RNTPC Paper No. A/YL-LFS/634
For Consideration by
the Rural and New Town
Planning Committee
on 20.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/634

Applicant	:	Art Gain Limited represented by FiBi International Project Consultancy Co. Limited
Site	:	Lot 2282 (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
Site Area	:	About 1,077m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
Zoning	:	"Residential (Group E)" ("R(E)") [Restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m) including car park]
Application	:	Proposed Temporary Shop and Services (Automated Home Showroom with Ancillary Facilities and Retail Shop of Accessories) for a Period of 3 Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary shop and services (automated home showroom with ancillary facilities and retail shop of accessories) for a period of three years at the application site (the Site) falling within an area zoned "R(E)" on the OZP (**Plan A-1**). According to the Notes of the OZP for the "R(E)" zone, 'Shop and Services' in open-air development or building other than industrial building is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and used for storage of vehicles and containers without valid planning permission (**Plans A-2 and A-4**).

1.2 The Site is accessible from Deep Bay Road via a local track with the ingress/egress located at the southeastern part of the Site (**Drawing A-2 and Plan A-3**). As shown on the layout plan at **Drawing A-1**, two two-storey structures (not more than 7.5m in height) with a total floor area of about 400m^2 are proposed for automated home showroom with ancillary facilities, retail shop and staff resting area. Two parking spaces for private cars (5m x 2.5m each)

are also proposed at the Site. According to the applicant, the operation hours of the proposed use are between 7 a.m. and 9 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. No workshop use will be involved at the Site. Besides, the existing vehicles and containers at the Site will be removed before operation of the proposed use. The proposed layout plan, vehicular access plan, drainage proposal and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

1.3 The Site was involved in a previous application (No. A/YL-LFS/541) covering the same site area (**Plan A-1**) for the same use and layout submitted by the same applicant, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in January 2025. The planning permission was subsequently revoked in July 2026 due to non-compliance with time-limited approval conditions on the submission and implementation of drainage and FSIs proposals (details in paragraph 5 below). In this regard, the applicant has submitted drainage and FSIs proposals in support of the current application (**Drawings A-3 and A-4**).

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

(a) Application Form with attachments received on 30.9.2026 (**Appendix I**)
(b) Supplementary Information (SI) received on 8.10.2026 (**Appendix Ia**)
(c) Further Information (FI) received on 9.11.2026* **(Appendix Ib)**
**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, SI and FI at **Appendices I to Ib** respectively. They can be summarised as follows:

(a) the proposed use is temporary in nature for a period of three years and will not frustrate the long-term planning intention of the "R(E)" zone;

(b) the environmental and noise impacts are negligible and no operation will be carried out during sensitive hours; and

(c) the Site is small in size and far away from residential dwellings. The proposed use will not pose any adverse impacts to the area from traffic, environmental, drainage, visual and landscaping perspectives.

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

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

4. Background

The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate planning enforcement action will be taken.

5. Previous Applications

5.1 The Site was previously involved in two planning applications (No. A/YL-LFS/524 and 541). Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

5.2 The application (No. A/YL-LFS/524), covering a larger site area with the current applicant being one of the applicants, is for proposed temporary open storage of construction materials for a period of three years which was rejected by the Committee on 19.7.2024. The considerations of this previous application are not relevant to the current application for a different use.

5.3 As mentioned in paragraph 1.3 above, the last previous application (No. A/YL-LFS/541) for the same use at the Site was approved with conditions by the Committee on 10.1.2025, mainly on considerations that the temporary approval would not jeopardise the long-term planning intention of the "R(E)" zone; the proposed use was not incompatible with the surrounding land uses; and the concerned government departments had no objection to the application and the technical concerns could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked on 10.7.2026 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage and FSIs proposals.

6. Similar Application

Within the same "R(E)" zone on the OZP, there is a similar application (No. A/YL-LFS/620) for proposed temporary shop and services (retail shop for hardware accessories), which was approved with conditions by the Committee on 14.8.2026 for a period of three years mainly on similar considerations as mentioned in paragraph 5.3 above. Details of the similar application are summarised at **Appendix II** and its location is 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 and used for storage of vehicles and containers without valid planning permission; and

(b) accessible from Deep Bay Road via a local track.

7.2 The surrounding areas are predominated by open storage, warehouse and logistics centre uses within the subject "R(E)" zone, some of which are covered by valid planning permissions. The permitted burial ground No. YL/59 is located to the south mainly within the "Green Belt" zone.

8. Planning Intention

The "R(E)" zone is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

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 III and IV** respectively.

10. Public Comment Received During the Statutory Publication Period

On 9.10.2026, the application was published for public inspection. During the statutory public inspection period, one comment from an individual (**Appendix V**) was received, mainly expressing concern on the non-compliance with approval conditions under previous application No. A/YL-LFS/541.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary shop and services (automated home showroom with ancillary facilities and retail shop of accessories) for a period of three years at the Site falling within an area zoned "R(E)" on the OZP (**Plan A-1**). Although the proposed use is not in line with the planning intention of the "R(E)" zone, it may serve the needs of the nearby local villagers and residents. Furthermore, there is no known proposal for permanent development 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 "R(E)" zone. Notwithstanding the above, the Project Manager (West) of Civil Engineering and Development Department (CEDD) advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/clearance programme is currently being reviewed under the relevant investigation study and subject to change. Should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and be advised not to carry out any substantial works therein.

11.2 The Site is located in an area predominated by open storage, warehouse and

logistics centre uses within the subject "R(E)" zone, some of which are covered by valid planning permissions (**Plan A-2**). Although a permitted burial ground is located to the south, the proposed use is considered generally not incompatible with the surrounding land uses.

11.3 Concerned government departments consulted including the Director of Environmental Protection, Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD), Commissioner for Transport, Director of Fire Services (D of FS) and Head of Geotechnical Engineering Office, CEDD have no objection to or no adverse comment on the application from environmental, drainage, traffic, fire safety and geotechnical perspectives respectively. The technical requirements of CE/MN, DSD and D of FS could be addressed by implementation of approval conditions as recommended in paragraph 12.2 below. To minimise any possible environmental nuisance on the surrounding areas, the applicant will be advised to adopt the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' should the application be approved.

11.4 The Site was involved in a previous approved application (No. A/YL-LFS/541) for the same use as detailed in paragraph 5.3 above. The planning permission was revoked in July 2026 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage and FSIs proposals. In this regard, the applicant has submitted drainage and FSIs proposals in support of the current application, and CE/MN, DSD and D of FS have no objection to the application. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications.

11.5 There is an approved similar application within the same "R(E)" zone as detailed in paragraph 6 above. Approval of the current application is in line with the previous decision 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 above and having taken into account the public comment mentioned in paragraph 10, 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 **20.11.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

(a) the submission of a revised 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 **20.5.2027**;

(b) in relation to (a) above, the implementation of the revised 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 **20.8.2027**;

(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 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 **20.5.2027**;

(e) in relation to (d) 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 **20.8.2027**;

(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 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 proposed use is not in line with the planning intention of the "R(E)" zone, which is primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. 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 planning 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 30.9.2026
Appendix Ia	SI received on 8.10.2026
Appendix Ib	FI received on 9.11.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Drawing A-3	Drainage Proposal
Drawing A-4	FSIs Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026