

Planning Statement

Introduction

1. This Planning Statement is submitted to the Town Planning Board (“the Board”) on behalf of Ms. KONG Yee Ka (“the Applicant”) in support of the planning application for a ‘Proposed Temporary Shop and Services with Ancillary Office for a period of 5 years’ (“the Proposed Development”) at Lot Nos. 1213 S.A and 1213 S.B RP in D.D. 118, Yuen Long, New Territories (“the Site”) under Section 16 of the Town Planning Ordinance.

Application Site (Plans 1 and 2)

2. The Site comprises Lot Nos. 1213 S.A and 1213 S.B RP in D.D. 118, Yuen Long, New Territories. It is accessible from Tai Shu Ha Road West via a local track leading to the ingress to its east.
3. The site area is about 558 m². No Government Land is involved.

Planning Context

4. The Site falls within an area zoned “Other Specified Uses (Rural Use)” (“OU(RU)”) on the Approved Tai Tong Outline Zoning Plan (the “OZP”) No. S/YL-TT/20.
5. The planning intention of the “OU(RU)” zone is primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Town Planning Board, with a view to upgrading or improving the area or providing support to the local communities.
6. According to the Notes of the OZP, ‘Shop and Services’ use is a Column 2 use within the “OU(RU)” zone on the OZP requiring planning permission from the Board.
7. Provided that the structures of the Proposed Development are temporary in nature, approval of the application on a temporary basis for a period of 5 years would not frustrate the long-term planning intention of the “OU(RU)” zone.

Development Parameters

8. The following table summarises the details of the structures on site (**Plan 3**):

No.	Uses	Floor Area (ab.) (m ²)	Covered Area (ab.) (m ²)	Height (ab.) (m)	No. of Storey
1	Showroom / Shop with Ancillary Office and storage	210	210	7.5	1
2	Showroom / toilet	15	15	7.5	1
Total		<u>225</u>	<u>225</u>		
		Plot Ratio	Site Coverage		
		0.4	40.3%		

9. The Proposed Development provides a venue for the display of flowers and plants for sale. Operation hours are from 10 a.m. to 6 p.m. daily from Mondays to Saturdays. No operations on Sundays and public holidays.
10. The Site is accessible by vehicles from Tai Shu Ha Road West via a local track. 1 no. of parking space for private car and 1 no. of parking space for light goods vehicle (LGV) are proposed at the Site for daily operation of the Proposed Development. Sufficient space is allowed for vehicle manoeuvring within, entering and leaving the Site (**Plan 5**). No parking, reversing or turning of vehicles on public road is expected. Parking spaces will be reserved for customers who have given prior notification.

Previous Application

11. The Site is the subject of a previous application no. A/YL-TT/571 approved by the Rural and New Town Planning Committee (“the Committee”) in 2022 for ‘Proposed Temporary Shop and Services for a Period of 3 Years’ submitted by the same applicant.
12. The previous application was approved mainly on considerations that the proposed development would not frustrate the long-term planning intention of the “OU” zone; not incompatible with the surrounding land uses; and no adverse comments from relevant departments.
13. The Applicant has complied with two approval conditions in relation to the submissions of a drainage proposal and a FSI proposal respectively (2 out of 4 approval conditions). As relevant STW has not been granted from Lands Department within 18 months since the planning application has approved, the Applicant could not arrange to comply with the last two approval conditions regarding the implementation works. The application was therefore revoked on 28.7.2024. The Applicant would like to submit a fresh s.16 application to continue the use. Compared with the previously approved application, the layout of the current application has been slightly changed.
14. Given that the planning context of the adjacent areas has not been significantly altered, it is considered that the planning circumstances of the current application are relevant to the previous application.

Similar Applications

15. There are 3 similar applications for shop and services use approved by the Committee within the “OU” zone on the OZP in the past 5 years:

Application No.	Applied Use	Date of Approval
A/YL-TT/495	Proposed Temporary Shop and Services for a Period of 3 Years	15.5.2020
A/YL-TT/494	Renewal of Planning Approval for Temporary Shop and Services (Retail Shop for Pet Food) for a Period of 3 Years	12.6.2020
A/YL-TT/561	Proposed Temporary Shop and Services for a Period of 3 Years	26.8.2022

16. The similar applications were approved by the Committee between 2020 and 2022 on considerations that temporary approval would not frustrate the long-term planning intention of the “OU” zone; not incompatible with surrounding land uses; and no adverse departmental comments or the concerns could be addressed by relevant approval conditions.
17. Given that the planning context of the adjacent areas has not been significantly altered, it is considered that the planning circumstances of the current application are relevant to the similar approved applications.

No Adverse Impacts to the Surroundings

Visual and Landscape

18. The Proposed Development involves the erection of temporary structures. The applied use is considered not incompatible with surrounding land uses intermixed with warehouses, open storage yards, shop and services and residential structures.
19. No vegetation clearance and tree felling will be carried out at the Site. As such, adverse visual and landscape impacts to the surrounding areas are not anticipated.

Traffic

20. The trip attraction and generation rates are expected as follows:

	Mondays to Saturdays	
	Attractions	Generations
09:00 – 10:00	0	0
10:00 – 11:00	1	0
11:00 – 12:00	0	0
12:00 – 13:00	0	0
13:00 – 14:00	1	1
14:00 – 15:00	0	0
15:00 – 16:00	0	1
16:00 – 17:00	1	0
17:00 – 18:00	0	1

Total Trips	<u>3</u>	<u>3</u>
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21. In view of the low trip attraction and generation rates, it is expected that the Proposed Development should not cause adverse traffic impacts to the adjacent areas and road network.
22. 1 no. of parking space for private car and 1 no. of parking space for LGV are proposed at the Site for daily operation of the Proposed Development. Sufficient space is allowed for car manoeuvring within, entering and leaving the Site (**Plan 5**). Parking spaces will be reserved for customers who have given prior notification.

Environment

23. The Applicant undertakes to follow the measures as set out in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ issued by the Environmental Protection Department in order to minimise any possible environmental nuisances, and to comply with all environmental protection/pollution control ordinances.
24. No public announcement systems, whistle blowing or portable loudspeaker will be allowed within the Site. Potential adverse noise impacts to the surrounding areas are not anticipated.

Drainage

25. The Applicant has submitted a drainage proposal with the provision of u-channels and catchpits to mitigate the potential adverse drainage impacts arising from the Proposed Development for compliance with approval condition under the previously approved application no. A/YL-TT/571. The proposal was accepted by CE/MN, DSD on 18.4.2024. Please refer to the Approved Drainage Proposal (**Plans 4.1 & 4.2**) and relevant compliance letter (**Annex I**) for details.

Fire Safety

26. The Applicant will submit a layout plan incorporated with proposed fire service installations (FSI) after the planning approval has been granted from the Board. The Applicant will proceed to implement the FSI proposal at the Site once it is accepted by the Director of Fire Services.

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