

此文件在 2021年 4月 26日 收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

無任歡迎。2021/4/26

This document is received on 26 APR 2021
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

APPLICATION FOR PERMISSION

STP/YLW1

PA

TPB1

STO/YLW1

SSO/YLW2

A/YL-TYST/1095 UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE (CAP.131)

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

Applicable to Proposal Only Involving Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal of Permission for such Temporary Use or Development*

適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年的
臨時用途/發展或該等臨時用途/發展的許可續期的建議*

*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.

*其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

* Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	AY 46-745T / 1095
	Date Received 收到日期	26 APR 2021

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件(倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載(網址: <http://www.info.gov.hk/tpb/>)。亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000)(香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☒ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

Choi Wai Ching (蔡惠貞)

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Metro Planning & Development Company Limited (都市規劃及發展顧問有限公司)

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Lots 1140 S.D RP, 1141 S.C, 1141 S.D ss. 2, 1141 S.D RP, 1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K (Part) and 1152 S.C RP in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long, New Territories
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 1,893 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 1,893 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	7 sq.m 平方米 <input checked="" type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Draft Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/13
(e) Land use zone(s) involved 涉及的土地用途地帶	'Residential (Group B) 1' "(R(B)1)" and 'Government, Institution or Community' ("G/IC")
(f) Current use(s) 現時用途	Vacant land (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☐ is the sole "current land owner"^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。
- ☒ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"^{#&}.
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」^{#&}。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)"[#] obtained 取得「現行土地擁有人」[#]同意的詳情

No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上述任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☒ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on (DD/MM/YYYY)^{#&}
於 (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on (DD/MM/YYYY)[&]
於 (日/月/年)在指定報章就申請刊登一次通知[&]
- ☒ posted notice in a prominent position on or near application site/premises on
12/4/2021 (DD/MM/YYYY)[&]
於 (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☒ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on 15/4/2021 (DD/MM/YYYY)[&]
於 (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別

(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas
 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展
 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B))
 (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)

(a) Proposed use(s)/development 擬議用途/發展	Temporary Shop & Services (Carpet Shop) and Wholesale of Carpet for a Period of 3 Years	
(Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)		
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年	3
	<input type="checkbox"/> month(s) 個月	
(c) Development Schedule 發展細節表		
Proposed uncovered land area 擬議露天土地面積	0	sq.m <input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	1,893	sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	1	
Proposed domestic floor area 擬議住用樓面面積	NA	sq.m <input checked="" type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	1,893	sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	1,893	sq.m <input checked="" type="checkbox"/> About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)		
Structure 1: Carpet shop & wholesale of carpet, toilet, parking spaces and loading/unloading bay (Not exceeding 7.5m, 1 storey)		
Proposed number of car parking spaces by types 不同種類停車位的擬議數目		
Private Car Parking Spaces 私家車車位	4 spaces of 5m x 2.5m	
Motorecycle Parking Spaces 電單車車位	Nil	
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	Nil	
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	Nil	
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	Nil	
Others (Please Specify) 其他 (請列明)	NA	
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目		
Taxi Spaces 的士車位	Nil	
Coach Spaces 旅遊巴車位	Nil	
Light Goods Vehicle Spaces 輕型貨車車位	1 space of 7m x 3.5m	
Medium Goods Vehicle Spaces 中型貨車車位	Nil	
Heavy Goods Vehicle Spaces 重型貨車車位	Nil	
Others (Please Specify) 其他 (請列明)	NA	

Proposed operating hours 擬議營運時間

9:00a.m. to 6:00p.m. from Mondays to Sundays including public holidays

(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/ 有關建築物?	Yes 是 No 否	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) Tong Yan San Tsuen Road <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度)																														
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁表示可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)																																
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是 No 否	<input type="checkbox"/> Please provide details 請提供詳情 <input checked="" type="checkbox"/>																														
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是 No 否	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/>																														
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table>		On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
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Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																														
Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																														

