

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-SK/449

- Applicant** : Rich Tone Management Limited represented by R-riches Planning Limited
- Site** : Lot 1284 RP (Part) in D.D. 114, Shek Kong, Yuen Long, New Territories
- Site Area** : About 741m²
- 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** : 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 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 paved and occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible via a local track from Kam Sheung Road (**Plans A-2 and A-3**). According to the applicant, the applied shop and service use is for a motor-vehicle showroom to serve the nearby locals and business operators. The applied use involves two structures of one to two storeys (not more than 7m in height) with a total floor area of about 192m² for shop and services (motor-vehicle showroom for display of about 20 private cars at maximum), ancillary office, washroom and ancillary storage of auto parts. No tree felling is involved and the existing tree at the northern corner of the Site will be preserved by the applicant during the planning approval period (**Drawing A-1**). Solid metal fencing of 2.5m in height is also erected along the boundary of the Site to minimise potential nuisance to the

surrounding areas. Two parking spaces for private cars and one parking space for light goods vehicle (LGV) are provided at the Site and advance booking is required for visitors to use the parking space. Sufficient manoeuvring space will be provided within the Site to ensure that no vehicles will turn back outside the Site (**Drawing A-1**). No storage of dangerous goods is allowed and no car washing, cleansing, paint-spraying, repairing or other workshop activities will be carried out at the Site at all times. The applicant also applies for regularisation of filling of land for about 734m² (99% of the Site) with concrete of not more than 0.1m in depth (to a level of about +33.2mPD) for site formation for erection of structures and provision of area for vehicle display, parking and circulation to meet operational need. The operation hours will be between 9:00 a.m. and 6:00 p.m. daily, including Sundays and public holidays. It is estimated that there will be a maximum of about 10 visitors and about 6 staff members working on site per day. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 The Site is involved in two previous applications (No. A/YL-SK/254 and 298) for similar shop and services uses which were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2019 and 2021 (details in paragraph 5 below) (**Plan A-1**). Compared with the last approved application No. A/YL-SK/298, the current application is submitted by a different applicant as the current application with changes in layout and development parameters, as summarised below:

Development Parameters	A/YL-SK/298 Previous approved application (a)	A/YL-SK/449 Current application (b)	Difference (b)-(a)
Applied Use	Proposed Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 5 Years	Temporary Shop and Services with Ancillary Facilities and Associated Filling of Land for a Period of 5 Years (for motor-vehicle showroom)	Addition of regularisation of filling of land
Site Area	754m ² (about)	741m ² (about)	-13m ² (-1.7%)
Gross Floor Area	213m ² (about)	192m ² (about)	-21m ² (-9.9%)
No. of Structures	3	2	-1
No. of Storeys/ Max. Building Height	1-2 Not more than 7m	1-2 Not more than 7m	No change
No. of Car Parking Spaces	3 (all for private cars)	3 (2 for private cars and 1 for LGV)	-1 private car parking space +1 LGV parking space

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

- (a) Application Form with attachments and Supplementary Information (SI) received by the Board on 24.2.2026 and 27.2.2026 respectively; and **(Appendix I)**
- (b) Further Information (FI) received on 27.3.2026* **(Appendix Ia)**
- (c) FI received on 9.4.2026* **(Appendix Ib)**

** 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, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) The applied use intends to serve as a motor-vehicle showroom, offering displaying area of brand-new and/or second-handed vehicles (private cars), for nearby locals and business operators. No direct purchase of vehicle nor car washing, cleansing, paint-spraying, repairing and/or other workshop activities will be carried out at the Site at all times.
- (b) 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.
- (c) The applied use is considered not incompatible with the surroundings. The temporary structures within the Site are lower than that of the nearby village houses within the same “V” zone, which are with a maximum building height of 3 storeys (8.23m).
- (d) 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.
- (e) The applied use will not induce adverse traffic, environmental, landscape and drainage impacts on the surrounding areas. In support of the application, the applicant has submitted a drainage proposal and a fire service installations (FSIs) proposal. Adequate mitigation measures, including implementation of the accepted drainage proposal as well as submission and implementation of the latest FSIs proposal, have been committed by the applicant to mitigate any anticipated adverse impact arising from the applied use. The applicant has also committed to undertake 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 the good practices stated in ‘the Professional Persons Environmental Consultative Committee Practice Notes’ (‘ProPECCPN’) to minimise any impact on the water quality of nearby watercourses, and comply with all environmental protection/pollution control ordinances in carrying out the applied 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 Applications

