

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL**  
**FOR TEMPORARY USE**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/525**

- Applicant** : Yan Oi Tong Limited represented by Townland Consultant Limited
- Site** : Government Land (GL) in D.D.124, Hung On Lane, Hung Shui Kiu, Yuen Long
- Site Area** : About 5,540 m<sup>2</sup>
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK/HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zonings** : “Open Space” (“O”) (about 80.3%); and  
“Residential (Group A)4” (“R(A)4”) (about 19.7%)  
*[Restricted to a maximum plot ratio (PR) of 5, a maximum site coverage of 42% and a maximum building height (BH) of 12 storeys including car park]*
- Application** : Renewal of Planning Approval for Temporary Transitional Housing Development for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval to continue using the application site (the Site) for temporary transitional housing development for a further period of three years (**Plan A-1a**). According to the Notes of the OZP, ‘Flat’ and ‘Residential Institution’ uses are always permitted in the “R(A)” zone, while there is no provision of these uses in the “O” zone. According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use with valid planning permission until 27.8.2024.
- 1.2 The Site is accessible from Hung On Lane and the ingress/egress point is at the north-western part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, the development has been completed and consists of two 4-storey residential blocks with a PR of about 1.897 and a total gross floor area (GFA) of about 10,508.5m<sup>2</sup>. A total of 410 residential units are provided with four unit types (i.e. 1-person - 180 units, about 43.9%; 2-person - 80 units, about 19.5%; 3-person - 148 units, about 36.1%; and accessible - 2 units, about 0.5%) for singletons, families, elderly and the disabled. A community library/multi-purpose space with a GFA of 93.6m<sup>2</sup>, which is for shared use with the public, is also provided within the development. There are 46 trees within the Site, among which three are retained trees. Population intake commenced in July 2023, and the occupancy rate of the development is about 98.8%

(as at 30.4.2024).

- 1.3 The Master Layout Plan, ground floor plans, elevation plan and implemented landscape plan submitted by the applicant are at **Drawings A-1 to A-4** respectively.
- 1.4 The site is the subject of a previous application No. A/HSK/323 for the same applied use which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 27.8.2021 (details at paragraph 6). The current application is submitted by the same applicant for the same use with a similar layout at a slightly larger site. A comparison of the major development parameters of the current application and the previous application is summarised in the table below:

<b>Major Development Parameters</b>	<b>Last Previous Application (A/HSK/323) (a)</b>	<b>Current Application (A/HSK/525)* (b)</b>	<b>Difference<sup>#</sup> (b) – (a)</b>
Applied Use	Temporary Transitional Housing Development for a Period of 3 Years		-
Site Area	About 5,339m <sup>2</sup>	About 5,540m <sup>2</sup>	<b>+201m<sup>2</sup>^(+3.8%)</b>
Total GFA	About 10,126m <sup>2</sup>	Not more than 10,508.5m <sup>2</sup>	<b>+382.5m<sup>2</sup> (+3.8%)</b>
<i>Domestic</i>	<i>10,036m<sup>2</sup></i>	<i>10,414.9m<sup>2</sup></i>	<b>+378.9m<sup>2</sup> (+3.8%)</b>
<i>Non-Domestic</i>	<i>90m<sup>2</sup></i>	<i>93.6m<sup>2</sup></i>	<b>+3.6m<sup>2</sup> (+4%)</b>
Total PR	1.897		-
Domestic PR	1.879		-
Non-Domestic PR	0.018	0.017	<b>-0.001 (-5.5%)</b>
Site Coverage	About 55%	No More than 55%	-
No. of Blocks	2		-
No. of Storeys/ BH	4 / Not more than 15m (+25mPD)		-
No. of Units	404	410	<b>+6 (+1.5%)</b>
Estimated Population	756	786	<b>+30 (+4.0%)</b>
No. of Loading/ Unloading Space	A Heavy Goods Vehicle Space		-
No. of Parking Spaces	54 Bicycle Parking Spaces		-
Open Space	Not less than 1m <sup>2</sup> per person		-
At-grade Greenery	About 680m <sup>2</sup>	About 945.6m <sup>2</sup>	<b>+265.6m<sup>2</sup> (+39.1%)</b>

\* Based on the latest building plans approved by the Building Authority in June 2023.

^ The slight increase in site area is due to the inclusion of a roadside tree with planter and the adjoining GL to the site boundary at the processing of land grant.

# The differences are considered as Class A amendments specified in the then Board's Guidelines on Class A and Class B Amendments to Approved Development Proposals (TPB PG-No. 36B).

- 1.5 In support of the application, the applicant has submitted the Application Form with attachments received on 3.6.2024 (**Appendix I**).

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form with attachments at **Appendix I**. They can be summarised as follows:

- (a) There is no significant change in planning circumstances. The transitional housing development has been operating since July 2023. There have been no significant changes in planning parameters, operations, or surrounding environment since the previous planning approval. The development has met the statutory requirements and conditions without creating adverse impacts.
- (b) The applicant has complied with all approval conditions under the previous planning permission including the drainage and sewerage requirements.
- (c) The proposed transitional housing provides 410 units for needy families, aligning with government policy on temporary housing without affecting long-term planning intentions. The Site is also well-connected to community facilities, commercial areas, and public transport, making it suitable for transitional housing. The development is compatible with the surrounding residential uses and contributes to the community through programmes and activities.
- (d) The development can achieve sustainability goals with the use of Modular Integrated Construction technology as it allows for efficient assembly, dismantling, and reassembly, reducing construction waste and enhancing sustainability, productivity, and safety.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The “Owner’s Consent/Notification” Requirements under Town Planning Board Guidelines No. 31B (TPB PG-No.31B) are not applicable to the GL.