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas

位於鄉郊地區臨時用途/發展的許可續期

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。


1. The proposed development is a carpet shop and wholesale of carpet. Sale of carpet will be available at the application site if the planning application is approved.
2. The application site subjects to four planning permissions since 2009. The applied use of the current application is about the same as the approved use of the previous planning permission since 2009.
3. The proposed development would benefit the residents in the vicinity by catering their demand for carpet especially that the adjoining land is occupied for low to medium density residential neighbourhood.
4. The proposed development is a temporary use for a period of 3 years which would not jeopardize the long term planning intention of the current zoning.
5. The proposed development is not incompatible with the surrounding environment including residential developments.
6. Similar shop and services nearby were granted with planning permission. Similar preferential treatment should be granted to the current application.
7. The applicant failed to submit and implement the FSI proposal for the last planning permission. As such, she will provide a FSI plan shortly for the circulation to the Director of Fire Services (D of FS).
8. The applicant is still waiting for the short term waiver so that the site has been cleared. The applicant will erect the proposed structure at the application site when the short term waiver is obtained.
9. The planning circumstance pertaining to the application site is similar to the approval of the last planning permission at the application site.
10. Minimal traffic impact.
11. Insignificant environmental and noise impacts because the applied use is housed within an enclosed structure.
12. Insignificant drainage impact because surface U-channel has been provided at the application site.
13. Wholesale use is a column 1 use in the 'Government, Institution or Community' ("G/IC") zone.
14. Shop and services is a column 2 use in the 'Residential (Group B)1' ("R(B)1") zone.

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署


.....
Patrick Tsui

Name in Block Letters
姓名（請以正楷填寫）



☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Consultant

Position (if applicable)
職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

- ☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /
☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /
☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會
☐ RPP 註冊專業規劃師
Others 其他

on behalf of Metro Planning & Development Company Limited (都市規劃及發展顧問有限公司)
代表

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

16/4/2021

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in an application to the Board and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lots 1140 S.D RP, 1141 S.C, 1141 S.D ss. 2, 1141 S.D RP, 1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K (Part) and 1152 S.C RP in D.D. 121 & Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long, N.T.
Site area 地盤面積	1,893 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 7 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	Draft Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/13
Zoning 地帶	'Residential (Group B) 1' "(R(B)1)" and 'Government, Institution or Community' ("G/IC")
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 3 <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	Temporary Shop & Services (Carpet Shop) and Wholesale of Carpet for a Period of 3 Years

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	NA <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	NA <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	1893 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	1 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	NA	
	Non-domestic 非住用	1	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	NA	m 米 <input type="checkbox"/> (Not more than 不多於)
		NA	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)
	Non-domestic 非住用	7.5	m 米 <input checked="" type="checkbox"/> (Not more than 不多於)
		1	Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於)
(iv) Site coverage 上蓋面積	100 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) NA		4 0 0 0 0 0
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數		
	Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) NA		0 0 1 0 0

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
As-built drainage plan		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one '✓', 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

Proposed Temporary Shop & Services (Carpet Shop) and Wholesale of Carpet for a Period of 3 Years

at

Lots 1140 S.D RP, 1141 S.C, 1141 S.D ss. 2, 1141 S.D RP, 1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K (Part) and 1152 S.C RP in D.D. 121 & Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long, N.T.

Annex 1 Estimated Traffic Generation

- 1.1 The application site is abutting Tong Yan San Tsuen Road. The application site is subject to four previous planning permissions since 2009 for exactly the same use. Traffic generated by the proposed development is insignificant.
- 1.2 One loading/unloading bay of 7m x 3.5m for light goods vehicle is proposed within the temporary structure. No medium goods vehicle, heavy goods vehicle and container trailer/tractor are allowed to access the application site.
- 1.3 The estimated average traffic generation and traffic generation rate at peak hours are as follow:

Type of Vehicle	Average Traffic Generation Rate (pcu/hr)	Average Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at <u>Peak Hours</u> (pcu/hr)	Traffic Attraction Rate at <u>Peak Hours</u> (pcu/hr)
Light goods vehicle	0.33	0.33	1.5	0
Private car	0.44	0.44	2	2
Total	0.77	0.77	3.5	2

