

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM-SKW/140

- Applicant** : Mr. Wu Yiu Fai (胡耀輝) represented by Grandmax Surveyors Limited
- Site** : Lot 215 in D.D. 385, Tai Lam Chung Tsuen, Tuen Mun, New Territories
- Site Area** : 81m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved So Kwun Wat Outline Zoning Plan (OZP) No. S/TM-SKW/15
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m), except for those developments/uses specified in the Notes]
- 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) which is zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Shop and Services’ other than those 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 hard paved and currently vacant (**Plans A-1 and A-4**).
- 1.2 The Site is accessible via a local access road that branches off from Tai Lam Chung Road (**Plans A-1 and A-2**). According to the applicant, one two-storey container-converted structure (not more than 4.8m high), with a floor area of not more than 82m², will be used as shop for providing construction consultation services to customers for construction of village houses in Tai Lam Chung area. One private vehicle parking space (5m x 2.5m) will be provided at the Site for the sole use of the operator. The operation hours are between 8:00 a.m. to 7:00 p.m from Mondays to Saturdays. Plan showing the site layout submitted by the applicant is at **Drawing A-1**.

1.3 In support of the application, the applicant submitted the following documents:

- (a) Application Form received on 2.1.2026 (Appendix I)
- (b) Further Information (FI) received on 6.2.2026* (Appendix Ia)
- (c) FI received on 12.2.2026* (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 at **Appendix I**. They can be summarised as follows:

- (a) the proposed use would serve the nearby residents in Tai Lam Chung Tsuen. It is temporary in nature and would not jeopardise the long-term planning intention of the “V” zone;
- (b) the proposed temporary structure is small in scale; and
- (c) no adverse traffic, visual, fire safety and drainage impacts will be caused.

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

The applicant is not a ‘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 the consent of the current land owners and notifying the remaining current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is currently not subject to planning enforcement action.

5. Previous Applications

There is no previous application concerning the Site.

6. Similar Applications

There are three similar applications (No. A/TM-SKW/129, 131 and 137) for temporary shop and services within the same “V” zone in the past five years. All of them were approved with conditions by the Committee between 2025 and 2026 mainly on similar

considerations that the temporary approval would not frustrate the long-term planning intention of the “V” zone; being not incompatible with the surrounding land uses; and relevant government departments had no adverse comment on/no objection to the application. Details of these applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is hard paved and vacant, and accessible from a local access road that branches off from Tai Lam Chung Road.

7.2 The surrounding areas are rural residential in character predominantly occupied by village houses intermixed with storage yards and parking of vehicles.

8. Planning Intention

The planning intention of the “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small House (SH) 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 the ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

9. Comments from Relevant Bureau/Government Departments

All bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices III** and **IV** respectively.

10. Public Comment Received During Statutory Publication Periods

On 13.1.2026, the application was published for public inspection. During the statutory public inspection period, one comment from an individual (**Appendix V**) was received rendering support to the application.

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 which is zoned “V” on the OZP. According to the applicant, the proposed use is mainly to provide construction consultation services to customers for construction of village houses. Although the applied use is not entirely in line with the planning intention of the “V” zone, it could serve the needs of the local residents. According to the District Lands Officer/Tuen Mun, Lands Department, there is currently no SH application approved/under processing at 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.

- 11.2 The applied use is generally not incompatible with the surrounding areas, which are rural residential in character predominantly occupied by village houses intermixed with storage yards and parking of vehicles (**Plan A-2**).
- 11.3 Concerned 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/no adverse comment on the application from traffic, environmental, drainage and fire safety aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise potential environmental nuisances on the surrounding areas.
- 11.4 There are three approved similar applications for temporary shop and services use within the same “V” zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the Committee’s previous decisions.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken 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 27.2.2029. 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 27.8.2026;
- (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 27.11.2026;
- (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 **27.8.2026**;
- (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 **27.11.2026**;
- (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 Members' reference:

the proposed use is not in line with the planning intention of the "Village Type Development" zone which is primarily for development of Small House by indigenous villagers. 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

Appendix I	Application Form received on 2.1.2026
Appendix Ia	FI submitted on 6.2.2026
Appendix Ib	FI submitted on 12.2.2026
Appendix II	Similar Applications
Appendix III	Government Bureau/Departments' General Comments

Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Site Layout Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**