

RNTPC Paper No. A/YL/308  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 8.9.2023

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

**APPLICATION NO. A/YL/308**

- Applicant** : Yuen Long District Arts Committee (YLDAC) represented by Lanbase Surveyors Limited
- Site** : Government Land (GL) in D.D. 116 (Ex-Pui Tak School), Ha Yau Tin Tsuen, Shap Pat Heung, Yuen Long, New Territories
- Site Area** : About 489m<sup>2</sup>
- Land Status** : GL
- Plan** : Draft Yuen Long Outline Zoning Plan (OZP) No. S/YL/26
- Zoning** : “Village Type Development” (“V”)  
*[Restricted to a maximum building height of 3 storeys (8.23m) or the height of the existing building, whichever is greater]*
- Application** : Proposed Temporary Institutional Use for a Period of 6 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the vacant school premises (VSP) of the ex-Pui Tak School for proposed temporary institutional use for a period of six years at the application site (the Site) zoned “V” on the OZP (**Plan A-1a**). According to the Notes of the OZP for the “V” zone, ‘Institutional Use (not elsewhere specified)’ is a Column 2 use which planning permission from the Town Planning Board (the Board) is required. The Site is currently vacant with three existing structures, including the main building of the ex-Pui Tak School (structure 1), store room (structure 2) and toilet (structure 3), and partly overgrown with vegetation (**Plan A-4a and 4b**).
- 1.2 According to the applicant, the three existing buildings, with a total floor area of about 194m<sup>2</sup>, have been vacant since the school ceased operation in 1997. The proposed development is to convert the VSP into a venue that provides local arts and cultural service for Yuen Long District. Only internal conversion with refurbishment and renovation works would be carried out. No redevelopment works would be involved. No parking and loading/unloading facilities would be provided within the Site. The layout plan of the structures is shown in **Drawing A-1**.

- 1.3 The Site was involved in a previous application No. A/YL/281 submitted by the same applicant for the same temporary use but slightly different site area and development parameters (**Plan A-1b**), which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 24.9.2021 for a period of six years. The details of the previous applications are set out at paragraph 5 below.
- 1.4 A comparison of the major development parameters of the previous application No. A/YL/281 and the current application is as follows:

<b>Major Development Parameters</b>	<b>Previous Application (No. A/YL/281) (a)</b>	<b>Current Application (No. A/YL/308) (b)</b>	<b>Difference (b) – (a)</b>
<b>Proposed Use</b>	Proposed Temporary Institutional Use for a Period of 6 Years		-
<b>Site Area</b>	339m <sup>2</sup> (All GL)	489m <sup>2</sup> (All GL)	+150m <sup>2</sup> (+44.2%)
<b>Gross Floor Area (GFA)</b>	128m <sup>2</sup>	194m <sup>2</sup>	+66m <sup>2</sup> (+51.6%)
<b>No. of Structure(s)</b>	1	3	+2
<b>No. of Storey</b>	1		-
<b>Parking Space and Load/Unloading Bay</b>	N/A		-
<b>Operation Hours</b>	8:00 a.m. to 11:00 p.m. daily (including public holidays)		-

- 1.5 In support of the application, the applicant has submitted the following document:

- (a) Application Form received on 14.7.2023 (**Appendix I**)
- (b) Planning Statement (**Appendix Ia**)

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

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement (**Appendix Ia**). They can be summarised as follows:

- (a) Although the subject “V” zone is primarily intended for development of Small Houses by indigenous villagers and to concentrate village type development within the zone for a more orderly development pattern, other commercial, community and recreational uses maybe permitted on application to the Board. In addition, approval of the proposed use on a temporary basis would not prejudice the future long-term planning of the area.
- (b) The Site is subject to an approved application No. A/YL/281 for the same use of ‘Temporary Institutional Use’. The current application only involves minor amendments as compared to the previous application so as to include the adjoining GL with the existing vacant store room and toilet into the Site.

- (c) The Site has been vacant for many years since the school ceased operation. Approval of the proposed use could utilise the vacant site, and the refurbishment and renovation of the structures could upgrade the site condition. The proposed temporary institutional use is in line with the current Government policy for institutional and community uses on short-term basis.
- (d) There are some institutional uses and commercial activities, such as public car parks, located in the vicinity of the Site. The proposed use is compatible with the surrounding land uses.
- (e) The YLDAC (i.e. the applicant) was established in 1965 for providing arts and cultural activities to serve the local community. The proposed use is to support the expansion of the YLDAC in order to cope with the increasing demand for arts and cultural services in Yuen Long District. The proposed development is fully supported by various community organisations.
- (f) No adverse environmental impact is anticipated as the proposal will not involve redevelopment work, except internal conversion with refurbishment and renovation works. The proposed use would not generate significant traffic flow to the Site with limited occasional loading/unloading activities only. The proposed use will mainly serve the locals within the community whom would be walking to the Site. Therefore, no adverse traffic impact is anticipated.

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

As the Site involves GL only, the “owner’s consent/notification” 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.31A) are not applicable to the application.

### **4. Background**

- 4.1 The Pui Tak School was registered at the Site in 1947 and closed in 1997. The Site has been left vacant since the closure of the school. According to the Planning Department’s (PlanD) latest Vacant School Premises Sites Reviewed under the Central Clearing House Mechanism (the VSP Review), the Site is recommended to be retained for government, institutional and community (GIC) uses in the long run.
- 4.2 The Site is one of the VSP sites currently under the management of Lands Department (LandsD). The Site is also under the list of vacant government sites for community, institutional or non-profit making purposes on short-term basis published by LandsD. The list is to better utilise land resources, where there are temporary vacant sites available, applications can be submitted by non-governmental organisations (NGOs) or social enterprises to rent such sites for community, institutional or non-profit making uses on a short-term basis.