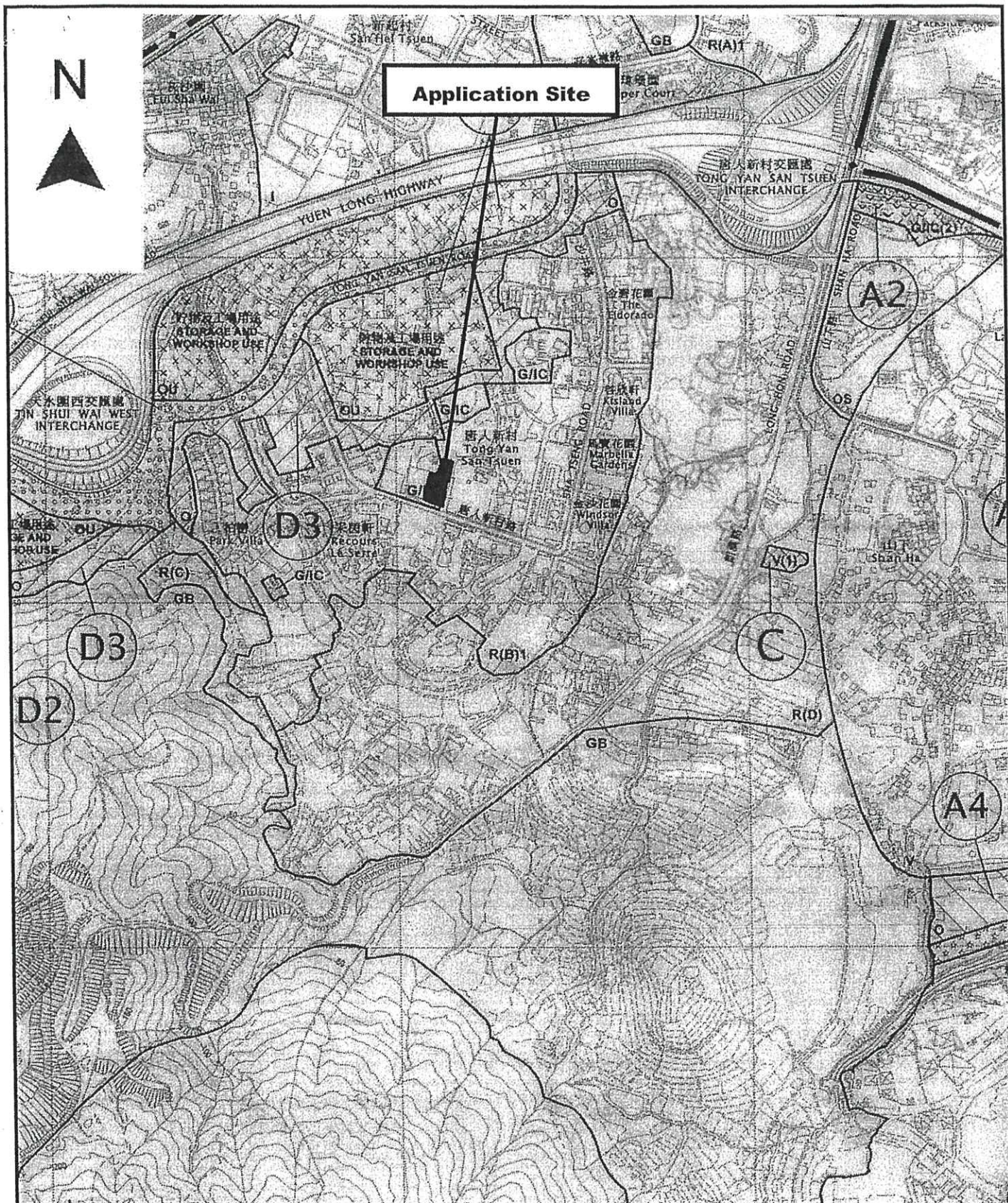
Note 1: The opening hour of the proposed development is restricted to 9:00 a.m. to 6:00 p.m. from Mondays to Sundays including public holidays.

