

## **S.16 Planning Application**

Proposed Temporary Shop and Services for a Period of 5 Years

at Lots 21 S.B and 21 RP in D.D. 118

and Adjoining Government Land, Tai Tong Road, Yuen Long, N.T.

Prepared by: Ever United Planning and Development Limited

October 2024

## Executive Summary

The application site is situated at Lots 21 S.B and 21 RP in D.D. 118 and adjoining government land, Tai Tong Road, Yuen Long, N.T. The size of the application site is about 265m<sup>2</sup>.

This planning application under S. 16 of the Town Planning Ordinance intended to apply the application site for the use of proposed temporary shop and services for a period of 5 years.

According to the Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20, the application site is currently zoned 'Village Type Development' ("V"). The proposed use matches with the planning intention of the "V" zone which is to serve the needs of local residents. The proposed development is temporary in nature and it would not jeopardize the building of New Territories Exempted House in the long run.

The operation hour of the proposed development is 9:00 a.m. to 8:00 p.m. daily (including Sundays and public holidays). The nature, form and layout of the proposed development are compatible with the surrounding environment. It would not affect the character of the indigenous village. Even so, the applicant is willing to provide mitigation measures to further minimize any potential impact to the nearby residents. In view of the proposed development is compatible with the surrounding environment and no significant impacts will be generated, preferential treatment should be given to the current planning application.

Town Planning Board has approved a good number of similar applications for temporary shop and services use at "V" zone of the same OZP in the recent years. Therefore, the applicant hopes that the Board could give similar treatment to this application.

The applicant hereby sincerely submits this planning application to seek the approval by the Town Planning Board for the use of the application site for proposed temporary shop and service for a period of 5 years.

## 行政摘要

申請地點位於新界元朗大棠路丈量約份第 118 約地段第 21 號 B 分段及第 21 號餘段和毗連政府土地。申請地點的面積約為 265 平方米。

此申請根據城市規劃條例第 16 條作出規劃許可申請，把申請地點作為期五年的臨時商店及服務行業用途。

根據大棠分區計劃大綱核准圖編號 S/YL-TT/20 中所示，申請地點現時被規劃作「鄉村式發展用途」。本擬議發展切合村民的需要，因此符合「鄉村式發展」地帶的規劃意向。本擬議發展為臨時性質，因此不會影響申請地點長遠作新界豁免管制屋宇的發展。

申請用途的營業時間為每日上午九時至晚上八時(包括星期日及公眾假期)。本擬議發展的性質、形式及佈局與周邊的環境協調，因此不會影響原居民鄉村的風貌。即便如此，申請人願意提供一些緩解措施，以進一步減少對附近居民的任何潛在影響。由於本申請用途與四周環境協調及不會產生明顯影響，所以本申請理應獲得城市規劃委員會從優考慮。

城市規劃委員會近年多次於同一分區計劃大綱圖的「鄉村式發展」地帶批准申請作臨時商店及服務行業用途，因此申請人希望城市規劃委員會對本申請作相同處理。

申請人特此誠意提交此規劃申請，以徵求城市規劃委員會批准把申請地點作為期五年的臨時商店及服務行業用途。

**Supplementary Planning Statement for Proposed Temporary Shop and Services  
for a Period of 5 Years at Lots 21 S.B and 21 RP in D.D. 118  
and Adjoining Government Land, Tai Tong Road, Yuen Long, N.T.**

**Section 1 – Background of the Application Site**

**1.1 Introduction**

- 1.1.1 This planning application is submitted by Ever United Planning and Development Limited on behalf of Simon Chong Design Consultants Limited and seeks permission from the Town Planning Board to use Lots 21 S.B and 21 RP in D.D. 118 and adjoining government land, Tai Tong Road, Yuen Long, N.T. for “Proposed Temporary Shop and Services for a Period of 5 Years”.
- 1.1.2 The application site is situated within walking distance from nearby villages and is surrounded by a huge amount of village houses. There is a great demand for interior and landscape design services in the area. In view of that, the applicant would like to operate a shop for providing interior and landscape design services at the site to bring convenience to the nearby residents.
- 1.1.3 By way of this S.16 planning application, the applicant intends to demonstrate to the Board that the proposed development is compatible with the surrounding environment and it would not generate adverse impact. The applicant wishes that Town Planning Board could give favourable consideration to his planning application.

