

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1147

- Applicant** : Inu Sachi Limited
- Site** : Lot 1070 RP (Part) in D.D. 109, Kam Tin North, Yuen Long, New Territories
- Site Area** : About 734m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Agriculture” (“AGR”) (96.5%)
“Village Type Development” (“V”) (3.5%)¹
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Proposed Temporary Animal Boarding Establishment and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary animal boarding establishment and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” with minor portion zoned “V” (about 3.5%)¹ on the OZP (**Plan A-1**). According to the Notes of the OZP for the “AGR” zone, ‘Animal Boarding Establishment’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is vacant and covered by grass and shrubs (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kong Tai Road via a local track (**Plans A-1 to A-4**). According to the applicant, the proposed use involves four one to two-storey structures of with height of not more than 6m and a total floor area of about 241.21m² for animal boarding facility, indoor activity room, ancillary site office and electricity box; and an unpaved grassland of about 340m² for animal activity area (**Drawing A-1**). The applicant also applies for proposed filling of land for about 394m² (53.7% of the Site) with concrete of not more than 0.3m in depth (to a level of not more than 8.8mPD) for site formation and vehicular circulation

¹ About 25.7m² (3.5%) of the Site encroaches upon “V” zone which can be regarded as minor boundary adjustment according to the covering Notes of the OZP and is not included in the planning assessment.

(Drawing A-2). One parking space for private car and one parking space for light goods vehicle will be provided at the Site. Peripheral fencing of 2m in height will be erected along the site boundary. The proposed use will accommodate not more than 14 dogs and all dogs will be kept inside enclosed structures equipped with soundproofing materials and installed with mechanical ventilation and air conditioning systems after operation hours. No public announcement system, whistle blowing, portable loud speaker or any form of audio amplification system will be used at the Site. The operation hours will be between 9:00 a.m. and 7:00 p.m. daily except for overnight animal boarding services, including Sundays and public holidays. Plans showing the site layout and land filling area submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

1.3 The Site is the subject of a previous application No. A/YL-KTN/723 (details at paragraph 5 below) submitted by a different applicant for the same use which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2020, and the planning permission was subsequently revoked in 2021 due to non-compliance with approval conditions. Compared with the previous application, the current application is largely similar in terms of site area/boundary and major development parameters but with a different layout.

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

- (a) Application Form with attachments received on 11.7.2025 (**Appendix I**)
- (b) Further Information (FI) received on 25.8.2025* (**Appendix Ia**)

** 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 and FI at **Appendices I** and **Ia**, and can be summarised as follows:

- (a) The proposed use can support the demand for animal boarding services in Hong Kong and there were similar applications approved in the vicinity of the Site.
- (b) The proposed filling of land is to meet the operational needs. Appointment system will be adopted to control the number of visitors. Adverse impacts on the surrounding areas are not anticipated. The applicant will follow up with the relevant licence application to the Agriculture, Fisheries and Conservation Department for the proposed use. In support of the current application, the applicant has submitted drainage and fire service installations (FSIs) proposals.

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 Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Application

The Site is the subject of a previous application No. A/YL-KTN/723 submitted by a different applicant for the same use which was approved with conditions by the Committee in 2020 mainly on the considerations that the proposed use on a temporary basis would not jeopardise the long-term planning intention of the “AGR” zone; the proposed use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comment or the concerns could be addressed by approval conditions. The planning permission was subsequently revoked in 2021 due to non-compliance with approval conditions related to submission and implementation of drainage and FSIs proposals. Compared with the previous application, the current application is largely similar in terms of site area/boundary and major development parameters but with a different layout. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. Similar Applications

There are 27 similar applications for temporary animal boarding establishment (including three renewals for planning approval granted; and 18 with filling of land) within the same “AGR” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2021 and 2025 mainly on the similar considerations as mentioned in paragraph 5 above. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) vacant and covered by grass and shrubs; and
- (b) accessible from Kong Tai Road via a local track.

7.2 The surrounding areas are rural in character with an intermix of open storage/storage yards, parking of vehicles, residential structures, hobby farm, grassland, woodland and vacant land.

8. Planning Intention

8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

- 8.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

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 in the Recommended Advisory Clauses, if any, are provided in **Appendices III** and **IV** respectively.

10. Public Comments Received During Statutory Publication Period

On 18.7.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received, including one from Kadoorie Farm and Botanic Garden Corporation objecting to the application mainly on the grounds that the proposed use is not in line with the planning intention of the “AGR” zone and there would be potential impacts on the Agricultural Priority Areas; and another from an individual indicating concerns over genuineness of the application and the extent of proposed filling of land (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary animal boarding establishment and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation has no strong view on the application from agricultural perspective. Taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 Filling of land in the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards, parking of vehicles, residential structures, hobby farm, grassland, woodland and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective considering that significant adverse landscape impact arising from the proposed use is not anticipated.

- 11.4 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the proposed use.
- 11.5 There are one previously approved application and 27 approved similar applications for the same use as mentioned in paragraphs 5 and 6 above. Approving the current application is in line with the Committee's previous decisions.
- 11.6 Regarding the public comments as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant. Moreover, any unauthorized development on the Site would 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 comments 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 5.9.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a revised 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 revised 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 5.6.2026;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a revised 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 5.3.2026;
- (e) in relation to (d) above, the implementation of the revised 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 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;
- (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; and
- (h) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification 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 with attachments received on 11.7.2025
- Appendix Ia** FI received on 25.8.2025
- Appendix II** Previous and similar applications

Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments
Drawing A-1	Site layout plan
Drawing A-2	Land filling plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**