Note 2: The pcu of light goods vehicle is taken as 1.5.

Note 3: Morning peak is defined as 7:00a.m. to 9:00a.m. whereas afternoon peak is defined as 5:00p.m. to 7:00p.m.

- 1.4 As shown in the above estimation, it is estimated that the proposed development would not generate significant amount of traffic. It would not affect the traffic condition of Tong Yan San Tsuen Road.
- 1.5 Sufficient space would be provided within the application site for manoeuvring of vehicles. Also, no vehicle queueing and no reverse movement of vehicles on public road would be allowed.

1:1000



Project 項目名稱:

Proposed Temporary Shop & Services (Carpet Shop) and Wholesale of Carpet for a Period of 3 Years at Lots 1140 S.D RP, 1141 S.C, 1141 S.D ss. 2, 1141 S.D RP, 1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K (Part) and 1152 S.C RP in D.D. 121 & Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long, N.T.

Drawing Title 圖目:

Location Plan

Drawing No. 圖號:

Figure 2

Remarks 備註:

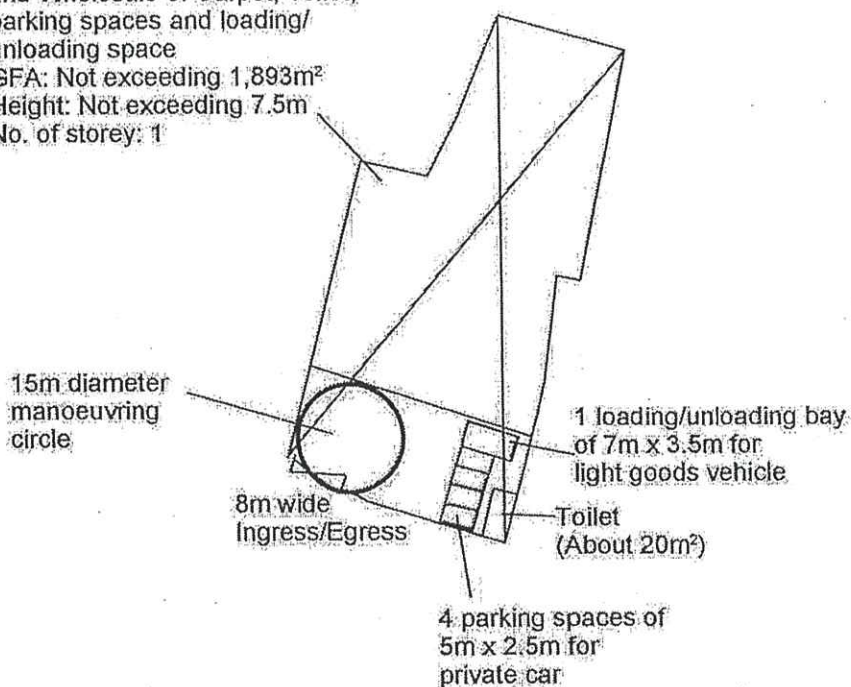
Scale 比例:

1:7500



Structure 1

Shop & services (Carpet Shop)
and Wholesale of Carpet, Toilet,
parking spaces and loading/
unloading space
GFA: Not exceeding 1,893m²
Height: Not exceeding 7.5m
No. of storey: 1



Project 項目名稱:

Proposed Temporary Shop & Services
(Carpet Shop) and Wholesale of Carpet for
a Period of 3 Years at Lots 1140 S.D RP,
1141 S.C, 1141 S.D ss. 2, 1141 S.D RP,
1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K
(Part) and 1152 S.C RP in D.D. 121 &
Adjoining Government Land, Tong Yan San
Tsuen Road, Yuen Long, N.T.