## **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) are relevant to the application. The relevant assessment criteria are at **Appendix II**.

## **5. Background**

The Site is not subject to any planning enforcement action.

## **6. Previous Applications**

- 6.1 The Site is involved in five previous applications (A/YL-PS/315, 358, 430, 506 and A/HSK/323). Four of them (applications No. A/YL-PS/315, 358, 430 and 506) for temporary cultivation ground use were approved by the Committee between 2010 and 2015. The considerations for these applications are not relevant to the current application which involves a different use.

- 6.2 The last previous application No. A/HSK/323 for the same applied use was approved with conditions by the Committee on 27.8.2021 for a period of three years with validity up to 27.8.2024 mainly on considerations that the proposed development was in line with the government's policy; temporary approval would not frustrate the long-term planning intention of the "O" zone; the proposed development was compatible with surrounding areas; and no adverse comments from concerned government departments. All the time-limited conditions have been complied with. Details of the previous applications are summarised in **Appendix III** and their boundaries are shown on **Plan A-1**.

## **7. Similar Application**

There is no similar application for temporary transitional housing development within the same "O" and "R(A)4" zones on the OZP.

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

- 8.1 The Site is:

- (a) accessible from Hung On Lane; and
- (b) currently used for the applied use with valid planning permission.

- 8.2 The surrounding areas are predominantly occupied by low to medium-rise residential developments and a construction site, intermixed with shop and services and a car park. To the further south of the Site is Castle Peak Road – Hung Shui Kiu and the Hung Shui Kiu Light Rail Station.

## **9. Planning Intentions**

- 9.1 The planning intention of the "O" zone 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.
- 9.2 The planning intention of the "R(A)" zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.

## **10. Comments from Relevant Government Bureau/Departments**

- 10.1 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 are provided in **Appendices IV** and **V** respectively
- 10.2 The following government bureau supports the application.

### **Policy Aspect**

#### 10.2.1 Comments of the Secretary for Housing (S for H):

She supports the subject Transitional Housing Project with Policy Support Agreement already executed with the applicant, Yan Oi Tong Limited.

### **11. Public Comment Received During Statutory Publication Period**

On 11.6.2024, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual (**Appendix VI**) was received mainly raising concern on the compliance status of the time-limited approval conditions under the last previous application and the over-provision of vehicle parking spaces.

### **12. Planning Considerations and Assessments**

- 12.1 The application is for renewal of planning approval for temporary transitional housing development for a period of three years at the Site zoned “O” (80.3%) and “R(A)4” (19.7%) on the OZP. Whilst the applied use is not in line with the planning intention of the “O” zone, ‘Flat’ use is always permitted within the “R(A)4” zone. The Director of Leisure and Cultural Services advises that there is no plan to develop the Site into public open space in the upcoming three years and has no in-principle objection to the short-term use of the Site for the development. S for H supports the application and confirms that policy support has been given to the applicant for the subject transitional housing project. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “O” zone.
- 12.2 The Site is surrounded by existing low to medium-rise residential developments, intermixed with shop and services and a car park (**Plan A-2**). The low-rise built form (not more than 4 storeys) of the development is considered not incompatible with the land uses character of the surrounding areas.
- 12.3 The application is considered generally in line with TPB PG-No. 34D in that there is no major change in planning circumstances since the granting of the previous approval; all approval conditions under the previous approval have been complied with; there is no adverse departmental comment on the renewal application and the three-year approval period sought which is the same as the last approval granted by the Committee is not unreasonable. As compared with the last previous application No. A/HSK/323, the current application is submitted by the same applicant for the same applied use with a similar layout at a slightly larger site. In this regard, sympathetic consideration may be given to the application.
- 12.4 There is no adverse comment from the concerned government departments including the Director of Environmental Protection, Chief Town Planner/Urban Design and Landscape of Planning Department, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department on the application regarding environmental, visual and landscape, traffic, fire safety and drainage aspects respectively. As the technical requirements of the concerned departments could be addressed/ regulated under the Short Term Tenancy and other control regimes, relevant approval conditions are considered not necessary.

- 12.5 A previous approval has been granted for temporary transitional housing at the Site in 2021. Approval of the current application is in line with the previous decision of the Committee.
- 12.6 A public comment raising concern over the application was received during the statutory publication period as summarised in paragraph 11 above. Regarding the concern raised in relation to the over-provision of vehicle parking spaces, no car parking space is provided within the site while only 54 parking spaces for bicycle are provided (**Drawing A-2b**). The planning considerations and assessments in paragraphs 12.1 to 12.5 above are also relevant.

### **13. Planning Department's Views**

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11 above, the Planning Department has no objection to the renewal of planning approval for temporary transitional housing development for a further period of three years.
- 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, and be renewed **from 28.8.2024 to 27.8.2027**. The Recommended Advisory Clauses are attached at **Appendix V**.
- 13.3 There is no strong reason to recommend rejection of the application.

### **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**

<b>Appendix I</b>	Application Form and attachments received on 3.6.2024
<b>Appendix II</b>	Relevant Extract of TPB PG-No. 34D
<b>Appendix III</b>	Previous Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	Public Comment
<b>Drawing A-1</b>	Master Layout Plan
<b>Drawing A-2a</b>	Ground Floor Plan (Block A)
<b>Drawing A-2b</b>	Ground Floor Plan (Block B)
<b>Drawing A-3</b>	Elevation Plan
<b>Drawing A-4</b>	Implemented Landscape Plan
<b>Plan A-1</b>	Location Plan with Previous Applications

<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
AUGUST 2024**