The Site is involved two previous applications (No. A/YL-SK/254 and 298) submitted by a different applicant as the current application for similar shop and services uses without filling of land. The two applications were approved with conditions by the Committee in 2019 and 2021 respectively, mainly on the considerations that approval of the application on temporary basis would not jeopardise the long-term planning intention of “V” zone; the proposed use was not incompatible with the surrounding environment; and relevant government departments consulted generally had no adverse comment on the application and/or that their technical concerns could be addressed by approval conditions. The two planning permissions were subsequently revoked in 2022 and 2025 respectively due to non-compliance with the time-limited approval conditions related to implementation of drainage and FSIs proposals. Compared with the last application No. A/YL-SK/298, the current application involves changes as set out in paragraph 1.3 above. Details of the previous applications are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. Similar Applications

There are four similar applications (No. A/YL-SK/308, 336, 366 and 434) covering two sites for temporary shop and services (including two renewal of planning approvals granted) within or straddling the same “V” zone and/or the adjoining “AGR” 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 similar considerations as mentioned in paragraph 5 above. Details of the similar 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 paved and occupied by the applied use without valid planning permission; and
- (b) accessible via a local track from Kam Sheung Road.

7.2 The surrounding areas are rural in character comprising predominantly village settlements and low-rise residential developments including To Uk Tsuen, Parlain Villa and 欣翠苑, motor-vehicle showroom (with valid planning permission) and cultivated and fallow agricultural land.

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 relevant 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 3.3.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received from two individuals, expressing concerns that the Site has been operating as a vehicle repair centre with frequent smoke emission, burning of refuses and cardboard packaging from new vehicle spare parts and noise pollution; there are more vehicles being parked within the Site than it is claimed in the current application; the vehicle circulation area within the Site is insufficient that the vehicular run-in/out and vehicle access of the adjoining residential dwellings is being blocked sometimes; and there is no justification to approve this application, given that the relevant approval conditions concerning FSIs and drainage proposals have not been fulfilled over the past five years under the previous planning approvals (**Appendix V**).

11. Planning Considerations and Assessments

11.1 The application is for 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 applied use is not entirely in line with the planning intention of the “V” zone, according to the applicant, it is intended for a motor-vehicle showroom to serve nearby locals and business operators. Besides, 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 applied 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 applied 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, who also considers the submitted drainage proposal acceptable, and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.
- 11.3 The applied use is considered not incompatible with the surrounding areas which comprise predominantly village settlements, low-rise residential developments, a motor-vehicle showroom as well as cultivated and fallow agricultural land. 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 applied use is not entirely incompatible with the surroundings and significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services, who considers the submitted FSIs proposal acceptable, 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 applied use.
- 11.5 There are two approved previous applications for similar temporary shop and services use and four approved similar applications within the same “V” zone or straddling the same “V” zone and the adjoining “AGR” zone in the vicinity of the Site in the past five years as mentioned in paragraphs 5 and 6 above respectively. Approving the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comments mentioned in paragraph 10, departmental comments and planning assessments above are relevant. Besides, the applicant has committed that no car washing, cleansing, paint-spraying, repairing or other workshop activities will be carried out at the Site at all times, appropriate environmental mitigation measures will be adopted in accordance with the ‘COP’ and all environmental protection/pollution control ordinances in carrying out the applied use will be complied with.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned 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 five years until 17.4.2031. 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 implementation of the accepted 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;
- (d) 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
- (e) if any of the above planning condition (a) or (c) 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 applied 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 and SI received on 24.2.2026 and 27.2.2026 respectively
Appendix Ia	FI received on 27.3.2026
Appendix Ib	FI received on 9.4.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
APRIL 2026**