

**Application for Renewal of Planning Approval
for Temporary Use
Under Section 16 of the Town Planning Ordinance**

Application No. A/NE-TKLN/130

1. <u>Proposal</u>	
Applicant	Forever (H.K.) Engineering Development Limited represented by Metro Planning & Development Company Limited
Site (Plan A-1)	Lot 77 in D.D. 82, Lin Ma Hang Road, Ta Kwu Ling North
Site Area	About 320m ²
Zonings and Outline Zoning Plan (OZP) No.	“Recreation” zone on the approved Ta Kwu Ling North OZP No. S/NE-TKLN/2
Application	Renewal of Planning Approval for Temporary Shop and Services (Convenience Store) for a Period of Three Years
Site Context and the Current Proposal	The application site (the Site) is accessible via Lin Ma Hang Road (Plan A-1b). According to the applicant, the proposed use involves a single-storey structure with a total floor area of not more than 100m ² and a building height of not more than 3m for convenience store. Two parking spaces for private cars (2.5m (W) x 5m (L) each) and a loading/unloading bay for light goods vehicle (3.5m (W) x 5m (L)) are provided at the Site. The operation hours of the proposed use are between 9:00 a.m. and 9:00 p.m. daily, including public holidays. The layout plan submitted by the applicant is shown in Drawing A-1 .
Last Previous Relevant Application ¹	Application No. A/NE-TKLN/50 approved with conditions on 14.7.2023 for a period of three years until 14.7.2026, which was submitted by a different applicant for the same use at the same site. (Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_NE-TKLN_50_B/A_NE-TKLN_50_B_MainPaper.pdf for details of the previous application)
Justifications from the Applicant (Appendices I to Ib)	(a) the proposed use would benefit the nearby residents, especially those living in Kaw Liu Village; (b) the development parameters and the layout of the proposed use are the same as the last previously approved application. All the approval conditions under the previous approval have been complied with; (c) the proposed use is not incompatible with the surrounding environment and is temporary in nature which would not jeopardise the planning intention of the “REC” zone. Besides,

¹ There is a previous application No. A/NE-TKLN/50 submitted by a different applicant for the same use at the same site.

	there is planning approval for a similar use in the “REC” zone nearby; and (d) no open storage and workshop activities would be carried out at the Site. Minimal traffic impact and insignificant drainage and environmental impacts from the proposed use are anticipated.
Compliance with the ‘Owner’s Consent/Notification’ requirements ²	The applicant is the sole “current land owner”.

2. <u>Planning Considerations and Assessments</u>				
	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	In line with TPB PG No. 34D³, including: i. no material change in planning circumstances since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas); ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development); iii. all the time-limited approval conditions under the previous approval have been complied with; and iv. the 3-year approval period sought does not exceed the duration of the last approval.	✓		While the proposed use is not in line with the planning intention of the “REC” zone, there is no known proposal for recreational development at the Site.
(b)	In line with TPB PG-No.13G ⁴			Not applicable.

² As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance ([TPB PG-No. 31B](#)). Detailed information would be deposited at the meeting for Members’ inspection.

³ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development.

⁴ TPB Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance.

(c)	Any other relevant considerations (e.g. minor change in layout/development parameters)?		✓	
(d)	Any adverse departmental comments?		✓	Relevant government departments consulted have no objection to or no adverse comment on the application (Appendix II). Relevant approval conditions and advisory clauses are recommended at paragraph 4 below.
(e)	Public comment received during statutory publication period	✓		Total: 1 - Objection: 1 (Appendix III) <u>Major Objection Reasons</u> - The Site has been used for storage of goods, materials and equipment, which is different from the approved convenience store use. - The storage use at the Site has attracted frequent large vehicles to/from the Site, posing safety concern on pedestrian, especially the elderly. <u>Responses</u> - Planning assessments and departmental comments above are relevant. - The applicant has undertaken to follow the approved scheme upon obtaining planning approval.

3. <u>Planning Department's View</u>
<u>No objection</u> to the application.

4. <u>Decision Sought</u>
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, and be renewed from <u>15.7.2026 to 14.7.2029</u>. The following conditions of approval and advisory clauses are suggested for Members' reference: <u>Approval Conditions</u> (a) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by <u>15.10.2026</u>;

- (b) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) 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
- (d) if the above planning condition (a) 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**.

- There is no strong reason to recommend rejection of the application.

Attachments

Appendix I	Application Form with Attachments received on 14.5.2026
Appendix Ia	Further Information (FI) received on 31.5.2026 (accepted and exempted from the publication and recounting requirements)
Appendix Ib	FI received on 15.6.2026 (accepted and exempted from the publication and recounting requirements)
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Public Comment Received During Statutory Publication Period
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan

PLANNING DEPARTMENT
JULY 2026