

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/568

- Applicant** : Ming Fai Industrial (HK) Company Limited represented by Metro Planning & Development Company Limited
- Site** : Lots 2072 (Part), 2075 (Part), 2081 (Part), 2082 (Part), 2083 (Part), 2084, 2085, 2086 and 2087 (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 1,906m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Recreation” (“REC”)
- Application** : Proposed Temporary Open Storage of Building Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary open storage of building materials for a period of three years at the application site (the Site) (**Plan A-1**) zoned “REC” on the OZP. 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 hard-paved, vacant and erected with temporary structures. It is currently covered by a valid planning permission under application No. A/YL-LFS/441 for temporary warehouse for storage of building materials until 23.9.2025 (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Lau Fau Shan Roundabout via a local track, with the ingress/egress located at the south of the Site (**Drawing A-1**). As indicated in the submission, the Site would be used for storage of building materials such as tiles, marble and sanitary wares. As shown on the layout plan at **Drawing A-1**, an area of about 1,000m² (or 52.5%) is designated for open storage purpose. Three single-storey structures (not more than 6.5m in height) with a total floor area of not more than 320m² are used for open shed (for storage of building materials), meter room, site office and toilet uses. Two parking spaces for private car and one loading/unloading space for light goods vehicle are provided.
- 1.3 According to the applicant, the operation hours are between 9 a.m. and 7 p.m. from

Mondays to Saturdays. There is no operation on Sundays and public holidays, and no workshop activities are to be carried out at the Site. The proposed layout plan, as-built drainage plan and vehicular access plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

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

- (a) Application Form with attachments received on 29.7.2025 (**Appendix I**)
- (b) Further Information (FI) received on 10.9.2025* (**Appendix Ia**)
**accepted and exempted from publication 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 proposed use is temporary in nature for a period of three years and would not jeopardise the long-term planning intention of the “REC” zone;
- (b) the Site falls within the Category 2 areas under the Town Planning Board Guidelines No. 13G for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” (TPB PG-No. 13G) where open storage use would be favourably considered;
- (c) the proposed use is of insignificant scale, and is not incompatible with the surrounding areas predominated by open storage yards and warehouses;
- (d) no operation would be undertaken during sensitive hours (from 7 p.m. to 9 a.m.). No workshop activities would be carried out at the Site. Hence, the noise and environmental impacts would be insignificant;
- (e) the proposed use does not involve felling of trees; and
- (f) the drainage impact would be insignificant as surface channel has been built at the Site.

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 Ordinance (TPB PG-No. 31B) by posting site notice and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

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

5. **Background**

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

6. **Previous Applications**

- 6.1 The Site is involved in three previous applications. One was approved while the other two were rejected by the Rural and New Town Planning Committee (the Committee) of the Board/the Board on review. Details of the above previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

Approved application

- 6.2 Application No. A/YL-LFS/441 for proposed temporary warehouse for storage of building materials for a period of three years at the Site was approved with conditions by the Committee on 23.9.2022 mainly on considerations that temporary approvals would not jeopardise the long-term planning intention of the “REC” zone; the proposed use was not incompatible with the surrounding land uses; concerned government departments had no objection to the application and the technical concerns could be addressed by approval conditions. All time-limited approval conditions have been complied with and the planning permission is valid until 23.9.2025.

Rejected applications

- 6.3 Applications No. A/YL-LFS/26 for temporary open storage of construction materials for a period of 12 months and No. A/YL-LFS/85 for proposed temporary public lorry park and lorry compartment installation workshop for a period of three years, both involving the “REC” and the “Coastal Protection Area” (“CPA”) zones, were rejected by the Board on review on 24.7.1998 and by the Committee on 14.6.2002 respectively. The considerations for these applications are not relevant to the current application for temporary open storage use falling entirely within the “REC” zone.

7. **Similar Applications**

- 7.1 Within the “REC” zone, there were 12 similar applications for various open storage uses in the past five years. 10 of them were approved while two were rejected by the Committee. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

Approved applications

- 7.2 Applications No. A/YL-LFS/399 and 451 were approved with conditions by the Committee on 25.6.2021 and 3.2.2023 respectively mainly on considerations that the proposed use was in line with the relevant TPB PG-No. 13 in that the sites were subject to previous permissions, and there had been no major change in planning circumstances since the granting of the previous permissions; and concerned government departments generally had no objection to the applications and/or the technical concerns could be addressed by approval conditions.

