

RNTPC Paper No. A/YL-KTS/1072
For Consideration by the
Rural and New Town
Planning Committee
on 20.6.2025

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

APPLICATION NO. A/YL-KTS/1072

- Applicant** : Mr. CHAN Sau Yu
- Site** : Lots 476 RP (Part) and 477 in D.D. 106, Kam Sheung Road, Pat Heung, Yuen Long
- Site Area** : About 3,000m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) [Restricted to a maximum plot ratio of 0.4 and a maximum building height (BH) of 3 storeys (9m)]
- Application** : Renewal of Planning Approval for Temporary Open Storage of Vehicles, Metal, Plastic Pipes, Machinery, Vehicle Parts and Construction Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of vehicles, metal, plastic pipes, machinery, vehicles parts and construction materials for a period of three years at the application site (the Site) zoned “OU(RU)” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years 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/YL-KTS/924 until 13.7.2025 (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible via Kam Sheung Road (**Plans A-2 and A-3**). According to the applicant, the applied use comprises six non-domestic structures of not more than two storeys (not more than 4.8m high) with a total floor area of about 415m² for godown, storeroom, office, toilet and switch room uses and an existing domestic structure of not more than three storeys (not more than 7.3m high), with a floor area of about 163m². No workshop activity will be carried out at the Site. 10 private

car parking spaces, three light goods vehicle (LGV) and two medium goods vehicle (MGV) parking spaces, without fixed locations, are provided within the Site. The operation hours are from 8:30 a.m. to 7:00 p.m. on Mondays to Saturdays, with no operation on Sundays and public holidays. The site layout plan submitted by the applicant is at **Drawing A-1**.

1.3 The Site is the subject of nine previous applications for the similar/same temporary open storage uses (details at paragraph 6 below) (**Plan A-1b**). The last application No. A/YL-KTS/924, submitted by the same applicant as the current application, was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 24.6.2022. All time-limited approval conditions have been complied with and the planning permission is valid until 13.7.2025. Compared with the last application, the current application is for the same use at the same site with the same layout and major development parameters, with some minor changes in type of parking spaces i.e. provision of three LGV and two MGV parking spaces instead of five LGV parking spaces.

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

- (a) Application Form with attachments and Supplementary (**Appendix I**) Information (SI) received on 24.4.2025 and 30.4.2025
- (b) Further Information (FI) received on 9.6.2025 and (**Appendix Ia**) 10.6.2025*

** 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 at **Appendix I**. They can be summarised as follows:

- (a) The planning approval will expire on 13.7.2025 and the applicant would like to continue the operation of the development at the Site.
- (b) The applicant has complied with all the approval conditions imposed by the Board under the previous planning application No. A/YL-KTS/924 and will continue to maintain the fire service installations at the Site.

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

The applicant is one of the “current land owners” and 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 obtaining consent from the other owners. 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” (TPB PG-No. 13G), the Town Planning Board Guidelines for “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development” (TPB PG-No. 34D) and the Town Planning Board Guidelines for “Designation of “OU(RU)” Zone and Application for Development within “OU(RU)” Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 38) are relevant to the application. Relevant extracts of the said Guidelines are attached at **Appendix II**.

5. Background

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

6. Previous Applications

The Site is the subject of nine previous applications (No. A/YL-KTS/71, 179, 269, 397, 496, 603, 706, 822 and 924) for similar/same temporary open storage uses. All the applications were approved with conditions by the Committee between 1997 and 2022 mainly on the considerations that the proposed/applied use was generally in line with the respective versions of TPB PG-No. 13 in that previous approval(s) for similar proposed/applied use had been granted; the proposed/applied use was not incompatible with the surrounding uses; and the government departments consulted in general had no adverse comment and their concern and/or local objection could be addressed by relevant approval conditions. Amongst the approved applications, the planning permission under application No. A/YL-KTS/179 was subsequently revoked in July 2000 due to non-compliance with time-limited condition. As for the last application No. A/YL-KTS/924, all the time-limited approval conditions have been complied with and the planning permission is valid until 13.7.2025. Compared with the last application, the current application submitted by the same applicant is for the same use at the same site with the same layout and major development parameters, and minor changes as set out in paragraph 1.3 above. Details of the previous applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

7. Similar Applications

There are five similar applications covering four sites (No. A/YL-KTS/843, 865, 872, 933 and 958) for similar temporary open storage uses each for a period of three years within the subject “OU(RU)” zone in the vicinity of the Site in the past five years. All the applications were approved by the Committee mainly on the similar considerations as mentioned in paragraph 6 above. Details of the similar applications are summarised in **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 via Kam Sheung Road; and
- (b) currently occupied by the applied use with valid planning permission under application No. A/YL-KTS/924 until 13.7.2025.

