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Ref: LDS/PLAN/7072

Section 16 Planning Application

**Proposed Temporary Eating Place for a Period of 3 Years at
Lot 411 in D.D. 105, Ngau Tam Mei, Yuen Long, N.T.**

Planning Statement

Applicant

Mainway Investment Holdings Limited

Prepared by

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August 2024

Executive Summary

This planning statement is prepared in support of a planning application for temporary eating place (“the proposed development”) for a period of 3 years at Lot 411 in D.D. 105, Ngau Tam Mei, Yuen Long, N.T. (the “Application Site”).

The Application Site, covering an area of about 1,156 sq.m., falls within “Village Type Development” (“V”) zone on the Draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 exhibited on 8.3.2024. According to the Notes of the OZP, the proposed development is a “Column 2” use of “V” zone, which requires planning permission from the Town Planning Board (the “Board”). Meanwhile, temporary use or development of land or building exceeding three years also requires permission from the Board.

The Application Site, or part of it, is the subject of 2 previous applications. The last application (No. A/YL-NTM/445) was approved for a temporary eating place on 25.11.2022 for a period of 3 years. The Applicant had complied with approval conditions (b) and (d) of the last application. While the Applicant has submitted a Short Term Waiver (STW) Application for erection of the proposed eating place after the planning approval in 2022, the STW application is still under processing by the Lands Department, which have withheld the compliance of approval condition (c) of the last application. Since the total time period (21 months) for compliance with approval conditions of the last application have already exceeded half of the duration of the temporary approval (3 years), no further extension would be granted by the Board. As such, a fresh planning application is hereby submitted for the proposed development.

The Application Site is currently vacant and the Applicant intends to use the Application Site for temporary eating place to mainly serve the local residents of the Shek Wu Wai Village. The development parameters and layout of the proposed development will be generally same as the previously approved application except the provision of a pump room and a 2000L water tank to meet the fire service requirements. The proposed development will erect a 1-storey (about 4m) temporary structure of about 225 m² for the proposed eating place at the southern part of the Application Site, as well as a proposed meter room (about 2.5m high) of about 4m² behind the proposed eating place at the southern part of the Application Site. The proposed development will also provide 6 parking spaces (2.5m x 5m) for staff and visitors and 1 loading/unloading space (3.5m x 7m) for light goods vehicle for delivery of goods. The Application Site has been fenced off with corrugated metal sheets of about 2.5m high. The proposed hours of operation at the Application Site are 9am to 6pm daily from Mondays to Sundays (including public holidays).

The justifications of this application are:

1. The proposed development can meet the existing and future local demand for eating place;
2. The proposed development does not contravene the planning intention of “V” zone;
3. The proposed development will not hinder the future development of the proposed San Tin Technopole;
4. The Application Site is subject to prior planning approval granted for the same use;
5. The previous application at the Application Site is subject to unexpected delay in compliance with approval conditions;
6. The proposed development complies with the Town Planning Guidelines No. 15A;
7. Similar approvals for eating place have been given in “V” zone in vicinity;
8. No adverse drainage, sewage, traffic, landscape and environmental impacts on the surrounding areas;
9. The proposed development will maximize land utilization; and
10. The proposed development can provide planning gains to the local community.

In view of the justifications as presented in this planning statement, it is hoped that members of the Board and relevant Government departments will approve this application for a period of 3 years.

行政摘要

此規劃報告書旨在支持在新界元朗牛潭尾丈量約份第 105 約地段第 411 號(“申請地點”)作為期三年的臨時食肆(“擬議發展”)用途的規劃申請。

申請地點的面積約 1,156 平方米，座落在 2024 年 3 月 8 日展示的新田科技城分區計劃大綱草圖(圖則編號：S/STT/1)上的「鄉村式發展」地帶。根據該大綱圖的註釋，擬議發展屬於「鄉村式發展」地帶的第二欄用途，須先向城市規劃委員會(“城規會”)提出申請。同時，不超過三年土地或建築物的臨時用途或發展，亦須先向城規會提出申請。

