

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/1056

- Applicant** : Huge Great International Limited represented by Prudential Surveyors International Limited
- Site** : Lot 82 S.B ss.1 (Part) in D.D.108, Fan Kam Road, Pat Heung, Yuen Long
- Site Area** : About 2,802m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Residential (Group D)” (“R(D)”) [restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Temporary Private Vehicle Park (Medium and Heavy Goods Vehicles) and Open Storage of Operational Tools and Materials and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary private vehicle park (medium and heavy goods vehicles) and open storage of operational tools and materials and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land in the “R(D)” zone also requires planning permission from the Board. The Site is currently fenced, hard paved, erected with some temporary structures and used for the applied uses without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Fan Kam Road (**Plan A-1a**). According to the layout plan submitted by the applicant, the Site is divided into two portions. The northern portion covers an area of about 973m² (34.7% of the Site) for vehicular circulation space and open storage of operational tools and materials (including portable water jets, pipe fittings, portable pumps and personal protection equipment) and the southern portion covers an area of about 1,829m² (65.3% of the Site) for a private vehicle park (including vans and pumping vehicles for domestic liquid waste and waste cooking oils) to support the operational needs of a cleansing company. The

private vehicle park comprises ten parking spaces (7.5m × 2.5m) for 7.2m-medium goods vehicles and five parking spaces (9.5m × 2.8m) for 9.3m-heavy goods vehicles, as well as five temporary structures (including one two-storey structure of 5.6m in height for ancillary office and storage use, two single-storey structures of 2.5m to 2.6m in height for portable dry toilet use, and two single-storey structures of 2.6m in height for ancillary storage use) with a total floor area of about 148m². The applicant also applies for regularisation of associated filling of land for the entire Site up to about +47.3mPD and no further filling is required. No workshop activities will be conducted at the Site. The operation hours are between 7:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is at **Drawing A-1**.

1.3 The Site is the subject of six previously approved applications for various temporary open storage and temporary vehicle park cum open storage uses (details at paragraph 6 below). The last application (No. A/YL-PH/933) submitted by the same applicant for the same applied uses on the same site as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 14.7.2023. The planning permission was subsequently revoked on 14.11.2024 due to non-compliance with approval conditions in relation to the submission and implementation of the drainage proposal. Compared with the last application, the number of parking spaces remains the same and the number of structures is increased from 3 to 5.

1.4 In support of the application, the applicant has submitted the following documents:

(a) Application Form with Planning Statement (PS) and (**Appendices I and Ia**) supporting documents received on 11.3.2025 and 17.3.2025

(b) Further Information (FI) received on 24.4.2025* (**Appendix Ib**)

**accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, PS and FI at **Appendices I to Ib**, and can be summarised as follows:

- (a) The tentative user of the Site is a company which provides hygiene related services and the Site will be used for the applied uses to support the operational need of the business.
- (b) The applied uses on a temporary basis will not jeopardise the long-term planning intention of the “R(D)” zone and are not incompatible with the surrounding area dominated by open storage yards, warehouses, vehicle parks and temporary industrial uses. The current application can better utilise existing land resources until the Site is developed for permanent development.
- (c) The Site is the subject of approved applications for similar uses between 1993 and 2023 and there are also similar applications within the same “R(D)” zone. It is considered that the planning circumstances of the current application are similar to

these approved applications. The last planning permission under application No. A/YL-PH/933 was revoked due to the non-compliance with approval conditions.

- (d) According to the aerial photos, the Site has already been filled since 2004. The current application is to regularise the existing filling of land at the Site and no additional filling of land will be conducted at the Site.
- (e) The applied uses will not cause any adverse impacts on visual, sewerage, drainage, environmental and traffic aspects. A fire service installations (FSIs) proposal, a drainage proposal and a traffic impact assessment have been submitted in support of the current application. Regarding the environmental concerns expressed in the public comments, the applicant has obtained permission/license from relevant departments and complied with the relevant government requirements on handling domestic liquid waste and waste cooking oils.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13G) promulgated on 14.4.2023 are relevant to the application. The Site falls within Category 2 areas under the TPB PG-No. 13G, and the relevant extract of which is at **Appendix II**.