Drawing Title 圖目:

Proposed Layout Plan

Drawing No. 圖號:

Figure 3

Remarks 備註:

Scale 比例:

1:1000

Total: 3 pages

Date: 3 June 2021

TPB Ref.: A/YL-TYST/1095

By Email

Town Planning Board
15/F, North Point Government Offices
333, Java Road
North Point
Hong Kong
(Attn: The Secretary)

Dear Sir,

Proposed Temporary Shop & Services (Carpet Shop) and Wholesale of Carpet for a Period of 3 Years at Lots 1140 S.D RP, 1141 S.C, 1141 S.D ss. 2, 1141 S.D RP, 1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K (Part) and 1152 S.C RP in D.D. 121 & Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long, N.T.

The proposed run-in/out has been existed since the first planning permission approved in 2009. The applicant has submitted and implemented the run-in/out proposal which have been imposed to the planning permission No. A/YL-TYST/622 since 2012. The applicant wishes to draw the Transport Department's attention that the southeast portion of the site is about 1.5m higher than the adjacent land surface as shown in the attached photo 3. As such, it makes the relocation of the run-in/out to the southeastern portion of the site which is farthest away from the existing lay-by impossible.

The applicant is glad to submit a sightline analysis for the existing run-in/out to show that adequate sightline is available.

Should you have any enquiries, please feel free to contact our Mr. Patrick Tsui at [REDACTED] at your convenience.

Yours faithfully,



Patrick Tsui

c.c. Tuen Mun and Yuen Long West District Planning Office (Attn: Miss Hilary WONG) – By Email

Photo 3 (The photo viewpoint is shown in Figure 5)



Level difference between
application site and
adjacent pavement at the
southeastern part of the site

Total: 2 pages

Date: 4 June 2021

TPB Ref.: A/YL-TYST/1095

By Email

Town Planning Board
15/F, North Point Government Offices
333, Java Road
North Point
Hong Kong
(Attn: The Secretary)

Dear Sir,

Proposed Temporary Shop & Services (Carpet Shop) and Wholesale of Carpet for a Period of 3 Years at Lots 1140 S.D RP, 1141 S.C, 1141 S.D ss. 2, 1141 S.D RP, 1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K (Part) and 1152 S.C RP in D.D. 121 & Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long, N.T.

We are glad to submit the internal layout plan for your further processing of the captioned application.

Should you have any enquiries, please feel free to contact our Mr. Patrick Tsui at [REDACTED] at your convenience.

Yours faithfully,



Patrick Tsui

c.c. Tuen Mun and Yuen Long West District Planning Office (Attn: Mr. Johnny TAM) – By Email



