

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

**APPLICATION NO. A/YL-MP/405**

- Applicant** : Fung Yuen (HK) Technology Limited represented by Allgain Land Planning Limited
- Site** : Lot 3278 RP in D.D. 104, Mai Po, Yuen Long
- Site Area** : About 267m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/9  
*(currently in force)*
- Approved Mai Po and Fairview Park OZP No. S/YL-MP/8  
*(at the time of submission)*
- Zoning** : “Commercial / Residential” (“C/R”)  
*[restricted to a maximum plot ratio of 0.4, a maximum site coverage of 20% and a maximum building height of 3 storeys (9m)]*
- [the zoning and development restrictions of the application site (the Site) remain unchanged on the OZP No. S/YL-MP/9]
- Application** : Temporary Vehicle Repair Workshop with Ancillary Office and Storage Use for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary vehicle repair workshop with ancillary office and storage use for a period of three years at the Site, which falls within an area zoned “C/R” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, fenced off, erected with temporary structures and occupied by the applied use without valid planning permission (**Plans A-2, A-4a and 4b**).
- 1.2 The Site is accessible from a local access leading to Fairview Park Boulevard (**Plan A-2**), with an ingress/egress (about 9m wide) at its northern part. According to the applicant, the applied use, with a total floor area of about 232m<sup>2</sup>, involves an existing semi-enclosed rain shelter (about 8m in height), under which there are five existing structures, including one 2-storey (about 7m in height) and four single-storey structures (about 3.5m in height) for vehicle repair workshop, ancillary office with reception and storage uses (**Drawing**

**A-1).** To minimise the potential noise impact arising from the applied use, all vehicle repairing activities will be conducted within the semi-enclosed structure at all times, and a fence wall (of not more than 3m in height) with noise absorbing materials will be erected at the periphery of the Site (except the northern part of the Site where the ingress/egress is located) (**Drawing A-2**). One private car parking space for the repair workshop area and one loading/unloading bay for private car will be provided at the Site. No heavy vehicle is allowed to enter the Site. The applied use operates from 10:00 a.m. to 6:00 p.m. from Mondays to Saturdays, excluding Sundays and public holidays.

- 1.3 The Site (**Plan A-1**) is the subject of a previous application (No. A/YL-MP/366) submitted by the same applicant for the same applied use, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2024, and its planning permission was subsequently revoked in 2025 due to non-compliance with approval conditions (details at paragraph 5 below). Compared with the previous application, the current application involves no change in the site layout and major development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 15.1.2026 and Supplementary Information (SI) received on 20.1.2026 (**Appendix I**)
  - (b) Further Information (FI) received on 5.3.2026\* (**Appendix Ia**)  
\*accepted but not 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 and FI at **Appendices I and Ia**, and can be summarised as follows:

- (a) The applied use is temporary in nature and will not frustrate the long-term planning intention of the “C/R” zone. It is compatible with the surrounding areas and can serve the needs of nearby residents.
- (b) No significant traffic, environmental, landscape, visual and drainage impacts are anticipated. The applicant will follow relevant requirements in the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (CoP) issued by Environmental Protection Department (EPD) to minimise any potential environmental impacts.
- (c) The applied use will not induce significant light and noise pollution to the surrounding areas. No neon sign will be installed at the Site. No audio amplification system will be used to minimise possible nuisance.
- (d) In support of the application, the applicant has submitted a drainage proposal and a fire service installations (FSIs) proposal to demonstrate that the applied use would not cause drainage and fire safety concerns to the surrounding areas.
- (e) The applicant will rectify the unauthorised building works (UBW) at the Site as soon as possible and a Short Term Waiver application has been submitted to the Lands Department (LandsD) for the erection of the structures.

**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 notice to San Tin 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 the subject of a previous application (No. A/YL-MP/366) submitted by the same applicant for the same applied use, which was approved with conditions by the Committee in May 2024 mainly on the considerations that the applied use would not frustrate the long-term planning intention of the “C/R” zone; the applied use was not incompatible with the surrounding land uses; and there was no adverse comment from relevant government departments consulted or their concerns could be addressed by approval conditions. The planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval conditions on the implementation of drainage proposal and submission and implementation of FSIs proposal. Compared with the previous application, the current application involves no change in the site layout and major development parameters as mentioned in paragraph 1.3 above. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

**6. Similar Application**

There is no similar application within the same “C/R” zone during the past five years.

