

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

APPLICATION NO. A/YL-MP/386

- Applicant** : Teamset Investment Limited
- Site** : Lots 11 (Part) and 12 (Part) in D.D. 101, Mai Po, Yuen Long
- Site Area** : About 800m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Mai Po & Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/8
- Zoning** : “Open Space” (“O”)
- Application** : Renewal of Planning Approval for Temporary Sales Office (for Real Estate and Furniture) and Furniture Showrooms for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary sales office (for real estate and furniture) and furniture showrooms 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, ‘Shop and Services’ is a Column 2 use within the “O” zone which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use with valid planning permission under application No. A/YL-MP/325 until 22.4.2025 (**Plans A-2 and A-4**).
- 1.2 The Site is accessible via a local access connecting to Castle Peak Road – Mai Po, with an ingress/egress (about 7.5m wide) at the south-eastern part of the Site (**Drawing A-1 and Plan A-2**). The applied use involves six single-storey structures (about 3m in height) with a total floor area of about 96.38m² for real estate agency sales office, outdoor-furniture showrooms and office, store room and portable toilets (**Drawing A-1**). Three private car parking spaces are provided at the Site. The operation hours for real estate and properties sales office are from 9:30 a.m. to 8:30 p.m. daily, including public holidays; while the operation hours for furniture sales office and furniture showroom are from 9:30 a.m. to 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is at **Drawing A-1**.

1.3 The Site, in whole or in part, is the subject of 13 previous applications for similar temporary sales office and furniture showrooms uses, which all were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 1996 and 2022 (details at paragraph 6 below). The last application No. A/YL-MP/325 was approved by the Committee on 22.4.2022 for a period of three years until 22.4.2025, and all time-limited approval conditions have been complied with. Compared with the last application, the current application is submitted by the same applicant for the same applied use at the same site with the same layout, development parameters and operation hours.

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

- (a) Application Form with attachments received on 13.1.2025 (Appendix I)
- (b) Further Information (FI) received on 25.2.2025[#] (Appendix Ia)
[#] 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 and FI at **Appendices I and Ia**, and can be summarised as follows:

- (a) The Site has been used for the applied use since 1996 under previous approved applications.
- (b) With the on-going residential developments in the neighbourhood of the Site, the applicant wishes to continue the use of the Site for providing sales office (for real estate and furniture) and furniture showrooms in the area.
- (c) A landscape layout plan, an as-built drainage plan and a fire service installations (FSIs) plan with the corresponding FS251 certificates have been submitted to demonstrate that the existing facilities (including landscape, drainage system, FSIs and boundary fencing) have been provided on site and have been well maintained throughout the years. Besides, a traffic assessment has been submitted to demonstrate that the applied use will not induce traffic impact to the surrounding areas.

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

- 4.1 The Site is located within the Wetland Buffer Area (WBA) in Deep Bay Area (**Plan A-1a**). The Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C) is relevant to the application.
- 4.2 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) is also relevant to the application.

4.3 Relevant extracts of the abovementioned Guidelines are attached at **Appendix II**.

5. **Background**

The Site is not subject to any active planning enforcement action.

6. **Previous Applications**

- 6.1 The Site, in whole or in part, is the subject of 14 previous applications with 13 (No. A/YL-MP/4, 13, 32, 49, 63, 87, 126, 158, 180, 210, 249, 278 and 325) for similar temporary sales office and furniture showroom uses approved by the Committee. The remaining application No. A/DPA/YL-MP/14 for permanent residential development, which was rejected by the Committee in 1992, is not relevant to the current application due to different use involved.
- 6.2 Applications No. A/YL-MP/4, 13, 32, 49, 63, 87, 126, 158, 180, 210, 249, 278 and 325 submitted by the same applicant for similar/same uses at the same site for a period of 12 months or three years were respectively approved by the Committee between 1996 and 2022, mainly on the considerations that the proposed/applied use was not incompatible with the surrounding land uses and the concerns of relevant government departments consulted could be addressed by approval conditions. For the last application No. A/YL-MP/325, all time-limited approval conditions have been complied with and the planning permission will lapse on 22.4.2025.
- 6.3 Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.

