

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/804

- Applicant** : 鄭邦權 represented by 海願規劃發展公司
- Site** : Various Lots in D.D. 116, Yuen Long
- Site Area** : 337 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m) except for those developments/uses specified in the Notes]
- Application** : Proposed Temporary Shop and Services for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services for a period of three years at the application site (the Site) which is zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Shop and Services’ other than those on the ground floor of a New Territories Exempted House (NTEH) is a Column 2 use requiring planning permission from the Town Planning Board (the Board). The Site is currently vacant, partly hard-paved and partly covered by overgrown (**Plans A-2 to A-4**).
- 1.2 The Site is accessible via a local track leading from Yau Shin Street with an ingress/egress point in the east (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposed use comprises a single-storey (6m in height) structure with a floor area of about 50 m² for sale of vehicle parts and accessories and toilet use. Three private car parking spaces (5m x 2.5m each) are proposed and the operation hours are from 9:00 a.m. to 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays.
- 1.3 According to the applicant, two staff members recruited from local neighbourhood will be working at the Site. About 15-20 customers are expected to visit the Site daily. Prior reservation will be required if customers intend to visit the Site by private vehicles. No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities, and no open storage will be carried out at the Site. The

applicant also proposes to fill the entire Site with concrete of about 0.2m in depth for erection of structures and easy access for visitors¹. Plan showing the vehicular access and site layout submitted by the applicant is at **Drawing A-1**.

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

- (a) Application Form with attachments received on 28.7.2026 (**Appendix I**)
- (b) Supplementary Information (SI) received on 30.7.2026 (**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**. They can be summarised as follows:

- (a) the proposal is temporary in nature and would not jeopardise the long-term planning intention of the “V” zone;
- (b) the proposed use could better utilise land resources and prevent the Site from being left abandoned;
- (c) the proposed use is not incompatible with the surrounding areas;
- (d) no adverse traffic, environmental and hygiene impacts are anticipated;
- (e) adequate mitigation measures will be provided by the applicant to mitigate any adverse impacts arising from the proposed use to the surrounding areas;
- (f) a 8m-wide entrance gate at the ingress/egress point of the Site provides an unobstructed and smooth access for emergency vehicles and other drivers. Sufficient manoeuvring space is also provided within the Site; and
- (g) the applicant will appoint a management company to undertake maintenance work of the Site including scheduled refuse collection and pest control to preserve environmental hygiene and visual amenity of the Site.

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 notices and sending notice to the Shap Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

¹ Planning permission for filling of land is not required within “V” zone on the OZP.

4. Background

The Site is currently not subject to planning enforcement action.

5. Previous Application

There is no previous application concerning the Site.

6. Similar Application

There is no similar application within the same “V” zone in the vicinity of the Site in the past five years.

7. 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 the zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within the 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.

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

8.1 The Site is:

- (a) currently vacant, partly hard-paved and partly covered by overgrown; and
- (b) accessible via a local track leading from Yau Shin Street.

8.2 The surrounding areas are predominantly rural in character comprising residential dwellings intermixed with parking of vehicles, open storage/storage yards and vacant/unused land.

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 II** and **III** respectively.

10. **Public Comments Received During the Statutory Publication Period**

On 4.8.2026, 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 proposed temporary shop and services for a period of three years at the Site which is zoned “V” on the OZP. Although the proposed use is not entirely in line with the planning intention of the “V” zone, it could serve the needs of the local residents. According to the DLO/YL, LandsD, there is no Small House application approved or under processing at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “V” zone.
- 11.2 The proposed use is generally not incompatible with the surrounding areas, which are predominately rural in character comprising residential dwellings intermixed with parking of vehicles, open storage/storage yards and vacant/unused land (**Plan A-2**).
- 11.3 Other relevant 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 have no objection to or no adverse comment from traffic, environmental, fire safety and drainage perspectives respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. 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 potential environmental nuisances on the surrounding areas.

12. **Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 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 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 should 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 at **Appendix III**.

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

the proposed use is not in line with the planning intention of the "Village Type Development" zone which is primarily for development of Small Houses by indigenous villagers. No strong planning justifications have 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 28.7.2026
SI received on 30.7.2026

Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Drawing A-1	Vehicular Access and Site Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**