RNTPC Paper No. A/YL-TT/768B
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-TT/768

Applicant	:	Mr. 林燊德
Site	:	Various Lots in D.D. 116 and Adjoining Government Land (GL), Tai Tong Road, Yuen Long
Site Area	:	502 m^2 (about) (including GL of about 52 m^2 or 10.4%)
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	:	Temporary Shop and Services (Real Estate Agency) and Public Vehicle Park (PVP) (Private Cars Only) for a Period of 3 Years

1. The Proposal

1.1 The applicant seeks planning permission for temporary shop and services (real estate agency) and PVP (private cars only) for a period of three years at the application site (the Site) falling within an area zoned "V" on the OZP (**Plan A-1**). According to the Notes of the OZP for "V" zone, 'Shop and Services' (being not on the ground floor of a New Territories Exempted House (NTEH)) and 'Public Vehicle Park (excluding container vehicle)' are Column 2 uses which require planning permission from the Town Planning Board (the Board). The Site is currently paved and occupied by the applied uses without valid planning permission (**Plan A-4**).

1.2 The Site is accessible from Tai Tong Road with an ingress/egress at the west (**Drawing A-1** and **Plan A-2)**. According to the applicant, a single-storey structure (2.5m in height) with a floor area of about 73.2m^2 is proposed to accommodate a real estate agency with ancillary office, conference room, toilet and storage use. A PVP with 14 parking spaces for private cars (5m x 2.5m each) will be provided at the remaining uncovered area. The operation hours of the real estate agency are from 10:00 a.m. to 8:00 p.m. daily including public holidays, whilst the PVP would operate 24 hours daily. The applicant has proposed 11 planters with landscape planting at the Site. No car washing, dismantling and paint

spraying will be involved in the PVP. Plans showing the site layout with fire service installations (FSIs) proposal and drainage proposal submitted by the applicant are at **Drawings A-1 and A-2** respectively.

1.3 The Site is the subject of six previous planning applications including one application (No. A/YL-TT/656) submitted by the same applicant for the same use with the same layout and development parameters which was approved by the Rural and New Town Planning Committee (the Committee) of the Board for a period of three years in 2024 (**Plan A-1b**) (details at paragraph 5 below).

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

(a)	Application Form with attachments received on 30.1.2026	(**Appendix I**)
(b)	Supplementary Information (SI) received on 6.2.2026	**(Appendix Ia)**
(c)	Further Information (FI) received on 11.5.2026*	**(Appendix Ib)**
(d)	FI received on 7.9.2026* **accepted and exempted from publication and recounting requirements*	**(Appendix Ic)**

1.5 On 27.3.2026 and 10.7.2026, the Committee agreed to defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

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

(a) the temporary shop and services is intended to serve the local community while the PVP is intended to meet the local demand of parking spaces;

(b) the Site is the subject of a previous planning permission (application no. A/YL-TT/656) which was subsequently revoked due to insufficient time for complying with the approval conditions related to implementation of drainage and FSIs proposals. To support the current application, the applicant has submitted an as-built drainage plan, a condition record of the existing drainage facilities, a FSIs proposal and FS251 certificate. The applicant is also committed to maintaining the existing drainage facilities at the Site; and

(c) the applicant acknowledges that there are possible Small House (SH) grant applications being processed at the Site. The applied uses will cease operation once the SH application is approved.

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

The applicant is one of the "current land owners" and 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 obtaining consents of "current land owners". Detailed information would be deposited at the meeting for Members' inspection.

4. Background

The parking of vehicles and storage use on the Site would be subject to planning enforcement action.

5. Previous Applications

5.1 The Site was involved in six previous planning applications (No. A/YL-TT/296, 301, 343, 418, 517 and 656). Five of them are approved while one was rejected. Details of the applications are at **Appendix II** and the boundaries of these applications are shown on **Plan A-1b**.

Rejected application

5.2 Application No. A/YL-TT/296 for temporary vehicles trading (open storage of used vehicles for sale with ancillary office) was rejected by the Committee in 2012. Considerations of this application are not relevant to the current application which involves different uses.

Approved applications

5.3 The remaining five applications (No. A/YL-TT/301, 343, 418, 517 and 656) for temporary shop and services with/without PVP for a period of three years were approved with conditions by the Committee between 2012 and 2024, mainly on considerations that the proposed/ applied use(s) would not jeopardise the long-term planning intention of the "V" zone; being not incompatible with the surrounding uses; and the concerns of relevant government departments could be addressed by implementation of approval conditions. For the last approved application No. A/YL-TT/656, the planning permission was revoked on 16.5.2025 due to non-compliance with time-limited approval conditions regarding implementation of drainage and FSIs proposals.