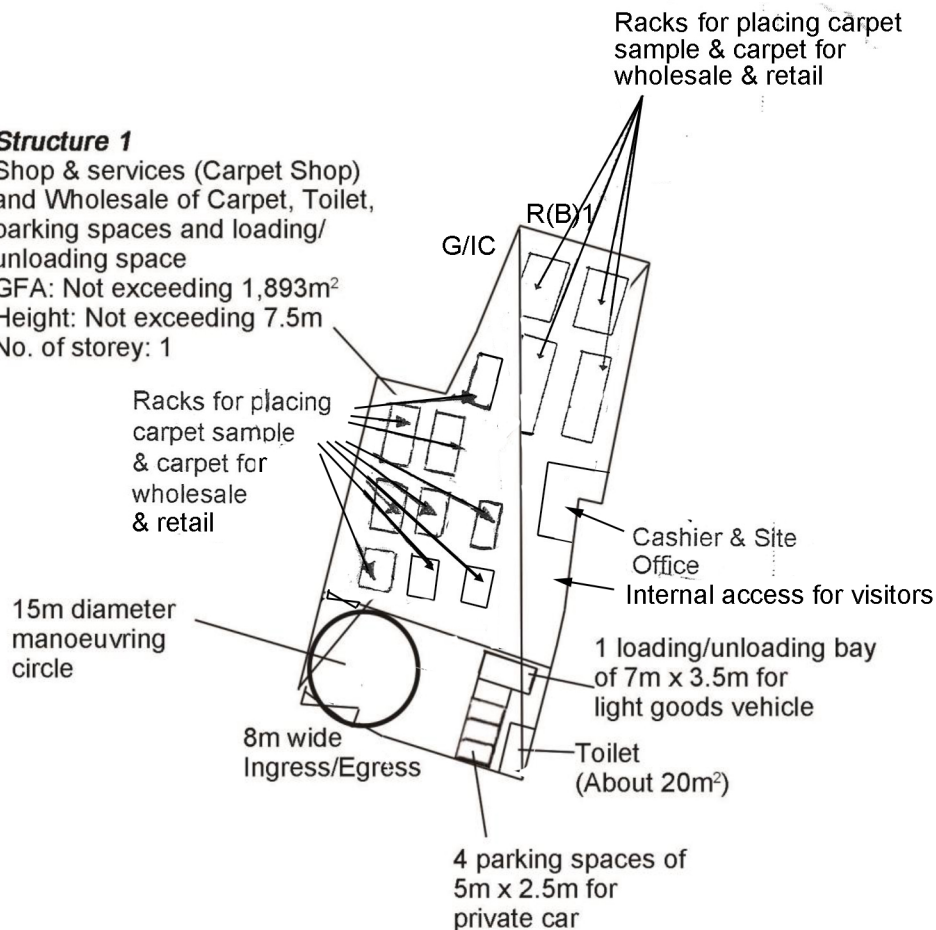
Structure 1

Shop & services (Carpet Shop)
and Wholesale of Carpet, Toilet,
parking spaces and loading/
unloading space

GFA: Not exceeding 1,893m²

Height: Not exceeding 7.5m

No. of storey: 1



Project 項目名稱:

Proposed Temporary Shop & Services
(Carpet Shop) and Wholesale of Carpet for
a Period of 3 Years at Lots 1140 S.D RP,
1141 S.C, 1141 S.D ss. 2, 1141 S.D RP,
1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K
(Part) and 1152 S.C RP in D.D. 121 &
Adjoining Government Land, Tong Yan San
Tsuen Road, Yuen Long, N.T.

Drawing Title 圖目:

Proposed Internal Layout
Plan

Drawing No. 圖號:

Figure 3A

Remarks 備註:

Scale 比例:

1:1000

Total: 1 page

Date: 16 June 2021

TPB Ref.: A/YL-TYST/1095

By Email

Town Planning Board
15/F, North Point Government Offices
333, Java Road
North Point
Hong Kong
(Attn: The Secretary)

Dear Sir,

Proposed Temporary Shop & Services (Carpet Shop) and Wholesale of Carpet for a Period of 3 Years at Lots 1140 S.D RP, 1141 S.C, 1141 S.D ss. 2, 1141 S.D RP, 1142 S.G, 1142 S.H, 1142 S.I, 1142 S.K (Part) and 1152 S.C RP in D.D. 121 & Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long, N.T.

A watchman will be provided at the site entrance to assist the vehicles going into and leaving the site.

Should you have any enquiries, please feel free to contact our Mr. Patrick Tsui at [REDACTED] at your convenience.

Yours faithfully,



Patrick Tsui

c.c. Tuen Mun and Yuen Long West District Planning Office (Attn: Mr. Johnny TAM) – By Email

Previous Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1	A/YL-TYST/445	Temporary Carpet Shop and Wholesale of Carpet for a Period of 3 Years	7.8.2009 [revoked on 7.6.2012]	(1), (2), (3), (4), (5), (6), (7)
2	A/YL-TYST/622	Temporary Carpet Shop and Wholesale of Carpet for a Period of 3 Years	7.12.2012	(1), (2), (5), (6), (7), (8), (9), (10), (11), (12)
3	A/YL-TYST/767	Temporary Carpet Shop and Wholesale of Carpet for a Period of 3 Years	18.12.2015	(1), (2), (5), (6), (7), (8), (9), (10), (11), (12),
4	A/YL-TYST/940	Temporary Carpet Shop and Wholesale of Carpet for a Period of 3 Years	1.2.2019 [revoked on 1.5.2021]	(1), (2), (5), (6), (9), (10), (11)

