

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL**  
**FOR TEMPORARY USE**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/560**

- Applicant** : Mr TSUI Sum Wah represented by Ever United Planning and Development Limited
- Site** : Lots 1835 (Part), 1839, 1840 (Part), 1841 S.A (Part), 1841 S.B (Part), 1842 (Part), 1854, 1855 (Part), 1856 (Part), 1857 RP (Part), 1864 RP (Part), 1889 (Part), 1890 (Part), 1894 (Part) and 1895 RP (Part) in D.D. 125, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 6,075m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zonings** : (i) “Residential (Group A) 4” (“R(A)4”) (about 77%);  
*[Restricted to a maximum plot ratio (PR) of 5 and a maximum building height (BH) of 120mPD]*
- (ii) “Residential (Group A) 3” (“R(A)3”) (about 9%); and  
*[Restricted to a maximum PR of 5.5 and a maximum BH of 140mPD]*
- (iii) area shown as ‘Road’ (about 14%)
- Application** : Renewal of Planning Approval for Temporary Warehouse for Storage of Electrical Appliances for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval for temporary warehouse for storage of electrical appliances for a period of three years at the application site (the Site) partly zoned “R(A)4” and “R(A)3” and partly shown as ‘Road’ on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years within the zone requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use with valid planning permission under application No. A/HSK/370 until 10.6.2025 (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Ping Ha Road via a local track and the ingress/egress point is located at the southern part of the Site (**Plans A-2 and A-3**). According to the applicant, a two-storey temporary structure (not more than 11m high) with a floor

area of 4,020m<sup>2</sup> is used for warehouse for storage of electrical appliances while seven one-storey temporary structures (not more than 7m high) with a total floor area of 184m<sup>2</sup> are used for site offices, toilet, meter room, water tank and pump room. Two parking spaces for private cars/light goods vehicles (7m x 3.5m each) and two loading/unloading bays for medium/heavy goods vehicles (11m x 3.5m each) are provided (**Drawing A-2**). The operation hours are from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the access leading to the Site, site layout, as-built drainage facilities and fire service installations (FSIs) submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site was involved in 11 previous applications for various temporary open storage or warehouse uses, of which two applications for temporary warehouse for storage of electrical appliances were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2019 and 2022 (details at paragraph 6.1 below). Compared with the last application No. A/HSK/370 approved by the Committee on 10.6.2022, the current application is submitted by the same applicant for the same use with the same layout and development parameters at the same site.
- 1.4 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with attachments received on 28.3.2025 (**Appendix I**)
  - (b) Supplementary Information (SI) received on 2.4.2025 (**Appendix Ia**)

## **2. Justifications from the Applicant**

The justifications put forth by the Applicant in support of the application are detailed in the Application Form with attachments at **Appendix I**. They can be summarised as follows:

- (a) previous applications for the same use had been approved by the Board at the Site. The current application is to seek renewal of planning approval under the last application No. A/HSK/370. All approval conditions of the previous application No. A/HSK/370 have been complied with;
- (b) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones. The current application is to allow the continuation of the applied use during the interim period before the Site is resumed for the Hung Shui Kiu/Ha Tsuen New Development Area development;
- (c) the applied use is not incompatible with the surrounding areas. Similar planning applications for open storage and port back-up uses have been approved by the Board in the adjoining areas;
- (d) the applied use will have insignificant traffic and drainage impacts. Adequate maneuvering spaces will be provided within the Site and the implemented drainage facilities accepted by the Drainage Services Department (DSD) will be maintained at the applicant's own expense; and
- (e) the applied use will not generate significant environmental impacts to the surrounding areas as adequate mitigation measures will be provided. No cutting, dismantling, cleansing, repairing, compaction, tyre repairing, vehicle repairing, container repairing

and workshop activities will be carried out at the Site.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by publishing notices in local newspapers and posting site notice. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) is relevant to the application. The relevant assessment criteria are at **Appendix II**.

### **5. Background**

The Site is currently not subject to any planning enforcement action.

