

RNTPC Paper No. A/YL-SK/436  
For Consideration by the  
Rural and New Town  
Planning Committee  
on 5.12.2025

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

**APPLICATION NO. A/YL-SK/436**

- Applicant** : Full Sharp Development Limited represented by Goldrich Planners & Surveyors Ltd.
- Site** : Lot 291 S.B in D.D. 112 and Adjoining Government Land (GL), Yuen Long, New Territories
- Site Area** : About 261m<sup>2</sup> (including GL of about 11m<sup>2</sup> (about 4% of the Site))
- 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** : “Residential (Group C)” (“R(C)”)  
[Restricted to a maximum plot ratio (PR) of 0.8 and a maximum building height (BH) of 6 storeys and 45 metres above Principal Datum (mPD)]  
(currently in force)
- “Residential (Group D)” (“R(D)”)  
[Restricted to a maximum PR of 0.2 and a maximum BH of 2 storeys (6m)]  
(at the time of submission)
- Application** : Temporary Shop and Services (Real Estate Agency) with Ancillary Office for a Period of 5 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary shop and services (real estate agency) for a period of five years at the application site (the Site), which falls within an area zoned “R(C)” on the OZP (**Plan A-1**). According to the Notes of the OZP for “R(C)” zone, ‘Shop and Services’ 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 without valid planning permission (**Plans A-2 to A-4**).

- 1.2 The Site abuts Kam Sheung Road (**Plans A-2 and A-3**). According to the applicant, the applied use is for a real estate agency to serve the nearby residents. The applied use involves two single-storey structures and one two-storey structure (not more than 5.6m in height) with a total gross floor area (GFA) of about 142.3m<sup>2</sup> for real estate agency shop, toilet, ancillary office for conducting meetings with potential buyers, staff restrooms, storage area for cleaning supplies, storage cabinets for documents and other office supplies. One parking space for private car will be provided within the Site. Sufficient space will also be allowed for vehicle to maneuver, enter and leave the Site, and therefore no parking, reversing or turning of vehicles on public road associated with the applied use at Site is expected. Besides, no public announcement systems, whistle blowing or portable loudspeaker will be allowed 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 one previous application (No. A/YL-SK/287) submitted by the same applicant for the same use at the same site (under different zonings), which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 23.10.2020 for a period of three years (details in paragraph 5 below) (**Plan A-1**). Compared with this approved previous application, the current application involves changes in development parameters and layout, i.e. slight increase in GFA from about 127m<sup>2</sup> to 142.3m<sup>2</sup> (+15.3m<sup>2</sup> / +12%) and reduction in number of structures from 4 to 3 (-1 structure / -25%), and a longer period of the planning approval from three years to five years.
- 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 8.10.2025 and Supplementary Information (SI) received on 17.10.2025
  - (b) Further Information received on 25.11.2025<sup>#</sup> (**Appendix Ia**)

<sup>#</sup> *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 attachments at **Appendix I**. They can be summarised as follows:

- (a) The applied use at the Site would cater the needs for real estate agency services for the nearby residents. It is also considered not incompatible with the surrounding land uses which are mainly brownfield operations, scattered residential structures and plant nursery. The temporary nature of the current application would not jeopardise the long-term planning intention of the “R(D)” zone of the then approved Shek Kong OZP No. S/YL-SK/9 (see paragraph 4 below). Six similar applications

for temporary shop and services were approved in the other “R(D)” zone on the OZP between 2021 and 2025.

- (b) All the approval conditions under the previous approved application No. A/YL-SK/287 for the same use at the same site were complied with by the applicant. As the previous approval lapsed on 24.10.2023, the applicant has submitted the current application to continue the applied use at the Site.
- (c) The applied use would not induce adverse visual, environmental, landscape, drainage and traffic impacts on the surrounding areas. The applicant had already implemented the accepted drainage facilities under the previous planning approval. Besides, an updated fire services installations (FSIs) proposal is also submitted under the current application to reflect the latest development layout. The applicant has also 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” (COP) and complying with all environmental protection/pollution control ordinances in carrying out the applied use.

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

The applicant is the sole current land owner of the private land portion. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, 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) are not applicable.

### **4. Background**

4.1. The Site fell within an area zoned “R(D)” on the then approved Shek Kong OZP No. S/YL-SK/9 at the time of submission of the current application. The subject “R(D)” zone, including the Site, was rezoned to “R(C)”<sup>1</sup> on the draft Shek Kong OZP No. S/YL-SK/10, which was exhibited under Section 5 of the Town Planning Ordinance on 17.10.2025 (the OZP currently in force) (**Plans A-1 and A-2**).

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

### **5. Previous Application**

The Site is the subject of one previous application (No. A/YL-SK/287) for shop and services (real estate agency) which was approved with conditions by the Committee on 23.10.2020 for a period of three years mainly on the considerations that the planning permission on temporary basis will not jeopardise the long-term planning intention of

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<sup>1</sup> This is to take forward the Committee’s decision on 14.3.2025 to agree to a section 12A application No. Y/YL-SK/1 for proposed low-rise and low-density residential development at part of the subject “R(D)” zone on the then Shek Kong OZP No. S/YL-SK/9, which did not involve the Site under the current application, and the Planning Department (PlanD)’s recommendation on rezoning the remaining “R(D)” portion to “R(C)” on the current draft Shek Kong OZP No. S/YL-SK/10.