Approval Condition(s):

- (1) No night-time operation during specific hours is allowed on the site.
- (2) No medium and heavy goods vehicles as defined in the Road Traffic Ordinance and tractors/trailers are allowed on the site.
- (3) Submission and/or implementation of landscape proposal.
- (4) Submission and/or implementation of drainage proposal.
- (5) Submission and/or implementation of fire service installations proposal.
- (6) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (7) Reinstatement of the site to an amenity area upon expiry of the planning permission.
- (8) No reversing of vehicles into or out of the site is allowed.
- (9) No vehicle queuing on public road is allowed.
- (10) Maintenance of the existing drainage facilities implemented on the site.
- (11) Submission of a record of existing drainage facilities on the site.
- (12) Submission and implementation of run-in/out proposal.

**Similar Applications within/straddling the subject “R(B)1” Zone
on the OZP**

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1	A/YL-TYST/473	Proposed Temporary Retail Shop for Selling Stationery and Paper Products for a Period of 3 Years	7.5.2010 Approved for 1 year [revoked on 7.2.2011]	(1), (2), (3), (4), (5), (6), (7), (8)
2	A/YL-TYST/709	Proposed Temporary Eating Place (Small Restaurant) and Shop and Services (Convenience Store/Supermarket and Laundry and Real Estate Agency) for a Period of 3 Years	17.4.2015 [revoked on 17.10.2016]	(1), (4), (5), (6), (9), (10), (12)
3	A/YL-TYST/785	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	8.4.2016 [revoked on 8.10.2017]	(1), (3), (4), (5), (6), (7), (10), (12)
4	A/YL-TYST/820#	Proposed Temporary Shop and Services (Retail Shop for Metal and Home Appliance) for a Period of 3 Years	23.12.2016	(1), (2), (4), (5), (6), (7), (9), (10), (11), (13)
5	A/YL-TYST/859	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	10.11.2017	(1), (4), (5), (6), (7), (10), (11), (12)
6	A/YL-TYST/1029	Proposed Temporary Shop and Services for a Period of 3 Years	10.7.2020	(1), (2), (4), (5) (6), (9), (10), (11)

Remarks:

Straddling the adjacent “Residential (Group D)” zone

Approval Condition(s):

- (1) No night-time operation between specific hours.
- (2) No medium and heavy goods vehicles as defined in the Road Traffic Ordinance and tractors/trailers are allowed on the site.
- (3) Submission and/or implementation of (accepted) landscape proposal.

- (4) Submission of drainage proposal/records of the existing drainage facilities and implementation of the drainage proposal.
- (5) Submission and/or implementation of (accepted) water supplies for firefighting and/or fire service installations proposal.
- (6) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (7) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (8) Submission of run-in/out proposal and provision of run-in/out.
- (9) No vehicle queuing and/or reversing of vehicles into or out from the site/public road are allowed.
- (10) Maintenance of existing/implemented drainage facilities on the site.
- (11) Maintenance of existing trees and/or landscape plantings on the site.
- (12) No vehicle is allowed to park/store on or enter/exit the site.
- (13) Provision of boundary fence on the site.
- (14) No open storage and workshop activities shall be carried out on the site.

Rejected Application

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejected reason(s)</u>
1	A/YL-TYST/915	Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	21.9.2018	(1), (2), (3)

Rejected reason(s):

- (1) The proposed development is not in line with the planning intention of the “R(B)1” zone, which is intended primarily for sub-urban medium-density residential developments.
- (2) No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.
- (3) The scale of the proposed motor-vehicle showroom is excessive, and the applicant fails to demonstrate the need for the proposed development in the area.

