RNTPC Paper No. A/YL-MP/420
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-MP/420

Applicant	:	Mr MAN Kwok Cheung
Site	:	Lot 2873 in D.D. 104, Mai Po, Yuen Long
Site Area	:	About 466.66m²
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/10 *(currently in force)* Draft Mai Po and Fairview Park OZP No. S/YL-MP/9 *(at the time of submission)* *[no change on the current OZP]*
Zoning	:	"Open Space" ("O")
Application	:	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years

1. The Proposal

1.1 The applicant seeks planning permission for temporary shop and services (real estate agency) for a period of three years at the application site (the Site), which falls within an area zoned "O" on the OZP (**Plan A-1a**). According to the Notes of the OZP for "O" zone, 'Shop and Services' is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and occupied by the applied use without valid planning permission (**Plans A-2 and A-4**).

1.2 The Site is accessible from Palm Springs Boulevard via a local access, with an ingress/egress (about 6m wide) at its north-eastern edge (**Plan A-2**). According to the applicant, the applied use, with a total floor area of about 93.32m^2, involves four single-storey structures (about 2m to 3.55m in height) for office, conference room, ancillary washroom and meter room respectively. Five private car parking spaces are provided within the Site. The applied use operates from 9:00 a.m. to 6:00 p.m. daily, including Sundays and public holidays. No medium or heavy vehicles will be allowed to enter/exit the Site at all times. The site layout plan submitted by the applicant is at **Drawing A-1**.

1.3 The Site, in whole or in part, is involved in 13 previous applications, including last eight previous applications for the same use submitted by the same applicant as the current application for a period of three years approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2005 and 2023 (details at paragraph 6 below) (**Plan A-1b**). Compared with the last approved previous application No. A/YL-MP/351 for temporary shop and services (real estate agency), the current application is submitted by the same applicant for the same use at the same Site with minor increases in the total floor area (+1.56m^2/+1.7%), height of the office structure (+0.75m/+26.8%) and number of structures (+1/+33.3%) for the ancillary meter room and consequential minor change in the layout.

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

(a)	Application Form with attachments and Supplementary Information (SI) received on 8.9.2026 and 16.9.2026 respectively	**(Appendix I)**
(b)	Further Information (FI) received on 29.10.2026* **accepted and exempted from publication and recounting requirements*	**(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 FI at **Appendices I to Ia**, and can be summarised as follows:

(a) The applied use has been in operation for over 20 years to meet the needs for nearby residents.

(b) There is no known programme to develop the Site into an open space. The applied use will not frustrate the long-term planning intention of the "O" zone. With multiple approved previous and similar applications for shop and services use at the Site and within the "O" zones on the same OZP, approving the current application will not set an undesirable precedent for similar use within the same and the adjoining "O" zones.

(c) No adverse traffic, environmental, drainage and fire safety impacts are anticipated. The applicant will follow relevant requirements in the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') issued by the Environmental Protection Department to minimise any potential environmental impacts.

(d) The applicant is committed to applying for Short Term Waiver (STW) to the Lands Department (LandsD) for the applied use should the current application be approved by the Committee of the Board.

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

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

The Site is located within the Wetland Buffer Area (WBA) of the Deep Bay Area (**Plan A-1a**). The Town Planning Board Guidelines for 'Application for Developments with Deep Bay Area under Section 16 of the Town Planning Ordinance' (TPB PG-No.12C) are relevant to the application. Relevant extracts of the Guidelines are at **Appendix II**.

5. Background

The Site was formed on the date of gazettal of the Mai Po and Fairview Park Interim Development Permission Area Plan No. IDPA/YL-MP/1 on 17.8.1990. The Site is currently not subject to any active planning enforcement action.

6. Previous Applications

6.1 The Site, in whole or in part, is involved in 13 previous applications (No. A/YL-MP/23, 50, 68, 95, 108, 142, 164, 175, 201, 233, 258, 298 and 351) which were all approved by the Committee between 1997 and 2023. Five applications for temporary office use with or without ancillary car parking area were approved with conditions by the Committee between 1997 and 2002, and their considerations are not relevant to the current application due to different use involved.

