

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/578

- Applicant** : Sense Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 1835 (Part), 1840 (Part), 1841 S.B (Part), 1889 (Part), 1890 (Part), 1891 RP (Part), 1893 RP, 1894 (Part), 1895 RP (Part) and 1911 in D.D. 125 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 6,360m² (including GL of 90m² or 1.4%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zonings** : (i) “Residential (Group A) 4” (“R(A)4”) (about 68.4%);
[Restricted to a maximum plot ratio (PR) of 5 and a maximum building height (BH) of 120mPD]
- (ii) “Residential (Group A) 3” (“R(A)3”) (about 12.2%);
[Restricted to a maximum PR of 5.5 and a maximum BH of 140mPD]
- (iii) “Open Space” (“O”) (about 7%); and
- (iv) area shown as ‘Road’ (about 12.4%)
- Application** : Temporary Warehouse for Storage of Construction Machinery, Construction Material, Food and Electronic Goods for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse for storage of construction machinery, construction material and electronic goods for a period of three years at the application site (the Site) partly zoned “R(A)4”, “R(A)3” and “O” and partly shown as ‘Road’ 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 occupied by the applied use without valid planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Ping Ha Road via a local track and the ingress/egress point is located at the southern part of the Site (**Plans A-2 and A-3**). According to the applicant, two temporary structures (one storey, not more than 11m in height)

with a total floor area of not more than 3,800m² are used for warehouse for storage of storage of construction machinery, construction material, food and electronic goods while four temporary structures (one storey, not more than 5m in height) with a total floor area of not more than 40m² are used for ancillary facilities including pump room, toilet, store room and electricity meter room. Two parking spaces for private cars (5m x 2.5m each) and two loading/unloading bays for container trailer (16m x 3.5m each) are provided (**Drawing A-2**). The operation hours are from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the access leading to the Site, site layout and as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in 11 previous applications for various temporary open storage or warehouse uses, of which three applications for temporary warehouse were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2018 and 2022 (details at paragraph 5.1 below)(**Plan A-1b**). Compared with the last application No. A/HSK/387 for temporary warehouse use approved by the Committee on 12.8.2022 and lapsed on 13.8.2025, the current application is submitted by the same applicant for the same use with the same layout and development parameters at the same site.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 27.8.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 17.9.2025* (**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 at **Appendix I**. They can be summarised as follows:

- (a) previous applications for temporary warehouse use have been approved by the Committee at the Site. The current application is the same as the previously approved application No. A/HSK/387. All approval conditions of the previous application No. A/HSK/387 have been complied with;
- (b) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones. Sympathetic consideration may be given to the proposed use during the interim period before the Site is resumed for the implementation of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA);
- (c) the applied use is not incompatible with the surrounding areas. Similar planning applications for open storage and port back-up uses have been approved by the Committee in the adjoining areas; and
- (d) the applied use will have insignificant traffic, drainage and environmental impacts.

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 Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPB PG-No. 31B are not applicable to the GL portion.

4. Background

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

5. Previous Applications

- 5.1 The Site was involved in 11 previous applications (No. A/YL-HT/7, 128, 216, 380, 534, 716, 827, 993, A/HSK/70, 183 and 387) for various temporary open storage or warehouse uses which were approved by the Committee/the Board between 1996 and 2022. Details of these applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.
- 5.2 Three applications (No. A/HSK/70, 183 and 387) for temporary warehouse for storage of plastics products or construction machinery, construction material, food and electronic goods were approved with conditions by the Committee between 2018 and 2022 mainly on the considerations that the temporary use was not incompatible with the surrounding areas; and no major adverse comments from concerned government departments. However, one of the planning permissions (No. A/HSK/70) was subsequently revoked due to non-compliance with the time-limited approval condition regarding the implementation of FSIs proposal. As for the last application No. A/HSK/387, all the approval conditions have been complied with. The planning permission lapsed on 13.8.2025.
- 5.3 The other eight applications (No. A/YL-HT/7, 128, 216, 380, 534, 716, 827 and 993) for various temporary open storage were approved by the Committee/the Board between 1996 and 2016. The considerations for these applications are not relevant to the current application which is for a different use.

6. Similar Applications

There are 14 similar applications involving temporary warehouse use within/straddling the same “R(A)4”, “R(A)3” and “O” zones and area shown as ‘Road’ in the past five years. All of them were approved with conditions by the Committee between 2020 and 2025 based on similar considerations as mentioned in paragraph 5.2 above. Details of these applications are summarised at **Appendix III** and their locations 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 Ping Ha Road via a local track; and

(b) currently occupied by the applied use without valid planning permission.

- 7.2 The surrounding areas are predominantly occupied by open storage yards, logistics centres, warehouse, vehicle repair workshop and parking of vehicles intermixed with unused land.

8. Planning Intentions

- 8.1 The planning intention of the “R(A)” zone is primarily for high-density residential development. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.
- 8.2 The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 8.3 The concerned area shown as ‘Road’ is reserved for a proposed local road.

9. Comments from Relevant Government Departments

All departments consulted have no objection to or no adverse comments 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 Comment Received During Statutory Publication Period

On 5.9.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse for storage of construction machinery, construction material, food and electronic goods for a period of three years at the Site partly zoned “R(A)4”, “R(A)3” and “O” and partly shown as ‘Road’ on the OZP. Whilst the applied use is not in line with the planning intentions of the “R(A)” and “O” zones, there is no known development proposal at the Site. 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 programme and land resumption/clearance programme are currently being reviewed under the relevant investigation study and subject to change. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Nonetheless, 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 advised not to carry out any substantial works therein.
- 11.2 The applied use is considered not incompatible with the surrounding areas which are predominantly open storage yards, logistics centres, warehouse, vehicle repair workshop and parking of vehicles intermixed with unused land (**Plan A-2**).

- 11.3 Concerned government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of DSD have no objection to or no adverse comment on the application from environmental, traffic, fire safety and drainage perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 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 any potential environmental nuisances on the surrounding areas.
- 11.4 The Committee has approved three previous applications for the same applied use at the Site between 2018 and 2022 as well as 14 similar applications in the past five years. Approval of the current application is in line with the Committee’s previous decisions.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 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 **24.10.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) 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 **24.1.2026**;
- (c) 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 **24.4.2026**;
- (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 **24.7.2026**;
- (e) if the above planning condition (a) 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 (b), (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 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 is not in line with the planning intentions of the "R(A)" and "O" zones which are primarily for high-density residential development; and for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public respectively. There is no strong 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 received on 27.8.2025
Appendix Ia	FI received on 17.9.2025
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	As-built Drainage 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
OCTOBER 2025**