

Planning Statement

1 Purpose

- 1.1 The applicant seeks planning permission to use the application site for temporary Place of Recreation, Sports and Culture (Hobby Farm) for a period of 3 years and associated filling of land, on the Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No. S/NE-MTL/3 (the OZP) at Lot 1219 (Part), 1222, 1223, 1226, 1228, 1230, 1242, 1243 and 1244 in D.D. 96 and adjoining Government Land, Shun Yee San Tsuen, Ma Tso Lung, New Territories (the site) from the Town Planning Board (TPB).
- 1.2 The site is easily accessible from a local track leading to Ma Tso Lung Road (refer to Plan 4). The site area is about 8066m², there will be fourteen temporary structures with a total GFA of about 1349m² and heights of not more than 4.5m within the site for agricultural education centres (B1 and B5), greenhouses (B4-1 to B4-10), wash room (B2) and store room (B3). There are three outdoor farming area (A1, A2 and A3) with a total area of about 3490m². A total of 2 parking spaces will be provided within the site, i.e., a private car and a light bus parking spaces, as shown on Plan 1.

2 Planning Context and Site Location

- 2.1 The site is currently zoned "Agriculture" ("AGR") on the OZP. According to the Notes of the OZP, the applied use is a Column 2 use within the "AGR" zone and filling of land within the "AGR" zone require permission from TPB.
- 2.2 The planning intention of "AGR" zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 2.3 According to the Town Planning Board Guidelines for "Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance" (TPB PG-No. 12C), the site partly falls within the Wetland Buffer Area (WBA). Under these guidelines, local and minor uses within the WBA, such as the proposed temporary hobby farm, are exempted from the requirement of an ecological impact assessment.
- 2.4 The "AGR" zone encourages the use of land for various agricultural purposes, including cultivation and aquaculture. It aims to provide an environment

conducive to farming activities supporting “AGR” land use in basis. While the primary focus is on agriculture, the zoning also allows for complementary uses that do not conflict with the agricultural activities. This includes educational and recreational activities related to agriculture, which can enhance public appreciation of farming.

- 2.5 The surrounding areas are predominantly rural setting with landscape characteristics comprising farmlands, vegetated areas, temporary structures and village houses. This rural setting supports the proposed use and aligns with the existing character of the landscape. Hence, the proposed development is compatible with the surrounding environment. As such, approval of the current application on a temporary basis of 3 years would optimise the fallow agricultural land to a better land use and without jeopardising the long-term planning intention of the “AGR” zone.

3 Development Proposal

- 3.1 The site area is about 8066m², including about 2730m² of Government Land (refer to Plan 2). The site will have a 11 m wide entrance to the east. The opening hours of the proposed use is restricted to 9:00 to 19:00 daily. Fourteen structures will be erected on the site for agricultural education centres (B1 and B5), greenhouses (B4-1 to B4-10), wash room (B2) and store room (B3) with a total GFA of about 1349m². There are ten greenhouses on the site, i.e., the dimension of each greenhouse will be about 12m (L) x 7.5m (W) x 4.5m (H) (refer to Plan 1). Details of the development parameters are shown in Table 1 as follows:

Table 1 – Main Development Parameters

Application Site Area	About 8066m ² including about 2730m ² of Government land
Covered Area	About 1349m ²
Uncovered Area	About 6717m ²
Outdoor Farming Area	About 3490m ²
Plot Ratio	About 0.17
Site Coverage	About 17 %
Number of Structure(s)	14
Total GFA	About 1349m ² (Non-domestic GFA)
Building Height	Not more than 4.5m
Number of Storey(s)	Not more than 1
Proposed Filling of Land Area	About 8066m ²

Land Filling Depth	Not more than 1.2m
Proposed Site Levels	+11.2 to +19.0 mPD

3.2 The proposed use will be able to accommodate about 3 staffs. A maximum of 12 visitors per day would be accommodated. The site is also accessible via a local track leading to Ma Tso Lung Road. A private car and a light bus parking spaces will be provided on the site. No vehicle, except private car and light bus ancillary to the activities of the proposed use, was allowed to be parked on the designated car park at any time. As visitors will be also encouraged to access to the site via public transport (Green Minibus No. 51B). Associated filling of land is proposed within the site for the purposes of site formation for temporary structures, car parking spaces and vehicular circulation respectively (refer to Plan 5). Fence will be erected around the site. No loudspeaker or any form of audio amplification system was allowed to be used on the site at any time.

3.3 Sufficient space will be provided for private car and light bus to manoeuvre smoothly within the site to ensure that no aforesaid vehicle turns back onto the local access, as shown on Plan 3. As the traffic generated and attracted by the proposed use is minimal (as shown in Table 2 below), no adverse traffic impacts are anticipated.

Table 2 – Estimated Trip Generation and Attraction

Time Period	Private Car		Light Bus		2-way total
	IN	OUT	IN	OUT	
Trips at AM peak per hour (9:00 to 10:00)	1	0	1	0	2
Trips at AM peak per hour (17:00 to 19:00)	0	1	0	1	2
Traffic trip per hour (average)	1	1	1	1	4

3.4 The applicant will strictly follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by Environmental Protection Department (EPD) to minimise adverse environmental impacts and nuisance to the surrounding area. The applicant will strictly comply with all the environmental protection/pollution control ordinances, such as Water Pollution Control Ordinance, Air Pollution Control Ordinance, Noise Control Ordinance etc. at all times during the planning approval period. The applicant will also follow the Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs) for sewage treatment within the site.

