

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-SK/448

- Applicant** : HCDD114 Company Limited represented by R-riches Planning Limited
- Site** : Lot 1030 S.A (Part) in D.D. 114, Shek Kong, Yuen Long, New Territories
- Site Area** : About 131 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/10
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Proposed Temporary Shop and Services with Ancillary Facilities and Associated Filling of Land for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services with ancillary facilities and associated filling of land for a period of five years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Shop and Services’ (being not on the ground floor of a New Territories Exempted House (NTEH)), which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently fenced-off, hard-paved and vacant (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Nam Hing East Road via a local track (**Plans A-2 and A-3**). According to the applicant, the proposed use involves one two-storey structure with height of about 7m and a total floor area of about 144m² for real estate agency, ancillary office and washroom. No vehicle parking and loading and unloading (L/UL) space will be provided at the Site (**Drawing A-1**). The applicant also applies for regularisation of filling of land for the entire site with concrete of not more than 0.1m in depth (to level of about 34.3mPD) for site formation for erection of structures and provision of pedestrian circulation area to meet operational need. The operation hours will be between 9:00 a.m. and 7:00 p.m. daily, including public holidays. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

1.3 In support of the application, the applicant has submitted the Application Form with attachments received by the Board on 13.2.2026 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and the attachments at **Appendix I**. They can be summarised as follows:

- (a) The Site is located within walking distance from the nearby villages, where the demand for real estate consultancy services is high. The real estate agency proposed under the application intends to serve nearby locals and business operators. Besides, the temporary nature of the application would not frustrate the long-term planning intention of the “V” zone and could better utilise the precious land resources in the New Territories.
- (b) The proposed use is considered not incompatible with the surroundings, which are predominantly rural in character with mainly domestic dwellings and village houses with a maximum building height of 3 storeys (8.23m) in the same “V” zone.
- (c) The applicant also applies for regularisation of existing land filling at the Site. The extent of land filling has been kept to a minimum and no further land filling will be carried out upon obtaining the planning approval.
- (d) The proposed use will not induce adverse traffic, environmental, landscape and drainage impact on the surrounding areas. Adequate mitigation measures, for example, the submission and implementation of drainage facilities and fire services installations will be provided by the applicant to mitigate any anticipated adverse impact from the proposed development. The applicant has also committed to undertaking the environmental mitigation measures in accordance with the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘COP’) and complying with all environmental protection/pollution control ordinances in carrying out the proposed use.

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

The applicant is not a “current land owner” of the Site 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 notice to Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is not subject to any active planning enforcement action.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Applications

There are six similar applications (No. A/YL-SK/316, 331, 352, 370, 385 and 446) covering five sites for temporary shop and services within the same “V” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2021 and 2026 mainly on the considerations that the planning permission on temporary basis will not jeopardise the long-term planning intention of “V” zone; the proposed/applied use was not incompatible with the surroundings; relevant government departments consulted generally had no adverse comments on the application or their concerns could be addressed by approval conditions. The planning permissions under applications No. A/YL-SK/316 and 331 were subsequently revoked. Details of the previous 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:

- (a) currently fenced-off, hard-paved and vacant; and
- (b) accessible from Nam Hing East Road via local track.

7.2 The surrounding areas are rural in character comprising predominantly village settlements of Tsz Tong Tsuen and Uk Tau Tsuen, Lai Ancestral Hall, fallow and cultivated agricultural land, parking of vehicles, unused land, some vacant structures and construction sites and a nullah is located to the south of the Site.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and re-provisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses 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 ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

9. Comments from Relevant Government Departments

All government 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, if any, are provided in **Appendices III and IV** respectively.

10. Public Comments Received During Statutory Publication Period

On 24.2.2026, 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 with ancillary facilities and associated filling of land for a period of five years at the Site which is zoned “V” (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, according to the applicant, it is intended for providing real estate services for nearby residents and business operators. The District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) advises that there is no Small House application approved or under processing at the Site. The proposed use of temporary nature would not adversely affect the land availability for NTEH/Small House within the “V” zone in the long term. Taking into account the above and the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of five years.
- 11.2 Filling of land within the “V” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which comprise predominantly village settlements of Tsz Tong Tsuen and Uk Tau Tsuen, an ancestral hall, fallow and cultivated agricultural land, parking of vehicles, unused land, vacant structures, construction sites and a nullah. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not entirely incompatible with the surrounding environment and significant adverse landscape impact arising from the proposed use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Director of Fire Services and Commissioner for Transport, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised ‘COP’ to minimise any potential environmental nuisance caused by the proposed use.

- 11.5 There are six approved similar applications within the same “V” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving 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, PlanD 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 five years until 27.3.2031. 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 27.9.2026;
- (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 27.12.2026;
- (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 27.9.2026;
- (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 27.12.2026;
- (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 attached 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 with associated filling of land is not in line with the planning intention of the “V” zone which is to provide land primarily for development of Small Houses by indigenous villagers. There is no strong planning justification 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 13.2.2026
Appendix II	Similar Applications
Appendix III	Government Departments’ General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2026**