- 7.3 Eight applications (No. A/YL-LFS/479, 493, 504, 505, 514, 515, 516 and 555) were approved with conditions by the Committee between August 2023 and August 2025, i.e. after the sites and their adjoining areas were reclassified from Category 3 to Category 2 areas under TPB PG-No. 13G promulgated on 14.4.2023, mainly on considerations that the proposed use was in line with TPB PG-No. 13G in that concerned government departments generally had no objection to the applications and the technical concerns could be addressed by approval conditions.

Rejected applications

- 7.4 Applications No. A/YL-LFS/351 and 400 involving one same site were rejected by the Committee in 2020 and 2021 respectively, i.e. when the sites and its adjoining areas were still classified as Category 3 areas under the then TPB PG-No. 13F, mainly on grounds that no strong justification was provided for a departure from the planning intention; the sites were not subject to previous permissions for open storage use; and there were adverse departmental comments on environmental, traffic, landscape and/or drainage aspects.

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

- 8.1 The Site is:

- (a) hard-paved, vacant, and erected with temporary structures; and
- (b) accessible from Lau Fau Shan Roundabout via a local track.

- 8.2 The surrounding areas are predominated by open storage yards, warehouses and parking of vehicles. Other uses such as remote car racing track and vehicle assembly workshop are also found in the vicinity of the Site.

9. Planning Intention

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

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 IV and V** respectively.

11. Public Comment Received During Statutory Publication Period

On 5.8.2025, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual (**Appendix VII**) was

received querying that the Site had been used for open storage instead of the approved warehouse use under planning application No. A/YL-LFS/441.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary open storage of building materials for a period of three years at the Site zoned “REC” on the OZP (**Plan A-1**). While the proposed use is not in line with the planning intention of the “REC” zone, there is no known development proposal to implement the zoned use at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “REC” 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 parking of vehicles, some of which are covered by valid planning permissions. The proposed use is considered generally not incompatible with the surrounding land uses.
- 12.3 According to TPB PG-No. 13G, the Site falls within Category 2 areas. The application is in line with TPB PG-No. 13G in that there are no adverse comments from concerned government departments including the Director of Environmental Protection, Commissioner for Transport, Chief Town Planner/Urban Design and Landscape of Planning Department, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire Services (D of FS). The technical requirements of CE/MN of DSD and D of FS could be addressed by imposing approval conditions recommended in paragraph 13.2 below. To minimise any possible environmental nuisance on the surrounding areas, the applicant will also be advised to adopt the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’.
- 12.4 The Site is currently covered by valid planning permission under application No. A/YL-LFS/441 for temporary warehouse. The Committee has also approved ten similar applications in the past five years. Although the Committee had rejected two similar applications (No. A/YL-LFS/351 and 400) in 2020 and 2021 respectively, these applications were rejected when the sites fell within Category 3 areas under the then TPB PG-No. 13F and there were adverse departmental comments. For the current application, the Site and its adjoining area have been reclassified from Category 3 to Category 2 areas under the TPB PG-No.13G promulgated on 14.4.2023, and there are no adverse comments from concerned government departments on the application. Approval of the current application is not in conflict with the previous decisions of the Committee.
- 12.5 Regarding the public comment as stated in paragraph 11 above, suspected unauthorized developments not covered by valid planning permission would be

subject to planning enforcement action.

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, 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 **19.9.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a condition record of the existing drainage facilities on the Site within **3 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **19.12.2025**;
- (b) the existing drainage facilities on-site shall be maintained at all times during the planning approval period;
- (c) 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 **19.3.2026**;
- (d) in relation to (c) 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 **19.6.2026**;
- (e) if the above planning condition (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
- (f) if any of the above planning condition (a), (c) or (d) 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 proposed use is not in line with the planning intention of the "REC" zone, which is primarily for recreational developments for the use of the general public. There is no strong planning justification in the submission for a departure from the 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 planning 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 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 received on 29.7.2025
Appendix Ia	FI received on 10.9.2025
Appendix II	Extract of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13G)
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	'Good Practice for Open Storage Sites' by the Fire Services Department
Appendix VII	Public Comment Received During Statutory Publication Period
Drawing A-1	Proposed Layout Plan
Drawing A-2	As-built Drainage Plan
Drawing A-3	Vehicular Access Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**