

RNTPC Paper No. A/YL-PS/787
For Consideration by
the Rural and New Town
Planning Committee
on 14.8.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PS/787

<u>Applicant</u>	: Mr. TANG Pin Fai represented by Metro Planning & Development Company Limited
<u>Site</u>	: Lots 256 (Part) and 259 in D.D. 122, Ping Shan, Yuen Long
<u>Site Area</u>	: About 1,730m ²
<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>	: “Government, Institution or Community” (“G/IC”)
<u>Application</u>	: Temporary Shop and Services and Wholesale of Construction Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary shop and services and wholesale of construction materials for a period of three years at the Site falling within an area zoned “G/IC” on the OZP (**Plan A-1a**). According to the Notes of the OZP for the “G/IC” zone, ‘Shop and Services’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board) while ‘Wholesale Trade’ is a Column 1 use which is always permitted. The Site is currently fenced off, hard-paved and occupied by the applied uses without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site with the ingress/egress at its southeastern part is accessible from Tsui Sing Road via a local track (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, the applied uses are for retail and wholesale of construction materials including sanitary wares and tiles. Three one to two-storeys structures with a total floor area of about 1,030m² are erected for shop and services, wholesale, toilet, fire services pump house and water tank (**Drawing A-2**). One private car parking space and one loading/unloading space for light goods vehicle are provided within the Site. The operation hours are from 9a.m. to 7p.m. daily including public holidays. The vehicular access plan and layout plan submitted by the applicant are at **Drawings A-1 to A-2** respectively.

- 1.3 The Site was involved in five previous applications for the same applied uses which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2017 and 2024 (details at paragraph 5 below). Compared with the last approved application No. A/YL-PS/737, the current application is submitted by the same applicant for the same uses on the same site with the same layout and development parameters.
- 1.4 In support of the application, the applicant has submitted an Application Form with attachments received on 25.6.2026 (**Appendix I**).

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**. They can be summarised as follows:

- (a) The Site has previously been granted with five planning permissions for shop and services and wholesale uses since 2017 and there has been no major change in planning circumstances and operation mode since the last approval. Planning applications for similar uses in the same “G/IC” zone have also been approved by the Board.
- (b) The temporary nature of the applied uses would not jeopardise the long-term planning intention of the “G/IC” zone and temporary conversion of the Site for uses other than G/IC facilities would be a prudent use of scarce land resources.
- (c) The applied uses are compatible with the surrounding developments and will not generate significant traffic, drainage, noise and environmental impacts.
- (d) The planning permission of the last approved application was revoked due to non-compliance with time-limited approval conditions regarding drainage proposal and fire service installations (FSIs) proposal. In support of the current application, the applicant has submitted a set of latest drainage and FSIs proposals for review by relevant government departments.

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 eight previous planning applications (No. A/YL-PS/8, 23, 27, 530, 555, 624, 713 and 737) including five applications for temporary shop and services and wholesale of construction materials. Details of these previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.

Approved Applications

- 5.2 Applications No. A/YL-PS/530, 555, 624, 713 and 737 for temporary shop and services and wholesale of construction materials for a period of three years were approved with conditions by the Committee between 2017 and 2024 mainly on considerations that the applied uses would not jeopardise the long-term planning intention of the “G/IC” zone; the applied uses were not incompatible with the surrounding land uses; the applied uses would unlikely create significant adverse traffic, environmental, drainage and visual impacts on the surrounding areas; and there was no objection or no adverse comment from concerned government departments. However, the planning permission of the last approved application No. A/YL-PS/737 was subsequently revoked on 20.6.2026 due to non-compliance with time-limited approval conditions on submission of a revised drainage proposal and implementation of the revised drainage and FSIs proposals.

Rejected Applications

- 5.3 Applications No. A/YL-PS/8 and 23, covering larger site areas, for temporary vehicle park for various types of vehicles were rejected by the Committee or the Board upon review in 1997 and 1998 respectively. Application No. A/YL-PS/27 for temporary car dismantling workshop was rejected by the Board upon review in 1998. Their considerations are not relevant to the current application which involve different uses.

6. **Similar Applications**

There are six similar applications for temporary shop and services and wholesale uses within/straddling the same “G/IC” zone in the past five years. All applications were approved by the Committee mainly on similar considerations as those mentioned in paragraph 5.2 above. Details of these similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

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

- 7.1 The Site is:

- (a) currently fenced off, hard-paved and occupied by the applied uses without valid planning permission; and
- (b) accessible from Tsui Sing Road via a local track.

- 7.2 The surrounding areas comprise predominantly shop and services and wholesale, parking of vehicles, an electricity substation, unused land and residential dwellings of Hang Tau Tsuen.

8. Planning Intention

The “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

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 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 and the status of the proposed residential care home for the elderly (RCHE) at an adjoining site (**Appendix VI**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary shop and services and wholesale of construction materials at the Site which is zoned “G/IC” on the OZP. ‘Wholesale Trade’ is a Column 1 use which is always permitted within the “G/IC” zone. Although the shop and services use is not entirely in line with the planning intention of the “G/IC” zone, there is no known development proposal 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 planning intention of the “G/IC” zone.
- 11.2 The Site is mainly surrounded by shop and services and wholesale, parking of vehicles, an electricity substation, unused land and residential dwellings of Hang Tau Tsuen (**Plan A-2**). The applied uses are 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 (D of FS) 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 “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 is the subject of five previous approvals for the same applied uses between 2017 and 2024 including the last approved application No. A/YL-PS/737 submitted by the same applicant. However, the planning permission of the last application was subsequently revoked on 20.6.2026 due to non-compliance with time-limited approval conditions on submission of a revised drainage proposal and implementation of the revised drainage and FSIs proposals. In support of the current application, the applicant has submitted drainage and FSIs proposals, and CE/MN, DSD and D of FS have no in-principle objection to the application. 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 There are six approved similar applications within/straddling the same “G/IC” zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the Committee’s previous decisions.
- 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. Besides, the concerned RCHE, which has yet been implemented, is not relevant to the current application.

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 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 14.2.2027;
- (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 **14.5.2027**;

- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) 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**;
- (e) in relation to (d) 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**;
- (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 attached at **Appendix V**.

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

the applied shop and services use is not in line with the planning intention of the "G/IC" zone which is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. 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 25.6.2026
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
AUGUST 2026**