

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

**APPLICATION NO. A/YL-LFS/606**

- Applicant** : Bright Pearl Limited represented by R-riches Planning Limited
- Site** : Lot 2170 RP (Part) in D.D. 129, Lau Fau Shan, Yuen Long
- Site Area** : About 1,881 m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zonings** : “Commercial/Residential” (“C/R”) (about 1,448m<sup>2</sup> or 77% of the Site) and “Recreation” (“REC”) (about 433 m<sup>2</sup> or 23% of the Site)  
*[Restricted to a maximum plot ratio (PR) of 0.4 and a maximum building height of 3 storeys (9m) for “C/R” zone]*
- Application** : Proposed Temporary Shop and Services with Ancillary Facilities for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary shop and services with ancillary facilities for a period of three years at the application site (the Site) (**Plan A-1**) which falls within an area mainly zoned “C/R” and partly zoned “REC” on the OZP. According to the Notes of the OZP, ‘Shop and Services’ is a Column 1 use under the “C/R” zone which is always permitted while it is a Column 2 use under the “REC” zone and requires planning permission from the Town Planning Board (the Board). The Site is currently fenced-off, hard-paved, largely vacant and partly occupied by a temporary structure (**Plans A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via local track with an ingress/egress located at the southeast of the Site (**Drawing A-1**). A separate pedestrian access is located at the west of the Site. According to the applicant, the proposed shop would sell gemstone. As shown on the layout plan at **Drawing A-1**, seven structures of one to two storeys (about 4m to 7m in height) with a total floor area of about 1,095m<sup>2</sup> are proposed for shop and services with office/storage, caretaker office, washroom and sunshade/rain shelter uses. Two parking spaces for private cars and one loading/unloading space for light goods vehicle are provided. No medium/heavy goods vehicle exceeding 5.5 tonnes, including container trailer/tractor, will be allowed to enter/exit the Site. The operation hours are between 8 a.m. and 10 p.m. daily, including public holidays. The Site is estimated to be able to accommodate 30 visitors per day. The proposed layout plan and vehicular access 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 following documents:

- (a) Application Form with attachments received on 23.3.2026 (**Appendix I**)
- (b) Supplementary Information (SI) received on 30.3.2026 (**Appendix Ia**)

## **2. Justifications from the Applicant**

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

- (a) the proposed use would serve the growing demand for commercial facilities in the area and benefit local economy, given that the Site is located at a popular tourism destination;
- (b) the proposed low-rise structures are not incompatible with the surrounding areas;
- (c) the proposed use is on a temporary basis for a period of three years and would not jeopardise the long-term planning intentions of the “C/R” and “REC” zones; and
- (d) the proposed use would not generate significant adverse traffic impacts or nuisances to the surrounding environment.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

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

## **5. Previous Application**

Part of the Site was involved in a previous application No. A/YL-LFS/398 submitted by a different applicant for proposed temporary vehicle repair workshop, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 11.6.2021. However, the planning permission was subsequently revoked in March 2023 due to non-compliance with time-limited approval conditions on implementation of drainage and fire service installations proposals. The considerations of this previous application are not relevant to the current application which involves a different use. Details of this application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

## **6. Similar Applications**

Within the same “REC” zone, there are five similar applications (No. A/YL-LFS/406, 420, 495, 527 and 551) for various shop and services uses in the past five years. All of them were approved with conditions by the Committee between 2021 and 2025 mainly on considerations that temporary approval would not jeopardise the long-term planning intention; the proposed use was not incompatible with the surrounding land uses; concerned government departments generally had no objection to the application and the technical concerns could be addressed by implementation of approval conditions. Details of these similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) currently fenced-off, hard-paved, largely vacant and partly occupied by a temporary structure; and
- (b) accessible from Deep Bay Road via local track to its southeast.

7.2 The surrounding areas are predominated by parking of vehicles, open storage yards, warehouses and logistics centre, some of which are covered by valid planning permissions. Other uses including residential dwellings, eating places and shops, which are permitted in the “C/R” zone, are found to the west of Lau Fau Shan Roundabout. Vacant land, woodland and shrubland are also found in the vicinity of the Site.

## **8. Planning Intention**

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

## **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, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structure(s) is allowed to be erected without the prior approval of the Government;
- (b) LandsD has reservation on the planning application since there is unauthorized structure(s) on the private lot which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify and/or apply for regularisation the lease breaches as demanded by LandsD; and
- (c) The applicant should note his advisory comments at **Appendix IV**.

## **10. Public Comment Received During Statutory Publication Period**

On 31.3.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix V**) questioning whether there is genuine tourists' demand for a gemstone outlet and raising concern about whether the Site would be re-purposed for brownfield operation once the application is approved.

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

- 11.1 The application is for proposed temporary shop and services with ancillary facilities for a period of three years at the Site mainly zoned "C/R" and partly zoned "REC" on the OZP. While the proposed use is always permitted within the "C/R" zone, it is not in line with the planning intention of the "REC" zone. Nonetheless, there is no known development proposal at the "REC" portion of 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 "REC" zone. Notwithstanding the above, the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) advises that the Site falls within the study area of Lau Fau Shan Development and the implementation and land resumption/clearance programme of the Lau Fau Shan Development is currently being reviewed under the Investigation Study and subject to change. The applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.
- 11.2 The Site is located in an area predominated by parking of vehicles, open storage yards, warehouses and logistics centre, some of which are covered by valid planning permissions, as well as shops, eating places and residential dwellings which are permitted within the "C/R" zone. The proposed use is considered not incompatible with the surrounding land uses (**Plan A-2**).
- 11.3 Concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire Services (D of FS), have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety aspects respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by implementation of approval conditions recommended in paragraph 12.2 below. To minimise possible

environmental nuisance, the applicant will be advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'.

- 11.4 Regarding DLO/YL's concern on the unauthorised structure erected within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 The Committee has approved five similar applications in the same "REC" zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with previous decisions of the Committee.
- 11.6 Regarding the public comment raising concern that the Site might subsequently be re-purposed for brownfield operation after the application is approved, it should be noted that unauthorized development would be subject to planning enforcement action.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 above and having taken into the public comment 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 22.5.2029. 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 22.11.2026;
- (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 22.2.2027;
- (c) in relation to (b) above, the implemented drainage facilities 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 22.11.2026;
- (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 22.2.2027;
- (f) if the above planning condition (c) is not complied with during the 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 above 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 is not in line with the planning intention of the "REC" zone, which is primarily for recreational developments for the use of the general public. 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 the planning 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 received on 23.3.2026
<b>Appendix Ia</b>	SI received on 30.3.2026
<b>Appendix II</b>	Previous and Similar Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment Received During Statutory Publication Period
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Vehicular Access Plan
<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-4a to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2026**