**1.2 Site Particulars**

- 1.2.1 The application site is situated at Hung Tso Tin Tsuen (**Figure 1**). It possesses an area of approximately 265m<sup>2</sup>. The surface of the application site is hard paved.
- 1.2.2 The application site is accessible via a vehicular track leading from Tai Tong Road (**Figure 3**).
- 1.2.3 The application site is zoned for ‘Village Type Development’. Some village houses were found to all directions of the application site. Public drainage is found to the east of the application site.

**1.3 Proposed Use of the Application Site**

- 1.3.1 The application site is applied for temporary shop and services for a period of 5 years. Due to the close proximity to the Hung Tso Tin Tsuen, Nam Hang Tsuen and Nam Hang Pai, it targets to serve the nearby residents and villagers.

- 1.3.2 The operation hours of the proposed development is 9:00a.m. to 8:00p.m. at all days including Sundays and public holidays.

#### **1.4 Lease Conditions**

1.4.1 The application site is situated on an Old Schedule agriculture lot held under Block Government Lease. The lease was issued in 1906 to be executed from 1898 with a term of 75 years which was renewable for another term of 24 years less three days. The first term of the lease expired in 1973 and was then statutorily renewed. With reference to the New Territories Lease (Extension) Ordinance 1988, the lease would be further renewed to 2047.

1.4.2 The applicant will approach the District Lands Office/Yuen Long and apply for the Short Term Waiver (STW) in order to regularize the temporary structures at the application site. It shows that the applicant has strong intention to comply with all regulations imposed by the Government.

#### **1.5 Planning Context**

1.5.1 The application site is zoned ‘Village Type Development’ (“V”) according to the Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20 (**Figure 2**). Referring to the OZP, the “V” zone is intended 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.

1.5.2 The applied use is belonged to column 2 of the “V” zone. Although the site is not subject to any previous S.16 planning application, several similar applications for “shop and services” use were previously approved by the Town Planning Board within “V” zone of the same OZP. As such, it is the applicant’s intention to submit this application to request the Board’s favour to this proposed use.

## **Section 2 – Development Proposal**

### **2.1 Site Planning and Vehicular Access Arrangement**

- 2.1.1 The application site occupies an area of about 265m<sup>2</sup>. The entire site boundary will be erected with site fencing to differentiate the site from adjacent land lots.
- 2.1.2 The site ingress/egress is located at the eastern part of the site. The application site is served by a vehicular track leading from Tai Tong Road.
- 2.1.3 Due to the limited size of the site and the proposed development is target for the nearby residents and villagers, no parking space is proposed for the proposed development. Therefore, the proposed development is deemed to have no significant impact on the traffic condition of the area.
- 2.1.4 A temporary structure is proposed to serve the proposed development. It is a 2-storey structure for showcase of interior design uses. The layout of the proposed development is shown in **Figure 3**.
- 2.1.5 The application site is generally surrounded by New Territories Exempted Houses at all directions. Given the nature and layout of the proposed development, the proposed development is in general considered compatible to the surrounding development.

### **2.2 Environmental Considerations and Commitments**

- 2.2.1 Being a temporary use, the applicant would like to propose the following additional ameliorative measures in accordance with the '*Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites*' (August 2005) to seek the Environmental Protection Department's consent:

#### Air

The application site and the access area at the site frontage has been hard paved to avoid any fugitive dust impact;

#### Noise

No operation will be held in sensitive hours, i.e. from 8:00p.m. to 9:00a.m.; &

#### Sewage

No effluent and sewage will be generated because of the operation of the proposed development.

## **2.3 Visual Considerations and Commitments**

2.3.1 In brief, the application site is generally surrounded by New Territories Exempted Houses at all directions. Having regard the development scale and dimension of proposed structure, the proposed development is in general considered compatible to the surrounding development and has no visual impact to the vicinity.

## **2.4 Drainage and Fire Services Installations Considerations and Commitments**

2.4.1 Upon the planning permission has been granted, drainage proposal and fire services installation proposals would be submitted to the satisfaction of relevant Departments. The applicant also committed to implement adequate drainage and fire services facilities in the site.

2.4.2 The applicant will take whole responsibility to maintain the facilities at his own expense.

2.4.3 Having regard the development scale and nature, it is reasonable to anticipate that the proposal development has no adverse impact to the vicinity.