5-1

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210507-153815-87925

提交限期

Deadline for submission:

25/05/2021

提交日期及時間

Date and time of submission:

07/05/2021 15:38:15

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-TYST/1095

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAM KA HING

意見詳情

Details of the Comment :

反對，住屋過於密集地方設臨時商店及服務行業及地毯批發活動，必引至附近環境污染，增加引發火警危機，影響村民安全及生活質數。

5-1 附加

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210524-164055-68739

提交限期

Deadline for submission:

25/05/2021

提交日期及時間

Date and time of submission:

24/05/2021 16:40:55

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-TYST/1095

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAM KA HING

意見詳情

Details of the Comment :

反對，住屋過於密集地方設商業活動，必引至附近環境污染，增加引發火警危機，影響村民安全及生活質數。

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



A/YL-TYST/1095 DD 121 Tong Yan San Tsuen Road GIC
24/05/2021 03:47

From:

To: tpbpd <tpbpd@pland.gov.hk>

FileRef:

Dear TPB Members,

After **NINE** Extensions of Time 940 is noted as being both withdrawn and revoked. As this is part of the planned large residential/GIC development applicants who do not fulfill conditions should not be rewarded as they stand in the way of both redevelopment and the provision of a better managed environment.

Mary Mulvihill

From:

To: "tpbpd" <tpbpd@pland.gov.hk>

Sent: Friday, January 4, 2019 3:02:49 AM

Subject: A/YL-TYST/940 DD 121 Tong Yan San Tsuen Road

A/YL-TYST/940

Lots in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen Road, Yuen Long

Site area : About 1,893m² Includes Government Land of about 7m²

Zoning: "Res (Group B) 1" and "GIC"

Applied Use : Carpet Shop

Dear TPB Members,

Rolling over brownfield uses like this is preserving the status quo and providing no impetus for both site owners and government departments to get on with the long overdue development of industrial/commercial high rise parks custom designed for such purposes.

TPB must play a role in encouraging change by desisting from roll over brownfield use.

Happy New Year

Mary Mulvihill

Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site comprises of a New Grant Lot and 8 Old Schedule Agricultural Lots (OSALs). Lot 1152 S.C. RP in D.D. 121 is held under Tai Po New Grant No. 7133 for agricultural purposes. The OSALs were 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. No permission is given for occupation of Government Land (GL) (about 7m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is not allowed. Lots No. 1152 S.C RP, 1140 S.D RP, 1141 S.C, 1141 S.D ss.2, 1141 S.D RP, 1142 S.G, 1142 S.H and 1142 S.I in D.D.121 are covered by Short Term Waivers (STWs) No. 5254 and 5255 respectively to permit structures erected thereon for the purpose of "Temporary Carpet Shop and Wholesale of Carpet". The STW holder(s) will need to apply to her office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to her office for a STW to (i) waive the user restriction as stipulated in the lease conditions, if any, and/or (ii) permit the structures to be erected and/or (iii) regularise any irregularities on site, if any. Furthermore, the GL should be excluded from the Site or a formal approval should be applied for prior to the actual occupation of the GL. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by her department acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by her department;
- (c) to note the comments of the Commissioner for Transport that the land status of the road/path/track leading to the Site from Tong Yan San Tsuen Road shall be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track shall be clarified and consulted with the relevant management and maintenance authorities accordingly. Sufficient space should be provided within the Site for manoeuvring of vehicles. No parking of vehicles on public road are allowed;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Tong Yan San Tsuen Road;
- (e) to note the comments of the Director of Environmental Protection that the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storages Sites" issued by the Environmental Protection Department should be followed to minimise any potential environmental nuisances on the surrounding areas;
- (f) to note the comments of the Director of Fire Services that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted to his department for approval.

The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, the location of where the proposed FSIs to be installed should also be clearly marked on the layout plans. If the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorised building works (UBW) under the BO and should not be designated for any proposed use under the application. 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. 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 BA should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage. 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 B(P)R. Detailed checking under the BO will be carried out at building plan submission stage; and
- (h) to note the comments of the Project Manager (West), Civil Engineering and Development Department that based on the preliminary project boundary of the proposed Yuen Long South (YLS) Development, the Site falls within the boundary of the proposed YLS Development – Stage 4. The YLS Development would provide land to meet the medium to long term housing needs of Hong Kong and the detailed implementation programme with phasing and packaging of works for YLS Development – Stage 4 is being formulated.