申請地點或其部分涉及兩宗規劃申請，最後一次申請(申請編號：A/YL-NTM/445)於 2022 年 11 月 25 日獲批准作臨時食肆(為期三年)。自 2022 年取得規劃許可後，申請人已向地政處申請短期豁免書，以興建構築物作食肆用途。由於地政處現階段仍在處理短期豁免書的申請，申請人故此未能履行規劃許可附帶條件(c)項。由於履行附帶條件的總期限(21 個月)已超過上次規劃許可有效期(3 年)的一半，城規會不會再批准任何延期申請，因此，申請人再次遞交是項規劃申請。

申請地點現時為空置土地，申請人擬議使用申請地點作臨時食肆，以服務石湖圍村的村民。擬議發展將沿用獲批申請的同樣設計及發展參數，並加設消防泵房及水缸以符合消防裝置要求。申請地點南面將建設一座一層高，高度不超過 4 米，樓面面積約 225 平方米的臨時構築物用作食肆用途，以及於食肆後方加設一個電錶房(樓面面積約 4 平方米，一層高，高度不超過 2.5 米)。擬議發展將會提供 6 個停車位(2.5 米 x 5 米)供職員及訪客使用，以及 1 個輕型貨車上落貨位(3.5 米 x 7 米)以作運送物品。申請地點已設有 2.5 米高的圍欄圍封。申請地點的營運時間為星期一至日(包括公眾假期)上午九時至下午六時。

本規劃申請的理據為：

1. 擬議發展可滿足當區現時及將來對食肆的需求；
2. 擬議發展不會違背「鄉村式發展」地帶的規劃意向；
3. 擬議發展不會阻礙未來新田科技城的發展；
4. 申請地點之前獲相同食肆用途的規劃許可；
5. 上次申請在履行規劃許可附帶條件時遇到未能預計的延誤；
6. 擬議發展符合城規會指引編號第 15A；
7. 鄰近地區的「鄉村式發展」地帶有曾經批准食肆用途的例子；
8. 擬議發展不會對附近的排水、排污、交通、園景及環境構成不良的影響；
9. 擬議發展可容許更有效利用土地；及
10. 擬議發展可為本地居民帶來規劃增益。

基於本規劃報告書所述的理據，敬希 各城規會委員及有關政府部門能批准此項申請，作為期三年的臨時用途。

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1. Introduction

1.1 Purpose

Pursuant to Section 16 of the Town Planning Ordinance, this Planning Statement Report is submitted to the Town Planning Board (“the Board”) in support of a planning application for temporary eating place (the “proposed development”) for a period of 3 years at Lot 411 in D.D.105, Ngau Tam Mei, Yuen Long, N.T. (hereafter referred to as “the Application Site”). **Figure 1** shows the location of the Application Site and the Lot Index Plan indicating the concerned lot is shown per **Figure 2**.

The Application Site, covering an area of about 1,156 sq.m., falls within “Village Type Development” (“V”) zone on the Draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 exhibited on 8.3.2024. According to the Notes of the OZP, the proposed development is a “Column 2” use of “V” zone, which requires permission from the Board. Meanwhile, temporary use or development of land or building not exceeding three years also requires planning permission from the Board.

The Application Site is currently vacant and the Applicant intends to use the Application Site for a temporary eating place to serve the local residents of the Shek Wu Wai Village.

The Application Site, or part of it, is the subject of two previous applications. The last application (No. A/YL-NTM/445), which was applied by the Applicant, was approved for a temporary eating place on 25.11.2022 for a period of 3 years. The Applicant had complied with approval conditions (b) and (d) of the last application. The implementation of the approved drainage proposal was recently completed for compliance with approval condition (e). While the Applicant had submitted a Short Term Waiver (STW) Application for erection of the proposed eating place after the planning approval in 2022, the STW application is still under processing by the Lands Department (LandsD), which have withheld the compliance of approval condition (c). Since the total time period (21 months) for compliance with approval conditions of the last application have already exceeded half of the duration of the temporary approval (3 years), no further extension would be granted by the Board. As such, a fresh planning application is hereby submitted for the proposed development.

1.2 Organization of the Planning Statement

This planning statement is divided into 6 chapters. Chapter 1 is an introduction outlining the above background of the planning application. Chapter 2 will then illustrate the site context and land status followed by Chapter 3 which describes the planning context in details. Chapter 4 gives the particulars of the proposed development. Detailed accounts of planning justifications of the proposed development are presented in Chapter 5. The planning statement finally concludes with a summary in Chapter 6.

2. Site Context

2.1 Site Location

As shown in **Figure 1**, the Application Site is situated at a village settlement known as Shek Wu Wai, Yuen Long. It is located to the south of San Tin Highway and southeast of Shek Wu Wai Road. The Application Site is also situated within the project boundary of the proposed San Tin Technopole, in which the proposed San Tin MTR station is located at the further south.

2.2 Existing Site Condition

The Application Site is a piece of flat land and currently vacant. The Applicant had recently completed the construction works of the approval drainage proposal of the last application (No. A/YL-NTM/445). The Applicant is conducting grass paving (by interlocking plastic grass paving grips) on the whole site. It accounts for a total area of about 1,156 sq.m. and has been fenced off with corrugated metal sheets (see **Site Photos**).

2.3 Surrounding Land Uses

The surrounding areas consist of an intermix of vehicle park, residential dwellings, rural agricultural land, open storage and godown. To the north of the Application Site sees scattered village houses and Shek Wu Wai sitting-out area within the same “V” zone. To the northeast is a hobby farm. To the further northeast is a series of open storage and a godown of cargo handling and forwarding service. To the west of the Application Site is the village settlements of Shek Wu Wai Village and the Village Office. To the east and south of the Application Site are rural agricultural land with scattered temporary structures.

2.4 Accessibility

The Application Site enjoys good accessibility to strategic road network. It can be easily accessible by an existing local track leading to Shek Wu Wai Road and San Tin Highway, which connect to other parts of the New Territories. A plan showing the vehicular access to the Application Site is provided at **Figure 3**.

2.5 Land Status

According to the records of the Land Registry, the subject lot is held under Block Government Lease and is demised as agricultural use with lease term for 75 years, from 1.7.1898 and is renewable for a further term of 24 years.

A Short Term Waiver (STW) application has been submitted for the last application (No. A/YL-NTM/445) but the application is still under processing by the LandsD. Upon approval of this application, the Applicant will inform the LandsD to continue processing of the STW application.

3. Planning Context

3.1 Outline Zoning Plan

The Application Site falls within “Village Type Development” (“V”) zone on the Draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 exhibited on 8.3.2024 (see **Figure 1**).

As stipulated in the Notes attached to the OZP, the planning intention of “V” zone is primarily to “designate both existing recognized villages and areas of land considered suitable for village expansion. 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

Town Planning Board.”

The proposed development (i.e. “Eating Place”) is a ‘Column 2’ use of the “V” zone, which requires planning permission from the Board.

3.2 Previous Applications

The Application Site, or part of it, is involved in two previous planning applications as follows:

Application No.	Applied Use	Decision	Date of Approval
A/YL-NTM/392	Proposed Temporary Public Vehicle Park (Private Car Only) for a Period of 5 years	Approved with Conditions for 5 years	4.10.2019 (Revoked on 4.1.2022)
A/YL-NTM/445*	Proposed Temporary Eating Place for a Period of 5 years	Approved with Conditions for 3 years	25.11.2022

*Applied by the Applicant

The Applicant has complied with the Approval Conditions (b) and (d) of the last application (No. A/YL-NTM/445) as follows:

Condition	Approval Date	Approval Letter
(b) submission of a fire service installations proposal	31.8.2023	See Appendix 1
(d) submission of a drainage proposal	15.1.2024	See Appendix 2

Meanwhile, the Applicant has completed that the construction works of the approved drainage proposal and submitted the implementation records to the Planning Department in compliance of Approval Condition (e) on 17.7.2024 (see **Appendix 3**).

While the Applicant had submitted a STW application since the planning approval in 2022, the STW application is still under processing by the LandsD. As such, the compliance of approval condition (c) was withheld.

3.3 Similar Applications

A number of similar applications were approved by the Board in the last three years for temporary eating place at “V” zone of the San Tin Technopole OZP in vicinity of the Application Site. These approved applications are summarized as follows:

Application No.	Applied Use	Gross Floor Area (m ²)	Decision	Date of Approval
A/YL-ST/621*	Proposed Temporary Eating Place for a Period of 3 Years	476	Approved with conditions	15.7.2022
A/YL-ST/622*	Proposed Temporary Eating Place for a Period of 3 Years	225	Approved with conditions	29.7.2022
A/YL-ST/637*	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	108	Approved with conditions	13.1.2023
A/YL-ST/638*	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	71	Approved with conditions	13.1.2023

A/YL-ST/651*	Temporary Eating Place (Outside Seating Accommodation of a Restaurant) for a Period of 3 Years	/	Approved with conditions	28.7.2023
A/YL-ST/666*	Proposed Temporary Eating Place with Ancillary Facilities for a Period of 3 Years	225	Approved with conditions	1.3.2024

*Remarks: While the above applications were under "V" zone of San Tin OZP No. S/YL-ST/8 at the time of application and the Application Site was under "V" zone of the Ngau Tam Mei OZP No. S/YL-NTM/12, they have now been incorporated within the same planning scheme area of San Tin Technopole OZP and all are within "V" zone of the San Tin Technopole OZP.

3.4 Town Planning Board Guidelines for Application for Eating Place within "Village Type Development" Zone in Rural Areas (TPB PG-No. 15A)

TPB PG-No. 15A has set out the planning criteria for assessing planning applications for eating place use in the "V" zone in the rural areas, which is applicable to this Application. The main planning criteria are as follows:

- (a) The eating place use should not create any environmental nuisance or cause inconvenience to the residents nearby. Such use should preferably be located at the fringe of a village area, e.g. area abutting the main road. For any eating place use that is situated amidst the existing village houses, sympathetic consideration may only be given if there are no objections from local residents;
- (b) The eating place use should not have any adverse traffic impact on its surrounding areas nor should it affect any pedestrian circulation in the area;
- (c) Sympathetic consideration may also be given to any application which would not have adverse impacts on drainage, sewage disposal facilities or fire safety aspects;
- (d) For any application on open ground as an extension to ground floor eating place in a NTEH or as a free-standing development, the eating place use should not adversely affect the land availability for village type development. Application sites with configurations/dimensions which are not suitable to be delineated separately for village type development or which are considered not suitable for village type development (e.g. within 20m of public roads constructed/maintained by the Highways Department or 15m of other local public roads), sympathetic consideration may be given by the Board on individual merits;
- (e) For a village located adjacent to recreational uses or tourist attraction spots, favourable consideration may be given to eating place use which will provide catering facilities to serve the visitors and tourists. In such circumstances, adequate car-parking spaces should be provided to serve the eating place as required by the Transport Department. If it is impossible to provide car-parking spaces at the application site, the applicant should demonstrate that there are adequate car-parking facilities conveniently located in the vicinity to serve the eating place use; and
- (f) All other statutory or non-statutory requirements of relevant Government departments should be met.

4. Development Proposal

4.1 Site Configuration and Layout

The Applicant seeks planning permission to use the Application Site for temporary eating place for a period of 3 years. The proposed development intends to serve the local residents of the Shek Wu Wai Village.

The layout and development parameters of the proposed development will be the same as the last application (No. A/YL-NTM/445), except the provision of a pump room and a 2000L water tank to meet the fire service requirements. The proposed development will erect a 1-storey (about 4m) temporary structure of about 225 m² for the proposed eating place at the southern part of the Application Site, as well as a proposed meter room (about 2.5m high) of about 4m² behind the proposed eating place at the southern part of the Application Site (see Layout Plan at **Figure 4**).

The proposed development will also provide 6 parking spaces (2.5m x 5m) for staff and visitors and 1 loading/unloading space (3.5m x 7m) for light goods vehicle for delivery of goods. The Application Site has been fenced off with corrugated metal sheets of about 2.5m high.

The major differences of the current application and the last application are shown below:-

Major Development Parameters	Last Application (No. A/YL-NTM/445)	Current Application	Difference
Applied Use	Proposed Temporary Eating Place for a period of 5 years	Proposed Temporary Eating Place for a period of 3 years	Shorter application period
Site Area	About 1,156 sq.m.	About 1,156 sq.m.	No Difference
Total Floor Area (Non-domestic)	229 sq.m.	233 sq.m.	+4 sq.m. (+1.7%)
No. of Structures	2 - 1 proposed eating place - 1 proposed meter room	4 - 1 proposed eating place - 1 proposed meter room - 1 proposed F.S. pump room - 1 proposed F.S. water tank	+2
Height of Structures	2.5m - 4m (1-storey)	1.22m - 4m (1-storey)	-1.23 m - +0m
No. of Parking Spaces	6 nos. (private cars for staff use only)	6 nos. (private cars for staff use only)	No Difference
Loading/unloading Space	1 no. (light goods vehicle)	1 no. (light goods vehicle)	No Difference
Operation Hours	9:00am to 6:00 pm Mondays to Sundays (including public holidays)	9:00am to 6:00 pm Mondays to Sundays (including public holidays)	No Difference

4.2 Site Operations

The proposed hours of operation at the Application Site are 9am to 6pm daily from Mondays to Sundays (including public holidays). The number of staff working at the Application Site will be 5. To avoid overcrowding of the Application Site and minimize any potential nuisance to the nearby villagers, the Applicant intends to control the number of customers to be no more than 30 people at once in the Application Site.

The site operation of the proposed development will adhere to the 'Control of Oil Fume and Cooking Odour from Restaurant and Food Business' issued by the Environmental Protection Department (EPD) to control oily fume and cooking odour emissions generated from the proposed development during its operation. The provision of sufficient air pollution control equipment in the kitchen ventilation system will help treat cooking fume emissions before discharge to the outdoor environment, so as to comply with the requirements of the Air Pollution Control Ordinance.

4.3 Traffic Arrangement

The Application Site can be accessed via a local track diverging from Shek Wu Wai Road (see **Figure 3**). The ingress/egress point of the Application Site is about 6m wide and located at the northern boundary. The proposed development will share the access road with the local villagers and surroundings users. The no. of parking spaces provided will remain unchanged. The Application Site will provide 6 parking spaces (2.5m x 5m) for staff/visitors and one loading/unloading space (3.5m x 7m) for light goods vehicle for delivery of goods. As most customers will be from the surrounding villages, they will head to the Application Site on foot, the number of generated trips from the proposed eating place will not be more than 5 trips during peak hours, which could be absorbed by the existing road. Sufficient space has been reserved at the northern part of the Application Site for vehicle maneuvering.

4.4 Fire Service Installations (FSIs) Proposal

The approval condition (b) of submission of FSIs proposal of the last application (No. A/YL-NTM/445) has been approved by the Fire Services Department on 31.8.2023 (see **Appendix 1**). Since the layout and development parameters of the proposed development remain the same, the Applicant will adopt the same FSIs proposal and implement the FSIs upon approval of the STW application from the LandsD.

4.4 Drainage Proposal

The approval condition (d) of submission of a drainage proposal of the last application (No. A/YL-NTM/445) has been approved by the Drainage Services Department (DSD) on 15.1.2024 (see **Appendix 2**). The Applicant has also recently completed the construction work of the drainage facilities on site and submitted the implementation record to the Planning Department on 17.7.2024 (see **Appendix 3**) for compliance of approval condition (e).

The Applicant will retain the same drainage design of the approved proposal, in which peripheral 30mm u-channels and catchpits along the site boundary will be used to collect surface runoff and stormwater and divert them to the existing water stream to the east of the Application Site.

4.5 Sewage Treatment

The Applicant will provide septic tank and soakaway pits according to Professional Persons Environmental Consultative Committee Practice Notes ("ProPECC PN") No. 1/23 for sewage treatment and disposal at the Application Site. All wastewater collected from the kitchen, including that from basins, sinks and floor drains, will be discharged via a grease trap in accordance with this ProPECC PN No. 1/23 to prevent any water pollution.

5. Planning Justifications

5.1 Meeting Existing and Future Local Demand for Eating Place

In view of the existing availability of eating place in the Ngau Tam Mei area, the locality of Shek Wu Wai has been in shortage of eating place as villagers and workers have to travel San Tin area for the closest ones available. Meanwhile, given the surrounding area will be developed for the proposed San Tin Technopole, the proposed eating place can satisfy the demand of eating place for workers and future residents during and after the construction period. The proposed eating place will therefore help meet the existing and future local demand and provide the much-needed eating place for villagers and workers in the vicinity.

5.2 Not Contravene the Planning Intention of “V” Zone

The Application Site falls within “V” on the Draft San Tin Technopole OZP No. S/STT/1. Since the proposed development is a temporary use in nature, the Application Site can be easily reverted and reinstated upon the expiry of the approval. In addition, there is no small house application under processing at the Application Site. Therefore, it will not contravene the long-term planning intention of “V” zone. The proposed development in fact will complement the development of the nearby Shek Wu Wai Village and future San Tin Technopole as a local focal point and gathering spot for the villagers and residents, and thus provide a more orderly development pattern of the subject “V” zone. Therefore, the proposed development complies with the planning intention of the “V” zone.

5.3 Not Hinder the Future Development of the Proposed San Tin Technopole

While the Application Site falls within the project area of the proposed San Tin Technopole, it is not within the resumption limit of the scheme. Given the temporary nature of the application, the proposed development will not hinder the long-term future development and planning intention of the locality under the San Tin Technopole OZP. The Applicant understands that the application is only temporary and will vacate from the Application Site upon request from the government.

5.4 Prior Planning Approval Granted for the Same Use at the Application Site

The applied use of the current application is same as the last application. The last application (No. A/YL-NTM/445) for proposed eating place was approved by the Board for a period of 3 years on 25.11.2022. Since the nature of use, development parameters and planning circumstances largely remain unchanged, this application is considered acceptable within the “V” zone.

5.5 Unexpected Delay in Compliance with Approval Conditions

The Applicant has complied with approval conditions (b) and (d) of the last application and the compliance of the approval condition (c) was hindered because of the unexpected delay in processing of the STW application by the LandsD. Additionally, the Applicant has recently completed the construction works for the drainage facilities and submitted the implementation records to the Planning Department on 17.7.2024 for compliance with approval condition (e). Given the prior planning approval for the same eating place use at the same location, as well as the Applicant’s genuine efforts in complying with the approval conditions, this application could be considered acceptable and in line with the previous approval by the Board.

5.6 Compliance with TPB PG-No. 15A

The Application Site is located at the fringe of Shek Wu Wai Road and is accessible from a local track branching from Shek Wu Wai Road. As elaborated above, the proposed development will not induce adverse environmental, traffic, drainage, sewage, landscape and fire safety impacts to the surrounding environment in view of the scale of the proposed eating place. Additionally, given no change in the design layout and development parameters, the proposed development will adopt and implement the approved drainage and FSIs proposals from the last application. Therefore, the proposed development would align with the requirement of the government departments. As such, the proposed development could be considered in compliance with TPB PG-No. 15A.

5.7 Similar Approvals for Eating Place in “V” Zone in the Vicinity

As highlighted in para. 3.3., several similar approvals for eating place have been approved in “V” zone of the San Tin Technopole OZP in the last three years. With the proximity of these approval examples for similar eating place use, approval of this application is considered acceptable within the “V” zone and in line with previous decisions of the Board.

5.8 No Adverse Impacts on the Surrounding Areas

Owing to the nature of the proposed use, no adverse impacts are anticipated on the surrounding areas, as discussed below:

Drainage

As mentioned in paragraph 4.4, the submitted drainage proposal was considered satisfactory by DSD on 15.1.2024 and the Applicant has submitted implementation records on 17.7.2024. Given no change in the proposed development from the last application, the Applicant will maintain the drainage facilities on site, and therefore no adverse drainage impact is anticipated.

Sewage

The Applicant will adhere to ProPECC PN No. 1/23 to manage the sewage treatment and disposal at the Application Site. In this regard, no adverse sewage impact is anticipated.

Traffic

Similar to the last application, the capacity of the proposed development will be limited to a maximum of 30 persons. The maximum trips generated from the Application Site will be not more than 5 trips during peak hours. Since the proposed development intends to serve the nearby local residents only, most of them will head to the Application Site on foot. The increase in traffic volume on the existing track should therefore be minimal and no adverse traffic impact is anticipated. Sufficient parking and maneuvering spaces are provided within the Application Site, therefore, no vehicles will be allowed to queue back or reverse onto/from public road at any time and no adverse traffic impact is expected.

Landscape

There are no trees within the Application Site and the proposed development will not involve any tree felling. The Applicant will provide appropriate landscaping to improve the amenity of the site. The existing tree groups surrounding the Application Site will also act as an effective landscape buffer, and therefore no adverse landscape impact is anticipated.

Environment

The Applicant will follow the 'Control of Oil Fume and Cooking Odour from Restaurant and Food Business' issued by the EPD to control oily fume and cooking odour emissions generated from the proposed development during its operation. The Applicant will also install air pollution control equipment in the kitchen ventilation system to mitigate cooking fume emissions before discharge to the outdoor environment. In addition, all activities will be restricted indoor and the operation is restricted to 6pm, therefore no adverse noise impact is anticipated. With the small scale of the proposed development, no adverse environment impact is expected.

5.9 Maximizing Land Utilization

The Application Site is currently vacant. The proposed development would utilize the deserted land and allow the Application Site to be rejuvenated to provide much needed eating place services in the locality, which would support a more orderly development patterns in the area. The proposed eating place can offer an interim solution to maximize land utilization that is compatible with the surrounding uses.

On the other hand, the proposed use can encourage better management of the quality of the Application Site and upkeep the maintenance of the site, it can therefore avoid the potential outcome of land degradation from ongoing abandonment and lack of maintenance.

5.10 Provision of Planning Gains

With the development of the proposed San Tin Technopole, the locality can be benefited from proliferated developments and opportunities. The proposed eating place could be the first wave of service industries to be brought into the area to facilitate the long-term development of the locality with more economic activities and job opportunities being injected into the neighbourhood, which could be considered as a planning gain to the local community.

6. Conclusion

The Application Site falls within “V” zone on the San Tin Technopole OZP and the Applicant is proposing to develop a temporary eating place on the Application Site. The proposed development is a “Column 2” use of the OZP. In view of the site location, the existing site conditions and surrounding land uses, the proposed development is in line with the planning intention of “V” zone and actually complements the surrounding environment to develop a more orderly development pattern.

Additionally, the Application Site has been granted for planning approval for the same use with similar approvals for proposed eating place use also given in the vicinity. It should be noted that the proposed development could help meet the existing and future local demand for eating place in the area. The proposed development can also bring in planning gains to the locality.

Since the proposed development would not generate adverse impacts and the technical concerns of relevant Government departments could be addressed through the implementation of approval conditions, the proposed development is considered in compliance with TPB PG-No. 15A and acceptable in maximizing the interim land use. Given the temporary nature of the proposed development, it will not hinder the future development of the proposed San Tin Technopole.

In view of the justifications as presented in this planning statement, it is hoped that members of the Board and relevant Government departments will approve this application for a period of 3 years.

LAWSON DAVID & SUNG SURVEYORS LIMITED
August 2024