

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

**APPLICATION NO. A/YL-TYST/1350**

<b><u>Applicant</u></b>	:	Man Wong Limited
<b><u>Site</u></b>	:	Lot 293 RP (Part) in D.D. 127, Hung Shun Road, Hung Shui Kiu, Yuen Long
<b><u>Site Area</u></b>	:	65.3 m <sup>2</sup>
<b><u>Lease</u></b>	:	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	:	Approved Tong Yan San Tsuen (TYST) Outline Zoning Plan (OZP) No. S/YL-TYST/14
<b><u>Zoning</u></b>	:	“Residential (Group B)1” (“R(B)1”) <i>[Restricted to a maximum plot ratio (PR) of 1, a maximum site coverage (SC) of 40% and a maximum building height (BH) of 4 storeys over single-storey car park (15m)]</i>
<b><u>Application</u></b>	:	Proposed Temporary Shop and Services for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary shop and services for a period of three years at the application site (the Site) falling within an area zoned “R(B)1” on the OZP (**Plan A-1a**). According to the Notes of the OZP for the “R(B)1” zone, ‘Shop and Services’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by a two-storey vacant structure (**Plans A-2 to A-4**).
- 1.2 The Site is accessible via Hung Shun Road to its north (**Plans A-2 and A-3**). According to the applicant, the proposed use is for a grocery store or a convenient store. A two-storey structure (not exceeding 7.6m in height) with a total floor area of about 130.6m<sup>2</sup> is provided for shop and services use. Loading and unloading (L/UL) activities (about twice per day) will be carried out on Hung Shun Road in front of the Site and only light goods vehicle will be used for delivery of goods. No tree felling and land filling will be carried out. The operation hours are from 9:30 a.m. to 9:30 p.m. daily. Plans showing the site layout, landscape proposal, floor layout with fire service installations (FSIs) and drainage proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

1.3 The Site was involved in five previous applications for temporary shop and services use which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2012 and 2024 (details at paragraph 5 below). Compared with the last application (No. A/YL-TYST/1250), the current application is submitted by the same applicant for the same use at the same site with the same development parameters and similar layout.

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

- (a) Application Form with attachments received on 27.3.2026 (**Appendix I**)
- (b) Further Information (FI) received on 17.4.2026 (**Appendix Ia**)  
*[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 and FI (**Appendices I and Ia**). They can be summarised as follows:

- (a) the proposed development will provide shop for the nearby residential neighbourhood and is compatible with the surrounding areas;
- (b) adverse traffic impact resulting from the proposed development is not anticipated; and
- (c) the Site was the subject of a previous planning permission (No. A/YL-TYST/1250). The applicant has demonstrated efforts in complying with the requirements of concerned departments and the approval conditions for the previous application. Despite that the previous planning permission was revoked, the drainage proposal had subsequently been implemented to the satisfaction of the Drainage Services Department (DSD).

## **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 planning enforcement action.

## **5. Previous Applications**

5.1 The Site was, in part or in whole, involved in nine previous applications for various temporary uses, including five applications (No. A/YL-TYST/569, 755, 824, 1092

and 1250)<sup>1</sup> for temporary shop and services use. The remaining four applications (No. A/YL-TYST/52, 58, 106 and 114) were for public vehicle park use covering much larger sites, and their considerations are not relevant to the current application which involves a different use. Details of the previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.

- 5.2 All the five previous applications for shop and services use with or without eating place use were approved with conditions each for a period of three years by the Committee between 2012 and 2024 mainly on the considerations that the proposal was not incompatible with the surrounding areas; the proposal would not frustrate the long-term development of the area; and the concerns of relevant government departments could be addressed by implementation of approval conditions. However, all of the planning permissions were subsequently revoked between 2013 and 2025 due to non-compliance with time-limited approval conditions. For the last application No. A/YL-TYST/1250, it was revoked in 2025 due to non-compliance with the time-limited approval condition on implementation of the accepted drainage proposal.

## **6. Similar Applications**

There are seven similar planning applications for various temporary shop and services uses with/without other uses within/straddling the subject “R(B)1” zone in the past five years. All seven applications were approved by the Committee mainly on the considerations as mentioned in paragraph 5.2 above. Details of these applications are summarised in **Appendix III** and the locations of the sites are shown on **Plan A-1a**.

