last application No. A/YL-MP/334, which was a renewal of temporary approval granted, all time-limited approval conditions have been complied with and the planning permission is valid until 13.12.2025. The current application is the same as the last application in terms of site area/boundary, layout and development parameters as mentioned in paragraph 1.3 above. Details of the previous applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.

7. Similar Application

During the past five years, there was no similar application within the same “R(D)” or “C/R” zone.

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

8.1 The Site is:

- (a) currently occupied by the applied use with valid planning permission under application No. A/YL-MP/334 until 13.12.2025; and
- (b) accessible from an access to Fairview Park Boulevard.

8.2 The surrounding areas are sub-urban in character and predominated by residential development/structures including the Helene Terrace, Villa Camellia, Royal Camellia and Lake Park, intermixed with a vehicle repair workshop, a shop, a restaurant, parking of vehicles, vacant land and grassland. A nullah and Ha San Wai Road are located to the immediate north of the Site across which there are residential structures, parking of vehicles/container vehicles and open storage yard.

9. Planning Intention

- 9.1 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.
- 9.2 The planning intention of the “C/R” zone is primarily for commercial and/or residential development. A selected range of commercial uses are always permitted to serve the local community.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 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 IV and V** respectively.

10.2 The following government department has adverse comments on the application:

Land Administration

10.2.1 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):

- (a) the Site comprises Old Schedule Agricultural Lot Nos. 3250 S.B ss.44 in D.D. 104 held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (b) he has reservation on the planning application since there is unauthorised structure(s) or use(s) on Lot No. 3250 S.B RP in D.D. 104, of which has been carved out into lots including Lot Nos. 3250 S.B ss.44 in D.D. 104, which is/are already subject to lease enforcement actions according to case priority. There is a STW application for regularising the lease breaches covering the Site which is currently under processing by LandsD; and
- (c) advisory comments are at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 28.10.2025, 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 approval for temporary car trading use for a period of three years at the Site partly zoned “R(D)” and partly zoned “C/R” (**Plan A-1**). While the applied use is not in line with the planning intention of the “R(D)” and “C/R” zones, there is currently no known proposal for long-term development involving the Site. It is considered that approving the application on a temporary basis would not frustrate the long-term planning intention of “R(D)” and “C/R” zones. Taking into account the above and the planning assessments below, there is no objection to the renewal application for a period of three years.
- 12.2 The applied use is considered not incompatible with the surrounding areas which are suburban in character and predominated by residential developments/structures, a vehicle repair workshop, open storage yards, shop, restaurant, parking of vehicles/container vehicles, vacant land, grassland, and a nullah. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that no significant landscape impact arising from the applied use is anticipated.
- 12.3 Regarding DLO/YL, LandsD’s concerns on the unauthorised structure(s) and/or use(s) at the Site, the applicant will be advised to continue liaising with LandsD on these land administration matters should the Committee approve the application. The applicant has applied for STW which is currently under processing by LandsD, to rectify the lease breaches after planning permission was granted under the previous application at the Site. 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. To address the technical requirements of the concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the applicant to follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ issued by the Environmental Protection Department to minimise any potential environmental nuisance caused by the applied use on the surrounding areas.
- 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 application is anticipated; all approval conditions under the last application (No. A/YL-MP/334) had been complied with; and the three-year approval period sought which is same as the previous approval granted by the Committee is considered reasonable.
- 12.5 The Site is the subject of eight approved previous applications for the same applied 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 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 14.12.2025 until 13.12.2028. 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 existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (c) if any of the above planning condition (a) or (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.

Advisory clauses

The recommended advisory clauses are at **Appendix V**.

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

the applied use is not in line with the planning intention of the "Residential (Group D)" and "Commercial/Residential" zones, which are primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings as well as for commercial and/or residential development respectively. There is no strong planning justification in the submission for a departure from the planning intention, 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 with attachments received on 15.10.2025 and SI received on 23.10.2025 and 24.10.2025
Appendix Ia	FI received on 1.12.2025
Appendix II	Relevant extract of TPB PG-No. 34D
Appendix III	Previous Applications

Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses

Drawing A-1	Site Layout Plan
Plan A-1	Location Plan with Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2025**