

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/760

- Applicant** : Mr. TING Wai Keung represented by Metro Planning & Development Company Limited
- Site** : Lot 1600 RP in D.D. 119, Yuen Long
- Site Area** : 90 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- 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) zoned “V” on the OZP (**Plan A-1a**). 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 currently paved and occupied by a temporary structure for storage use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is abutting to Kiu Hing Road with an ingress/egress point in the west (**Drawing A-2 and Plan A-2**). According to the applicant, the proposal consists of two one to two-storey structures (ranging from 3m to 6m in height) with a total floor area of not more than 150 m² for proposed shop and services use as a real estate agency and store room. No parking space or loading/unloading space is proposed. The operation hours are from 9:00 a.m. to 5:00 p.m. daily including Sundays and public holidays. Plans showing the site layout, drainage and fire service installations (FSIs) proposals submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in a previous application (No. A/YL-TT/554) for the same use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2022 (details at paragraph 5 below). Compared with the last approved application, the current application is submitted by the same applicant with the same site area but different layout and development parameters. A comparison of major development parameters of the last application to the current application is as follows:

Major Development Parameters	Last Approved Application (A/YL-TT/554) (a)	Current Application (A/YL-TT/760) (b)	Difference (b) – (a)
Proposed Use	Temporary Shop and Services (Real Estate Agency) for a Period of Three Years		Same Use
Site Area	about 90 m ²		No change
Total Floor Area	not more than 120 m ²	not more than 150 m ²	+ 30 m ² (+25%)
No. of Structures	1 (shop and services)	2 (shop and services and a store room)	+ 1
Height of Structures	6 m	3m to 6m	/
No. of Parking Spaces	1 for private cars	0	- 1
Operation Hours	9:00 a.m. to 5:00 p.m. daily		No change

- 1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 2.1.2026 **(Appendix I)**
- (b) Supplementary Information (SI) received on 7.1.2026 **(Appendix Ia)**
- (c) Further Information (FI) received on 6.2.2026* **(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, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the proposal would meet the local demand for real estate service;
- (b) the proposed use is not incompatible with the surrounding areas;

- (c) previous and similar applications for the same use were approved by the Committee; and
- (d) no adverse traffic, drainage and environmental impacts are anticipated.

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 posting site notice and sending the notice to the Shap Pat Heung Rural Committee. 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 Application

The Site is the subject of a previous application (No. A/YL-TT/554) for the same use submitted by the same applicant as the current application. The application was approved with conditions on a temporary basis by the Committee for a period of three years on 15.7.2022 mainly on considerations that the proposed use would not jeopardise the planning intention of the “V” zone; being not incompatible with the surrounding uses; and the departmental comments could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked on 15.1.2024 due to non-compliance with time-limited approval condition regarding the implementation of FSIs proposal. Details of the previous application are summarised in **Appendix II** and the location is shown on **Plan A-1b**.

6. Similar Applications

There are four similar applications (No. A/YL-TT/516, 522, 592 and 632) involving three sites for temporary shop and services for a period of three years within/straddling the same “V” zone in the past five years. All the applications were approved with conditions by the Committee between 2021 and 2024 mainly on similar considerations as those mentioned in paragraph 5 above. Details of these similar applications are summarised in **Appendix II** and their locations are shown on **Plan A-1a**.

7. Planning Intention

The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within the zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within the 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 an NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

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

8.1 The Site is:

- (a) currently paved and occupied by a temporary structure for storage use without valid planning permission; and
- (b) abutting Kiu Hing Road.

8.2 The surrounding areas are predominantly rural in character comprising village houses/residential dwellings intermixed with shops and services (covered by a valid planning permission under planning application No. A/YL-TT/592), warehouses, parking of vehicles, open storage/storage yards and vacant/unused land.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 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 are provided in **Appendices III** and **IV** respectively.

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

Land Administration

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

- (a) his office has adverse comment on the application;
- (b) the Site comprises 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) there is/are unauthorized structure(s) and/or uses on the private lot(s) which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD;
- (d) if the planning application is approved, the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the structure(s) erected with the said private lot. The application for STW will be considered by LandsD in its capacity as a landlord and there is no

guarantee that such application will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;

- (e) there is no Small House application approved or under processing at the Site; and
- (f) his detailed advisory comments are at **Appendix IV**.

10. Public Comment Received During the Statutory Publication Period

On 9.1.2026, 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 proposed temporary shop and services for a period of three years at the Site zoned “V” on the OZP. Although the proposed 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 DLO/YL, LandsD, there is no Small House application approved or under processing at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “V” zone.
- 11.2 The proposed use is generally not incompatible with the surrounding areas which are predominately rural in character comprising village houses/residential dwellings intermixed with shops and services, warehouses, parking of vehicles, open storage/storage yards and vacant/unused land (**Plan A-2**).
- 11.3 Concerned government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services (D of FS) 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. Regarding DLO/YL, LandsD’s concern on the unauthorized structures and/or uses on the private lot within the Site, the applicant will be advised to liaise with LandsD on the land administration matters should the Committee approve the application.
- 11.4 The Site was involved in a previous application (No. A/YL-TT/554) submitted by the same applicant for the same use which was approved with conditions for a period of three years by the Committee in 2022. However, the planning permission was subsequently revoked in 2024 due to non-compliance with time-limited

approval condition on implementation of FSIs proposal. In support of the current application, the applicant has submitted a FSIs proposal (**Drawing A-3**) and D of FS has no objection to the application. As such, sympathetic consideration may be given to the applicant. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.

- 11.5 Four similar applications were approved by the Committee in the past five years. Approval of the application is in line with the previous decisions of the Committee.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 revised 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 revised 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 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 27.8.2026;
- (e) in relation to (d) 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 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 Member's 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 Houses 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 with attachments received on 2.1.2026
Appendix Ia	SI received on 7.1.2026
Appendix Ib	FI received on 6.2.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Drawing A-2	Drainage Proposal
Drawing A-3	FSIs Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**