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

7.1 The Site is:

- (a) accessible via Hung Shun Road to its north (**Plans A-2** and **A-3**); and
- (b) paved, fenced off and currently occupied by a two-storey vacant structure (**Plans A-4**).

7.2 The surrounding areas comprise predominantly residential developments (including The Woodside, Uptown and The Woodville to its north, east and south respectively) intermixed with two schools, storage yards, car park, eating place, unused land and vacant land (**Plans A-2**).

## **8. Planning Intention**

The planning intention of the “R(B)” zone is for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

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<sup>1</sup> Compared with the current application, three of the previous applications (No. A/YL-TYST/569, 755 and 824) were submitted by a different applicant while the remaining two applications were submitted by the same applicant (No. A/YL-TYST/1092 and 1250).

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

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices IV** and **V** respectively.

## **10. Public Comments Received During the Statutory Publication Period**

On 10.4.2026, the application was published for public inspection. During the statutory public inspection period, four public comments were received from an individual, the Management Office of the Incorporated Owners of The Woodville, the Incorporated Owners of The Woodside and the Principal of Ho Dao College objecting to the application (**Appendix VI**). Their objection grounds are summarised as follows:

- (a) The Site is the subject of previous revocation of planning permission due to non-compliance with approval conditions under application No. A/YL-TYST/1250 and further approval should not be given.
- (b) The proposed development will generate noise pollution and nuisance which will affect the residents living in the area.
- (c) Hung Shun Road is a cul-de-sac which is prone to traffic congestion with illegal parking observed on a regular basis. Approval of the application will worsen the traffic due to the possible increase in vehicular traffic arising from the proposed development.
- (d) The proposed development will cause adverse traffic impact to the locality, jeopardise road safety and cause inconvenience to road users and pedestrians, especially students. Additional traffic, loading and unloading traffic generated from the proposed development may obstruct the movement of emergency vehicle in the area.

## **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 zoned “R(B)1” on the OZP. Although the proposed use is not entirely in line with the planning intention of the “R(B)1” zone, it could serve any such demand for shop and services in the area. There is no known development proposal for residential development at the Site for the time being. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the “R(B)1” zone.

11.2 The surrounding areas comprise predominantly residential developments (including The Woodside, Uptown and The Woodville to its north, east and south respectively), with two schools, storage yards, car park, eating place, unused land and vacant land (**Plan A-2**). The proposed use is generally not incompatible with the surrounding land uses.

11.3 Concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection and Director of Fire Services and

have no objection to or no adverse comment on the application from traffic, environmental and fire safety perspectives respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the application be approved, 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 possible environmental nuisance on the surrounding areas.

- 11.4 The Site was involved in five previous applications for shop and services use which were all approved with conditions each for a period of three years by the Committee between 2012 and 2024. However, the planning permission of the last approved application No. A/YL-TYST/1250 was subsequently revoked in 2025 due to non-compliance with time-limited approval condition on implementation of the accepted drainage proposal. The current application is submitted by the same applicant at the same site with the same layout and development parameters compared with the last application. In this regard, in support of the current application, the applicant has provided justifications for non-compliance with the approval conditions of the last application and has submitted a drainage proposal to demonstrate the implementation of such proposal, which was accepted by the Chief Engineer/Mainland North of DSD. As such, sympathetic consideration may be given to the current application. The applicant will be advised that should it fail to comply 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 Seven similar applications within/straddling the subject “R(B)1” zone were approved by the Committee in the past five years as stated in paragraph 6 above. Approval of the current application is generally in line with the Committee’s previous decisions.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant.

## **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 three years until 22.5.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (b) 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;
- (c) in relation to (b) 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;
- (d) if the above planning condition (a) 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 (b) 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 at **Appendix V**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection are suggested for Members' reference:

the proposed use is not in line with the planning intention of the "R(B)" zone, which is primarily for sub-urban medium-density residential developments in rural areas. No strong planning justification has 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**

<b>Appendix I</b>	Application Form with attachments received on 27.3.2026
<b>Appendix Ia</b>	FI received on 17.4.2026
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses

<b>Appendix VI</b>	Public Comments
<b>Drawing A-1</b>	Site Layout Plan
<b>Drawing A-2</b>	Landscape Proposal
<b>Drawing A-3</b>	Floor Plan with FSIs
<b>Drawing A-4</b>	Drainage Proposal
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2026**