

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/624

- Applicant** : Sense Power Group Limited represented by R-riches Planning Limited
- Site** : Lot 1580 RP (Part) in D.D. 125, Ha Tsuen, Yuen Long
- Site Area** : About 93m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/3
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Shop and Services (Real Estate Agency) with Ancillary Facilities for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary shop and services (real estate agency) with ancillary facilities for a period of five 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 “V” zone, ‘Shop and Services’ (being not 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 used for the applied use without planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Tin Ha Road via a local track with the ingress/egress point at the southeastern part of the Site (**Plan A-2** and **A-4**). Two one-to-two storeys temporary structures (about 3m to 6m in height) with a total floor area of about 90m² are used for shop and services and office while the remaining single-storey temporary structure (about 3m in height) with a floor area of about 9m² is used for washroom. According to the applicant, no parking space or loading/unloading space is provided within the Site. The operation hours are from 9:00 a.m. to 7:00 p.m. daily including public holidays. Plans showing the site layout, drainage facilities and fire service installations (FSIs) 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/HSK/475) for the same use for a period of five years which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2023 (details at paragraph 5 below).

Compared with the last application, the current application is submitted by a different applicant with similar development parameters and layout.

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

- (a) Application Form with attachments received on 21.7.2026 (Appendix I)
- (b) Supplementary Information (SI) received on 27.7.2026 (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** respectively. They can be summarised as follows:

- (a) the applied use is to meet the demand for real estate agency services of the nearby locals and business operators. A previous application No. A/HSK/475 for the same use submitted by a different applicant was approved by the Committee in 2023;
- (b) the applied use is not incompatible with the surrounding areas which are mainly for residential use. Similar planning applications for shop and services have been approved by the Committee in the vicinity of the Site;
- (c) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the “V” zone;
- (d) insignificant traffic impact is anticipated as no parking and loading/unloading spaces will be provided; and
- (e) the applied use will not generate nuisances to the surroundings areas and adequate mitigation measures will be provided. The applicant will strictly comply with relevant environmental ordinances and follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”).

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 Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Application

The Site was involved in a previous application (No. A/HSK/475) submitted by a different applicant for proposed temporary shop and services. The application was approved with

conditions for a period of five years by the Committee on 25.8.2023 mainly on the considerations that the proposed use was not incompatible with the surrounding areas and there were no adverse comments from concerned government departments. However, the planning permission was subsequently revoked on 25.2.2026 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage proposal and the implementation of the accepted FSIs proposal. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. Similar Applications

There are two similar applications (No. A/HSK/425 and 589) involving one site for proposed temporary shop and services use within the same “V” zone in the past five years. Both of them were approved with conditions by the Committee mainly on similar considerations as mentioned in paragraph 5 above. Details of these similar applications are summarised at **Appendix II** and their location is 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 Tin Ha Road via a local track; and
- (b) currently used for the applied use without valid planning permission.

7.2 The surrounding areas are predominantly village houses of San Uk Tsuen, residential structures and open storage yards intermixed with vehicle repairing workshops, parking of vehicles and vacant 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 this zone is primarily intended for development of Small Houses (SHs) 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 Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 below, other government 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 are provided in **Appendices III and IV** respectively.

9.2 The following government department has adverse comments on the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD)

- (a) the Site comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (b) there is/are unauthorized structure(s) on Lot 1580 RP in D.D. 125 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD;
- (c) there is no SH application under processing or approved at the Site; and
- (d) should the application be approved, the applicant should note his advisory comments in **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 28.7.2026, the application was published for public inspection. During the statutory public inspection period, one public comment received from an individual (**Appendix V**) objecting to the application mainly on the grounds that the previous planning permission was revoked due to non-compliance with time-limited approval conditions.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary shop and services (real estate agency) for a period of five years at the Site which is zoned “V” on the OZP. Although the applied use is not entirely in line with the planning intention of the “V” zone, it could help meet the demand for real estate agency services in the area. DLO/YL, LandsD advises that there is currently no SH application under processing or approved at the Site. Approval of the application on a temporary basis of five years would not jeopardise the long-term planning intention of the “V” zone.
- 11.2 The applied use is considered not incompatible with the surrounding land uses which are predominantly village houses of San Uk Tsuen, residential structures and open storage yards intermixed with vehicle repairing workshops, parking of vehicles and vacant land (**Plans A-2 and A-3**).
- 11.3 Other relevant 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 perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Regarding DLO/YL, LandsD’s concern

on unauthorised structures within the Site, the applicant will be advised to liaise with LandsD on the land administrative matters should the Committee approve the application.

- 11.4 A previous application (No. A/HSK/475) submitted by a different applicant for the same use at the Site was approved by the Committee in 2023 and the planning permission was revoked due to non-compliance with the approval conditions on the submission and implementation of drainage proposal and the implementation of FSIs proposal. In support of the current application, the applicant has submitted drainage and FSIs proposals and both CE/MN, DSD and D of FS have no objection to the application.
- 11.5 There are two approved similar applications within 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 mentioned 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 above 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 five years until **11.9.2031**. 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 **11.3.2027**;
- (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 **11.6.2027**;
- (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 revised 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 **11.3.2027**;
- (e) in relation to (d) above, the implementation of the revised 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 **11.6.2027**;

- (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 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 "V" zone which is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. There is no strong 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 conditions(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 21.7.2026
Appendix Ia	SI received on 27.7.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Site Layout Plan
Drawing A-2	Drainage Proposal
Drawing A-3	FSIs Proposal
Plan A-1	Location Plan with Similar and Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**