## **Section 3 – Planning Justifications**

### **3.1 The Proposed Development is in Line with the Planning Intention of the ‘Village Type Development’ (“V”) Zone**

3.1.1 The application site is zoned ‘Village Type Development’ (“V”) according to the Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20. According to the Explanatory Statement of the OZP, the “V” zone is intended 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 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.

3.1.2 The application site is not approved for any Small House use and temporary use could be therefore considered in the interim. The proposed development which is temporary in nature would not jeopardize the planning intention of the “V” zone in the long run.

3.1.3 The proposed development, which is primarily to serve the residents nearby, is definitely a commercial use serving villager's demand. The nature and the size of the proposed development would not affect the character of the village. All in all, the proposed development conforms with the planning intention of the "V" zone.

### **3.2 Shop and Services is a Column Two Use in "V" Zone and Always Permitted at the Ground Floor of a New Territories Exempted House**

3.2.1 In accordance with the notes of the Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20, the application site falls within 'Village Type Development' ("V") zone. Shop and services is a Column Two use in the "V" zone where the subject site falls within.

3.2.2 It is also noted that shop and services are always permitted on the ground floor of a New Territories Exempted House. It shows that shop and services is actually compatible with the nearby village houses and residential units at second and third floor.

3.2.3 In view of that the nature of the proposed development is temporary, clean, tidy and free from nuisance, Town Planning Board is therefore requested to give favourable consideration to the current application.

### **3.3 The Proposed Development is Compatible with the Surrounding Environment**

3.3.1 The application site is zoned "V" according to the Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20. In view of that the application site is surrounded by a good number of small houses and easily accessible, the proposed location is an ideal location for shops and services to attract business.

3.3.2 The proposed development, which is treated as a shop and service, is clean, tidy and a non-polluting use. It would not generate significant impact to its surrounding. The proposed temporary structure is two-storey high and not exceeding 7m in height. Considering the scale, nature, layout and form of the proposed development, they are compatible with the surrounding environment and would not affect the character of the village.

### **3.4 Similar Real Estate Agencies in 'Village Type Development' Zone have been Approved by Town Planning Board**

3.4.1 The current planning application is not the first of its kind. It is noted that similar applications for the use of shop and services in 'Village Type Development' Zone are normally approved by Town Planning Board in the vicinity. The six approved cases in the vicinity includes No. A/YL-TT/533, 547, 557, 602, 656 and 662. All



these applications were approved between year 2022 and 2024. They all have the same applied use and similar scale with this current application. The details of approved cases are as follow:

- (i) Temporary Shop and Services for a Period of 3 Years in ‘Village Type Development’ zone at Lots 4891 RP (Part), 4892 RP (Part), 4893 (Part) and 4894 (Part) in D.D. 116 and Adjoining Government Land, Tai Tong Road, Yuen Long, N.T. approved on 18.3.2022 (TPB Ref.: A/YL-TT/533);
- (ii) Temporary Shop and Services for a Period of 3 Years in ‘Village Type Development’ zone at Lot 4773 RP (Part) in D.D. 116, Tai Tong Road, Yuen Long, N.T. approved on 12.8.2022 (TPB Ref.: A/YL-TT/547);
- (iii) Temporary Shop and Services (Local Provision Store with Ancillary Storage Area and Real Estate Agency) for a Period of 3 Years in ‘Village Type Development’ zone at Lots 266 RP (Part) and 268 (Part) in D.D. 117 and Adjoining Government Land, Tai Tong Road, Yuen Long, N.T. approved on 29.7.2022 (TPB Ref.: A/YL-TT/557);
- (iv) Temporary Shop and Services with Ancillary Storage for a Period of 5 Years in ‘Village Type Development’ zone at Lot 3934 S.A (Part) in D.D. 116, Yuen Long, N.T. approved on 11.9.2023 (TPB Ref.: A/YL-TT/602);
- (v) Temporary Shop and Services and Public Vehicle Park for a Period of 3 Years in ‘Village Type Development’ zone at Lots 4891 RP (Part), 4892 S.A, 4892 RP (Part) and 4893 (Part) in D.D. 116 and Adjoining Government Land, Tai Tong Road, Yuen Long, N.T. approved on 16.8.2024 (TPB Ref.: A/YL-TT/656); and
- (vi) Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years in ‘Village Type Development’ zone at Lot 127 (Part) in D.D. 118, Nam Hang Tsuen, Tai Tong, Yuen Long, N.T. approved on 20.9.2024 (TPB Ref.: A/YL-TT/662).