**7. The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

7.1 The Site is:

- (a) hard-paved, fenced off, erected with temporary structures and occupied by the applied use without valid planning permission; and
- (b) accessible via a local access leading to Fairview Park Boulevard.

7.2 The surrounding areas are sub-urban in character and predominated by low-rise residential developments, residential dwellings, shop and services, vehicle repair workshops, petrol filling station and car washing centre.

**8. Planning Intention**

The planning intention of the “C/R” zone is primarily for commercial and/or residential development. A selected range of commercial uses are always permitted to serve the local

community.

## **9. Comments from Relevant Government Departments**

9.1 Apart from the government department as set out in paragraph 9.2 below, other 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 at **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 No. 3278 RP in D.D. 104 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) has reservation on the planning application since there is/are unauthorised structure(s) on the said private lot 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; and
- (c) advisory comments are at **Appendix IV**.

## **10. Public Comments Received During Statutory Publication Periods**

The application was published for public inspection on 23.1.2026 and 13.3.2026. During the statutory public inspection periods, two public comments were received from the same individual raising concerns on the non-compliance with the approval conditions of the previous application (**Appendix V**).

## **11. Planning Considerations and Assessments**

11.1 The application is for temporary vehicle repair workshop with ancillary office and storage use for a period of three years at the Site which is zoned “C/R” on the OZP (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “C/R” zone, according to the applicant, the applied use is intended to serve the nearby residents. There is also no known long-term development proposal for the Site. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.

11.2 The applied use is considered not incompatible with the surrounding areas which are suburban in character and predominated by low-rise residential development, residential dwellings, shop and services, vehicle repair workshops, petrol filling station and car

washing centre (**Plan A-2**). The applicant also commits to implementing relevant mitigation measures, including erection of fence wall with noise absorbing materials provided along most of the Site boundary (**Drawing A-2**), conducting vehicle repairing activities in the semi-enclosed structures, etc., to minimise potential noise impact arising from the applied use. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the applied use from landscape planning perspective and considers that the applied use is not entirely incompatible with the surrounding environment and significant adverse landscape impact arising from this application is not anticipated.

- 11.3 Regarding DLO/YL of LandsD's concern on unauthorised structure(s) on the concerned lot, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. Other relevant government departments consulted, including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North (CE/MN) of Drainage Services Department (DSD) and Director of Fire Services (D of FS), have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'CoP' issued by EPD to minimise any potential environmental nuisance caused by the applied use.
- 11.4 As detailed in paragraph 5 above, the Site is the subject of a previous application (No. A/YL-MP/366) submitted by the same applicant for the same use, which was approved by the Committee in 2024. The planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval conditions on the implementation of drainage proposal and submission and implementation of FSIs proposal. In this regard, the applicant has submitted drainage and FSIs proposals in support of the application, and CE/MN of DSD and D of FS have no objection to the application. Sympathetic consideration may be given to the current application. Should the application be approved by the Committee, the applicant will be advised that should there be non-compliance with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further applications.
- 11.5 Regarding the public comments as stated in paragraph 10 above, departmental comments and planning assessments 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 in paragraph 10 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 three years until 17.4.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) the implementation of the accepted 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 17.1.2027;

- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) 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 17.10.2026;
- (d) in relation to (c) 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 17.1.2027;
- (e) if the above planning condition (b) 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
- (f) if any of the above planning condition (a), (c) or (d) 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 Members' reference:

the applied use is not in line with the planning intention of the "Commercial/Residential" zone which is primarily for commercial and/or residential development with a selected range of commercial uses always permitted to serve the local community. 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**

<b>Appendix I</b>	Application Form with attachments received on 15.1.2026 and SI received on 20.1.2026
<b>Appendix Ia</b>	FI received on 5.3.2026
<b>Appendix II</b>	Previous Application

<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>	Site Layout Plan
<b>Drawing A-2</b>	Indicative Location of Proposed Fence Wall
<b>Plan A-1</b>	Location Plan with Previous and Similar Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4 and 4b</b>	Site Photos

**PLANNING DEPARTMENT**  
**APRIL 2026**