5. Background

The Site is not subject to any active enforcement action.

6. Previous Applications

- 6.1 The Site, in part or in whole, is the subject of six previous applications (No. A/DPA/YL-PH/19, A/YL-PH/252, 354, 459, 499 and 933) for various temporary open storage and temporary vehicle park cum open storage uses (including one with filling of land). These applications were approved with conditions by the Committee between August 1999 and July 2023, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “R(D)” zone; the proposed/applied use(s) were not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no adverse comment or their technical concerns could be addressed by relevant approval conditions. The planning permissions under applications No. A/YL-PH/459 and 933 were subsequently revoked in August 2005 and November 2024 respectively due to non-compliance with approval conditions. Details of these applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

- 6.2 Compared with the last application No. A/YL-PH/933, the current application is submitted by the same applicant for same applied uses at the same site, with the number of parking spaces remained unchanged and the number of structures increased from 3 to 5.

7. Similar Applications

- 7.1 There are nine similar applications (No. A/YL-PH/849, 852, 862, 869, 909, 922, 953, 957 and 1015), involving six sites, for various temporary open storage or vehicle park uses (including three with filling of land) within the same “R(D)” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between September 2020 and November 2024 on similar considerations as mentioned in paragraph 6.1 above. Details of these similar applications are summarised in **Appendix IV** and the locations are shown on **Plan A-1a**.
- 7.2 Other than the similar applications mentioned above, an application (No. A/YL-PH/1026) for temporary open storage of construction materials and machineries and associated filling of land within the same “R(D)” zone on the OZP will be considered at the same meeting (**Plan A-1a**).

8. The Site and Its Surrounding Areas (Plans A-1a to A-4)

- 8.1 The Site is:
- (a) accessible from Fan Kam Road; and
 - (b) currently fenced, hard paved, erected with some temporary structures and used for the applied uses without valid planning permission.
- 8.2 The surrounding areas are rural in character comprising residential structures and open storage/storage yards, a vehicle repair workshop and vacant land. Woodland and graves are located to the north of the Site across Fan Kam Road, and the village settlement of Ta Shek Wu is to the further south of the Site.

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government departments as set out in paragraphs 10.2 and 10.3 below, other departments consulted have no objection to or no adverse comment

on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided in **Appendices V and VI** respectively.

10.2 The following government department supports the application:

Transport

10.2.1 Comments of the Commissioner for Transport (C for T):

- (a) supports the application from traffic engineering perspective to address the local demand; and
- (b) advisory comments are at **Appendix VI**.

10.3 The following government department does not support the application:

Environment

10.3.1 Comments of the Director of Environmental Protection (DEP):

- (a) does not support the application in accordance with the “Code of Practice on handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) issued by the Environmental Protection Department as there are sensitive receivers in the vicinity (i.e. a residential structure is about 3.5m east of the Site) and the applied uses involve the use of medium and heavy goods vehicle which are considered as ‘heavy vehicle’. Thus, environmental nuisance is expected;
- (b) no objection to the filling of land from environmental perspective;
- (c) no substantiated environmental complaint concerning the Site was received in the past three years; and
- (d) advisory comments are at **Appendix VI**.

11. Public Comments Received During Statutory Publication Period

On 18.3.2025, the application was published for public inspection. During the statutory public inspection period, five comments were received from individuals including three objecting to the application and two expressing concerns on the applications mainly on the grounds that the Site is used for parking of large-size vehicles for desludging, septic tank cleaning and grease trap sanitation with strong odour; the applied uses and the use of heavy vehicles would cause adverse environmental and traffic impacts and pedestrian safety issues to the residents of Ta Shek Wu Tsuen; and the approval conditions in relation to the submission or implementation of drainage proposal were not complied with under the last application (**Appendix VII**).