3.4.2 Though the applicant aware and also supports the Board’s viewpoint that the Board would assess the individual merits of each application, the similarity of this current application and the approved cases nearby implied that the approval of this current application would generate no significant adverse impact to the surroundings. Town Planning Board is therefore sincerely requested to deliver similar treatment to the current application.

### **3.5 No Adverse Traffic Impact**

3.5.1 The application site is accessible via a vehicular track leading from Tai Tong Road. Due to the limited size of the site and the proposed development is target for the nearby residents and villagers, no parking space is proposed for the proposed

development.

- 3.5.2 No vehicular ingress/egress is proposed for the proposed development. Therefore, it could be concluded that the proposed development would not generate adverse traffic impact.

### **3.6 No Adverse Environmental Impact**

3.6.1 Being a shop to provide interior and landscape design services to the nearby residents, the proposed development is a compatible use with the surrounding environment including the village houses in the proximity. The applied use would generate neither significant environment nor noise disturbance to both the environment and residents in the area.

3.6.2 Further, the applicant implemented the following measures with reference to the '*Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites*' (August 2005) to enhance the compatibility with the surrounding environment:

- (i) The surface of the application site and its frontage is hard paved by concrete; and
- (ii) No operation will be held between 8:00p.m. to 9:00a.m.

### **3.7 Provision of Drainage and Fire Services Facilities**

3.7.1 Referring to para. 2.4 above, the applicant committed to provide drainage and fire services facilities in the application site and it is reasonable to anticipate that no adverse impact will be induced due to the approval of this current application.

## **Section 4 – Conclusion**

4.1 The application site is currently zoned 'Village Type Development' ("V"). It is a Column 2 use in the "V" zone as well as an as-of-right use at the ground floor of the New Territories Exempted House which is in line with the planning intention to serve the need of the residents without affecting the character of the village.

4.2 The proposed development is compatible with the surrounding environment. Having regard the development proposal, the proposed development is in general considered no impact to the vicinity. Besides, the applicant will provide drainage and fire services facilities to further minimize any potential impact.

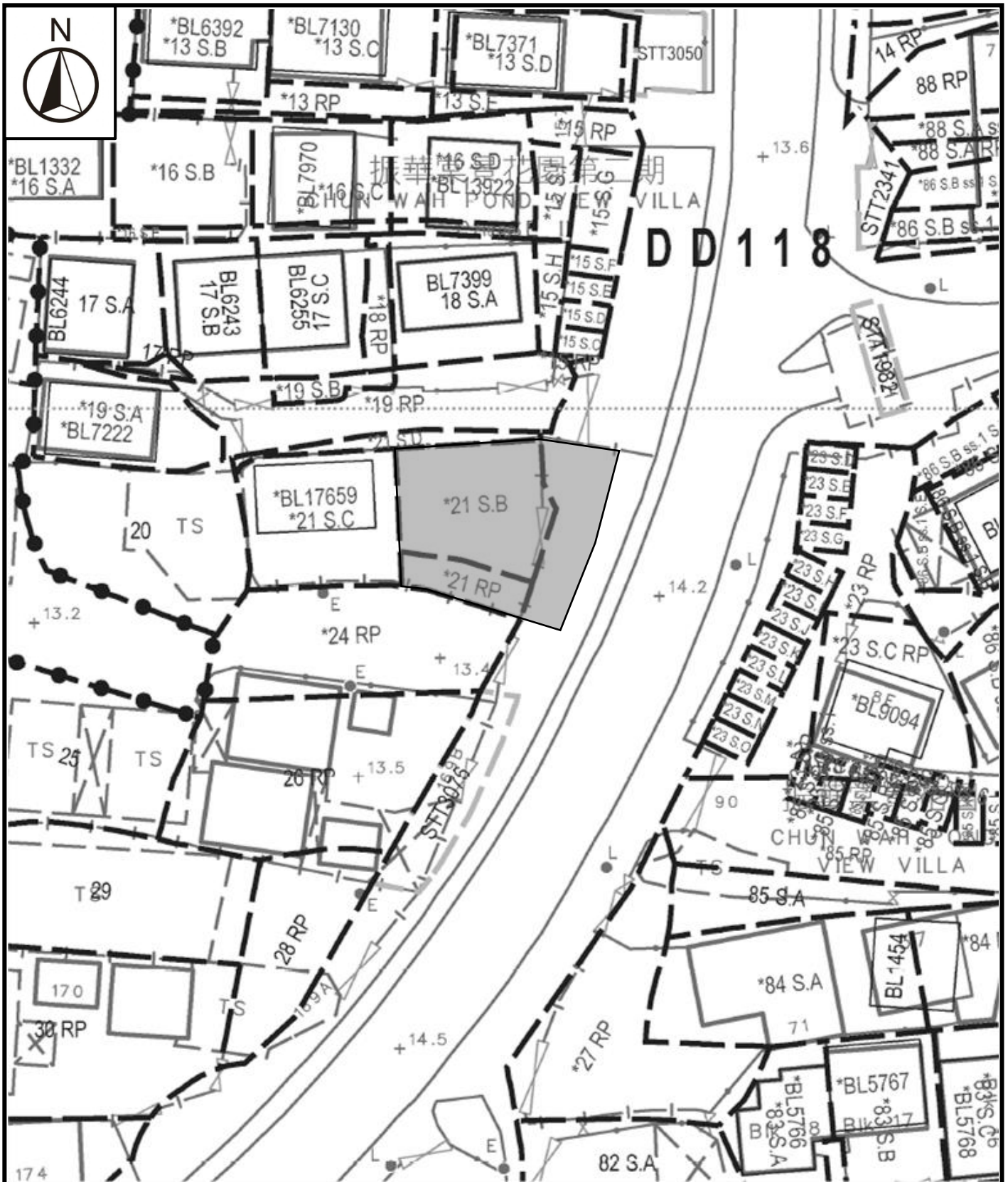
4.3 A number of similar applications for the use of shop and services in "V" zone in the vicinity have been approved on temporary basis by Town Planning Board to meet

