

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1332

- Applicant** : Wah Sang (China – Hong Kong) Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 1343 (Part), 1344 (Part), 1345 (Part), 1349 (Part), 1351 (Part) and 1353 (Part) in D.D. 119 and Adjoining Government Land (GL), Tong Yan San Tsuen, Yuen Long
- Site Area** : 3,046 m² (about) (including GL of about 46 m² (1.5%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tong Yan San Tsuen (TYST) Outline Zoning Plan (OZP) No. S/YL-TYST/14
- Zoning** : “Undetermined” (“U”)
- Application** : Temporary Warehouse for Storage of 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 food and electronic goods for a period of three years at the application site (the Site) zoned “U” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, all uses or developments within the “U” zone except those specified in the Notes require planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced-off and occupied by the applied use with valid planning permission under application No. A/YL-TYST/1211 until 11.9.2026 (**Plans A-2 to A-4b**).
- 1.2 The Site with the ingress/egress at the northern part is accessible from Kung Um Road via a local track (**Plans A-2 and A-3**). According to the applicant, the applied use is for storage of food (including milk powder, biscuits and canned food) and electronic goods (including brand new tablets, mobile phones and computers). Five single to two-storey structures (not exceeding 3m to 11m in height) with a total floor area of about 2,110m² are provided for warehouse, pump room and water tank, site office, toilets and electricity meter room uses. Two parking spaces for private cars and one loading/unloading (L/UL) space for medium/heavy goods vehicle (MGV/HGV) are provided. Plans showing the vehicular access leading to the Site,

site layout and as-built drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in three previous applications (No. A/YL-TYST/868, 1030 and 1211) for temporary warehouse use approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2017 and 2023 (details at paragraph 5 below). Compared with the last approved application (No. A/YL-TYST/1211), the current application is submitted by the same applicant for the same use at the same site with change in layout and increase in floor area. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Last Approved Application No. A/YL-TYST/1211 (a)	Current Application No. A/YL-TYST/1332 (b)	Difference (b)-(a)
Applied Use	Temporary Warehouse for Storage of Food and Electronic Goods for a Period of 3 Years		---
Site Area	About 3,046 m ²		---
Total Floor Area (Non-domestic)	About 1,930 m ²	About 2,110 m ²	+180 m ² - (+9.3%)
No. and Height of Structures	6 • for warehouse, pump room and water tank, site office, toilets, guard room and electricity meter room (3 – 11m, 1 – 2 storey(s))	5 • for warehouse, pump room and water tank, site office, toilets and electricity meter room (3 – 11m, 1 – 2 storey(s))	-1
No. of Parking Spaces	2 (for private cars) (5m x 2.5m each)		---
No. of L/UL Space	1 (for MGW/HGV) (11m x 3.5m)		---
Operation Hours	9:00 a.m. to 5:00 p.m., with no operation on Sundays and Public Holidays		---

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

- (a) Application Form with attachments received on 25.8.2025 (**Appendix I**)
- (b) Further Information (FI) received on 17.10.2025 (**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 (**Appendices I and Ia**). They can be summarised as follows:

- (a) the Site is the subject of a number of previous planning permissions since 2001. The applied use under the current application is the same as the last application (No. A/YL-TYST/1211) and all the time-limited approval conditions of the last application have been complied with. A fresh planning application is submitted to reflect the change in layout with an increase in floor area;

- (b) the applied use is in line with 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);
- (c) the temporary use under application would not jeopardise the long-term planning intention of the area;
- (d) a number of open storage and warehouse uses have been approved by the Board in the vicinity of the Site and their planning circumstances are similar to those of the Site. The applied use is not incompatible with the surrounding environment. Besides, there is a shortage of land for port back-up use in TYST area;
- (e) septic tank and soakaway system will be provided in accordance with the requirements set out in the Practice Note for Professional Persons (ProPECC) PN 1/23; and
- (f) there will be minimal traffic, environmental, noise and drainage impacts arising from the applied use.

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 Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Background

The Site is currently not subject to planning enforcement action.