## **5. Previous Applications**

- 5.1 The Site is involved in two previous applications (No. A/YL/171 and 281). Application No. A/YL/171 was submitted by a different applicant, covering also the annex blocks at the northern portion of the Site (i.e. structures 2 and 3), for proposed temporary institutional use and religious institution. The application was approved with conditions by the Committee on 4.12.2009 for a period of three years. However, the proposed use was not implemented and the planning permission was revoked on 4.12.2010 due to non-compliance with the approval condition on the submission of fire service installations proposal.
- 5.2 The last approved application No. A/YL/281 was submitted by the same applicant for the same temporary use but different development parameters, with a smaller site area covering only the main building (i.e. structure 1). The application was approved with conditions by the Committee on 24.9.2021 for a period of six years. All the time-limited approval conditions have not yet been complied with.
- 5.3 Both applications were approved mainly on the considerations that the proposed development was considered not incompatible with the surrounding residential developments, no adverse impacts on traffic, environmental and drainage aspects were anticipated and no adverse comment from concerned Government departments. For A/YL/281, one of the major grounds is that the proposed development was in line with the Government's intention to optimise land resources by utilising VSP sites. Details of the applications are summarised at **Appendix II** and the locations is shown on **Plan A-1b**.

## **6. Similar Application**

There is no similar application within the same "V" zone.

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

- 7.1 The Site is:
- (a) located in Ha Yau Tin Tsuen, in the southern part of Yuen Long Town;
  - (b) occupied by three one-storey structures, including the ex-Pui Tak School, a store room and a toilet, which are currently vacant; and
  - (c) accessible from an existing access road off Kong Yau Road.
- 7.2 The surrounding areas have the following characteristics (**Plans A-2 and A-3**):
- (a) the Site is situated in an area occupied by low-density village settlements and medium-density residential developments;
  - (b) to its north and northwest are car parks, vacant land and a public toilet; and to its further north across Kong Yau Road are three secondary schools;

- (c) to its east are residential structures intermixed with vacant land and agricultural land;
- (d) to its south are village houses; and
- (e) to its west are the village square and a car park.

## **8. Planning Intention**

The planning intention of the “V” zone is to reflect existing recognized 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 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 the ground floor of a New Territories Exempted House. 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 are provided in **Appendices III and IV** respectively.

## **10. Public Comments Received During the Statutory Publication Period**

On 21.7.2023, the application was published for public inspection. During the statutory public inspection period, two public comments from Shap Pat Heung Rural Committee (SPHRC) (**Appendix V-1**) and an individual (**Appendix V-2**) were received. The SPHRC supports the application mainly on the grounds that the proposed development could utilise the vacant school and land resources, provide venue to support arts and cultural activities which currently out of sufficient venue, and benefit the villagers by joining the activities organised by YLDAC. An individual expresses views that YLDAC does not appear to include non-Chinese in its activities and the applicant seems not yet complied with the approval conditions imposed in the previous application.

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

11.1 The application is for proposed temporary institutional use for a period of six years at the Site zoned “V” on the OZP. Although the proposed use is not entirely in line with the planning intention of the “V” zone, which is primarily for development of Small Houses by indigenous villagers, the Site is entirely GL and had been used as a school from 1947 until its closure in 1997. According to the latest VSP Review by PlanD, the Site is recommended to be retained for GIC uses in the long run, and currently available for community, institutional or non-profit making purposes on short-term basis. In this regard, the proposed institutional use to serve the local

community for meeting their needs for arts and cultural services on short-term basis is generally in line with the recommended use. According to the District Lands Officer/Yuen Long, LandsD, there is no Small House application approved/under processing at the Site. As such, approval of the application on a temporary basis for a period of six years would not frustrate the long-term planning intention of the “V” zone.

- 11.2 The Site is located in Ha Yau Tin Tsuen. The proposed use is considered not incompatible with the surrounding land uses which are mainly low-rise and low-density villages houses and medium-rise residential development intermixed with car parks and vacant lands (**Plan A-2**).
- 11.3 The Site is one of the VSP sites currently under the management of LandsD and it is under the list of vacant government sites for community, institutional or non-profit making purposes on short-term basis published by LandsD with the intention to better utilise land resources given that the Site has been left vacant since 1997 (i.e. for over 25 years), the proposed development is in line with the Government’s intention to optimise land resources by utilising VSP sites.
- 11.4 Concerned government departments, including the Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North, Drainage Services Department, have no objection to or no adverse comment on the proposed development. As only renovation and refurbishment of the existing buildings will be carried out, the development would unlikely cause significant adverse traffic, drainage and fire safety impacts on the surroundings. To address the technical requirements of the concerned Government departments, relevant approval conditions are recommended in paragraph 12.2 below.
- 11.5 Given that both previous applications (No. A/YL/171 and 281) for temporary institutional uses (and religious institution for A/YL/171) were approved at the Site in 2009 and 2021 respectively, approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment expressing concerns on the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 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 comments in paragraph 10, 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 six years until **8.9.2029**. 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 **8.3.2024**;
- (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 **8.6.2024**;
- (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 **8.3.2024**;
- (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 **8.6.2024**;
- (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 There is no strong reason to recommend rejection of the application.

**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 received on 14.7.2023
<b>Appendix Ia</b>	Planning Statement
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendices V-1 and V-2</b>	Public Comments
<b>Drawing A-1</b>	Layout Plan
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Applications Plan
<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  
SEPTEMBER 2023**