

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/689

- Applicant** : Mr. Lau King Ming
- Site** : Lot 1670 S.A in D.D. 119, Yuen Long, New Territories
- Site Area** : 460 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Government, Institution or Community (1)” (“G/IC (1)”)
- Application** : Proposed Temporary Shop and Services (Sale of Vehicle Parts and Accessories) with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services (sale of vehicle parts and accessories) with ancillary facilities for a period of three years at the application site (the Site) zoned “G/IC(1)” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “G/IC” zone, ‘Shop and Services’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently a farmland (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kiu Hing Road via a local track with an ingress/egress point at the north (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposed use consists of two single-storey (5m in height) structures with a total floor area of about 300 m² for shop and services cum office for sale of vehicle parts and accessories (**Drawing A-2**). Plans showing the pedestrian access and site layout submitted by the applicant are at **Drawings A-1** and **A-2**.

1.3 The major development parameters of the application are summarised as follows:

Site Area	460 m ² (about)
Total Floor Area (non-domestic)	Not more than 300 m ²
No. of Structures (Height)	2 - 1 for shop and services (1 storey, 5 m) - 1 for office (1 storey, 5 m)
No. of Loading/Unloading Space and Parking Space	Nil
Operation Hours	9:00 a.m. to 6:00 p.m. Mondays to Saturdays (no operation on Sundays and Public Holidays)

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

- (a) Application Form with attachments received on 17.12.2024 (Appendix I)
- (b) Further Information (FI) received on 10.2.2025 (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**. They can be summarised as follows:

- (a) the proposed use could serve the nearby residents and villagers to meet their demand for vehicle parts; and
- (b) the proposal is temporary in nature and would not jeopardise the long-term planning intention of the “G/IC(1)” zone.

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. **Background**

The Site is currently not subject to planning enforcement action.

5. **Previous Application**

There is no previous application concerning the Site.

6. Similar Applications

There are eight similar applications (No. A/YL-TT/518, 526, 527, 528, 532, 540, 568 and 594) for temporary shop and services use within the same “G/IC(1)” zone in the past five years. All the applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2021 and 2023 mainly on the considerations that approval of the applications on a temporary basis would not frustrate the long-term planning intention of the “G/IC(1)” zone; the proposals were not incompatible with the surrounding uses; and the concerns of relevant government departments could be addressed by imposing approval conditions. Details of the similar applications are summarised in **Appendix II** and the locations of the sites are shown on **Plan A-1**.

7. Planning Intention

The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

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

8.1 The Site is:

- (a) currently a farmland; and
- (b) accessible from Kiu Hing Road via a local track.

8.2 The surrounding areas are rural fringe in character comprising predominately warehouses, vehicle repair workshops and open storage/storage yards intermixed with temporary structures, farmland and vacant land. Some of these uses are suspected unauthorized developments subject to planning enforcement action.

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 are provided in **Appendices III** and **IV** respectively.

10. Public Comment Received During the Statutory Publication Period

On 27.12.2024, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual (**Appendix V**) was received expressing concerns that the Site has no approved previous application and the proposed use is not compatible with the “G/IC(1)” zone.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary shop and services for a period of three years at the Site zoned “G/IC(1)” on the OZP. Although the proposed use is not in line with the planning intention of the “G/IC” zone, it could meet the demand for shop and services in the area. Under the Revised Recommended Outline Development Plan of Yuen Long South (YLS) Development, the Site falls within an area zoned “Education” under the Second Phase of YLS Development (**Appendix IV**). In this regard, the Chief Engineer/Cross-Boundary Infrastructure and Development of Planning Department and Project Manager (West) of Civil Engineering and Development Department have no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. Nonetheless, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for implementation of government projects.
- 11.2 The proposed use is generally not incompatible with the surrounding areas, which are rural fringe in character comprising predominately warehouses, vehicle repair workshops and open storage/storage yards intermixed with temporary structures, farmland and vacant land (**Plan A-2**).
- 11.3 Concerned government departments consulted, including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, traffic, fire safety and drainage aspects respectively. Should the application be approved, relevant approval conditions have been recommended in paragraph 12.2 below to address the technical requirements of the concerned government departments and the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisances on the surrounding areas.
- 11.4 There are eight similar applications within the subject “G/IC(1)” zone approved by the Committee between 2021 and 2023 as mentioned in paragraph 6 above. Approval of the current application is in line with the Committee’s previous decisions.
- 11.5 There is one public comment raising concern to the application received during the statutory publication period as summarised in paragraph 10 above. The planning considerations and assessments in paragraphs 11.1 to 11.4 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 above, 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

14.2.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a 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 14.8.2025;
- (b) in relation to (a) above, the implementation of the 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 14.11.2025;
- (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 14.8.2025;
- (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 14.11.2025;
- (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 Member's reference:

the proposed use is not in line with the planning intention of the "Government, Institution or Community" zone which is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. 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

Appendix I	Application Form received on 17.12.2024
Appendix Ia	FI received on 10.2.2025
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Pedestrian Access Plan
Drawing A-2	Site Layout
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2025**