

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/740

- Applicant** : Mr. SZE Kam Wah represented by Lawson David & Sung Surveyors Limited
- Site** : Lots 4055, 4056 (Part) and 4057 in D.D. 116 and Adjoining Government Land (GL), Tai Kei Leng, Yuen Long, New Territories
- Site Area** : 915 m² (about) (including GL of about 15 m² (about 1.7%))
- 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)” (“R(D)”)
[restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m)]
- Application** : Proposed Temporary Shop and Services for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services 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’ being not on the ground floor of a New Territories Exempted House is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced off and largely vacant while part of the Site is occupied by temporary structures (**Plans A-2 to A-4**).
- 1.2 The Site is abutting and accessible from Tai Shu Ha Road East with an ingress/egress point at the west (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal is for a grocery shop selling commodities such as canned food and drinks. It consists of five one to two-storey structures (ranging from 2.5m to 7m in height) with a total floor area of not more than 426 m² for shop and services with guard room and ancillary office, covered parking spaces and a rain shelter. Five parking spaces for private car (2.5m x 5m) and one loading/unloading space for light goods vehicle (3.5m x 7m) will be provided within the Site. The operation hours are from 8:00 a.m. to 9:00 p.m. daily. Plans showing the vehicular access, site layout and swept path analysis submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 In support of the application, the applicant has submitted an Application Form with attachments received on 8.10.2025 (**Appendix I** and **Appendix Ia**).

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 **Appendices I** and **Ia**. They can be summarised as follows:

- (a) the proposed use would benefit the residents in the vicinity to meet their demand for grocery goods;
- (b) the proposed use is temporary in nature and would not jeopardise the long-term planning intention of the “R(D)” zone;
- (c) no significant traffic, drainage and environmental impacts are anticipated; and
- (d) similar applications were approved within the same “R(D)” zone.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Background

The Site is currently not subject to planning enforcement action.

5. Previous Application

There is no previous application concerning the Site.

6. Similar Applications

There are six similar applications (No. A/YL-TT/586, 598, 633, 653, 680 and 692) involving four sites for temporary shop and services for a period of three years within the same “R(D)” zone in the past five years. All the applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2023 and 2025 mainly on the considerations that the temporary use would not jeopardise the long-term planning intention of the area; being not incompatible with the surrounding uses; and the departmental concerns could be addressed by implementation of approval conditions. Details of the applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

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 while part of the Site is occupied by temporary structures; and
- (b) abutting and accessible from Tai Shu Ha Road East.

8.2 The surrounding areas are rural residential in nature predominantly occupied by village houses/residential dwellings intermixed with storage/open storage yards, workshops, parking of vehicles, farmland and unused land.

9. Comments from Relevant Government Departments

All 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 17.10.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix V**) objecting to the application mainly on the ground that the proposed use is suspected for warehouse purpose.

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 serve the needs of the local residents. As there is no known development proposal for the Site, approval of the application on a temporary basis 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 occupied by village houses/residential dwellings intermixed with storage/open storage yards, workshops, parking of vehicles, farmland and unused land (**Plan A-2**).

- 11.3 Concerned government departments consulted, including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department 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 Six similar applications were approved by the Committee between 2023 and 2025. Approval of the application is in line with the previous decisions of the Committee.
- 11.5 Regarding the public comment as summarised in paragraph 10 above, any unauthorized development on the Site would be subject to planning enforcement action. The planning considerations and assessments in paragraphs 11.1 to 11.4 above are also relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having 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 5.12.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.6.2026;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.9.2026;
- (c) in relation to (b) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) the submission of a 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;
- (e) in relation to (d) above, the implementation of the 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;

- (f) if the above planning condition (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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 development. 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

Appendices I and Ia	Application Form with attachments received on 8.10.2025
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Swept Path Analysis
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo

Plan A-4

Site Photos

**PLANNING DEPARTMENT
DECEMBER 2025**