

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1320

<u>Applicant</u>	:	Rich Nation Inc. Limited represented by Top Bright Consultants Limited
<u>Site</u>	:	Lot 1322 (Part) in D.D. 119, Pak Sha Tsuen, Yuen Long
<u>Site Area</u>	:	1,932 m ² (about)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14
<u>Zoning</u>	:	“Residential (Group C)” (“R(C)”) <i>[Restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park (9m)]</i>
<u>Application</u>	:	Proposed Temporary Warehouse for Storage of General Goods for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse for storage of general goods for a period of three years at the application site (the Site) zoned “R(C)” 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 requires planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced-off and occupied by some vacant temporary structures (**Plans A-2 to A-4b**).
- 1.2 The Site with the ingress/egress at the western part is accessible from Kung Um Road via a local track (**Plans A-2 and A-3**). According to the applicant, the proposed use is for storage of general goods (including household products, vehicle parts and electronic goods, etc.). Four single-storey structures (not exceeding 8m in height) with a total floor area of about 770m² are provided for warehouse use. No open storage and workshop activities will be carried out at the Site. Two parking spaces for private cars and two loading/unloading (L/UL) spaces for light goods vehicles (LGVs) will be provided. No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, will be allowed to enter the Site.

Plans showing the vehicular access leading to the Site and site layout submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

1.3 The major development parameters of the application are summarised as follows:

Site Area	About 1,932 m ²
Total Floor Area (Non-domestic)	About 770 m ²
No. and Height of Structures	4 • for warehouses (8m, 1 storey)
No. of Parking Spaces	2 (for private cars) (5m x 2.5m each)
No. of L/UL Spaces	2 (for LGVs) (7m x 3.5m each)
Operation Hours	9:00 a.m. to 6:00 p.m., with no operation on Sundays and Public Holidays

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

- (a) Application Form received on 26.6.2025 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Supplementary Planning Statement (**Appendix Ia**). They can be summarised as follows:

- (a) there is no known development programme for residential development at the Site and the temporary use under application would not jeopardise the long-term planning intention of the “R(C)” zone;
- (b) a number of similar applications have been approved by the Board in the vicinity of the Site. The proposed use is compatible with the surrounding environment;
- (c) there will be a shortage of land for warehouse use in the future due to planned New Development Area projects and other known developments; and
- (d) the applicant has obtained consent from the adjoining operator under application No. A/YL-TYST/1259 for the share use of a section of the local track access leading to the Site. No adverse traffic, environmental, visual and drainage impacts arising from the proposed use are envisaged.

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 the Ping Shan Rural

Committee by registered post. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

The Site is currently not subject to planning enforcement action.

5. Previous Applications

The Site was, in part or in whole, involved in three previous applications (No. A/YL-TYST/736, 821 and 924) for temporary hydroponics farm, plant nursery and shop and services uses which were all approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2015 and 2018. Their considerations are not relevant to the current application which involves a different use. Details of the previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.

6. Similar Applications

There are 11 similar planning applications (No. A/YL-TYST/1232, 1233, 1235, 1236, 1259, 1276, 1305, 1311, 1313, 1315 and 1317) involving nine sites for various temporary warehouse with/without other uses within/straddling the subject "R(C)" zone in the past five years. All 11 applications were approved with conditions each for a period of three years by the Committee mainly on the considerations that the proposal was not incompatible with the surrounding areas; approval of the application on a temporary basis would not frustrate the long-term development of the area; and the concerns of relevant government departments could be addressed by implementation of approval conditions. Details of these similar applications are summarised in **Appendix II** and the locations of the sites are shown on **Plan A-1a**.

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

7.1 The Site is:

- (a) accessible from Kung Um Road via a local track (**Plans A-2 and A-3**); and
- (b) currently paved, fenced-off and occupied by some vacant temporary structures (**Plans A-2 to A-4b**).

7.2 The surrounding areas comprise predominantly warehouses and open storage/storage yards with scattered residential structures, parking of vehicles, graves, unused land and vacant land/structures (**Plans A-2 and A-3**).

8. Planning Intention

The planning intention of the "R(C)" zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

9. Comments from Relevant Government Departments

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices III** and **IV** respectively.

10. Public Comment Received During the Statutory Publication Period

On 4.7.2025, the application was published for public inspection. During the statutory public inspection period, a public comment was received from an individual raising concerns that the Board should take into consideration whether the Site has been the subject of suspected unauthorized development and approval of the application would jeopardise the long-term planning intention of the area for residential development (**Appendix V**).

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary warehouse for storage of general goods for a period of three years at the Site zoned “R(C)” on the OZP. While the proposed use is not in line with the planning intention of “R(C)” zone, there is no known development programme or proposal for residential development at the Site. The Site also falls within the possible expansion area of the Yuen Long South (YLS) New Development Area which is currently under review together with YLS Third Phase Development. In this regard, the Chief Engineer/Cross-Boundary Infrastructure and Development of Planning Department and Project Manager (West) of Civil Engineering and Development Department have no objection to the application. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area.

11.2 The surrounding areas comprise predominantly warehouses and open storage/ storage yards with scattered residential structures, parking of vehicles, graves, unused land and vacant land/structures (**Plans A-2** and **A-3**). The proposed use is generally not incompatible with the surrounding uses.

11.3 Concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from traffic, environmental, fire safety and drainage aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the planning application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise potential environmental nuisance on the surrounding areas.

11.4 Given that 11 similar applications within/straddling the subject “R(C)” zone have been approved in the past five years, approval of the current application is generally in line with the previous decisions of the Committee.

- 11.5 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant. Any unauthorized development at the Site will be subject to planning enforcement action.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 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 15.8.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a 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 15.2.2026;
- (b) in relation to (a) above, the implementation of the 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 15.5.2026;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) 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 15.2.2026;
- (e) in relation to (d) above, the implementation of the 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 15.5.2026;
- (f) 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
- (g) if any of the above planning condition (a), (b), (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 at **Appendix IV**.

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

the proposed use is not in line with the planning intention of the “R(C)” zone, which is primarily for low-rise, low-density residential developments. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

14. Attachments

Appendix I	Application Form received on 26.6.2025
Appendix Ia	Supplementary Planning Statement
Appendix II	Previous and Similar Applications
Appendix III	Government Departments’ General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
AUGUST 2025**