4 Justifications

- 4.1 Consistency with Agricultural Use: The proposed use as a hobby farm aligns with the broader agricultural context of the planning intention. The hobby farm will utilise the land for activities consistent with agricultural and recreational purposes which adhering to the planning intention of the “AGR” zone.
- 4.2 Harmonious Integration with Surroundings: The proposed use is in harmony with the predominantly rural landscape character of the surrounding. Excluding the pond at lots 1224 and 1225 in D.D. 96 to protect existing pond which is vital components of the local agricultural character. The subject site boundary has been setback by at least 3m to the north in order to prevent encroachment upon the pond situated to the north (refer to Plan 1). The applicant will construct a concrete wall (1 metre in height) along the northern site boundary at all times during the planning approval period in order to prevent any land filling materials from affecting the pond in the vicinity. It will maintain the open nature of the area. The proposed structures are small scale and designed to complement the rural aesthetic which will not induce any negative impact on the visual amenity of the locality.
- 4.3 Temporary in Nature: The proposed use is temporary and will not result in permanent alteration or development of the agricultural land. It will not jeopardise the long-term planning intention of the “AGR” zone.
- 4.4 The shape suits local condition: As there is a man-made cut slope along the northeastern boundary of the site, setback have been made of a 3m buffer zone along the toe of the cut slope (to the north portion of Lot 1219 in D.D.96) to mitigate potential risks to the proposed development from slope instability.

5 Conclusion

- 5.1 The applicant seeks approval from TPB for the proposed temporary Place of Recreation, Sports and Culture (Hobby Farm) for a period of 3 years and associated filling of land at the site falling within “AGR” under S.16 of Town Planning Ordinance.
- 5.2 In light of the evidence furnished in this planning statement supported by the various analysis and the applicant’s strong commitment to strictly comply with all control ordinances, it is believed that this planning application for such use should be favourably considered by TPB.

Maxtop Sky Limited
FEBRUARY 2024

List of Plans

Plan 1	Layout Plan
Plan 2	Land Status Plan
Plan 3	Swept Path Analysis
Plan 4	Location Plan
Plan 5	Filling of Land Plan

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

Cheryl Tsz Man TSANG/PLAND

寄件者: [REDACTED]
寄件日期: 2025年03月05日星期三 17:41
收件者: tpbpd/PLAND
副本: Cheryl Tsz Man TSANG/PLAND
主旨: Submission of Further Information (3) for Planning Application No. A/NE-MTL/11
附件: A_NE-MTL_11_FI(3)_Application_Form.pdf; A_NE-MTL_11_FI(3)_Planning Statement.pdf
類別: Internet Email

Your Ref.: TPB/A/NE-MTL/11

Date: 5 MAR 2024

Dear Sir/Madam,

I refer to the tele-conversation with Ms Cheryl Tsang this afternoon, regarding the proposed setback effects on private lot parcels.

We are pleased to submit herewith replacement pages of Planning Statement (Appendix I) and Application Form (Appendix II) for your consideration.

We sincerely seek for favourable consideration from the Town Planning Board (TPB) to approve the subject S.16 Planning Application.

Should you have any queries, please contact the undersigned. Thank you.

Best regards,

Luke Yip

For and on behalf of
Maxtop Sky Limited
[REDACTED]

Planning Statement

1 Purpose

- 1.1 The applicant seeks planning permission to use the application site for temporary Place of Recreation, Sports and Culture (Hobby Farm) for a period of 3 years and associated filling of land, on the Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan No. S/NE-MTL/3 (the OZP) at Lot 1219 (Part), 1222, 1223, 1226 (Part), 1228, 1230, 1242 (Part), 1243 and 1244 in D.D. 96 and adjoining Government Land, Shun Yee San Tsuen, Ma Tso Lung, New Territories (the site) from the Town Planning Board (TPB).

- 1.2 The site is easily accessible from a local track leading to Ma Tso Lung Road (refer to Plan 4). The site area is about 8066m², there will be fourteen temporary structures with a total GFA of about 1349m² and heights of not more than 4.5m within the site for agricultural education centres (B1 and B5), greenhouses (B4-1 to B4-10), wash room (B2) and store room (B3). There are three outdoor farming area (A1, A2 and A3) with a total area of about 3490m². A total of 2 parking spaces will be provided within the site, i.e., a private car and a light bus parking spaces, as shown on Plan 1.

2 Planning Context and Site Location

- 2.1 The site is currently zoned "Agriculture" ("AGR") on the OZP. According to the Notes of the OZP, the applied use is a Column 2 use within the "AGR" zone and filling of land within the "AGR" zone require permission from TPB.

- 2.2 The planning intention of "AGR" zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

- 2.3 According to the Town Planning Board Guidelines for "Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance" (TPB PG-No. 12C), the site partly falls within the Wetland Buffer Area (WBA). Under these guidelines, local and minor uses within the WBA, such as the proposed temporary hobby farm, are exempted from the requirement of an ecological impact assessment.

- 2.4 The "AGR" zone encourages the use of land for various agricultural purposes, including cultivation and aquaculture. It aims to provide an environment