

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-HTF/1195**

- Applicant** : Mr. WONG Sun Kwong represented by Metro Planning & Development Company Limited
- Site** : Lots 182 S.A ss.2 (Part) and 182 S.B (Part) in D.D. 128, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 3,350m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
- 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 Open Storage of Construction Materials and Metal for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary open storage of construction materials and metal for a period of three years at the application site (the Site) zoned “R(D)” on the OZP (**Plan A-1**). 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). The Site is currently mainly occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible via a local track leading from Fung Kong Tsuen Road and the ingress/egress is at the southeastern part of the Site (**Plans A-2 and A-3**). According to the applicant, the Site is mainly used for open storage of construction materials and metal (about 1,800m<sup>2</sup> or 54% of site area) and nine structures (not more than two storeys and 6.5m in height) with a total floor area of not more than 649m<sup>2</sup> are erected for open shed (storage of construction materials and metal), rain shelter, office and toilet uses (**Drawing A-1**). No workshop activity will be conducted at the Site. Two loading/unloading spaces

for light goods vehicles are provided, and no medium or heavy goods vehicle or container trailer/tractor exceeding 5.5 tonnes will be used. The operation hours are from 9 a.m. to 7 p.m. from Mondays to Saturdays, and there is no operation on Sundays and public holidays. Plans showing the site layout, as-built drainage facilities and vehicular access submitted by the applicant are at **Drawings A-1 to A-3** respectively.

1.3 In support of the application, the applicant submitted the following documents:

- (a) Application Form with attachments received on 9.7.2025 (**Appendix I**)
- (b) Supplementary Information (SI) received on 11.7.2025 (**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 at **Appendix I**. They can be summarised as follows:

- (a) Planning permissions for recyclable collection centre use were previously granted at the Site.
- (b) There is a shortage of land for the applied use in the Ha Tsuen area.
- (c) The Site falls within Category 2 areas under 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).
- (d) Similar planning applications for open storage and port back-up uses have been approved by the Board in the surrounding areas. The applied use is not incompatible with the surrounding areas.
- (e) No adverse traffic, drainage and environmental impacts are anticipated.
- (f) The applied use is temporary in nature and would not jeopardise the long-term planning intention of the "R(D)" zone.

## **3. Compliance with the "Owner's Consent/Notification" Requirements**

The applicant is not the "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 Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

## **4. Background**

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

**5. Town Planning Board Guidelines**

TPB PG-No. 13G promulgated on 14.4.2023 are relevant to the application. The Site is located within Category 2 areas under TPB PG-No. 13G. Relevant extract of the Guidelines is at **Appendix II**.

**6. Previous Applications**

The Site, in whole or in part, was involved in four previous applications (No. A/YL-HTF/1101, 1109, 1138 and 1145<sup>1</sup>) for temporary recyclable collection centre and permanent residential uses. All previous applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2020 and 2023. The considerations of these previous applications are not relevant to the current application which involves a different use. Details of these previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

**7. Similar Applications**

There are 18 similar applications involving various temporary open storage uses within the same “R(D)” zone in the past five years. All applications were approved with conditions by the Committee between 2021 and 2025 mainly on considerations that the applied use was not incompatible with the surrounding areas; the application was considered in line with TPB PG-No. 13F/G; concerned government departments generally had no objection to the application and/or the technical concerns could be addressed by approval conditions. Details of these similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) mainly used for the applied use without valid planning permission;
- (b) accessible via a local track leading from Fung Kong Tsuen Road; and
- (c) located within the Hang Hau Tsuen Site of Archaeological Interest.

8.2 The surrounding areas are predominated by open storage yards, warehouses, recyclable collection centres and vacant/unused land. Some of the open storage, warehouse and recyclable collection centre uses are covered by valid planning permissions.

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<sup>1</sup> Application No. A/YL-HTF/1145, which was approved with conditions by the Committee in 2023, was submitted by a different applicant for proposed house and associated excavation of land. The development has not yet commenced.

**9. Planning Intention**

The “R(D)” zone is intended 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 Bureau/Departments**

All government bureau/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 IV and V** respectively.

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

On 15.7.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VII**) objecting to the application on the grounds that the applied use is not in line with the planning intention of the “R(D)” zone and approval conditions of the previous application No. A/YL-HTF/1145 have not been complied with.

**12. Planning Considerations and Assessments**

12.1 The application is for temporary open storage of construction materials and metal for a period of three years at the Site zoned “R(D)” on the OZP. Whilst the applied use is not in line with the planning intention of the “R(D)” zone, there is no known programme for implementing the approved development or zoned use at the Site. Approval of the application on a temporary basis for a period of three years will not frustrate the long-term planning intention of the “R(D)” zone. Notwithstanding the above, 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 and land resumption/clearance programme is currently being reviewed under the relevant investigation study and subject to change. 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 be advised not to carry out any substantial works therein.

12.2 The Site is located in an area predominated by open storage yards, warehouses and recyclable collection centres (with some of them covered by valid planning permissions), as well as vacant/unused land. The applied use is considered not incompatible with the surrounding areas.

12.3 The Site falls within Category 2 areas under TPB PG-No. 13G. The applied use is generally in line with TPB PG-No. 13G in that relevant government departments, including the Commissioner for Transport, Director of

Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety perspectives respectively. To address the technical requirements of concerned government departments, appropriate 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 possible environmental nuisance on the surrounding areas.

- 12.4 The Committee has approved 18 similar applications involving various open storage uses within the same "R(D)" zone in the past five years. Approval of this application is in line with the previous decisions of the Committee.
- 12.5 Regarding the public comment objecting to the application, the planning considerations and assessments in paragraphs 12.1 to 12.4 above are relevant. The previous application No. A/YL-HTF/1145 was submitted by a different applicant for a different use and hence is not relevant to the current application.

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

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11 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 until **5.9.2028**. 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 **5.3.2026**;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **5.6.2026**;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **5.3.2026**;

- (e) in relation to (d) 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 **5.6.2026**;
- (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 attached at **Appendix V**.

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

the applied use is 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. There is no strong planning justification in the submission for a departure from such planning intention, even on a 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**

<b>Appendix I</b>	Application Form with Attachments received on 9.7.2025
<b>Appendix Ia</b>	SI received on 11.7.2025
<b>Appendix II</b>	Extract of TPB PG-No.13G

<b>Appendix III</b>	Previous and Similar Applications
<b>Appendix IV</b>	Government Bureau/Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	'Good Practice for Open Storage Sites' issued by the Fire Services Department
<b>Appendix VII</b>	Public Comment
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	As-built Drainage Plan
<b>Drawing A-3</b>	Vehicular Access Plan
<b>Plan A-1</b>	Location 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  
SEPTEMBER 2025**