Temporary Warehouse for Storage of Food Provisions and Associated Filling of Land for a Period of 3 Years
at
Lots 478 S.A RP, 482 (Part), 484 & 487 RP (Part) in D.D.90, Lin Ma Hang Road, Ta Kwu Ling, N.T.

Section 1 Background

1.1 Introduction

1.1.1 This planning application is submitted by Active Full Limited (業滿有限公司). The applicant seeks planning permission for temporary warehouse for storage of food provisions and associated filling of land for a period of 3 years at Lots 478 S.A RP, 482 (Part), 484 & 487 (Part) in D.D.90, Lin Ma Hang Road, Ta Kwu Ling, N.T. (**Figure 1**) Although the proposed use is neither a Column 1 nor 2 use in the "AGR" zone, the covering Notes of the OZP stipulate that temporary use or development of any land or buildings not exceeding a period of 3 years within the zone requires planning permission from Town Planning Board notwithstanding that the use or development is not provided for under the Notes of the OZP. The Site is currently vacant.

1.1.2 The current application is to facilitate relocation of their food business from Kwu Tung which will be resumed by Government for the Kwu Tung Development. The previous site falls within the Kwu Tung Development Area and the concerned lot (i.e. Lots 741 S.G, 741 S.H, 742 S.B, 742 RP and 743 S.A all in D.D.92) (**Figure 5**) has been already resumed by the Government in April 2024. Thus, there is an imminent need for the applicant to secure a relocation site to continue the affected business operation.

1.1.3 The application site is abutting Lin Ma Hang Road.

Section 2 Planning Justifications

2.1 Thorough Site Selection Process

2.1.1 The applicant had undergone a thorough site selection process in identifying a suitable relocation site for their affected operation. The process had been difficult as land within Categories 1 and 2 areas of the Town Planning Board Guidelines for "Application for Open Storage and Port Back-up Uses" (TPB PG-No. 13G) were either unaffordable or have been occupied by other operators.

2.1.2 Four prospective sites in North districts has been reviewed and were found to be unsuitable due to various shortcomings such as too large for the relocation, high acquisition costs, traffic concerns and etc. The details of alternative sites for relocation of applicant's business and why they are not feasible is shown in the

following:

2.1.3 Alternative Site 1 – Lot 1618RP in D.D.125 – This site is an ideal site for the relocation of applicant's business because t it has been approved for vehicle repair workshop on 9.12.2022 by Town Planning Board (TPB Ref.: A/HSK/418). However, this site will be resumed by Government shortly too so that it cannot guarantee the continuous operation of the applicant's business in the future. Another relocation may be necessary in the near future so that it would frustrate the potential of this site and extra money is required for the relocation of which the applicant cannot afford. Further, the acquisition cost of this site is not affordable by the applicant. Also, the site is adjacent to 'Village Type Development' ("V") zone and the vehicular access falls within the 'Village Type Development' zone which is incompatible to the adjacent uses.

2.1.4 Alternative Site 2 – Lot 1282 in D.D.124 – The size of the site is about 370m^2 only so that it would be too small for the relocation of applicant's business. The said site would not be adequate for the smooth manoeuvring of medium goods vehicle within the site after storage of construction materials which may generate adverse traffic impact to the nearby pedestrian and vehicle. The site will be resumed by Government shortly too so that it cannot guarantee the continuous operation of the applicant's business in the future. Another relocation may be necessary in the near future so that it would frustrate the potential of this site and extra money is required for the relocation of which the applicant cannot afford.

2.1.5 Alternative Site 3 – Lot 1463 RP in D.D.118 – The site is zoned "AGR" and "CA" according to the Approved Tai Tong Outline Zoning Plan No. S/YL-TT/18 of which the proposed development may not be compatible with the surrounding environment.

2.1.6 Alternative Site 4 – Taxlord Lot 464 S.A RP in D.D.83 – Although the site is zoned "OS" according to Approved Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/14, the site is about 3,300m^2 which is too large for the applicant. The said site is also unaffordable by the applicant because the seller sells it at $2,600 per feet. The site is also covered with extensive structures of which site clearance cost is too expensive for the applicant together with the land cost.

2.1.7 The Site at the application site is deemed suitable for relocation as it is highly accessible and abutting Lin Ma Hang Road. The site area of the site at the application site (i.e. 2,950m^2) is the most closely to the area of the original site at Kwu Tung (i.e. 2,175m^2) and it is also subject to a previous planning permission No. A/NE-MKT/37 which is the same as the applied use of the current application.

