

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-MP/412

- Applicants** : Mr CHEUK Kan Ming and Mr HO Ka Lok represented by Mr WONG Sun Wo William
- Site** : Lot 3253 S.A RP in D.D. 104 and Adjoining Government Land (GL), Mai Po, Yuen Long
- Site Area** : About 722 m² (including GL of about 242m² (about 33.5%))
- Lease** : Block Government Lease (demised for agricultural use) and GL
- Plan** : Draft Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/9
- Zoning** : “Commercial / Residential” (“C/R”)
[restricted to a maximum plot ratio of 0.4, a maximum site coverage of 20% and a maximum building height of 3 storeys (9m)]
- Application** : Temporary Vehicle Repair Workshop and Shop and Services (Renovation Services) with Ancillary Storage Use for a Period of Three Years

1. The Proposal

- 1.1 The applicants seek planning permission for temporary vehicle repair workshop and shop and services (renovation services) with ancillary storage use for a period of three years at the application site (the Site), which falls within an area zoned “C/R” on the OZP (**Plan A-1**). While ‘Shop and Services’ use is always permitted under the “C/R” zone, ‘Vehicle Repair Workshop’ is neither a Column 1 nor Column 2 use under the “C/R” zone. According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, fenced-off, erected with temporary structures and used for the applied uses without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Fairview Park Boulevard (**Plan A-2**), with two separate ingresses/egresses at its northern edge respectively for the vehicle repair workshop (about 8m) and the shop and services use (about 6m). According to the applicants, the applied uses with a total floor area of about 557m² involve two two-storey structures (not exceeding 6m in height) respectively for a vehicle repair workshop with ancillary office, washroom and septic tank and a shop for display of renovation materials, and a single-storey structure (not exceeding 6m in height) for ancillary storage with washroom and septic tank (**Drawing A-1**). To minimise the potential impact arising

from the vehicle repair workshop, all vehicle repairing activities are conducted within the semi-enclosed structure at all times. Prior booking for vehicle repairing services is required and only two private cars are allowed for such services at the same time. No workshop activities will be conducted within the shop or the ancillary storage area. A fence wall of about 1.8m in height has also been erected at the southern boundary of the Site. Two private car parking spaces and one light goods vehicle parking space are provided, and no heavy vehicle will be allowed to enter the Site at all times. The applied uses operate from 8:00 a.m. to 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicants is at **Drawing A-1**.

1.3 In support of the application, the applicants have submitted the following documents:

- (a) Application Form with attachments received on 22.4.2026 **(Appendix I)**
- (b) Further Information (FI) received on 8.5.2026 **(Appendix Ia)**
- (c) FI received on 3.8.2026 **(Appendix Ib)**

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in the Application Form and FIs at **Appendices I to Ib**, and can be summarised as follows:

- (a) The applied uses can serve the nearby residents. Prior booking is required for using the vehicle repair workshop. Besides, the shop and services use is only for display of renovation materials, and no workshop use is involved.
- (b) No significant environmental and drainage impacts are anticipated. The applicant will follow relevant environmental requirements as well as Practice Notes to minimise any potential environmental impacts. Besides, no neon sign and amplification system will be used at the Site at all times.
- (c) The applicants will submit both Short Term Waiver (STW) and Short Term Tenancy (STT) applications to the Lands Department (LandsD) for the erection of the structures and the use of GL respectively should the current application be approved by the Rural and New Town Planning Committee (the Committee).

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

The applicants are the sole “current land owners” of the private lot within the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the ‘Owner’s Consent/Notification’ Requirements are not applicable.

4. Background

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

5. Previous Application

There is no previous application covering the Site.