12. Planning Considerations and Assessments

- 12.1 The application is for temporary private vehicle park (medium and heavy goods vehicles) and open storage of operational tools and materials and associated filling of land at the Site zoned “R(D)” (**Plan A-1a**). Whilst the applied uses are not in line with the planning intention of the “R(D)” zone, there is currently no known proposal for long-term development within the “R(D)” zone at the Site and approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)” zone. C for T supports the application for addressing the local parking demand. Taking into account the above and the planning assessments below, there is no objection to the applied uses with associated filling of land on a temporary basis for a period of three years.
- 12.2 Filling of land within the “R(D)” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) has no objection to the application from drainage perspective and DEP has no objection to the filling of land from environmental perspective.
- 12.3 The applied uses are considered not incompatible with the surrounding land uses which are rural in character comprising residential structures and open storage/storage yards intermixed, a vehicle repair workshop, vacant land and woodland/graves. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied uses are not anticipated.
- 12.4 The Site falls within Category 2 areas under TPB PG-No. 13G. The following guidelines are relevant:
- Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of three years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas.
- 12.5 The application is considered generally in line with TPB PG-No. 13G in that, except for DEP, the relevant government departments consulted, including the Director of Fire Services (D of FS), have no objection to or adverse comment on the application. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. DEP does not support the application as the applied uses involve the use of heavy vehicles and environmental nuisance on the sensitive receivers (i.e. residential structures) in the vicinity of the Site is expected. Nonetheless, the Site has been approved for open storage use since 1999 and there was no substantiated environmental complaint concerning the Site in the past three years. Should the application be approved, it is recommended to advise the applicant to follow the “CoP” to minimise the potential environmental nuisance on the surrounding land uses.

- 12.6 The Site is the subject of six previously approved applications for various temporary open storage and temporary vehicle park cum open storage uses submitted by various applicants as mentioned in paragraph 6.1 above. The last application (No. A/YL-PH/933) submitted by the same applicant for the same applied uses was approved with conditions by the Committee in July 2023, and the planning permission was subsequently revoked in November 2024 due to non-compliance with approval conditions in relation to the submission and implementation of the drainage proposal. In support of the current application, the applicant has submitted drainage and FSIs proposals. As such, sympathetic considerations may be given to the current application. Should the application be approved, the applicant will be advised that sympathetic consideration may not be given to any further applications should it fail to comply with any of the approval conditions again resulting in revocation of planning permission. Besides, there are nine approved similar applications within the same “R(D)” zone in the vicinity of the Site in the past five years as mentioned in paragraph 7.1 above. Approving the current application is in line with the Committee’s previous decisions.
- 12.7 Regarding the public comments mentioned in paragraph 11 above, the departmental comments and planning assessments above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and taking into account the public comments mentioned in paragraph 11 above, PlanD has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 2.5.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission of a revised drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 2.11.2025;
- (b) in relation to (a) above, the implementation of the revised drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 2.2.2026;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the provision of fire extinguisher(s) within **6** weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 13.6.2025;
- (e) the submission of a revised fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director

of Fire Services or of the Town Planning Board by 2.11.2025;

- (f) in relation to (e) above, the implementation of the revised fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 2.2.2026;
- (g) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (a), (b), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

The recommended advisory clauses are at **Appendix VI**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied uses with associated filling of land are not in line with the planning intention of the "R(D)" zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and is for low-rise, low-density residential developments subject to planning permission from the Board. There is no strong planning justification given in the submission for a departure from the planning intention, even on temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendices I and Ia	Application Form with PS and supporting documents received on 11.3.2025 and 17.3.2025
Appendix Ib	FI received on 24.4.2025
Appendix II	Relevant Extract of TPB PG-No. 13G
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comments
Drawing A-1	Layout Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MAY 2025**