

**Application for Renewal of Planning Approval
for Temporary Use
Under Section 16 of the Town Planning Ordinance**

Application No. A/STT/30

<u>1. Proposal</u>	
Applicant	Fortune Nine Company (HK) Limited represented by Top Bright Consultants Limited
Site (Plan A-1)	Lot 673 S.C (Part) in D.D. 99 and Adjoining Government Land (GL), San Tin, Yuen Long
Site Area	About 108m ² (including GL of about 47 m ² or about 43.5% of the application site (the Site))
Zoning and Outline Zoning Plan (OZP) No.	“Village Type Development” (“V”) zone on the approved San Tin Technopole (STT) OZP No. S/STT/2 <i>[restricted to maximum building height of 3 storeys (8.23m)]</i>
Application	Renewal of Planning Approval for Temporary Eating Place (Outside Seating Accommodation (OSA) of a Restaurant) for a Period of Three Years
Site Context and the Current Proposal	The Site is accessible from Tung Wing On Road via an open area fronting the Site (Plan A-2). According to the applicant, the applied use serves as the extension of an existing restaurant on the ground floor of the adjoining village house at No. 282 Wing Ping Tsuen (Plan A-2). The applied use with a total floor area of about 108m ² involves a temporary single-storey fabric shelter (with a height of about 3m) for OSA of the existing restaurant. The applied use serves a maximum of 30 people with operation hours from 7:00 a.m. to 10:00 p.m daily, including public holidays. No parking and loading/unloading space is provided within the Site. The layout plan submitted by the applicant is at Drawing A-1 .
Last Previous Relevant Application	Application No. A/YL-ST/637 ¹ approved on 13.1.2023 for a period of three years until 13.1.2026, which was submitted by the same applicant for the same use at the same Site.

¹ The Site fell within the same “V” zone on the then approved San Tin OZP No. S/YL-ST/8 at the time when the last previous relevant application was considered by the Rural and New Town Planning Committee.

	(Please refer to https://www(tpb.gov.hk/uploads/page/meetings/RNTPC/A_YL-ST 637 638/A YL-ST 637 638 MainPaper.pdf for details of the last previous relevant application)
Justifications from the Applicant (Appendices I and Ia)	<p>(a) The applied use provides catering services to serve the nearby villagers, workers and visitors in San Tin area, and is in line with the planning intention of the “V” zone.</p> <p>(b) The applied use is in line with the Town Planning Board (TPB) Guidelines for Application for Eating Place within “Village Type Development” zone in Rural Areas under Section 16 of the Town Planning Ordinance (TPB PG-No. 15A) in that the Site is located at the fringe of the “V” zone and is compatible with the surrounding environment; no adverse traffic, drainage, sewerage and environmental impacts are anticipated; and the applied use can serve a catering facility for visitors to various recreational uses and tourist attractions in the vicinity of the Site.</p> <p>(c) All the approval conditions imposed on the last previous planning application No. A/YL-ST/637 have been complied with. Similar applications for eating place use had also been approved within the same “V” zone.</p> <p>(d) In support of the current application, the applicant has submitted an as-built drainage plan and photographic records of the existing drainage facilities, as well as a fire service installations (FSIs) plan accepted under the last application and the corresponding FS251 certificates. The applicant will continue to maintain the existing FSIs and drainage facilities on the Site.</p>
Compliance with the “Owner’s Consent/Notification” requirements ²	Posted site notice and sent notice to San Tin Rural Committee (for the GL portion, the requirements are not applicable).

2. **Planning Considerations and Assessments**

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	In line with <u>TPB PG No. 34D</u> ³ , including:	✓		

² As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) and detailed information would be deposited at the meeting for Members’ inspection.

³ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development

	<ul style="list-style-type: none"> i. no material change in planning circumstances since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas); ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development); iii. all the time-limited approval conditions under the previous approval have been complied with; and iv. the 3-year approval period sought does not exceed the duration of the last approval. 			<p>Whilst the applied use is not entirely in line with the planning intention of the “V” zone, it is an extension of a permitted eating place on the ground floor of the adjoining village house and the applicant states that the applied use can serve the nearby villagers, workers and visitors. Besides, the District Lands Officer/Yuen Long of Lands Department has no adverse comment on the application and advises that there is no Small House (SH) application approved or under processing at the Site. The applied use of temporary nature would not adversely affect the land availability for New Territories Exempted House/SH development within the “V” zone in the long term. Approval of the application on a temporary basis of three years would not jeopardise the long-term planning intention of the “V” zone.</p>
(b)	In line with <u>TPB PG-No.12C</u> ⁴	✓		<p>The Site falls within the Wetland Buffer Area in Deep Bay Area under the TPB PG-No. 12C, which specifies that planning applications for temporary uses are exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation has no comment on the application from nature conservation point of view.</p>

⁴ TPB Guidelines No. 12C for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance

(c)	In line with <u>TPB PG-No.15A</u> ⁵	✓		The applied use is located at the fringe of Wing Ping Tsuen and is accessible from Tung Wing On Road. The applied use is considered not incompatible with the surrounding land uses predominated by village houses, some of which are occupied by restaurants on the ground floor (Plan A-2). In view of the small scale of the applied use, it would unlikely generate significant adverse traffic, environmental, drainage, sewerage and fire safety impacts on the surrounding areas.
(d)	Any other relevant considerations (e.g. minor change in layout/development parameters)?	✓		
(e)	Any adverse departmental comments?	✓		<p>Relevant government departments consulted have no objection to or no adverse comments on the application (Appendix II). Relevant approval conditions and advisory clauses are recommended at paragraph 4 below.</p> <p><u>PlanD's Assessments</u></p> <p>To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 4 below, and the applicant will also be advised to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the applied use.</p>
(f)	Public comments received during statutory publication period	✓		No public comment was received.

3. Planning Department's View

- No objection to the application.

⁵ TPB Guidelines No. 15A for Application for Eating Place within "Village Type Development" zone in Rural Areas under Section 16 of the Town Planning Ordinance

4. Decision Sought

- 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 14.1.2026 to 13.1.2029. 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; and
- (b) 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.

Advisory clauses

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

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

Attachments

Appendix I	Application Form received on 19.11.2025 and Supplementary Information received on 25.11.2025
Appendix Ia	Further Information received on 31.12.2025 (accepted and exempted from publication and recounting requirements)
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan

**PLANNING DEPARTMENT
JANURARY 2026**