6. Similar Applications

There are 10 similar applications (No. A/YL-TT/533, 547, 557, 602, 657, 662, 709, 711, 750 and 792) for temporary shop and services with/without PVP for a period of three or five years within the same "V" zone on the OZP in the past five years. All of them were approved with conditions by the Committee between 2022 and 2026 mainly on the similar considerations as those mentioned in paragraph 5.3 above. Details of these applications are summarised in **Appendix II** and their locations are shown on **Plan A-1a**.

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

7.1 The Site is:

(a) currently paved and occupied by the applied uses without valid planning permission; and

(b) accessible from Tai Tong Road to the west.

7.2 The surrounding areas are rural residential in character predominantly occupied by village houses/residential dwellings intermixed with property agency, shop and services, car parks/parking of vehicles, car servicing, refuse collection point, kindergarten, storage yards, agricultural land and vacant land. Some of these uses are covered by valid planning permissions.

8. 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 SHs 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.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraphs 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 are provided in **Appendices IV** and **V** respectively.

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

Land Administration

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

(a) he has adverse comment on the application;

(b) the Site comprises Government Land (GL) and Old Schedule Agricultural Lots 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) Lots 4892 S.A, 4892 RP and 4893 in D.D. 116 and a major portion of the GL in the Site are covered by Short Term Waivers (STW) Nos. 4338, 4340, 4341 and Short Term Tenancy (STT) No. 2910 respectively for the purpose of "Temporary Shop and Services (Real Estate Agency)";

(d) his office has detected irregularities on the application that a minor portion of the GL within the Site (about 7m^2) has been fenced off without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. LandsD reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice;

(e) if the planning application is approved, the STW and STT holder(s) will need to apply to LandsD for modification of the STW and STT conditions where appropriate. The application(s) for STW and STT will be considered by LandsD in its capacity as a landlord and there is no guarantee that such application(s) will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed uses are temporary in nature, only erection of temporary structure(s) will be considered;

(f) there are two SH applications under processing at the Site and not yet approved; and

(g) should the application be approved, the applicant should note his advisory comments in **Appendix V**.

10. Public Comment Received During the Statutory Publication Period

On 10.2.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix V**) objecting to the application mainly on the ground that the approval conditions of the previously approved applications were not complied with.

11. Planning Considerations and Assessments

11.1 The application is for temporary shop and services (real estate agency) and PVP (private cars only) for a period of three years at the Site zoned "V" on the OZP. Although the applied uses are not entirely in line with the planning intention of the "V" zone, they could help serve the local villagers and meet their car parking needs. DLO/YL, LandsD advises that two SH applications are under processing at the Site and not yet approved. In this regard, the applicant undertakes that the applied uses will cease operation once any SH application at the Site is approved. Taking into account the above and the planning assessments below, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the "V" zone.

11.2 The applied uses are considered not incompatible with the surrounding areas which are rural residential in character predominantly occupied by village houses/residential dwellings intermixed with property agency, shop and services, car parks/parking of vehicles, car servicing, refuse collection point, kindergarten, storage yards, agricultural land and vacant land, with some of them covered by valid planning permissions **(Plan A-2)**.

11.3 Relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services (D of FS) and Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) 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. Regarding DLO/YL, LandsD's concerns on the unlawful occupation of GL on the Site, the applicant will be advised to liaise with LandsD on the land administration matters should the Committee approve the application.

11.4 The Site is the subject of five previous applications (No. A/YL-TT/301, 343, 418, 517 and 656) for shop and services with/without PVP for a period of three years, which were approved with conditions by the Committee between 2012 and 2024. For the last approved application No. A/YL-TT/656, the planning permission was revoked on 16.5.2025 due to non-compliance with time-limited approval conditions regarding implementation of drainage and FSIs proposals. In this regard, the applicant clarifies that he did not manage to comply with those relevant approval conditions due to time constraints. In support of the current application, as-built drainage plan (**Drawing A-2**), condition record of the existing drainage facilities, FSIs proposal (**Drawing A-1**) and FS251 certificate have been submitted by the applicant. In this regard, CE/MN, DSD and D of FS has no objection to or no adverse comment on the current application. As such, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.

11.5 There are 10 approved similar applications within the subject "V" zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.

11.6 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant.

12. Planning Department's Views

12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 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 **6.11.2029**. The following conditions of approval and advisory clauses are also 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 revised 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;

(c) in relation to (b) above, the implementation of the revised 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;

(d) 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

(e) if any of the above planning condition (b) or (c) 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 IV**.

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

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	Application Form with attachments received on 30.1.2026
Appendix Ia	SI received on 6.2.2026
Appendix Ib	FI received on 11.5.2026
Appendix Ic	FI received on 7.9.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses

Appendix V	Public Comment
Drawing A-1	Site Layout Plan with FSIs proposal
Drawing A-2	Drainage Proposal
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