resident's demand. The applicant sincerely requests the Town Planning Board to deliver similar treatment to his application.

- 4.4 Town Planning Board is hereby respectfully requested to approve the planning permission for Lots 21 S.B and 21RP in D.D. 118 and adjoining government land, Tai Tong Road, Yuen Long, N.T. for temporary shop and services for a period of 5 years on sympathetic grounds.

## **LIST OF PLANS**

- Figure 1 Site Plan
- Figure 2 Extract from OZP No. S/YL-TT/20
- Figure 3 Layout Plan



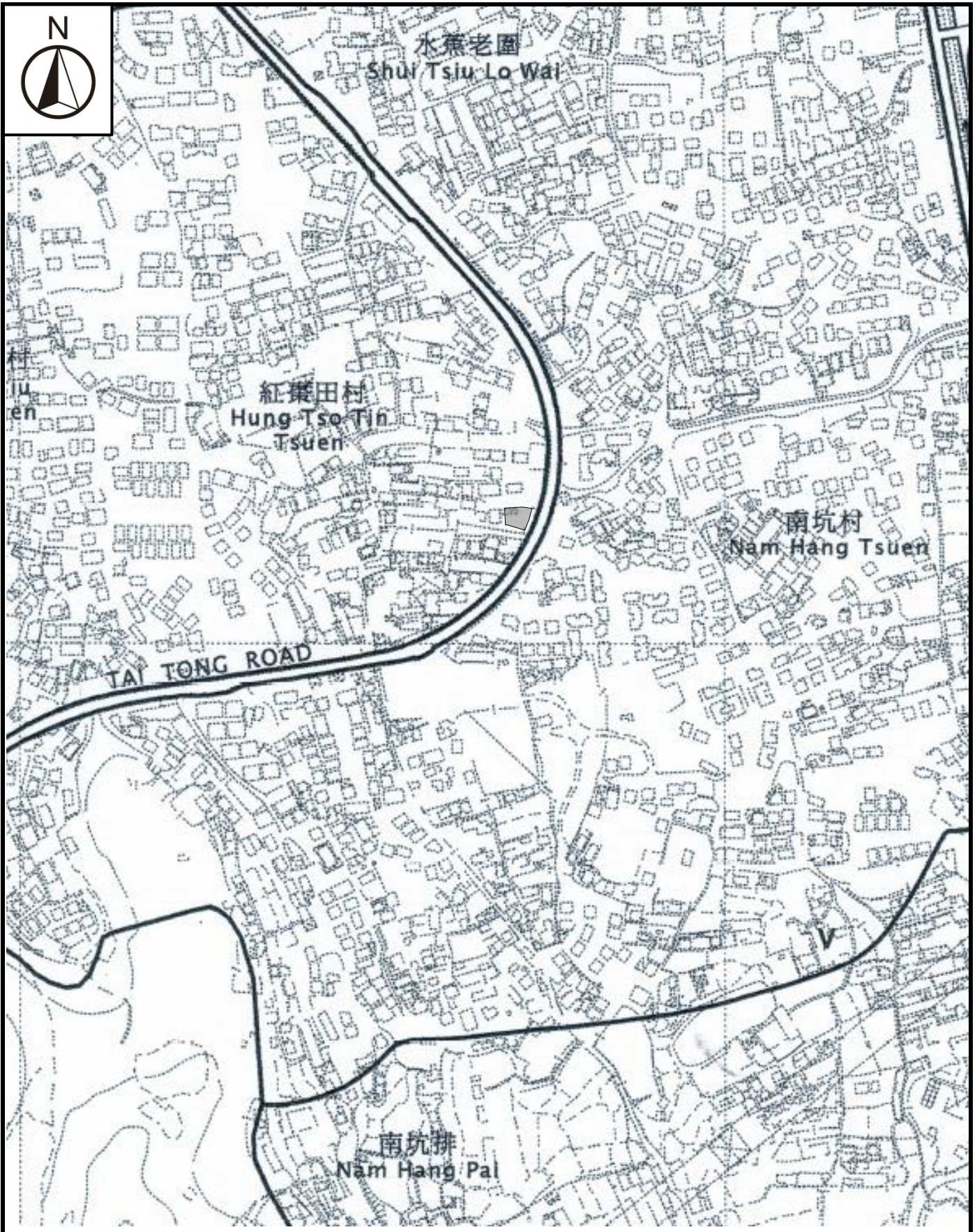
Proposed Development:  
**Proposed Temporary Shop and Services for a Period of 5 Years  
 at Lots 21 S.B and 21 RP in D.D. 118 and Adjoining Government  
 Land, Tai Tong Road, Yuen Long, N.T.**


**Figure 1:**  
**Site Plan**

Scale:  
**1:500**

**Legend:**  
 **Application Site**



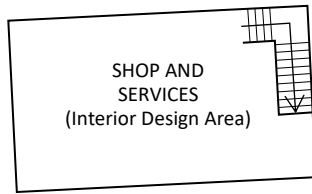


<p>Proposed Development:  <b>Proposed Temporary Shop and Services for a Period of 5 Years at Lots 21 S.B and 21 RP in D.D. 118 and Adjoining Government Land, Tai Tong Road, Yuen Long, N.T.