

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

APPLICATION NO. A/HSK/571

- Applicant** : Skywin International Development Limited represented by Metro Planning & Development Company Limited
- Site** : Lots 48 S.A (Part), 48 S.B (Part) and 49 (Part) in D.D. 128 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 1,598m² (including GL of about 245m² or 15.3%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plans and Zonings** : (i) “Government, Institution or Community” (“G/IC”) (about 7%);
[Restricted to a maximum building height (BH) of 8 storeys]
- (ii) area shown as ‘Road’ (about 45%)
on the approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2; and
- (iii) “Residential (Group D)” (“R(D)”) (about 48%)
[Restricted to a maximum plot ratio of 0.2 and a maximum BH of 2 storeys (6m)]
on the approved Ha Tsuen Fringe (HTF) OZP No. S/YL-HTF/12
- Application** : Renewal of Planning Approval for Temporary Open Storage of Construction Material and Metal Ware with Ancillary Workshop for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of construction material and metal ware with ancillary workshop for a period of three years at the application site (the Site) partly zoned “G/IC” and shown as ‘Road’ on the approved HSK and HT OZP, and partly zoned “R(D)” on the approved HTF OZP (**Plan A-1a**). According to the covering Notes of the OZPs, temporary use or development of any land or building not exceeding a period of three years within the concerned zones requires planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use with valid planning permission under application No. A/HSK/398 until 23.9.2025 (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kai Pak Ling Road via a local track and the ingress/egress point is located at the southern part of the Site (**Drawing A-2 and Plan A-2**). According to the applicant (**Drawing A-2**), an open shed with a floor area of 160m² at the southwestern part of the Site is used for open storage of construction material

and metal ware while the remaining six temporary structures (one to two storeys, not more than 8.5m in height) with a total floor area of about 738m² are used for site offices, toilet, electricity meter room and storage with ancillary workshop purposes. The ancillary workshop is for polishing of aluminum and the workshop activities will be carried out within enclosed structures. Two parking spaces for private cars (each of 5m x 2.5m) and one loading/unloading space for light goods vehicles (7m x 3.5m) are also provided. The operation hours are from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the access leading to the Site, site layout and as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in ten previous applications for various temporary open storage uses with/without ancillary workshop, including nine applications approved by the Rural and New Town Planning Committee (the Committee) of the Board between 1998 and 2022 (details at paragraph 6 below). Compared with the last application No. A/HSK/398 approved by the Committee on 23.9.2022, 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 an Application Form with attachments received on 30.5.2025 (**Appendix I**).

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 since 1998. The current application is to seek renewal of planning approval under the last application No. A/HSK/398. All approval conditions of the previous application No. A/HSK/398 have been complied with;
- (b) the development conforms with the relevant Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13G);
- (c) the applied use is not incompatible with the surrounding areas. Similar planning applications have been approved by the Board in the adjoining areas. The planning circumstances of the current application are similar to that of the adjacent planning permissions for open storage and port back-up uses;
- (d) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones; and
- (e) the applied use will have insignificant traffic, drainage and environmental impacts.

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 posting site notice and sending notice to Ha Tsuen Rural Committee by registered post. Detailed information would be deposited at the meeting for Members' inspection. The "Owner's Consent/Notification" Requirements are not

applicable to the GL portion.

4. Town Planning Board Guidelines

- 4.1 TPB PG-No. 13G promulgated on 14.4.2023 is relevant to the application. The Site falls within the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extract of the Guidelines is attached at **Appendix II**.
- 4.2 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 III**.

5. Background

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

6. Previous Applications

- 6.1 The Site was involved in ten previous applications (No. A/YL-HT/48, 206, 372, 529, 642, 807, 986 and 1070 and A/HSK/176 and 398) for various temporary open storage uses with/without ancillary workshop. Nine of these applications were approved with conditions by the Committee between 1998 and 2022 mainly on the considerations that the applied uses were not incompatible with the surrounding areas; being generally in line with the relevant TPB PG-No.13; and no major adverse comments from concerned government departments. However, three of the planning approvals (No. A/YL-HT/529, 986 and 1070) were subsequently revoked due to non-compliance with the time-limited approval conditions. As for the last application No. A/HSK/398, all time-limited approval conditions have been complied with and the planning permission is valid until 23.9.2025. Details of these applications are summarised at **Appendix IV** and their boundaries are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-HT/206 for temporary open storage of construction machinery and repair workshop was rejected by the Committee in 2001 on the ground that there was insufficient information to demonstrate that the development would not have adverse environmental and drainage impacts on the surrounding areas.

