

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/750

- Applicant** : Concut Engineering Limited represented by Ching Yeung (HK) Development Consultant Limited
- Site** : Lot 936 in D.D.118, No.66 Nam Hang Tsuen, Tai Tong, Yuen Long, New Territories
- Site Area** : 265.2 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) 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 requiring planning permission from the Town Planning Board (the Board). The Site is currently occupied by temporary structures for storage use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible via a local track leading from Tai Shu Ha Road West with an ingress/egress point in the east (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal is for pet food retail. It consists of nine structures, including four single-storey structures (about 2.1m to 3.7m in height) for shop and services with ancillary storage use and five canopies (about 2.9m to 4.03m in height), with a total floor area of not more than 189.1 m². One private car parking space (5m x 2.5m) and one loading/unloading space for light goods vehicle (5m x 2.5m) are proposed and the operation hours are from 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the vehicular access and site layout 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 following documents:

- (a) Application Form with attachments received on 11.11.2025 (**Appendix I**)
- (b) Further Information (FI) received on 28.1.2026* (**Appendix Ia**)
**accepted and exempted from publication and recounting requirements*

1.4 On 9.1.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant.

2. Justifications from the Applicant

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

- (a) there is a lack of convenient and local retail options for pet food supplies in the district. The proposed use would serve the nearby residents;
- (b) the proposed use is a low-impact retail service. It does not involve any form of manufacturing or food processing;
- (c) the proposed use is temporary in nature; and
- (d) no adverse traffic, environmental and hygiene impacts are anticipated.

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

The applicant is the sole “current land owner” of the Site. 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/578) for temporary warehouse for storage of construction equipment for a period of three years submitted by the same applicant, which was rejected by the Board upon review on 15.9.2023. The then applicant lodged an appeal against the Board’s decision, which was dismissed by the Appeal Board Panel (Town Planning) on 6.3.2025. Considerations of this previous application are not relevant to the current application which involves a different use. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. Similar Applications

There are ten similar applications (No. A/YL-TT/517, 533, 547, 557, 602, 656, 657, 662, 709 and 711) involving seven sites for temporary shop and services for a period of three or five years within the same “V” zone on the OZP in the past five years. All the applications were approved with conditions by the Committee between 2021 and 2025 mainly on the considerations that the temporary use would not jeopardise the long-term 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. Details of the 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 a 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) occupied by temporary structures for storage use without valid planning permission; and
- (b) accessible via a local track leading from Tai Shu Ha Road West.

8.2 The surrounding areas are predominantly rural in character comprising village houses/residential dwellings intermixed with parking of vehicles, storage/open 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 reservation on the application:

Land Administration

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

- (a) 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;
- (b) his office has reservation on the application since there 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;
- (c) 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(s). The application(s) for STW will be considered by LandsD in its capacity as a landlord and there is no guarantee that such 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 the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (d) there is no Small House application approved or under processing at the Site; and
- (e) his detailed advisory comments are at **Appendix IV**.

10. Public Comments Received During the Statutory Publication Period

On 18.11.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received from the Shui Tsiu San Tsuen village representative and an individual (**Appendix V**) objecting to the application mainly on the grounds that the proposal may generate adverse traffic, sewerage and drainage impacts to the nearby area, and the proposed use is suspected for warehouse purpose.

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 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 parking of vehicles, storage/open 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 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 structure(s) and/or uses on the private lot(s) 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 Ten similar applications within the same “V” zone were approved by the Committee between 2021 and 2025. Approval of the application is in line with the previous decisions of the Committee.
- 11.5 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant. Any unauthorized development on the Site would be subject to planning enforcement action.

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 27.3.2029. 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 27.9.2026;

- (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 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 justifications have 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 11.11.2025
Appendix Ia	FI received on 28.1.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2026**