6. Similar Applications

During the past five years, there were two similar applications (No. A/YL-MP/366 and 405) involving temporary vehicle repair workshop at one site within the same “C/R” zone on the OZP. All these applications were approved with conditions by the Committee each for a period of three years between 2024 and 2026, mainly on the considerations that the proposed/applied use was not incompatible with the surrounding areas; and relevant government departments consulted had no objection to or no adverse comment on the application or their concerns could be addressed by relevant approval conditions. Planning permission under application No. A/YL-MP/366 was revoked due to non-compliance with approval conditions. Details of the similar applications are summarised at **Appendix III**. Their locations are shown on **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, fenced-off, erected with temporary structures and used for the applied uses without valid planning permission; and
- (b) accessible from Fairview Park Boulevard to its north via two separate ingresses/egresses respectively for the vehicle repair workshop and shop and services use respectively.

7.2 The surrounding areas are sub-urban in character with an intermix of low-rise residential developments (such as Greenery Gardens and Meister House), residential dwellings, shop and services, vehicle repair workshops (one of which with valid planning permission), petrol filling station, restaurant, car washing centre, storage yards, grassland and vacant land.

8. Planning Intention

The planning intention of the “C/R” zone is primarily for commercial and/or residential development. A selected range of commercial uses are always permitted to serve the local community

9. Comments from Relevant Government Departments

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

9.2 The following government department has adverse comment/reservation on the application:

Land Administration

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

- (a) has adverse comment on the application;
- (b) the Site comprises GL and Old Schedule Agricultural Lot No. 3523 S.A RP in D.D. 104 (the 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;
- (c) no permission is given for occupation of GL (about 242m² as mentioned in the application form) included in the Site. Any occupation of GL without Government's prior approval is an offence under Land (Miscellaneous Provisions) Ordinance (Cap. 28);
- (d) has reservation on the planning application since there is/are unauthorized structure(s) on the Lot which is 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; and
- (e) advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 5.5.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary vehicle repair workshop and shop and services (renovation services) with ancillary storage use for a period of three years at the Site zoned "C/R" (**Plan A-1**). Whilst the applied shop and services use is always permitted on the "C/R" zone, the applied vehicle repair workshop is not in line with the planning intention of the "C/R" zone. According to the applicants, the applied uses are intended to serve the nearby residents. There is also no known long-term development proposal involving the Site. Taking into account the above and the planning assessment below, there is no objection to the applied uses on a temporary basis for a period of three years.
- 11.2 The applied uses are considered not incompatible with the surrounding areas which are sub-urban in character with an intermix of low-rise residential developments, residential dwellings, shop and services, vehicle repair workshops, petrol filling station, restaurant, car washing centre, storage yards, grassland and vacant land. To minimise the potential environmental nuisance to the surroundings, the applicants commit to implementing relevant mitigation measures, including erecting a fence wall of about 1.8m high at the southern boundary of the Site, and conducting vehicle repairing activities in the semi-enclosed structures, etc. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the applied uses from landscape planning perspective as there is no distinctive landscape resources and/or mature trees observed within the Site.
- 11.3 Other relevant government departments consulted, including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection

to or no adverse comment on the application. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicants to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage' issued by the Environmental Protection Department to minimise any potential environmental nuisances on the surrounding areas caused by the applied uses. Regarding DLO/YL of LandsD's concerns on illegal occupation of GL and erection of unauthorized structure(s) at the Lot, the applicants will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

- 11.4 There are two approved similar applications within the same "C/R" zone for temporary vehicle repair workshop in the vicinity of the Site in the past five years as detailed in paragraph 6 above. Approving the current application is in line with the Committee's previous decision.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11, PlanD 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 25.9.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a 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 25.3.2027;
- (b) in relation to (a) above, the implementation of the 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 25.6.2027;
- (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 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 25.3.2027;
- (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 25.6.2027;
- (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 vehicle repair workshop use is not in line with the planning intention of the "Commercial/Residential" zone which is primarily for commercial and/or residential development with a selected range of commercial uses always permitted to serve the local community. There is no strong planning 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 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 applicants.

14. Attachments

Appendix I	Application Form received on 22.4.2026
Appendix Ia	FI received on 8.5.2026
Appendix Ib	FI received on 3.8.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
PlanA-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**