

Previous Application covering the Application Site

Rejected Application

| | <u>Application No.</u> | <u>Proposed Use(s) / Development(s)</u> | <u>Date of Consideration (Appeal Board Panel (Town Planning))</u> | <u>Rejection Reason(s)</u> |
|---|-------------------------------|--|--|---------------------------------------|
| 1 | A/YL-TT/578 | Temporary Warehouse for Storage of Construction Equipment for a Period of 3 Years | 6.3.2025 (dismissed on appeal) | (1), (2) |

Rejection Reason(s):

- (1) No strong justification provided to support a departure from the planning intention.
- (2) Not compatible with the surrounding areas.

**Similar Applications within the Subject “Village Type Development” Zone
on the Tai Tong Outline Zoning Plan in the Past Five Years**

Approved Applications

| | <u>Application No.</u> | <u>Proposed Use(s)/ Development(s)</u> | <u>Date of Consideration (RNTPC)</u> |
|----|-------------------------------|---|---|
| 1 | A/YL-TT/517 | Temporary Shop and Services for a Period of 3 Years | 26.3.2021 [lapsed on 26.3.2024] |
| 2 | A/YL-TT/533 | Temporary Shop and Services for a Period of 3 Years | 18.3.2022 [revoked on 18.12.2023] |
| 3 | A/YL-TT/557 | Renewal of Planning Approval for Temporary Shop and Services (Local Provision Store with Ancillary Storage Area and Real Estate Agency) for a Period of 3 Years | 29.7.2022 [lapsed on 29.7.2025] |
| 4 | A/YL-TT/547 | Temporary Shop and Services for a Period of 3 Years | 12.8.2022 [lapsed on 12.8.2025] |
| 5 | A/YL-TT/602 | Temporary Shop and Services for a Period of 5 Years | 11.9.2023 |
| 6 | A/YL-TT/656 | Temporary Shop and Services and Public Vehicle Park for a Period of 3 Years | 16.8.2024 |
| 7 | A/YL-TT/662 | Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years | 20.9.2024 |
| 8 | A/YL-TT/657 | Temporary Shop and Services and Public Vehicle Park for a Period of 3 Years | 14.3.2025 |
| 9 | A/YL-TT/709 | Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years | 18.7.2025 |
| 10 | A/YL-TT/711 | Temporary Shop and Services for a Period of 3 Years | 1.8.2025 |

Government Departments' General Comments

1. Traffic

(a) Comments of the Commissioner for Transport:

- No adverse comment on the application.
- Advisory comments as detailed in **Appendix IV**.

(b) Comments of the Chief Highway Engineer/New Territories West, Highways Department:

- No adverse comment on the application.
- Advisory comments as detailed in **Appendix IV**.

2. Environment

Comments of the Director of Environmental Protection:

- No objection to the application.
- No environmental complaint concerning the application site (the Site) has been received in the past three years.
- Advisory comments as detailed in **Appendix IV**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- No in-principle objection to the application from the public drainage point of view.
- Should the application be approved, conditions should be stipulated to request the applicant to submit, implement and maintain a drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- Advisory comments as detailed in **Appendix IV**.

4. Fire Safety

Comments of the Director of Fire Services:

- No in-principle objection to the proposal subject to the fire service installations being provided at the Site.
- Advisory comments as detailed in **Appendix IV**.

5. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- No objection to the application.
- As there is no record of approval granted by the Building Authority for the existing structure at the Site, BD is not in a position to offer comments on their suitability for the use proposed in the application.
- Advisory comments as detailed in **Appendix IV**.

6. **Electricity Safety**

Comments of the Electrical and Mechanical Services:

- No objection to the application.
- Advisory comments as detailed in **Appendix IV**.

7. **District Officer's Comments**

Comment of the District Officer (Yuen Long), Home Affairs Department:

His office has not received any comment on the application from the village representatives in the vicinity of the Site.