### **6. Previous Applications**

6.1 The Site was involved in 11 previous applications (No. A/YL-HT/7, 128, 216, 380, 534, 716, 827, 993, A/HSK/122, 177 and 370) for temporary various temporary open storage or warehouse uses. Two of these applications (No. A/HSK/177 and 370) for temporary warehouse for storage of electrical appliances were approved with conditions by the Committee between 2019 and 2022 mainly on the considerations that the temporary use was not incompatible with the surrounding areas; and no major adverse comments from concerned government departments. However, one of the planning permissions (No. A/HSK/177) was subsequently revoked due to non-compliance with the time-limited approval condition regarding the implementation of FSIs proposal. As for the last application No. A/HSK/370, all the approval conditions have been complied with and the planning permission is valid until 10.6.2025. Details of these applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.

6.2 The other nine applications (No. A/YL-HT/7, 128, 216, 380, 534, 716, 827, 993 and A/HSK/122) for various temporary open storage were approved by the Committee/the Board between 1996 and 2019. The considerations for these applications are not relevant to the current application which is for a different use.

### **7. Similar Applications**

There are three similar applications involving temporary warehouse use within/straddling the same “R(A)4” and “R(A)3” zones and area shown as ‘Road’ in the past five years. All of them were approved with conditions by the Committee between 2020 and 2022 based on similar considerations as mentioned in paragraph 6.1 above. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible from Ping Ha Road via a local track; and
- (b) currently occupied by the applied use with valid planning permission under application No. A/HSK/370.

8.2 The surrounding areas are predominantly occupied by opens storage yards, logistics centres, warehouse, vehicle repair workshop and parking of vehicles intermixed with unused land, some of which are covered by valid planning permissions while some uses are suspected unauthorized developments subject to planning enforcement action.

## **9. Planning Intentions**

9.1 The planning intention of the “R(A)” zone is primarily for high-density residential development. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.

9.2 The concerned area shown as ‘Road’ is reserved for a proposed local road.

## **10. Comments from Relevant Government Departments**

All departments consulted have no objection to or no adverse comments on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV and V** respectively.

## **11. Public Comment Received During Statutory Publication Period**

On 8.4.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

## **12. Planning Considerations and Assessments**

12.1 The application is for renewal of planning approval for temporary warehouse for storage of electrical appliances for a period of three years at the Site partly zoned “R(A)4” and “R(A)3” and partly shown as ‘Road’ on the OZP. Whilst the applied use is not in line with the planning intention of the “R(A)” zone, there is no known development proposal at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation programme and land resumption/clearance programme are currently being reviewed under the relevant investigation study and subject to change. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Nonetheless, should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.

- 12.2 The applied use is considered not incompatible with the surrounding areas which are predominantly open storage yards, logistics centres, warehouse, vehicle repair workshop and parking of vehicles intermixed with unused land (**Plan A-2**).
- 12.3 The application complies with TPB PG-No. 34D in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/HSK/370; all approval conditions under the previous approval have been complied with; there is no adverse departmental comment on the renewal application; and the three-year approval period sought which is the same as the last approval granted by the Committee is considered reasonable.
- 12.4 Other relevant government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of DSD have no objection to or no adverse comment on the application from environmental, traffic, fire safety and drainage perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise any potential environmental nuisances on the surrounding areas.
- 12.5 The Committee has approved two previous applications for the same applied use at the Site between 2019 and 2022 and three similar applications within/straddling the same “R(A)4” and “R(A)3” zones and area shown as ‘Road’ in the past five years. Approval of the current application is in line with the Committee’s previous decisions.

### **13. Planning Department’s Views**

- 13.1 Based on the assessments made in paragraph 12 above, the Planning Department 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, and be renewed **from 11.6.2025 to 10.6.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **11.9.2025**;
- (c) the submission of a 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 **11.12.2025**;
- (d) in relation to (c) above, the implementation of the fire service installations

proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **11.3.2026**;

- (e) if the above planning condition (a) 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
- (f) if any of the above planning condition (b), (c) or (d) 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 attached at **Appendix V**.

13.3 There is no strong reason to recommend rejection of the application.

**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**

<b>Appendix I</b>	Application Form received on 28.3.2025
<b>Appendix Ia</b>	SI received on 2.4.2025
<b>Appendix II</b>	Relevant Extracts of TPB PG-No. 34D
<b>Appendix III</b>	Previous and Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	As-built Drainage Plan
<b>Drawing A-4</b>	FSIs Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2025**