2.2 The Site is Unsuitable for Agricultural Rehabilitation

2.2.1 The application site has been vacant for a long period of time and it has not been rehabilitated for agricultural activities. In view of that warehouses have been

found along Lin Ma Hang Road and most of them were relocated from other New Development Area, the proposal which is not incompatible with the surrounding uses would put scarce land resources into a better use.

2.3 Importance to Local Food Provisions Industry

2.3.1 The applicant is a major supplier of soy beans products in Hong Kong. Successful relocation of the Site would help sustain the operation and help support the sustainable supply of soy beans products in Hong Kong market.

2.4 No Adverse Traffic Impacts

2.4.1 Only medium/heavy goods vehicle will access to site to deliver the food provisions to and from the application site. Also, the operation hours of the development will be limited to 9:00a.m. to 7:00p.m. from Mondays to Saturdays and no operation will be held on Sundays and public holidays. The operation will only bring negligible amount of traffic to the area. The applicant has also submitted estimated traffic generation/attraction to support his application and the traffic generated and attracted to the site is negligible.

2.4.2 The proposed development is a warehouse for storage of food provisions. No visitors will be allowed to visit the site. The proposed warehouse is not significant in size. As such, the approval of the current application would not bring significant amount of traffic to the area.

2.5 No Adverse Environmental and Visual Impacts

2.5.1 It is noted that some residential settlements were found to the west of the application site. However, the applicant undertakes that the operation hours of the development will be limited to 9:00a.m. to 7:00p.m. from Mondays to Saturdays and no operation will be held on Sundays and public holidays. That is to say no operation will be held during the sensitive hours. Secondly, the proposed development is a warehouse for storage of food provisions. No workshop activities are proposed within the application site. Storage use is inert and static in nature so that it would not affect the nearby residents. More, the applicant proposed to cover the site with an enclosed warehouse to store the food provisions. No operation use will be held at the application site which may generate noise or visually eyesore to the nearby residents. Lastly, the applicant agreed to undertake the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Use" and the Professional Persons Environmental Consultative Committee Practice Notes No. 1/23 to upkeep the environment of the application site. The applicant is full of confidence that the proposed development would not generate environmental nuisance to the nearby residents.

2.6 No Adverse Drainage Impacts

2.6.1 The applicant has provided drainage facilities at the application site and it was found satisfactory to the CE/MN, DSD for the last planning permission No. A/NE-MKT/37. It is believed that the drainage impact of the proposed development to the surrounding area would be minimal.

2.7 The Proposed Development is Compatible with the Surrounding Environment

2.7.1 The application site has consulted Development Bureau before submitting the last planning application. It is noted that the proposed development is not incompatible with the surrounding environment.

2.7.2 Although some residential settlements were found to the west, significant part of the proposed development would be covered and storage use will be carried out within a warehouse. Thus, the impact to the nearby residents is minimal.

2.8 No Undesirable Precedent

2.8.1 The proposed relocation of the applicant's operation to the application site is a direct result of the Government's land resumption of land for the Kwu Tung NDA. Successful relocation of the operation would help to maintain a stable supply of food provisions in Hong Kong and should be considered unique from any other temporary development proposals in the subject "AGR" zone. Approval of the application would not create an undesirable precedent.

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Annex 1 Estimated Traffic Generation

1.1 The application site is abutting Lin Ma Hang Road.

1.2 Also, the proposed loading/unloading spaces at the application site would only be opened to medium/heavy goods vehicles with prior appointment. No queueing of traffic would be resulted.

1.3 The estimated average traffic generation and traffic generation rate at peak hours are as follow:

Type of Vehicle	Average Traffic Generation Rate (pcu/hr)	Average Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at Peak Hours (pcu/hr)	Traffic Attraction Rate at Peak Hours (pcu/hr)
Medium/ heavy goods vehicle	0.4	0.4	2	2

Note 1: The opening hour of the proposed development is restricted to 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays. No operation will be held on Sundays including public holidays;

Note 2: The pcu of medium/heavy goods vehicle is taken as 2; &

Note 3: Morning peak is defined as 7:00a.m. to 9:00a.m. whereas afternoon peak is defined as 5:00p.m. to 7:00p.m.

1.4 As shown in the above estimation, it is estimated that the proposed development would not generate significant amount of traffic. It would not affect the traffic condition of Lin Ma Hang Road. The negligible increase in traffic would not aggravate the traffic condition of Lin Ma Hang Road and nearby road networks.