8. **Other Departments**

The following departments have no objection to/no comment on the application:

- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), Civil Engineering and Development Department;
- Director of Agriculture, Fisheries and Conservation; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) the planning permission is given to the development/use under application. It does not condone any other development/use (i.e. storage use) which currently exists on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such development/use not covered by the permission;
- (b) any unauthorized development on the Site would be subject to planning enforcement action;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 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; and
 - (ii) the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the structure(s) erect within the Site. The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that the application(s) 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 that the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (d) to note the comments of the Commissioner for Transport that:
 - (i) the local track and footpath leading to the Site are not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track and footpath for using the local track and footpath as the access to the Site; and
 - (ii) sufficient manoeuvring space should be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) HyD should not be responsible for maintaining any access connecting the Site with Tai Shu Ha Road West; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public roads and drains;
- (f) to note the comments of the Director of Environmental Protection that:
 - (i) to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites" issued by Environmental Protection Department (EPD) to minimise the potential environmental nuisances on the surrounding areas;
 - (ii) to implement appropriate pollution control measures outlined in the Professional

Persons Environmental Consultative Committee (ProPECC) Practice Notes 2/24 'Construction Site Drainage' to minimise any potential environmental impacts on nearby water bodies during the construction of the project; and

- (iii) to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of EPD's Practice Note for Professional Person (ProPECC) PN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department" including completion of percolation test and certification by Authorized Person;
- (g) to note the comment of the Chief Engineer/Mainland North, Drainage Services Department that:

for any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, the applicant should be required to submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;
- (h) to note the comments of the Director of Fire Services that:
 - (i) the relevant layout plans should be incorporated with the proposed fire service installations (FSIs) to the Fire Services Department for approval;
 - (ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of the proposed FSI to be installed should be clearly marked on the layout plans; and
 - (iii) if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (ii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - (iii) if the existing structure (not being a New Territories Exempted House) is erected on leased land without approval of the Building Authority (BA), they are unauthorised building works (UBWs) under the BO and should not be designated for any proposed use under the captioned application;
 - (iv) for UBWs erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW

on the Site under the BO;

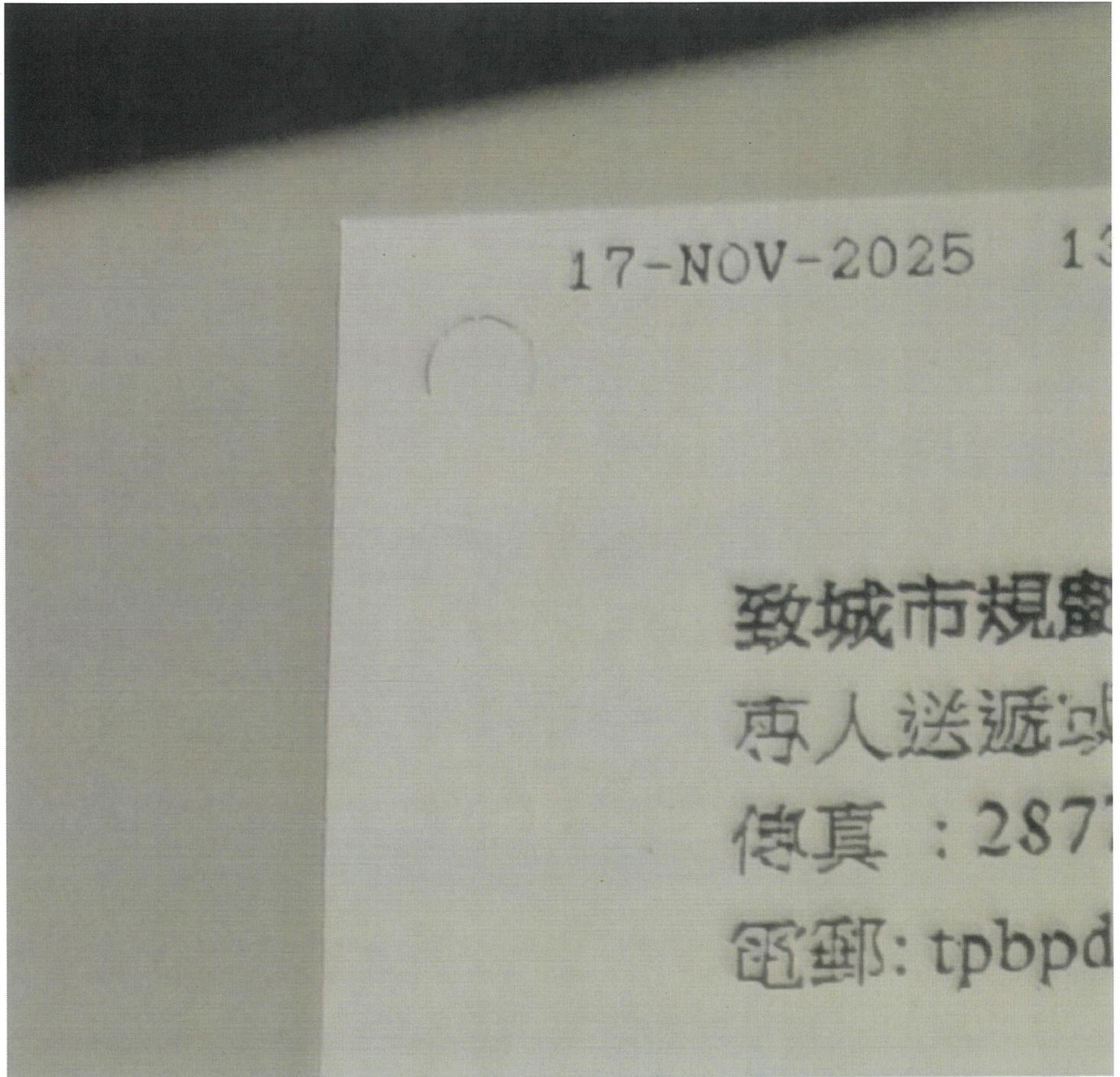
- (v) nine structures are proposed in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of BA should be obtained, otherwise they are UBWs under the BO. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R; and
 - (vii) detailed checking under the BO will be carried out at building plan submission stage; and
- (j) to note the comments of the Director of Electrical and Mechanical Services that:

