

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/789

- Applicant** : Mr. Lee Yiu Kwong represented by Metro Planning and Development Company Limited
- Site** : Lots 1202 S.C (Part) and 1202 S.D (Part) in D.D. 117 and Adjoining Government Land (GL), Tai Tong, Yuen Long
- Site Area** : 250 m² (about) (including GL of about 30 m² or 12%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Village Type Development” (“V”)
[*Restricted to a maximum building height of 3 storeys (8.23m) except for those developments/uses specified in the Notes*]
- Application** : Temporary Shop and Services (Retail Shop for Hardware Accessories) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary shop and services (retail shop for hardware accessories) for a period of three years at the application site (the Site) falling 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)) is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and occupied by a temporary structure for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Tai Tong Shan Road via a local track with an ingress/egress at the southeast (**Drawing A-1** and **Plan A-2**). According to the applicant, a single-storey structure (not exceeding 4.5m in height) with a floor area of not more than 150 m² is proposed for retail sale of hardware accessories. Two parking spaces for private cars (5m x 2.5m) and one loading/unloading space for light goods vehicle (7m x 3.5m) are provided at the Site. The operation hours are from 9:00 a.m. to 7:00 p.m. daily including public holidays. Plans showing the vehicular access, site layout and drainage proposal submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in a previous application (No. A/YL-TT/624) for the same use approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2024 (details at paragraph 5 below) (**Plan A-1**). However, the planning permission was revoked in 2025 due to non-compliance with time-limited approval conditions. Compared with the last approved application, the current application is submitted by the same applicant at the same site for the same use with same layout and development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 28.5.2026 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 2.6.2026 (**Appendix Ia**)
 - (c) Further Information (FI) received on 8.7.2026* (**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 is temporary in nature, it would not frustrate the long-term planning intention of the “V” zone. Similar applications within the same “V” zone for shop and services use were approved by the Committee;
- (b) the applied use is not incompatible with the surrounding environment and would serve the local villagers nearby;
- (c) the Site was covered by a previous planning permission (application No. A/YL-TT/624) which was subsequently revoked. The applicant clarifies that the non-compliance of approval conditions was mainly due to changes in operational circumstances. The applicant is committed to complying with all relevant approval conditions should this application be approved. To support the current application, the applicant has submitted a drainage proposal (**Drawing A-3**); and
- (d) no adverse traffic, drainage and environmental impacts are anticipated.

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 planning enforcement action.

5. **Previous Application**

The Site is the subject of a previous application (No. A/YL-TT/624) for the same use submitted by the same applicant as the current application. The application was approved with conditions by the Committee for a period of three years on 12.1.2024, mainly on considerations that the proposed use would not frustrate the planning intention of the “V” zone; being not incompatible with the surrounding uses; and the departmental comments could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked on 12.7.2025 due to non-compliance with time-limited approval conditions related to the submission of a revised drainage proposal and implementation of the revised drainage and fire service installations (FSIs) proposals. Details of the previous application are summarised in **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Applications**

- 6.1 There are 13 similar applications for temporary shop and services for a period of three or five years within or straddling the same “V” zone in the past five years. All these applications were approved with conditions by the Committee between 2022 and 2026 mainly on similar considerations as those mentioned in paragraph 5 above. Details of these applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.
- 6.2 For Members’ information, planning application No. A/YL-TT/791 for shop and services use straddling the subject “V” zone will also be considered at this meeting (**Plan A-1**).

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

- 7.1 The Site is:
- (a) currently hard-paved and occupied by a temporary structure for the applied use without valid planning permission; and
 - (b) accessible from Tai Tong Shan Road via a local track.
- 7.2 The surrounding areas are rural residential in character predominantly occupied by village houses/residential dwellings intermixed with parking of vehicles, storage/open storage yards, eating places, real estate agency, vehicle showroom, office, workshop and vacant/unused land.

8. **Planning Intention**

The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within the zone is primarily intended for development of Small Houses (SHs) by indigenous villagers. It is also intended to concentrate village type development within the 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 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 III** and **IV** respectively.

10. Public Comment Received During the Statutory Publication Period

On 5.6.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix V**) objecting to the application mainly on the ground that the approval conditions of the previously approved application were not complied with.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary shop and services (retail shop for hardware accessories) for a period of three years at the Site zoned “V” on the OZP. Although the applied use is not entirely in line with the planning intention of the “V” zone, it could serve the demand from local villagers nearby. According to the District Lands Officer/Yuen Long of Lands Department, there is no SH application approved or under processing at the Site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone.
- 11.2 The applied use is considered not incompatible with the surrounding environment which is rural residential in character predominantly occupied by village houses/residential dwellings intermixed with parking of vehicles, storage/open storage yards, eating places, real estate agency, vehicle showroom, office, workshop and vacant/unused land (**Plan A-2**).
- 11.3 Other relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment from traffic, environmental, fire safety and drainage perspectives respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. 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 potential environmental nuisances on the surrounding areas.
- 11.4 The Site is the subject of a previous application (No. A/YL-TT/624) for the same use submitted by the same applicant as the current application, which was approved with conditions for a period of three years in 2024. However, the planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval conditions related to the submission of a revised drainage proposal and implementation of the revised drainage and FSIs proposals.

In this regard, the applicant clarifies that he did not manage to submit a drainage proposal within the time limit of compliance due to changes in operational circumstances. In support of the current application, a drainage proposal has been submitted by the applicant (**Drawing A-3**). Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.

- 11.5 There are 13 approved similar applications within or straddling the same “V” zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment 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 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 24.7.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a revised 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 revised 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) or (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 applied use is not in line with the planning intention of the "Village Type Development" zone which is primarily for development of Small Houses by indigenous villagers. 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

Appendix I	Application Form with attachments received on 28.5.2026
Appendix Ia	SI received on 2.6.2026
Appendix Ib	FI received on 8.7.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Drainage Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos