

Supplementary Statement

1) Background

- 1.1 The applicant seeks planning permission from the Town Planning Board (the Board) to use *Lot 2905 S.C RP (Part) in D.D. 104 and Adjoining Government Land (GL), Mai Po, Yuen Long, New Territories (the Site)* for '**Temporary Shop and Services and Eating Place with Ancillary Facilities for a Period of 5 Years**' (the development) (**Plan 1**).
- 1.2 The applicant has been operating its shop and services (real estate agency) business at the Site since the early 2010s. In view of the increase in local residents and workers along Castle Peak Road – Mai Po, there is a growing demand for restaurant choices in the vicinity. Therefore, the applicant would like to continue operating the shop and services and eating place businesses to serve nearby residents and workers.

2) Planning Context

- 2.1 The Site falls within an area zoned as “Open Space” (“O”) zone on the Draft Mai Po and Fairview Park Outline Zoning Plan (OZP) No.: S/YL-MP/7 (**Plan 2**). According to the Notes of the OZP, ‘Shop and Services’ and ‘Eating Place’ are column 2 uses within the “O” zone, which requires planning permission from the Board.
- 2.2 The vicinity of the Site is predominated by residential and industrial uses. The applied uses are considered not incompatible with surrounding land uses and would benefit nearby residents and workers. Whilst the Site falls within the “O” zone which is to provide outdoor open-air space for recreational uses, there is no known programme to develop the Site into an open space. As such, the temporary basis of the development would not frustrate the long-term planning intention of the “O” zone and can better utilize precious land resources in the New Territories.
- 2.3 Similar application Nos. A/YL-MP/311, 319 and 351 for ‘Shop and Services’ use and Nos. A/YL-MP/299 and 353 for ‘Eating Place’ use were approved by the Board within the “O” zone on the same OZP in recent years. Therefore, approval of the current application is in line with the Board’s previous decision and would not set an undesirable precedent within the “O” zone.

2.4 The Site is subject of several previously approved S.16 planning applications for ‘Shop and Services’ and ‘Eating Place’ uses, of which the latest application (No. A/YL-MP/348) was approved by the Board in 2023. The applicant has made effort to comply with approval conditions of the previous application, details are shown at **Table 1** below:

Table 1 – Details of Compliance with Approval Condition of the Previous Application

Approval Conditions of Application No. A/YL-MP/348		Date of Compliance
(c)	Implementation of the accepted fire service installations (FSIs) proposal	Not complied with
(d)	Submission of records of the existing drainage facilities	Not complied with

2.5 Regarding approval condition (c), the applicant submitted a revised fire service installations (FSIs) and a set of valid Certificate for FSI and Equipment (F.S. 251) for compliance with this approval condition on 20/11/2023. However, the applicant did not receive any reply from the Director of Fire Services (D of FS) by the designated time period, which led to revocation of the application on 11/6/2024.

2.6 Regarding approval condition (d), the applicant submitted photographic records of the existing drainage facilities for compliance with this approval condition on 17/10/2023. However, comments from the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) was not received by the applicant until 17/05/2024. Consequently, the applicant did not have sufficient time to address comments from CE/MN, DSD by the designated time period, which led to revocation of the application on 11/06/2024.

2.7 In support of the application, the applicant submitted a FSIs proposal, an as-built drainage plan (accepted and implemented under previous application No. A/YL-MP/188) and a set of photographic records of the existing drainage facilities (**Appendices I to III**). The applicant has been submitting photographic records of the existing drainage facilities for all subsequent applications (Nos. A/YL-MP/225, 254, 267, 300 and 348).

3) Development Proposal

3.1 The Site occupies an area of 574 m² (about), including 205 m² (about) of GL (**Plan 3**). 2 existing structures are provided at the Site for shop and services, eating place, site office and washroom with total gross floor area (GFA) of 379.5 m² (about) (**Plan 4**). A portion of the uncovered area (i.e. 32 m² (about)) will be designated as outdoor dining area to serve not more than 8

visitors at the same time. The operation hours of the development are from 07:30 to 23:00 daily, including public holidays. The number of staff working at the Site is 10. It is anticipated that the Site would attract 30 visitors per day. The ancillary site office is to provide indoor workspace for administrative staff to support the daily operation of the Site. 3 existing trees are preserved at the Site. Details of development parameters are shown at **Table 2** below:

Table 2 – Major Development Parameters

Application Site Area	574 m ² (about), including 205 m ² (about) of GL
Covered Area	189.75 m ² (about)
Uncovered Area	384.25 m ² (about)
Plot Ratio	0.66 (about)
Site Coverage	33% (about)
Number of Structure	2
Total GFA	379.5 m ² (about)
- Domestic GFA	Not applicable
- Non-Domestic GFA	379.5 m ² (about)
Building Height	Not exceeding 7.5 m
No. of Storey	2

3.2 Compared with the previous application, the site area, development parameters and layout remain unchanged. The Site is accessible from Castle Peak Road – Mai Po via a local access (**Plan 1**). Regarding the logistics arrangement of the development, foods and goods supporting the daily operation are transported by private cars, hence, no loading/unloading space is provided for light goods vehicles. A total of 4 parking spaces are provided at the Site, details are shown at **Table 3** below:

Table 3 – Parking Provision

Type of Space	No. of Space
Private Car Parking Spaces - 2.5 m (W) x 5 m (L)	4

3.3 Sufficient space is provided for vehicles to manoeuvre smoothly within the Site to ensure no vehicle will queue back to or reverse onto/from the Site to public roads (**Plan 5**). A notice will be posted at a prominent location of the Site to indicate that no light, medium or heavy goods

vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the *Road Traffic Ordinance*, are allowed to be parked/stored on or enter/exit the Site at all times during the planning approval period. As the trip generation and attraction of the development is minimal (**Table 4**), adverse traffic impact to the surrounding road network is not envisaged.

Table 4 – Trip Generation and Attraction of the Proposed Development

Time Period	Trip Generation and Attraction		
	PC		2-Way Total
	In	Out	
Trips at <u>AM peak</u> per hour (08:00 – 09:00)	1	0	1
Trips at <u>PM peak</u> per hour (17:00 – 18:00)	0	1	1
Traffic trip per hour (average)	0.5	0.5	1

- 3.4 The applicant will follow the ‘*Control of Oil Fume and Cooking Odour from Restaurants and Food Business*’ issued by the Environmental Protection Department (EPD) to control oily fume and cooking odour emissions generated from the eating place. To fulfill the requirements of the *Air Pollution Control Ordinance*, adequate equipment for air pollution control is provided at the kitchen ventilation system to treat fume emissions before being discharged to the environment.
- 3.5 Relevant environmental protection/pollution control ordinances, i.e. *Water Pollution Control Ordinance*, *Air Pollution Control Ordinance*, *Noise Control Ordinance* etc. will be strictly complied with at all times during the planning approval period. The applicant will strictly implement good practices under *Professional Persons Environment Consultative Committee Practice Notes (ProPECC PN 1/23)* for sewage treatment at the Site. Licensed collectors will be employed by the applicant to collect and dispose of sewage on a regular basis to minimize adverse environmental impact to the surrounding areas.
- 3.6 The applicant will strictly follow the ‘*Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites*’ issued by EPD and statutory requirements under relevant pollution control ordinances to minimize adverse environmental impacts and nuisance to the surrounding areas.

4) Conclusion

- 4.1 Significant nuisance to the surrounding areas arising from the development is not anticipated. Adequate mitigation measures are provided, i.e. the submission of a FSIs proposal, an as-built drainage plan and a photographic record of the existing drainage facilities to mitigate any adverse impact arising from the proposed development (**Appendices I to III**).
- 4.2 In view of the above, the Board is hereby respectfully recommended to approve the subject application for ‘**Temporary Shop and Services and Eating Place with Ancillary Facilities for a Period of 5 Years**’.

R-riches Property Consultants Limited

August 2024

LIST OF PLANS

Plan 1	Location Plan
Plan 2	Plan Showing the Zoning of the Site
Plan 3	Plan Showing the Land Status of the Site
Plan 4	Layout Plan
Plan 5	Swept Path Analysis

APPENDICES

Appendix I	Fire Service Installations Proposal
Appendix II	As-built Drainage Plan accepted under Application No. A/YL-MP/188
Appendix III	Photographic Records of the Existing Drainage Facilities