</b></p>	<p><b>Figure 2:</b>  <b>Extract from OZP</b>  <b>No. S/YL-TT/20</b></p> <hr/> <p>Scale:  <b>1:3750</b></p>	<p><b>Legend:</b></p> <p> <b>Application Site</b></p>
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**G/F OF STRUCTURE S1**  
(INDICATIVE ONLY)



**1/F OF STRUCTURE S1**  
(INDICATIVE ONLY)

**Development Parameters**

Application Site Area	: 265m <sup>2</sup> (About)
Covered Area	: 65m <sup>2</sup> (About)
Uncovered Area	: 200m <sup>2</sup> (About)
Plot Ratio	: 0.49 (About)
Site Coverage	: 24.5% (About)
No. of Structure	: 1
Building Height	: 7m
No. of Storey	: 2
Total GFA	: 130m <sup>2</sup> (About)
Domestic GFA	: Not Applicable
Non-Domestic GFA	: 130m <sup>2</sup> (About)

Proposed Development:

**Proposed Temporary Shop and Services for a Period of 5 Years at Lots 21 S.B and 21 RP in D.D. 118 and Adjoining Government Land, Tai Tong Road, Yuen Long, N.T.**




**Figure 3:**

**Layout Plan**

Scale:

**1:500**

**Legend:**

-  Site Entrance
-  Structure for demo of Interior Design
-  Open area for demo of Landscape Design