

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-SK/409**

<b><u>Applicant</u></b>	:	United Crown Holdings Limited
<b><u>Site</u></b>	:	Lots 686 (Part) and 687 RP in D.D. 112, Shek Kong, Yuen Long, New Territories
<b><u>Site Area</u></b>	:	1,401 m <sup>2</sup> (about)
<b><u>Lease</u></b>	:	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	:	Approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9
<b><u>Zoning</u></b>	:	“Village Type Development” (“V”) <i>[Maximum building height of 3 storeys (8.23m)]</i>
<b><u>Application</u></b>	:	Temporary Shop and Services (Motor-vehicle Showroom) with Ancillary Facilities for a Period of 5 Years and Associated Filling of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary shop and services (motor-vehicle showroom) for a period of five years and associated filling of land at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Shop and Services’ (being not on the ground floor of a New Territories Exempted House (NTEH)), which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and occupied by the applied use without valid planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible via a local track from Kam Sheung Road (**Plans A-1 to A-3**). According to the applicant, the applied use involves seven structures of one or two storeys, with heights ranging from about 3.5m to 7m and a total floor area of about 648m<sup>2</sup> for motor-vehicle showroom, office, and rain shelter uses (**Drawing A-1**). The applicant also applies for regularisation of the associated filling of land for the entire Site with concrete of about 0.5m in depth (up to a level ranging from 17.5mPD to 18.3mPD) for site formation and circulation of vehicles (**Drawing A-2**). The operation hours are from 9:00 a.m. to 6:00 p.m. daily, including public holidays. Two private car parking spaces and 17 spaces for car display are

currently provided at the Site, and the latter are proposed to be accommodated under rain shelter or within showroom structure(s). Only private cars are allowed to enter or be parked at the Site, no vehicle will be allowed to queue back to or reverse onto/from public road and no workshop activities will be carried out at the Site at any time during the planning approval period. The plans showing the site layout and land filling area submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with Planning Statement and (Appendix I) supplementary information dated 6.2.2025 and 12.2.2025
- (b) Further Information (FI) dated 5.3.2025\* (Appendix Ia)
- (c) FI dated 18.3.2025\* (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 and FIs at **Appendices I to Ib**. They can be summarised as follows:

- (a) The applied use is a Column 2 use in the “V” zone of the OZP, which will serve the nearby community.
- (b) The applied use is on a temporary basis and therefore would not frustrate the long-term planning intention of the “V” zone.
- (c) There are similar applications for ‘Shop and Services’ approved by the Board within “V” zones on the OZP from 2023 to 2024.
- (d) As trips generated by the applied use is minimal, no adverse traffic impact is anticipated. A 2.5m high solid metal fence is provided to minimise nuisance to the surrounding area.
- (e) The applicant has submitted a drainage proposal in support of the application. The applicant will also follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (the “CoP”) issued by the Environmental Protection Department (EPD) to minimise adverse environmental impacts and nuisance to the surrounding areas. Other relevant environmental protection/pollution control ordinances, i.e. Water Pollution Control Ordinance, Air Pollution Control Ordinance, Noise Control Ordinance etc. will be strictly complied with at all times during the planning approval period.

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

The applicant is not a ‘current land owner’ but 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 posting site notice and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

### 4. **Background**

The Site is currently subject to planning enforcement action (No. E/YL-SK/267) against Unauthorised Development (UD) involving storage use and use for place for parking of vehicles. Enforcement Notice was issued on 24.1.2025 requiring discontinuation of the UD by 24.4.2025. If the notice is not complied with, prosecution action would be considered.

### 5. **Previous Application**

The Site is not involved in any previous application.

### 6. **Similar Application**

There are two similar applications (No. A/YL-SK/292 and 405) covering the same site for temporary shop and services use (solar panel shop) with associated filling of land within the same “V” zone in the vicinity of the Site in the past five years. Both applications were approved with conditions by the Committee in 2020 and 2024 mainly on the considerations that the applied use on a temporary basis would not jeopardise the long-term planning intention of the “V” zone; the applied use was considered not incompatible with the surrounding areas; and relevant government departments consulted in general had no objection to or no adverse comments on the application or their technical concerns could be addressed by approval conditions. Details of the similar applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible via a local track from Kam Sheung Road;
- (b) currently fenced-off, hard-paved and occupied by the applied use without valid planning permission; and
- (c) encroaches slightly onto the Shui Lau Tin Site of Archaeological Interest (**Plans A-1 and A-2**)

- 7.2 The surrounding areas are occupied predominantly by village houses/residential dwellings (including the Moon Wo Grand Houses), warehouse, animal boarding establishment, fallow agricultural land and vacant land. Area to the south across Kam Sheung Road are the residential developments of Park Ridge and Lotus Villa.

## 8. **Planning Intention**

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses (SHs) by indigenous villagers. It is also intended to concentrate village type development within this 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 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**

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, if any, are provided in **Appendices III** and **IV** respectively.

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

On 14.2.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application on the grounds mainly related to suspected felling of trees at the Site, the on-going operation without approval, and the excessive scale of the operation (**Appendix V**).

## 11. **Planning Considerations and Assessments**

- 11.1 The applicant seeks planning permission for temporary shop and services (motor-vehicle showroom) for a period of five years and associated filling of land at the Site zoned “V” (**Plan A-1**). While the applied use is not entirely in line with the planning intention of the “V” zone, the applicant claims that the applied use would serve the local community. According to District Lands Officer/Yuen Long, Lands Department, there is no SH application approved or under processing at the Site. The applied use of temporary nature would not adversely affect the land availability for NTEH/SH development within the “V” zone in the long term. Approval of the application on a temporary basis for five years would not frustrate the long-term planning intention of the “V” zone.

- 11.2 Filling of land within the “V” zone requires planning permission from the Board. The applicant applies for regularisation of the filling of land for the entire Site which is required, according to the applicant, for site formation and circulation of vehicles. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environment perspectives respectively.
- 11.3 The applied use is considered not incompatible with the surrounding areas which are occupied predominantly by village houses/residential dwellings, warehouse, animal boarding establishment, fallow agricultural land and vacant land. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) considers that no significant landscape impact arising from the applied use is anticipated.
- 11.4 Concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services, and Executive Secretary (Antiquities & Monuments) of Antiquities and Monuments Office, Development Bureau have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the latest “CoP” to minimise any potential environmental nuisance on the surrounding areas.
- 11.5 Given that the Committee has approved two similar applications within the same “V” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above, approving the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comment mentioned in paragraph 10 above, the departmental comments and planning considerations 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, PlanD 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 five years until 28.3.2030. The following conditions of approval and advisory clauses are 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 28.9.2025;
- (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 28.12.2025;

- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a 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 28.9.2025;
- (e) in relation to (d) above, the implementation of the 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 28.12.2025;
- (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 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 applied use with associated filling of land is not in line with the planning intention of the "V" zone which is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of SHs by indigenous villagers. No strong planning justification has been given 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 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**

<b>Appendix I</b>	Application Form with Planning Statement and supplementary information dated 6.2.2025 and 12.2.2025
<b>Appendix Ia</b>	FI dated 5.3.2025
<b>Appendix Ib</b>	FI dated 18.3.2025
<b>Appendix II</b>	Similar Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Filling of Land Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MARCH 2025**