7. Similar Applications

- 7.1 There are seven similar applications involving temporary open storage use within/partly within the same “G/IC” zone and area shown as ‘Road’ on the approved HSK and HT OZP in the past five years. All of them were approved with conditions by the Committee between 2021 and 2025 based on similar considerations as mentioned in paragraph 6.1 above. Details of these applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1a**.
- 7.2 For Members’ information, application No. A/HSK/569 for temporary open storage of rubbish trucks, rubbish skips and metal ware with ancillary workshop for a period of three years involving the same “G/IC” zone 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 Kai Pak Ling Road via a local track; and
- (b) currently used for the applied use with valid planning permission under application No. A/HSK/398.

8.2 The surrounding areas are predominantly occupied by open storage yards, warehouses, storage facility, recyclable collection centre, parking of vehicles and a pump house intermixed with graves, woodland and vacant and unused land.

9. Planning Intentions

9.1 The planning intention of the “G/IC” zone on the approved HSK and HT OZP is primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory.

9.2 The concerned area shown as ‘Road’ on the approved HSK and HT OZP is reserved for a proposed local road.

9.3 The planning intention of the “R(D)” zone on the approved HTF OZP is primarily for improvement and upgrading of existing temporary structures with the rural areas through redevelopment of existing temporary structures into permanent buildings.

10. Comments from Relevant Government Departments

All 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 are provided in **Appendices V** and **VI** respectively.

11. Public Comment Received During Statutory Publication Period

On 6.6.2025, 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 open storage of construction material and metal ware with ancillary workshop for a period of three years at the Site partly zoned “G/IC” and shown as ‘Road’ on the approved HSK and HT OZP, and partly zoned “R(D)” on the approved HTF OZP. Whilst the applied use is not in line with the planning intentions of the “G/IC”, “R(D)” zones and the area shown as ‘Road’, there is no known development programme 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 of 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 occupied by open storage yards, warehouses, storage facility, recyclable collection centre, parking of vehicles and a pump house intermixed with graves, woodland and vacant and unused land (**Plan A-2**).
- 12.3 The applied use is generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and nine previous planning applications had been approved by the Committee between 1998 and 2022 involving various temporary open storage uses. The current application is submitted by the same applicant for the same use with the same layout and development parameters at the same site as the previous application No. A/HSK/398. In this regard, sympathetic consideration may be given to this application.
- 12.4 The application also 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/398; all time-limited 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.
- 12.5 Other relevant government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no adverse comment on the application from the environmental, traffic, fire safety and drainage perspectives respectively. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisance on the surrounding areas.
- 12.6 The Committee has approved nine previous applications for various temporary open storage uses at the Site since 1998 and seven similar applications within/partly within the same “G/IC” zone and area shown as ‘Road’ on the approved HSK and HT OZP in the past five years. Approval of the current renewal application is generally 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 24.9.2025 to 23.9.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) all workshop activities shall be carried out inside the enclosed structures at all times on the site, as proposed by the applicant, during the planning approval period;
- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) 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 **24.12.2025**;
- (d) the submission of a fire service installations proposal within **6** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **24.3.2026**;
- (e) the implementation of the fire service installations proposal within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **24.6.2026**;
- (f) 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; and
- (g) if any of the above planning condition (c), (d) or (e) 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 VI**.

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

Appendix I
Appendix II

Application Form with Attachments received on 30.5.2025
Relevant Extracts of TPB PG-No. 13G

Appendix III	Relevant Extracts of TPB PG-No. 34D
Appendix IV	Previous and Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	As-built Drainage Plan
Plan A-1a	Location Plan with Similar Application
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JULY 2025**