

**Application for Renewal of Planning Approval
for Temporary Use
Under Section 16 of the Town Planning Ordinance**

Application No. A/HSK/625

1. <u>Proposal</u>	
Applicant	Smart Happiness Limited represented by Ever United Planning and Development Limited
Site (Plan A-1)	Lot 1149 RP (Part) in D.D. 125, Tseung Kong Wai, Ha Tsuen, Yuen Long
Site Area	About 460m ²
Zoning and Outline Zoning Plan (OZP) No.	“Village Type Development” (“V”) <i>[Restricted to a maximum building height of 3 storeys (8.23m)]</i> on the draft Hung Shui Kiu and Ha Tsuen (HSK and HT) OZP No. S/HSK/3
Application	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years
Site Context and the Current Proposal	The application site (the Site) is accessible from San Sik Road via a local track with the ingress/egress point at the eastern part of the Site (Drawings A-1, A-2 and Plan A-2). According to the applicant, a single-storey temporary structure (not more than 3.8m in height) with a floor area of about 202m ² is used for real estate agency office and conference room. No parking space will be provided. The operating hours are from 9:00 a.m. to 8:00 p.m. from Mondays to Sundays including public holidays. Plans showing the access leading to the Site, site layout, as-built drainage facilities and existing fire service installations (FSIs) submitted by the applicant are at Drawings A-1 to A-4 respectively.
Last Previous Relevant Application ¹	Renewal application No. A/HSK/479 approved on 11.9.2023 for a period of 3 years until 9.10.2026, which was submitted by the same applicant for the same use with the same layout and development parameters at the same site.

¹ The Site was involved in four previous applications (No. A/YL-HT/973, A/HSK/111, 248 and 479) (**Plan A-1**) for temporary shop and services (real estate agency) use. All applications were submitted by the same applicant and approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2015 and 2023.

	(Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_HSK_479/A_HSK_479_MainPaper.pdf for details of the last previous relevant application)
Justifications from the Applicant (Appendix I)	(a) The application is for renewal of the planning approval for temporary shop and services (real estate agency) for the same use with the same development parameters and layout under the last application No. A/HSK/479. (b) All approval conditions for the previous application No. A/HSK/479 have been complied with. In support of the current application, the applicant has submitted the previously accepted drainage proposal (Drawing A-3), FSIs proposal (Drawing A-4) and corresponding F.S. 251 certificates. (c) The applied use is intended to serve the real estate agency demand of nearby residents. The applied use is not incompatible with the surroundings which are mainly village houses. Similar planning applications for shop and services (real estate agency) have been approved by the Committee in the vicinity. (d) The applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zone. (e) Insignificant environmental, traffic and drainage impacts are anticipated. The applicant undertakes to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise possible environmental impacts.
Compliance with the “Owner’s Consent/ Notification” requirements ²	Published newspaper notice and posted site notice.

2. Planning Considerations and Assessments

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	In line with TPB PG-No. 34D ³ , including: i. no material change in	✓		While the applied use is not entirely in line with the planning intention of the “V” zone, the applied use could help meet the demand for real estate agency

² As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance ([TPB PG-No. 31B](#)) and detailed information would be deposited at the meeting for Members’ inspection.

³ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development

	planning circumstances since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas); ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development); iii. all the time-limited approval conditions under the previous approval have been complied with; and iv. the 3-year approval period sought does not exceed the duration of the last approval.			in the area. Besides, the District Lands Officer/Yuen Long, Lands Department advises that there is no Small House application approved or under processing at the Site. The applied use is considered not incompatible with the surrounding uses which are predominantly village houses intermixed with parking of vehicles and unused land (Plan A-2). Approval of the application on a temporary basis of three years would not jeopardise the long-term planning intention of the “V” zone.
(b)	Any other relevant considerations (e.g. minor change in layout/development parameters)?		✓	
(c)	Any adverse departmental comments?		✓	Relevant government departments consulted have no objection to or no adverse comment on the application (Appendix II). <u>PlanD’s Assessments</u> To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 4 below. The applicant will also be advised to follow the latest “CoP” to minimise potential environmental nuisances on the surrounding areas.
(d)	Public comments received during statutory publication period		✓	
3. <u>Planning Department’s View</u>				
<u>No objection</u> to the application.				

4. Decision Sought

- 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, and be renewed from 10.10.2026 to 9.10.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 10.1.2027;
- (c) if the above planning condition (a) 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
- (d) if the above planning condition (b) 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 III**.

- There is no strong reason to recommend rejection of the renewal application.

Attachments

Appendix I	Application Form received on 4.8.2026
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Recommended Advisory Clauses
Drawing A-1	Location Plan with Vehicular Access
Drawing A-2	Layout Plan
Drawing A-3	As-built Drainage Plan
Drawing A-4	Existing FSIs Plan
Plan A-1	Location Plan with Previous Applications
Plan A-2	Site Plan

**PLANNING DEPARTMENT
SEPTEMBER 2026**