6.2 For the remaining eight previous applications (No. A/YL-MP/142, 164, 175, 201, 233, 258, 298 and 351) (including one for renewal of planning permission granted) for the same temporary shop and services use submitted by the same applicant as the current application, they were all approved with conditions by the Committee between 2005 to 2023 for a period of three years mainly on the considerations that the applied use was not incompatible with the surrounding land uses; and there was no adverse comment from relevant government departments consulted or their concerns could be addressed by approval conditions. For the last approved application No. A/YL-MP/351, all time-limited approval conditions have been complied with and its planning permission lapsed on 25.8.2026. Compared with the last approved application, the current application covers the same site with minor changes in development parameters and site layout as set out in paragraph 1.3 above. Details of the previous applications are summarised at **Appendix III**. Their locations are shown on **Plan A-1b**.

7. Similar Applications

There are 16 similar applications (No. A/YL-MP/319, 321, 325, 329, 348, 364, 382, 383, 385, 386, 388, 389, 391, 393, 411 and 423) (including four for renewal of planning permissions granted) involving temporary shop and services use at 12 sites within the same or adjoining "O" zones in the vicinity of the Site in the past five years. All these similar applications were approved by the Committee between 2021 and 2026 mainly on similar considerations as stated in paragraph 6.2 above. The planning permissions for applications No. A/YL-MP/319, 321, 348, 364 and 389 were subsequently revoked between 2024 and 2026 due to non-compliance with time-limited approval conditions. Details of these similar applications are summarised at **Appendix III**. Their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

(a) currently hard-paved and occupied by the applied use without valid planning permission;

(b) accessible from Palm Springs Boulevard via a local access; and

(c) within the WBA of the Deep Bay Area.

8.2 The surrounding areas are sub-urban in character comprising mainly low-rise residential development (Royal Palms), scattered residential dwellings and storage use, shop and services/office uses such as real estate agency and a restaurant (most with valid planning permissions) and parking of vehicles. To the east of the Site are Castle Peak Road - Mai Po and San Tin Highway.

9. Planning Intention

The planning intention of the "O" zone is primarily for the provision of outdoor open air space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 below, other relevant 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 in **Appendices IV and V** respectively.

10.2 The following government department has provided views on the application:

Open Space Provision

10.2.1 Comments of the Director of Leisure and Cultural Services (DLCS):

(a) no in-principle objection to the application since the application is for three years only; and

(b) there is no plan to develop the Site into a public open space in the coming three years.

11. Public Comment Received During Statutory Publication Period

On 18.9.2026, 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 temporary shop and services (real estate agency) for a period of three years at the Site zoned "O" (**Plan A-1a**). Whilst the applied use is not in line with the planning intention of the "O" zone, DLCS has no in-principle objection to the application and advises that there is no plan to develop the Site into a public open space in the coming three years and, according to the applicant, the applied use is intended to serve the nearby residents. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.

12.2 The applied use is considered not incompatible with the surrounding areas which are sub-urban in character and predominated by low-rise residential developments, shops, office, restaurant, real estate agency and parking of vehicles. 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 applied temporary use is not incompatible with the surrounding environment and significant adverse landscape impact arising from the applied use is not anticipated.

12.3 The Site falls within the WBA in Deep Bay Area under the TPB PG-No. 12C, which specifies that planning applications for temporary uses are exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation has no comment on the application from nature conservation point of view.

12.4 Other relevant government departments consulted including the Commissioner for Transport, Chief Highway Engineer/New Territories West of Highways Department and Director of Fire Services have no objection to or no adverse comment on the application. To address technical requirements of the concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the application to follow the CoP to minimise any potential environmental nuisances on the surrounding areas caused by the applied use.

12.5 There are eight approved previous applications for the same use as the current application and 16 approved similar applications involving the same use within the same and adjoining "O" zones in the vicinity of the Site in the past five years as detailed in paragraphs 6 and 7 above. Approving the current application is in line with the Committee's previous decisions.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12, PlanD has no objection to the application.

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 condition record of the existing drainage facilities on the site 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) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

(c) 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 6.5.2027;

(d) in relation to (c) 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;

(e) if the above planning condition (b) 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

(f) if any of the above planning condition (a), (c) or (d) 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 V**.

13.3 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 "Open Space" zone which is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. 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 and SI received on 8.9.2026 and 16.9.2026 respectively
Appendix Ia	FI received on 29.10.2026
Appendix II	Relevant Extracts of TPB PG-No. 12C
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026