RNTPC Paper No. A/YL-KTN/1290
For Consideration by
the Rural and New Town
Planning Committee
on 6.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1290

Applicant	:	Miss TANG Wing Lam represented by Mr TANG Lok San
Site	:	Lot 589 (Part) in D.D. 109, Kam Tin North, Yuen Long
Site Area	:	About 481m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
Zoning	:	"Village Type Development" ("V") *[restricted to a maximum building height of 3 storeys (8.23m)]*
Application	:	Proposed Temporary Eating Place with Ancillary Facilities for a Period of Five Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary eating place with ancillary facilities for a period of five years at the application site (the Site), which falls within an area zoned "V" on the OZP (**Plan A-1**). According to the Notes of the OZP for the "V" zone, 'Eating Place' (being not on 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 partly fenced-off, hard-paved and vacant (**Plans A-2** to **A-4**).

1.2 The Site is accessible from Chi Ho Road via a local track passing through a piece of vacant land to its immediate east (**Plans A-2** to **A-4**). According to the applicant, the proposed use involves a structure of not more than two storeys (height of not more than 7m) with a total floor area of about 126m^2 for eating place and ancillary office. Peripheral fencing of about 2m in height will be erected along the site boundary on all sides to minimise potential nuisance. Three parking spaces for private car and one loading/unloading space for light goods vehicle will be provided at the Site. Sufficient manoeuvring space will be provided within the Site to ensure that no vehicle will turn back onto the local access. No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers are allowed to enter/exit the Site. No open storage, storage of dangerous goods or other workshop activities will be carried out at the Site at all times. The operation hours will be between 9:00 a.m. and 9:00 p.m. daily, including Sundays and public holidays. Plan showing the site layout and section of the proposed structure submitted by the applicant is on **Drawing A-1**.

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

(a) Application Form with attachments received on 15.9.2026 and 21.9.2026 (**Appendix I**)

(b) Further Information (FI) received on 30.10.2026* (**Appendix Ia**)

** accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FI at **Appendices I** and **Ia**, and can be summarised as follows:

(a) the proposed use is intended to serve the nearby residents and villagers including Kam Hing Wai, Shui Tau Tsuen, Shui Mei Tsuen and Tai Kong Po areas and to meet their local demand for eating place. The temporary nature of the proposed use will not frustrate the long-term planning intention of the "V" zone;

(b) the applicant commits to following the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') as well as all relevant environmental protection/pollution control ordinances at all times during the approval period of the planning permission. The applicant also commits to control oily fume and cooking odour emissions generated from the proposed eating place, such that no oil fumes or cooking odour will be emitted into the outdoor environment. Besides, adequate equipment will also be provided at the kitchen ventilation system to treat fume emissions before being discharged. Adverse impacts on the surrounding areas are not anticipated; and

(c) consent for passing through the vacant land to the immediate east of the Site (**Plan A-2**) to/from Chi Ho Road has been obtained from the relevant owner(s).

3. Compliance with the 'Owner's Consent/Notification' Requirements

The applicant is not a 'current land owner' but has complied with the requirement 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 Kam Tin Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for 'Application for Eating Place within "Village Type Development" zone in Rural Areas under Section 16 of the Town Planning Ordinance' (TPB PG-No. 15A) are relevant to the application. Relevant extracts of the Guideline are at **Appendix II.**

5. Background

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

6. Previous Application

The Site is not subject to any previous application.

7. Similar Application

There is one similar application for proposed temporary eating place and public vehicle park (excluding container vehicle) within the same "V" zone, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 18.12.2020 for a period of three years mainly on the considerations that the proposed use on a temporary basis would not frustrate the long-term planning intention of the "V" zone; it was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments, if any, could be addressed by approval conditions. Details of the similar application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

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

8.1 The Site is:

(a) accessible from Chi Ho Road via a local track passing through a piece of vacant land to its immediate east; and

(b) partly fenced-off, hard-paved and vacant.

8.2 The surrounding areas are rural in character with an intermix of open storage/storage yards, hobby farm, cultivated agricultural land, woodland, grassland and vacant land. Kam Tin River is located to the south of the Site. To the further west is the village settlements of Kam Hing Wai (**Plan A-1**).

9. Planning Intention

The planning intention of the "V" zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses 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.

10. 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 in the Recommended Advisory Clauses, if any, are provided at **Appendices IV** and **V** respectively.

11. Public Comment Received During Statutory Publication Period

On 22.9.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary eating place with ancillary facilities for a period of five years at the Site zoned "V" on the OZP (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the "V" zone, according to the applicant, the proposed use is intended to meet the demand for such use from the locals. Besides, the District Lands Officer/Yuen Long, Lands Department advises that there is no Small House grant application approved or under processing at the Site. It is considered that approving the application on a temporary basis would not frustrate the long-term planning intention of the "V" zone.

12.2 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards, hobby farm, village settlements, cultivated agricultural land, woodland, grassland, vacant land and Kam Tin River. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated.

12.3 The application is generally in line with TPB PG-No. 15A in that the proposed eating place is located at the fringe of Kam Hing Wai and is accessible via a local access passing through a piece of vacant land from Chi Ho Road and would unlikely generate significant adverse environmental, traffic and drainage impacts on the surrounding. Relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services and Director of Food and Environmental Hygiene, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the proposed use. Nevertheless, in accordance with TPB PG-No.15A, a shorter approval period of three years, instead of five years sought, is recommended for proposed eating place in "V" zone under

normal circumstances, so as to retain planning control on the development at the Site and to cater for changing circumstances in future.

12.4 There is an approved similar application for proposed temporary eating place and public vehicle park (excluding container vehicle) for a period of three years within the same "V" zone in the vicinity of the Site as mentioned in paragraph 7 above. Approving the current application is in line with the Committee's previous decision.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 11 above, PlanD has no objection to the application for a period of three years, instead of five years as sought by the applicant.

13.2 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 6.11.2029. 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 6.5.2027;

(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 6.8.2027;

(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 fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or the Town Planning Board by 6.5.2027;

(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 6.8.2027;

(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 V**.

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

the proposed use is not in line with the planning intention of the "V" zone, which is primarily intended for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

14.2 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.

14.3 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.

15. Attachments

Appendix I	Application Form with attachments received on 15.9.2026 and 21.9.2026
Appendix Ia	FI received on 30.10.2026
Appendix II	Relevant Extract of TPB PG-No. 15A
Appendix III	Similar application
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Drawing A-1	Site layout and section plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

PLANNING DEPARTMENT
NOVEMBER 2026