“R(D)” zone under the then OZP; the proposed use was not incompatible with the surroundings; there was no known permanent development involving the application site; relevant government departments consulted generally had no adverse comments on the application or their concerns could be addressed by approval conditions. All the conditions under the previous planning approval were complied with and the permission lapsed on 24.10.2023. Compared with the previous application, the current application is submitted by the same applicant for the same use at the same site with changes mentioned in paragraph 1.3 above. Details of the previous application are summarised in **Appendix II** and its location is shown on **Plan A-1**.

## **6. Similar Application**

There is no similar application for temporary shop and services within the same “R(C)” zone or previous “R(D)” zone on the OZP.

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

### **7.1. The Site:**

- (a) abuts Kam Sheung Road; and
- (b) is currently occupied by the applied use without valid planning permission.

7.2. The surrounding areas are rural in character comprising predominantly open storage yards, warehouse, vehicle repair workshop, shop and services with ancillary workshops (including two with valid planning permissions), plant nursery, scattered residential structures, fallow and cultivated agricultural land, unused land and vacant land.

## **8. Planning Intention**

The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

## **9. Comments from Relevant Government Departments**

9.1. Apart from the government department as set out in paragraph 9.2 below, other 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 III** and **IV** respectively.

9.2. The following government department has adverse comment on the application:

**Land Administration**

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

- (a) he has adverse comment on the application;
- (b) the Site comprises GL and an Old Schedule Agricultural Lot 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;
- (c) the following irregularities covered by the current application have been detected by his office:

Unauthorised structure(s) within the said private lot(s) covered by the planning application

- (i) there is/are unauthorized structure(s) and uses on the private lot which are already subject to lease enforcement actions according to case priority. The lot owner(s) should immediately rectify or apply for regularisation on the lease breaches as demanded by his office; and

Unlawful occupation of GL adjoining the said private lot(s) with unauthorised structure(s) covered by the planning application

- (ii) the GL within the Site (about 11m<sup>2</sup> as mentioned in the application form (**Appendix I**)) has been fenced off/unlawfully occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice;
- (d) if the planning application is approved, the lot owner(s) shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the structure(s) erected within the said private lot and the occupation of the GL. The application for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by his office. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (e) the applicant should note his advisory comments at **Appendix IV**.

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

On 21.10.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

## **11. Planning Considerations and Assessments**

- 11.1. The application is for temporary shop and services (real estate agency) with ancillary office for a period of five years at the Site zoned “R(C)” on the draft Shek Kong OZP No. S/YL-SK/10 (**Plan A-1**). While the applied use is not entirely in line with the planning intention of “R(C)” zone, the applicant states that the applied use would provide real estate agency services to serve the nearby residents. Besides, there is no known development programme or proposal for long-term development involving the Site<sup>2</sup>. Approval of the application on a temporary basis for a period of five years would not jeopardise the long-term planning intention of the “R(C)” 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 period of five years.
- 11.2. The applied use is considered not incompatible with the surrounding areas which are rural in character comprising predominantly with open storage yards, warehouse, vehicle repair workshop, shop and services, plant nursery, scattered residential structures, fallow and cultivated agricultural land, unused land and vacant land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that no significant landscape impact arising from the applied use is anticipated.
- 11.3. 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 12.2 below. It is also recommended to advise the applicant to follow the revised COP issued by the Environmental Protection Department to minimise any potential environmental nuisance caused by the applied use on the surrounding areas. Regarding DLO/YL, LandsD’s concerns on the unauthorized structure(s) erected within/outside the Site and unlawful occupation of GL at the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. The applicant has also committed to apply for STW and STT to regularise the structures on the lot and rectify the lease breaches and unlawful occupation of GL upon planning approval is given.
- 11.4. While the land use zoning for the Site has been amended from “R(D)” to “R(C)” after submission of the application as mentioned in paragraph 4.1 above, there is no significant change in the development context of the Site. Given the approved

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<sup>2</sup> The proposed low-rise and low-density residential development at part of the subject “R(C)” zone under s.12A application No. Y/YL-SK/1 does not involve the Site under the current application.

previous application for the same applied use at the Site as detailed in paragraph 5, approving the current application is in line with the Committee's previous decision.

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

- 12.1. Based on the assessments made in paragraph 11 above, PlanD 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 five years until 5.12.2030. 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 planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.3.2026;
- (c) the submission of the 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 5.6.2026;
- (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 5.9.2026;
- (e) 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
- (f) if any of the above planning condition (b), (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 Members' reference:

the applied use is not in line with the planning intention of the "R(C)" zone which is primarily for low-rise, low-density residential developments. There is no strong

planning justification 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 and supplementary information received on 8.10.2025 and 17.10.2025
<b>Appendix Ia</b>	FI received on 25.11.2025
<b>Appendix II</b>	Previous Application
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	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  
DECEMBER 2025**