8.2 The surrounding areas are rural in character comprising predominantly open storage and storage yards, warehouses and rural workshops intermixed with parking of vehicles, vehicle emission testing laboratory, depot, site office, scattered residential dwellings, car service, grassland and vacant land.

9. Planning Intention

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 Board, with a view to upgrading or improving the area or providing support to the local communities.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 below, other departments consulted have no objection to/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 IV** and **V** respectively.

10.2 The following government department does not support the application:

Environment

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

- (a) he does not support the application in accordance with the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (COP) as there are residential buildings within 100m from the Site (**Plan A-2**) and the proposed use involves the use of heavy vehicles, and environmental nuisance is anticipated;
- (b) there was no substantiated environmental complaint received against the Site in the past three years; and
- (c) advisory comments are in **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 2.5.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from the Aviation Club of Hong Kong China expressing concern on the height of the applied use from flight safety perspective, given the close proximity of the Site to the Shek Kong Runway 11.

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of planning approval for temporary open storage of vehicles, metal, plastic pipes, machinery, vehicle parts and construction materials for a period of three years at the Site zoned “OU(RU)” (**Plan A-1a**). Whilst the applied use is not in line with the planning intention of the “OU(RU)” zone, there is currently no known programme for long-term development at the Site. Approval of the application on a temporary basis for a further period of three years would not frustrate the long-term planning intention of the “OU(RU)” zone.
- 12.2 The applied use is considered not incompatible with the surrounding areas which comprise predominantly open storage and storage yards, warehouses and rural workshops intermixed with parking of vehicles, vehicle emission testing laboratory, depot, site office and scattered residential dwellings (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impacts arising from the applied use is not anticipated and she has no adverse comment on the application from landscape planning perspective.
- 12.3 The Site falls within Category 3 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that previous approvals for similar / same temporary open storage uses had been granted to the Site between 1997 and 2022 (**Plan A-1b and Appendix III**); all the approval conditions under the last previous application No. A/YL-KTS/924 had been complied with; and the relevant government departments consulted, including the, Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services, Director-General of Civil Aviation (DG of CA) and the Commissioner for Transport have no adverse comment on or no objection to the application. While DEP does not support the application as the applied use involves the use of heavy vehicle and there are sensitive receivers of residential structures in the vicinity of the Site (**Plan A-2**), there was no substantiated environmental complaint received against the Site in the past three years. Should the application be approved, the applicant will be advised to follow the COP to minimise any potential environmental nuisance caused by the applied use on the surrounding areas and the relevant statutory environmental requirement and practice notes. In light of the above, the application is also considered not in conflict with TPB PG-No. 38 in that the applied use would not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings, nor would it overstrain the capacity of existing and planned infrastructure. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 13.2 below.

- 12.4 The application is in line with TPB PG-No. 34D in that there has been no material change in the planning circumstances since the previous approval was granted; no adverse planning implication arising from the renewal is anticipated; all the approval conditions under the previous approval have been satisfactorily complied with; and the three-year approval period sought which is the same timeframe as the previous approval is reasonable.
- 12.5 Given the nine approved previous applications for similar/same uses at the Site and five approved similar applications within the same “OU (RU)” zone in the vicinity of the Site in the past five years as detailed in paragraph 6 above, approving the current application is in line with the previous decisions of the Committee.
- 12.6 For the public comment mentioned in paragraph 11 above, DG of CA advises that the maximum level of the structures of the applied use (i.e. three storeys with a height below 7.3m)) is in general compatible with the BHs in the surrounding areas and will not exceed the Airport Height Restriction as prescribed under the Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301).

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment 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 and be renewed from 14.7.2025 until 13.7.2028. 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 existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (c) if any of the above planning condition (a) or (b) 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.

Advisory clauses

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

- 13.3 There is no strong reason to recommend rejection of the renewal 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

Appendix I	Application Form with attachments and SI received on 24.4.2025 and 30.4.2025
Appendix Ia	FI received on 9.6.2025 and 10.6.2025
Appendix II	Relevant extract of TPB PG-No. 13G, 34D and 38
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Site Layout Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
JUNE 2025**