

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/729

- Applicant** : Joyful Pets Resort Limited represented by Honest Land Surveys Company
- Site** : Lot 1228 RP in D.D.118, Tai Tong, Yuen Long, New Territories
- Site Area** : 1,135 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Animal Boarding Establishment (Dog Kennel) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary animal boarding establishment (dog kennel) with ancillary facilities and associated filling of land for a period of three years at the application site (the Site) zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for “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 largely hard paved and currently occupied by the applied use without planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Tai Shu Ha Road West via a local track with an ingress/egress point at the northwest (**Drawing A-1** and **Plan A-2**). According to the applicant, five single-storey structures (ranging from 3m to 4.3m in height) with a total floor area of about 287.4 m² are for animal boarding establishments with ancillary facilities. One parking space for private car and one loading/unloading space for light goods vehicle will be provided within the Site. The applicant also proposes to regularise the filling of land already undertaken at parts of the Site (i.e. 760 m² or about 67% of the Site) with concrete of a depth of not more than 0.2m for erection of temporary structures. The animal boarding establishment will accommodate about 14 dogs. All dogs will be kept inside the enclosed structures with soundproofing materials, 24-hour mechanical ventilation and air-conditioning system. No public announcement system, whistle blowing, or portable loudspeaker will be used at the Site. The operation hours are from 9:00 a.m. to 9:00 p.m. daily

except the overnight accommodation of dogs within the Site. Plans showing the access, site layout, site paving and drainage proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

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

- (a) Application Form with attachments received on 18.8.2025 (Appendix I)
- (b) Further Information (FI) received on 9.9.2025* (Appendix Ia)
- (c) Further Information (FI) received on 22.9.2025* (Appendix Ib)
*[*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 FIs at **Appendices I to Ib**. They can be summarised as follows:

- (a) the proposal is in small scale and temporary in nature and would not frustrate the long-term planning intention of the “AGR” zone;
- (b) the applied use would meet community demand for pet-friendly amenities; and
- (c) no adverse traffic, drainage and environmental impacts to the surroundings are anticipated.

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 obtaining consent of the “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The animal boarding establishment use on the Site would be subject to planning enforcement action.

5. **Previous Application**

There is no previous application concerning the Site.

6. Similar Applications

There are 15 similar applications (No. A/YL-TT/512, 525, 551, 562, 573, 574, 577, 582, 584, 589, 616, 621, 655 and 665 and 701) for temporary animal boarding establishment with/without associated filling of land for a period of three or five years within the same “AGR” zone in the past five years. All of them were approved with conditions by the Committee between 2021 and 2025 mainly on considerations that the proposed use would not jeopardise the planning intention of the “AGR” zone; being not incompatible with the surrounding uses; and the departmental concerns could be addressed by implementation of approval conditions. However, the planning permissions for nine applications (No. A/YL-TT/512, 525, 551, 562, 574, 577, 582, 584 and 589) were subsequently revoked due to the non-compliance with time-limited approval conditions. Details of the applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

7. Planning Intention

- 7.1 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.
- 7.2 According to the Explanatory Statement of the OZP, permission from the Board is required for filling of land within the “AGR” zone as such activity may cause adverse drainage and environmental impacts on the adjacent areas.

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

- 8.1 The Site is:
 - (a) largely hard paved and currently occupied by the applied use without planning permission; and
 - (b) accessible from Tai Shu Ha Road West via a local track.
- 8.2 The surrounding areas are predominantly rural in character comprising farmlands, temporary structures, graves and vacant/unused land.

9. 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 III** and **IV** respectively.

10. Public Comments Received During the Statutory Publication Period

On 26.8.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix V**). One individual objects to the application on the grounds that the proposal is suspected for

brownfield use whereas the other comment from Kadoorie Farm & Botanic Garden Corporation objects to the application as the proposal is not in line with the policy intention as part of the Site falls within the Agricultural Priority Area.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary animal boarding establishment (dog kennel) with ancillary facilities and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP. While the applied use is not in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation (DAFC) has no strong view against the application from agricultural perspective. Taking into account the planning assessments below, there is no objection to the applied use on a temporary basis of three years.
- 11.2 The applicant also proposes to regularise the filling of land already undertaken at parts of the Site (i.e. 760 m² or about 67% of the Site) with concrete of a depth of not more than 0.2m (**Drawing A-3**). Filling of land within “AGR” zone requires planning permission as it may cause adverse drainage and environmental impacts on the adjacent 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 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 applied use is considered not incompatible with the surrounding areas which are predominantly rural in character comprising farmlands, temporary structures, graves and vacant/unused land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department has no adverse comment on the application from landscape planning perspective.
- 11.4 Other concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services and Director of Food and Environmental Hygiene have no objection to/no adverse comments on the application from traffic, fire safety and environmental hygiene aspects respectively. DAFC also has no comment on the application from nature conservation perspective. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of the concerned government departments. 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 nuisances on the surrounding areas.
- 11.5 15 similar applications were approved by the Committee in the past five years. Approval of the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant and

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 detailed in paragraph 10 above, the Planning Department 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 10.10.2028. 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 10.4.2026;
- (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 10.7.2026;
- (c) in relation to (b) above, the implemented drainage facilities at the Site should 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 10.4.2026;
- (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 10.7.2026;
- (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 application site, including the removal of fill materials and hard paving and grassing of the application 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 applied use with associated filling of land is not in line with the planning intention of the "Agriculture" 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 such 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 18.8.2025
Appendix Ia	FI received on 9.9.2025
Appendix Ib	FI received on 22.9.2025
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Land Filling Plan
Drawing A-4	Drainage Proposal
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**