5. Previous Applications

- 5.1 The Site was, in part or in whole, involved in 12 previous applications, including three applications (No. A/YL-TYST/868, 1030 and 1211) for temporary warehouse use. The remaining applications (No. A/YL-TYST/27, 141, 153, 265, 266, 370, 519, 655 and 827) were for various temporary open storage or waste recycling facilities with/without other uses, and their considerations are not relevant to the current application which involves a different use. Details of these previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.
- 5.2 Applications No. A/YL-TYST/868, 1030 and 1211 were approved with conditions each for a period of three years by the Committee between 2017 and 2023 mainly on the considerations that the proposed/applied use was not incompatible with the surrounding areas; approval of the application on a temporary basis would not jeopardise the long-term development of the area; and the departmental concerns could be addressed by implementation of approval conditions. All the time-limited

approval conditions for the last application (No. A/YL-TYST/1211) have been complied with and the planning permission is valid until 11.9.2026.

6. Similar Applications

- 6.1 A total of 86 similar planning applications for various temporary warehouse uses with/without other uses within/straddling the subject “U” zone had been considered by the Committee in the past five years. Details of these similar applications are summarised in **Appendix II** and the locations of the sites are shown on **Plan A-1a**.
- 6.2 Out of the 86 similar applications, 85 were approved by the Committee between 2020 and 2025 mainly on similar considerations as those mentioned in paragraph 5.2 above.
- 6.3 The remaining application was rejected by the Committee in 2021 on the grounds that approval of the application with repeated non-compliances with approval conditions would set an undesirable precedent for other similar planning applications for temporary uses, thus nullifying the statutory planning control system.

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

- 7.1 The Site is:
 - (a) accessible from Kung Um Road via a local track (**Plans A-2 and A-3**); and
 - (b) paved, fenced off and occupied by the applied use with valid planning permission under Application No. A/YL-TYST/1211 (**Plans A-2 to A-4b**).
- 7.2 The surrounding areas comprise predominantly open storage/storage yards with scattered residential structures, parking of vehicles, agricultural land, graves, unused land and vacant land/structures (**Plans A-2 and A-3**).

8. Planning Intention

- 8.1 The planning intention of the “U” zone is to cater for the continuing demand for open storage which cannot be accommodated in conventional godown premises. Any proposed developments within the zone should demonstrate that they will not have significant traffic, drainage and environmental impacts on the area.
- 8.2 According to the Explanatory Statement of the OZP, under the “Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation”, this area falls within the remaining stages of the YLS Development and the existing operations would be gradually phased out in stages.

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 are

provided in **Appendices III** and **IV** respectively.

10. Public Comment Received During the Statutory Publication Period

On 2.9.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual alleging that the current application should not be approved if the applicant failed to comply with the approval conditions under the last application (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse for storage of food and electronic goods for a period of three years at the Site zoned “U” on the OZP. The applied use is generally not in conflict with the planning intention of the “U” zone. The area is designated as “U” zone mainly due to concerns of the capacity of Kung Um Road. In this regard, the Commissioner for Transport (C for T) has no adverse comment on the application from traffic engineering perspective. Under the Revised Recommended Outline Development Plan of YLS Development, the Site falls within an area partly zoned “Residential – Zone 2 (with Commercial)” and partly zoned “District Open Space” under the Third Phase of YLS Development. In this regard, the Chief Engineer/Cross-Boundary Infrastructure and Development of Planning Department (PlanD) and Project Manager (West) of Civil Engineering and Development Department have no objection to/no adverse comment on the application. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area.
- 11.2 The surrounding areas comprise predominantly open storage/storage yards with scattered residential structures, parking of vehicles, agricultural land, graves, unused land and vacant land/structures (**Plans A-2 and A-3**). The applied use is generally not incompatible with the surrounding uses.
- 11.3 Other concerned government departments consulted, including the Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to/no adverse comment on the application from environmental, fire safety and drainage aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the application be approved, 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 possible environmental nuisance on the surrounding areas.
- 11.4 Given that three previous approvals for temporary warehouse use have been granted to the Site from 2017 to 2023 and 85 similar applications within/straddling the subject “U” zone have been approved in the past five years, approval of the current application is generally in line with the previous decisions of the Committee.
- 11.5 Regarding the public comment as summarised in paragraph 10 above, all the time-limited approval conditions of the last approved application (No. A/YL-TYST/1211) have been complied with and the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

12. **Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment 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 24.10.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the existing drainage facilities 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 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 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 applicant fails to demonstrate that the applied use would not generate adverse environmental impact on the surrounding areas.

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 25.8.2025
Appendix Ia	FI received on 17.10.2025
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site 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**