

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PS/785

<u>Applicant</u>	: Ms. TANG Shuk Fan represented by Allgain Land Planning Limited
<u>Site</u>	: Lot 618 (Part) in D.D. 122, Ping Shan, Yuen Long
<u>Site Area</u>	: 1,700 m ² (about)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/22
<u>Zoning</u>	: “Residential (Group E)2” (“R(E)2”) (about 99%) and [restricted to a maximum plot ratio of 0.6 and a maximum building height of 5 storeys including car park] “Village Type Development” (“V”) (about 1%) ¹ [restricted to a maximum building height of 3 storeys (8.23 m)]
<u>Application</u>	: 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 Site falling within an area zoned “R(E)2” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “R(E)2” zone, ‘Shop and Services’ is a Column 2 use which requires permission from the Town Planning Board (the Board). The Site is currently fenced off, hard-paved and occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site, which comprises two portions separated by a track, is accessible from Ping Hing Lane via a local track with the ingress/egress at the middle part of the Site (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, six one to two storeys temporary structures (not exceeding 6m in height) with a total floor area of about 920m² are proposed for shop and services use including convenience store and retail of metal/building materials and tools (**Drawing A-3**). A total of four parking spaces for private cars (two in each portion) and one

¹ A minor portion of the Site falls within an area zoned “V”, which would be considered as minor boundary adjustment in accordance with the covering Notes of the OZP, and is not included in the planning assessment of the current application.

loading/unloading bay for light goods vehicle (LGV) at eastern portion would be provided. The operation hours are from 9a.m. to 7p.m. daily (including Sundays and public holidays). No open storage activities will be carried out at the Site. The vehicular access plan, layout plan, fire service installations (FSIs) proposal and drainage proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site was, in whole or in part, involved in three previous applications for the same applied use which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2023 and 2024 (details at paragraph 5 below). Compared with the last application No. A/YL-PS/728 approved in 2024, the current application is submitted by the same applicant for the same use on the same site with the 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 17.6.2026 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 22.6.2026 (**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 Site has previously been granted with planning permissions for shop and services use and there has been no major change in planning circumstances and operation mode since the last approval. The planning permission of the last application was revoked due to non-compliance with time-limited approval condition regarding drainage proposal. In support of the current application, the applicant has submitted a set of latest drainage proposal for review by relevant government department.
- (b) The temporary nature of the applied use would not jeopardise the long-term planning intentions of the respective zones.
- (c) The applied use intends to provide the daily necessities for local community and is compatible with the surrounding land uses.
- (d) The application will adopt the mitigation measures listed in the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“COP”).
- (e) No adverse environmental, traffic and drainage impacts arising from the proposed development are anticipated.

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

The applicant is not the “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 Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The shop and services use at the Site is a suspected unauthorized development which would be subject to planning enforcement action.

5. **Previous Applications**

- 5.1 The Site was, in whole or in part, involved in four previous planning applications (No. A/YL-PS/256, 672, 674 and 728) including three applications for temporary shop and services use. Details of these previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

Approved Applications

- 5.2 Applications No. A/YL-PS/672, 674 and 728 for temporary shop and services use for a period of three years were approved with conditions by the Committee in 2023 and 2024 respectively on the considerations that the proposed use would not jeopardise the long-term planning intentions of the relevant zones; the proposed use was not incompatible with the surrounding land uses; and relevant government departments had no objection to/no adverse comment on the application. However, the planning permission of the last application No. A/YL-PS/728 was subsequently revoked on 20.3.2026 due to non-compliance with time-limited approval condition on submission and implementation of a revised drainage proposal.

Rejected Application

- 5.3 Application No. A/YL-PS/256 for temporary public vehicle park for private car, LGV and lorry covering a larger area was rejected by the Committee in 2006. The considerations are not relevant to the current application which involves a different use.

6. **Similar Application**

There is no similar application within the same “R(E)2” zone in the past five years.

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

7.1 The Site:

- (a) comprises two portions which are currently fenced off, hard-paved and occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**); and
- (b) is accessible from Ping Hing Lane via a local track (**Plans A-2 and A-3**).

7.2 The surrounding areas comprise predominantly vehicle parks, storage/open storage yards, logistics centre, warehouses and workshop intermixed with unused land, vacant land and residential dwellings.

8. Planning Intention

The planning intention of “R(E)2” zone is primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

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 3.7.2026, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received concerning the non-compliance of approval conditions of the previous planning approval under application No. A/YL-PS/728 (**Appendix V**).

11. Planning Considerations and Assessments

11.1 The application is for temporary shop and services for a period of three years at the Site which is zoned “R(E)2” on the OZP. Although the applied use is not entirely in line with the planning intention of the “R(E)2” zone, the proposal could meet any such demand for shop and services in the area. There is currently no development proposal for residential development at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the planning intention of the “R(E)2” zone.

11.2 The Site is mainly surrounded by vehicle parks, storage/open storage yards,

logistics centre, warehouses and workshop intermixed with unused land, vacant land and residential dwellings (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.

- 11.3 Concerned 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 (CE/MN, DSD) have no objection to or no adverse comment on the application from traffic, environmental, fire safety and drainage aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the planning application be approved, the applicant will also be advised to follow the latest “COP” to minimise possible environmental nuisance on the surrounding areas.
- 11.4 The Site is the subject of three previous approvals for the same applied use in 2023 and 2024 including the last application No. A/YL-PS/728 submitted by the same applicant. However, the planning permission of this last application was subsequently revoked on 20.3.2026 due to non-compliance with time-limited approval conditions on submission and implementation of a revised drainage proposal. In support of the current application, the applicant has submitted a drainage proposal which is accepted by CE/MN, DSD. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions resulting in revocation of the planning permission, sympathetic consideration would not be given to any further applications.
- 11.5 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessment 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 **14.8.2029**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the implementation of the accepted 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 **14.5.2027**;
- (b) in relation to (a) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

- (c) the submission of a revised fire service installations proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **14.2.2027**;
- (d) in relation to (c) above, the implementation of the revised fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **14.5.2027**;
- (e) 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
- (f) if any of the above planning condition (a), (c) or (d) 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 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 applied use is not in line with the planning intention of the "R(E)2" zone, which is primarily for phasing out of existing industrial uses through redevelopment for residential use. 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
Appendix Ia

Application form with attachments received on 17.6.2026
SI received on 22.6.2026

Appendix II	Previous 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	Layout Plan
Drawing A-3	Fire Services Installation Proposal
Drawing A-4	Drainage Proposal
Plan A-1	Location Plan with Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
AUGUST 2026**