

RNTPC Paper No. A/YL-KTS/1137
For Consideration by
the Rural and New Town Planning
Committee on 24.7.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1137

<u>Applicant</u>	: Mr. Li Chi Yung represented by Allgain Land Planning Limited
<u>Site</u>	: Lot 1872 S.A RP in D.D. 106, Kam Sheung Road, Kam Tin South, Yuen Long
<u>Site Area</u>	: 110m ² (about)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
<u>Zonings</u>	: “Village Type Development” (“V”) <i>[restricted to a maximum building height of 3 storeys (8.23m)]</i>
<u>Application</u>	: Proposed Temporary Shop and Services for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services for a period of three 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, ‘Shop and Services’ (being not on the ground floor of a New Territories Exempted House (NTEH)) is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, fenced-off and erected with a temporary structure (**Plans A-3 to A-4**).
- 1.2 The Site is accessible from Kam Sheung Road (**Plans A-2 and A-3**). According to the applicant, the proposed use involves one two-storey structure of not more than 7m in height with a total floor area of about 120m² for real estate agency (**Drawing A-1**). No parking or loading/unloading space will be provided within the Site. No open storage or workshop activities will be carried out and no neon signs and public announcement systems, whistle blowing or portable loudspeaker will be used at the Site at all times. The operation hours will be between 9:00 a.m. and 6:00 p.m. daily, including Sundays and public holidays. The site layout plan submitted by the applicant is at **Drawing A-1**.

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

- (a) Application Form with attachments (Appendix I)
received on 26.5.2026
- (b) Further Information (FI) received on (Appendix Ia)
9.7.2026*

** 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 at **Appendix I**, and can be summarised as follows:

- (a) The proposed use of real estate agency is intended to serve the nearby local residents for handling sales and letting of village houses and land. The application is on temporary basis and will not frustrate the long-term planning intention of the “V” zone.
- (b) All visitors and staff will access the Site by means of public transport. The proposed use will not create significant adverse traffic, environmental, fire safety and drainage impacts on the surrounding areas. The applicant will strictly follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department to minimise environmental nuisance.
- (c) Upon approval of the application, the applicant will submit to the Lands Department (LandsD) the necessary application for Short Term Waiver as appropriate for implementing the proposed use.

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 the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Member’s inspection.

4. **Background**

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

5. **Previous Application**

The Site is not the subject of any previous application.

6. **Similar Applications**

There are three similar applications (No. A/YL-KTS/948, 961 and 1128) (all for renewal of planning approval granted) for temporary shop and services (real estate agency) use covering two sites within/straddling the same “V” zone in the vicinity of the Site in the past five years, which were all approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2023 and 2026 mainly on the considerations that the temporary approval would not frustrate the long-term planning intention; the applied use was not incompatible with the surrounding uses; the relevant government departments consulted in general had no adverse comment or their concerns could be addressed by relevant approval conditions; and the applied use was in line with the relevant Town Planning Board Guidelines for renewal of planning approval for temporary use or development. Details of the similar applications are summarised at **Appendix II** and the 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) accessible from Kam Sheung Road; and
- (b) currently hard-paved, fenced-off and erected with a temporary structure.

7.2 The surrounding areas are rural in character with an intermix of village settlements of Yuen Kong Tsuen, parking of vehicles, real estate agencies (one with valid planning permission), open storage yards, a mosque (with valid planning permission), a petrol filling station, vacant land, grass land and woodland.

8. **Planning Intention**

The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning 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 the ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

9. **Comments from the 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, if any, are provided in **Appendices III and IV** respectively.

- 9.2 The following government department conveys adverse comments from the villagers on the application:

District Officer's Comments

9.2.1 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

- (a) no comment on the application; and
- (b) his office has received two adverse comments from the village representatives and villagers of Yuen Kong Tsuen¹.

10. Public Comments Received During Statutory Publication Period

On 2.6.2026, the application was published for public inspection. During the statutory public inspection period, three public comments were received from the village representatives and villagers of Yuen Kong Tsuen and an individual, all objecting to the application mainly on the grounds that the existing structure at the Site is unauthorised building works; the proposed use has occupied Government land that is not included in the application; the applicant does not demonstrate any measures to mitigate flooding; and the proposed use will induce adverse environmental and safety impacts on the surroundings (**Appendix V**).

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 “V” on the OZP (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, according to the applicant, the proposed use is intended to provide real estate services to the nearby local residents. The District Lands Officer/Yuen Long, LandsD has no adverse comments on the application and advises that there is no Small House application approved or under processing at the Site. The proposed 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 proposed use on a temporary basis of three years.
- 11.2 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of village settlements, parking of vehicles, real estate agencies, open storage yards, a mosque, a petrol filling station, vacant land, grass land and woodland (**Plan A-2**). The Chief

¹ The same submissions were received by the Board during the statutory public inspection period of the application and the views are incorporated in paragraph 10.

Town Planner/Urban Design and Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated.

- 11.3 Other relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North, Drainage Services Department and Director of Fire Services 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' to minimise any potential environmental nuisance caused by the proposed use.
- 11.4 There are three approved similar applications for temporary shop and services use within/straddling the same "V" zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.
- 11.5 Regarding the local views conveyed by DO(YL) and the public comments as mentioned in paragraphs 9.2.1 and 10 above, the departmental comments and planning assessments above are relevant. Furthermore, any use or development at the Site must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.

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 paragraphs 9.2.1 and 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 24.7.2029. The following conditions of approval and advisory clauses are 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 24.1.2027;
- (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 24.4.2027;

- (c) in relation to (b) above, the implemented drainage facilities on the site 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 24.1.2027;
- (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 24.4.2027;
- (f) if the above planning condition (c) 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
- (g) if any of the above planning condition (a), (b), (d) and (e) 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 proposed use 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 received on 26.5.2026
Appendix Ia	FI received on 9.7.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
 Drawing A-1	 Site Layout Plan
 Plan A-1	 Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JULY 2026**