7. **Similar Applications**

- 7.1 During the past five years, there are 11 similar applications (No. A/YL-MP/298, 300, 302, 306, 311, 319, 321, 329, 348, 351 and 364) for temporary shop and services within the same “O” zone in the vicinity of the Site. All these applications were approved with conditions by the Committee between 2020 and 2024 mainly on the similar considerations as stated in paragraph 6.2 above. Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1a**.
- 7.2 Besides, application No. A/YL-MP/385 for temporary shop and services (wooden ware retail shop) within the same “O” zone will be considered at the same meeting (**Plan A-1a**).

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

- 8.1 The Site is:
- (a) currently occupied by the applied use with valid planning permission (No. A/YL-MP/325) until 22.4.2025;

- (b) accessible from the southeast via a local access connecting to Castle Peak Road – Mai Po; and
- (c) located within the WBA in Deep Bay Area.

8.2 The surrounding areas are rural in character predominated by residential structures, open storage yards, vehicle parks, shop and services, pond and plant nursery. To the immediate south of the Site is a temporary eating place with valid planning permission (No. A/YL-MP/353).

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 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 V and VI** respectively.

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

Open Space Provision

10.2.1 Comments from 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 upcoming three years.

11. Public Comment Received During Statutory Publication Period

On 21.1.2025, 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 renewal of planning approval for temporary sales office (for real estate and furniture) and furniture showrooms for a period of three years at the Site zoned “O” (**Plan A-1a**). While the applied use is not in line with the planning intention of the “O” zone, DLCS has no objection to the application as there is currently no plan to develop the Site into a public open space in the upcoming three years. Approval of the

application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “O” zone.

- 12.2 The Site is currently used for the applied use, which is the same as that approved under the last application No. A/YL-MP/325. The applicant claims that the applied use is to serve the local community. The applied use is considered not incompatible with the surrounding areas which are rural in character predominated by residential structures, open storage yards, vehicle parks, shop and services, pond and plant nursery. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective as no significant landscape impact arising from the applied use is 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 adverse comment on the application.
- 12.4 In support of the current application, the applicant has submitted an as-built drainage plan and a FSIs proposal accepted under the previous application No. A/YL-MP/325 and the corresponding FS251 certificates, which were considered acceptable by the Chief Engineer/Mainland North, Drainage Services Department and Director of Fire Services respectively. Other relevant government departments consulted, including the Director of Environmental Protection and Commissioner for Transport, have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, appropriate approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ issued by the Environmental Protection Department to minimise any potential environmental impacts by the applied use on the surrounding areas.
- 12.5 The application is considered generally in line with TPB PG-No. 34D in that there has been no material change in the planning circumstances since the previous approval was granted; no adverse planning implication arising from the renewal application is anticipated; all the time-limited approval conditions under the last application (No. A/YL-MP/325) had been complied with; and the three-year approval period sought which is same as the previous planning application is reasonable.
- 12.6 As detailed in paragraphs 6 to 7 above, the Site is the subject of 13 previously approved applications for the same/similar use, and there were 11 similar applications approved within the same “O” zone in the vicinity of the Site in the past five years. As there has been no major change in planning circumstances, approval of 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 above, 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 and be renewed from 23.4.2025 to 22.4.2028. 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 existing fire services installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period; and
- (c) if any of the above planning condition (a) or (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.

Advisory clauses

The recommended advisory clauses are attached at **Appendix VI**.

- 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 space for active and/or passive recreational uses serving the needs of local residents as well as the general public. No strong planning justification has been given 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 received on 13.1.2025
Appendix Ia	FI received on 25.2.2025
Appendix II	Relevant Extracts of TPB PG-No. 12C and 34D
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments

Appendix VI	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
FEBRUARY 2025**