

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

**APPLICATION NO. A/YL-TT/762**

- Applicant** : Mr. CHAN Wang Shek
- Site** : Lot 1109 RP in D.D. 117, Wong Nai Tun Tsuen, Tai Tong, Yuen Long
- Site Area** : 73 m<sup>2</sup> (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) which is 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 accessible from Kiu Hing Road via a local track with an ingress/egress point in the north (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal consists of two single-storey structures (not exceeding 3m in height) with a total floor area of not more than 36 m<sup>2</sup> for a convenience store and a toilet. No parking space or loading/unloading space is proposed and the operation hours are from 10:00 a.m. to 6:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the access, site layout and fire service installations (FSIs) proposal 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/555) 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, same layout and development parameters.

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

- (a) Application Form with attachments received on 5.1.2026 (Appendix I)
- (b) Supplementary Information (SI) received on 8.1.2026 (Appendix Ia)
- (c) SI received on 9.1.2026 (Appendix Ib)
- (d) Further Information (FI) received on 5.2.2026\* (Appendix Ic)  
*\*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, SIs and FI at **Appendices I to Ic**. They can be summarised as follows:

- (i) the proposed use would make efficient use of the land;
- (ii) the proposed use would serve the nearby residents; and
- (iii) the proposed use would boost local economy and provide job opportunities.

## **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 consent from the 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 Application**

The Site is the subject of a previous application (No. A/YL-TT/555) for the same temporary use submitted by the same applicant as the current application. The application was approved with conditions by the Committee on 15.7.2022 for a period of three years 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 15.10.2023 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-1**.

## **6. Similar Applications**

There are 12 similar applications (No. A/YL-TT/539, 549, 558, 565, 566, 591, 624, 678, 679, 690, 693 and 723) involving ten sites for temporary shop and services for a period of three or five years within/straddling the same “V” zone in the past five years. All the applications were approved with conditions by the Committee between 2022 and 2025 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-1**.

## **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-1 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) accessible from Kiu Hing Road via a local track.

8.2 The surrounding areas are predominantly rural in character comprising village houses/residential dwellings intermixed with parking of vehicles, open storage/storage yards and vacant/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 Comments Received During the Statutory Publication Period**

On 16.1.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received from individuals objecting to the application mainly on the grounds that the proposed use may bring adverse environmental impacts on the surrounding areas and the applicant failed to comply with the conditions under the previously approved application (**Appendix V**).

## **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. 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 District Lands Officer/Yuen Long, Lands Department, 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 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.
- 11.4 The Site was involved in a previous application (No. A/YL-TT/555) 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 2023 due to non-compliance with time-limited approval conditions 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 current application. As such, sympathetic consideration may be given to the application. 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 12 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.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taking into account the public comments 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 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;
- (b) in relation to (a) 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; and
- (c) if any of the above planning condition (a) or (b) 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**

<b>Appendix I</b>	Application Form with attachments received on 5.1.2026
<b>Appendix Ia</b>	SI received on 8.1.2026
<b>Appendix Ib</b>	SI received on 9.1.2026
<b>Appendix Ic</b>	FI received on 5.2.2026
<b>Appendix II</b>	Previous and Similar Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comments
<b>Drawing A-1</b>	Access Plan
<b>Drawing A-2</b>	Site Layout Plan
<b>Drawing A-3</b>	FSI Proposal
<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  
FEBRUARY 2026**