in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned document should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2025年12月02日星期二 11:23
收件者: tpbpd/PLAND
主旨: 反對A/YL-TT/750之申請
類別: Internet Email



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本人元朗十八鄉水蕉老圍原居民村代表陳兆年，電話 [REDACTED]，如有問題可致電本人。謝謝！

17-NOV-2025 13:20 FROM TM&YLW/DFO

TO HAD-DO/YL

P.012/013

致城市規劃委員會秘書：
專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓
傳真：2877 0245 或 2522 8426
電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board
By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
By Fax : 2877 0245 or 2522 8426
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates
A/YL-TT/750

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

通往零售店的道路只是普通行人路，如果行車時會造成附近居民
安全問題，有店舖就有排污問題，人流多了就會有噪音問題，
及附近環境亦會有相關問題發生，故此本人堅決反對有關申請。

「提意見人」姓名/名稱 Name of person/company making this comment

水蕉老圍村代表
陳兆年

簽署 Signature

[Signature]

日期 Date

~~06-11-2021~~
06-12-2021

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tpbpd/PLAND

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寄件者: [REDACTED]
寄件日期: 2025年12月09日星期二 3:01
收件者: tpbpd/PLAND
主旨: A/YL-TT/750 DD 118 Nam Hang Tsuen
類別: Internet Email

A/YL-TT/750

Lot 936 in D.D. 118, No.66 Nam Hang Tsuen, Yuen Long

Site area: About 265.2sq.m

Zoning: "VTD"

Applied use: Pet Food Retail / 2 Vehicle Parking

Dear TPB Members,

"Temporary vacated structures (previously for storage of construction equipments, note: the storage of construction equipment is being vacated for termination of operation to comply with the enforcement notices issued by Lands Department and Planning Department)"

Hopefully you will advise that a 'mystery shopper' will stop by in due course to ensure that it is indeed a pet store and not a construction material warehouse.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 2 March 2023 2:54 AM HKT
Subject: Re: A/YL-TT/578 DD 118 Nam Hang Tsuen

Dear TPB Members,

Rejected on 23 Dec 2022: the applied use is not compatible with the surrounding residential character."

Indeed. No justification for review. The good health and safety of residents must be protected.

Mary Mulvihill

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From: [REDACTED]

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To: tpbpd <tpbpd@pland.gov.hk>

Date: Friday, 2 December 2022 1:57 AM CST

Subject: A/YL-TT/578 DD 118 Nam Hang Tsuen

A/YL-TT/578

Lot 936 in D.D. 118, No.66 Nam Hang Tsuen, Yuen Long

Site area: About 265.2sq.m

Zoning: "VTD"

Applied use: Warehouse for Storage of Construction Equipment / 2 Vehicle Parking

Dear TPB Members,

A warehouse with the possibility of increasing traffic of large goods vehicles is not compatible with the zoning and a lot so close to residential units.

Mary Mulvihill