Previous Applications Involving the Application Site

Approved Applications

Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)
A/YL-PH/946	Proposed Temporary Shop and Services (Provision Store) and School (Baking Studio) for a Period of Three Years	19.5.2023
A/YL-PH/1112	Renewal of Planning Approval for Temporary Shop and Services (Provision Store) and School (Baking Studio) for a Period of Three Years	8.5.2026

Similar Application within the same "Village Development Type" ("V") Zone in the Vicinity of the Application Site in the Past Five Years

Approved Application

Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)
A/YL-PH/1007	Renewal of Planning Approval for Temporary Shop and Services (Vehicles Showroom) for a Period of Three Years	19.7.2024

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- the application site (the Site) comprises 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;
- there is no Small House application approved or under processing at the Site; and
- advisory comments are at **Appendix V**.

2. Traffic

(i) Comments of the Commissioner for Transport:

- no adverse comment on the application from traffic engineering perspective; and
- advisory comments are at **Appendix V**.

(ii) Comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD):

- no in-principle objection to the application from highways maintenance point of view; and
- advisory comments are at **Appendix V**.

3. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- based on the information provided, the proposed use would not cause traffic of heavy vehicle and dusty operation. According to our review, there are residential buildings within 100m from the boundary of the Site;
- no substantiated environmental complaint concerning the Site received in the past three years; and
- advisory comments are at **Appendix V**.

4. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no objection to the application from public drainage point of view in view that the applicant would maintain the same drainage facilities as those implemented under the previous planning application No. A/YL-PH/946;

- should the application be approved, approval condition requiring the maintenance of the existing drainage facilities implemented under application No. A/YL-PH/946 should be stipulated in the planning permission; and

- advisory comments are at **Appendix V**.

5. Landscape Aspect

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- no adverse comment on the application from landscape planning perspective;

- based on the aerial photo, the Site is located in areas of rural inland plain landscape character comprising village houses, temporary structures, open storages, scattered tree groups and vegetated areas. The proposed temporary use is considered not incompatible with the surrounding environment;

- with reference to the above aerial photo and site photos taken by the District Planning Office on 2.10.2026, the Site was vacant and fenced-off. No vegetation was found on it. It is noted that no tree felling will be involved;

- in view of the above, significant adverse landscape impact arising from the application is not anticipated; and

- advisory comments are at **Appendix V**.

6. Water Supplies

Comments of the Chief Engineer/Construction, Water Supplies Department:

- no objection to the application; and

- advisory comments are at **Appendix V**.

7. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- no objection to the application; and

- advisory comments are at **Appendix V**.

8. District Office's Comments

Comments of the District Officer (Yuen Long), Home Affairs Department:

- no particular comment on the application and no comment received from the locals upon close of consultation.

9. Other Departments

The following government departments have no objection to/no comment on the application:

- Director of Fire Services;
- Chief Engineer/Construction, Water Supplies Department;
- Chief Engineer/Railway Development 1-1, HyD; and
- Project Manager (West), Civil Engineering and Development Department.

Recommended Advisory Clauses

(a) to resolve any land issues relating to the proposed use with the concerned owner(s) and/or occupant(s);

(b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that the lots owner(s) shall apply to his office for a Short Term Waiver (STW) to permit the structure(s) erected within the said private lot(s), if any. The application(s) for STW will be considered by the government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;

(c) to note the comments of the Commissioner for Transport that:

  (i) the application site (the Site) is connected to the public road network via a section of a local access road which is not managed by the Transport Department (TD). The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;

  (ii) sufficient manoeuvring space shall be provided within the Site; and

  (iii) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

(d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:

  (i) the proposed access arrangement of the Site should be commented and approved by TD;

  (ii) HyD shall not be responsible for the maintenance of proposed access connecting the Site and Kam Tin Road, including the local track, if any; and

  (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public road and drains;

(e) to note the comments of the Director of Environmental Protection that:

  (i) the applicant shall follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';

  (ii) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs), in particular the ProPECC PN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department;

(iii) the applicant shall provide adequate supporting infrastructure or facilities for proper collection, treatment and disposal of waste or wastewater generated from the proposed use; and

(iv) the applicant shall observe the statutory requirements under relevant environmental legislation;

(f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that for any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, the applicant shall submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;

(g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant shall seek approval for any proposed tree works from relevant departments prior to commencement of the works;

(h) to note the comments of the Chief Engineer/Construction, Water Supplies Department that:

(i) the western periphery of the Site falls within the waterworks reserve of an existing water mains. No structure shall be erected over this Waterworks Reserve and such area shall not be used for storage of materials or car-parking purpose;

(ii) the Water Authority and his officer and contractors, his or their workmen shall have free access at all times to the waterworks reserve within the Site with necessary plant and vehicles for the purpose of construction, inspection, operation, maintenance and repair works. All other services across, through or under the waterworks reserve are required to seek authorisation from the Water Authority;

(iii) no trees or shrubs with penetrating roots may be planted within the waterworks reserve or in the vicinity of the water mains; and

(iv) the government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within in close vicinity of the Site; and

(i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:

(i) it is noted that associated filling of land is involved in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBW) under the Buildings Ordinance (BO) (Cap. 123). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;

(ii) if the existing structures (not being a New Territories Exempted House) are erected

on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use under the application;

(iii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;

(iv) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulations; and

(v) detailed checking under the BO will be carried out at the building plan submission stage.

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寄件者: [redacted]
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主旨: A/YL-PH/1138 DD 111 Leung Uk Tsuen

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A/YL-PH/1138
Lots 1956 S.A RP (Part) and 1956 S.B RP (Part) in D.D. 111, Leung Uk Tsuen, Pat Heung
Site area: About 507sq.m
Zoning: "VTD"
Applied use: Motor-vehicle Showroom / **Filling of Land**

Dear TPB Members,

946 approved 19 May 2023 was for a provision store and baking studio. Rolled over under 1112 on 8 May 2026, so very recent.

Now a plan to replace what is a typical village outlet with a motor display to be surrounded by wire fencing. This in the idle of the village. The images are depressing.

No wonder our NT villages look like shanty towns when in most other jurisdictions they are idyllic rural retreats.

The planned use is not appropriate for the location. Members should ask what happened to the store / bakery.

Mary Mulvihill