

APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/584

- Applicant** : Mr TO Chi Kin represented by Metro Planning & Development Company Limited
- Site** : Lots 2938 RP (Part), 2939 RP, 2940 RP (Part), 2946, 2947 (Part), 2950 S.B (Part) and 2950 RP (Part) in D.D.129, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 950m²
- 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) “Open Space” (“O”) (about 73%);
- (ii) “Residential (Group B) 2” (“R(B)2”) (about 20%); and
[restricted to a maximum plot ratio of 2.5 and a maximum building height of 90mPD]
- (iii) Area shown as ‘Road’ (about 7%)
- Application** : Renewal of Planning Approval for Temporary Open Storage of Scrap Metal for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary open storage of scrap metal for a period of three years at the application site (the Site) partly zoned “O” and “R(B)2” and partly shown as ‘Road’ on the OZP (**Plan A-1**). 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 used for the applied use with valid planning permission under application No. A/HSK/412 until 13.12.2025 (**Plans A-2 to A-4b**).
- 1.2 The Site is directly accessible from Lau Fau Shan Road and the ingress/egress point is located at the northeastern corner of the Site (**Drawing A-1 and Plan A-2**). According to the applicant (**Drawing A-1**), two areas of about 500m² (about 52% of the Site) are used for open storage of scrap metal. Three one-storey temporary

structures (not more than 6m in height) with a total floor area of 79m² are used for site office, rain shelter and toilet. One loading/unloading space for light goods vehicles is also provided. The operation hours are from 7:00 a.m. to 7:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the site layout, as-built drainage facilities and fire service installations (FSIs) submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site, in part or in whole, was involved in ten previous applications for various temporary open storage uses which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2001 and 2022 (details at paragraph 6 below). Compared with the last application No. A/HSK/412 approved by the Committee on 11.11.2022, the current renewal 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 10.9.2025 (Appendix I)
 - (b) Supplementary Information (SI) received on 17.9.2025 (Appendix Ia)
 - (c) Further Information (FI) received on 20.10.2025* (Appendix Ib)
 - (d) FI received on 31.10.2025* (Appendix Ic)

**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 with attachments and FI at **Appendices I and Ic**. They can be summarised as follows:

- (a) previous applications for the same use have been approved by the Committee at the Site since 2001. The current application is to seek renewal of planning approval under the last application No. A/HSK/412. All approval conditions of the previous application No. A/HSK/412 have been complied with;
- (b) the applied use conforms with the relevant Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13G);
- (c) the applied use is not incompatible with the surrounding areas. Similar planning applications have been approved by the Committee in the adjoining areas. The planning circumstances of the current application are similar to that of the adjacent sites with planning permissions for open storage and port back-up uses;
- (d) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones; and
- (e) 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 Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

4.1 TPB PG-No. 13G promulgated on 14.4.2023 is relevant to the application. The Site falls within the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extract of the Guidelines is attached at **Appendix II**.

4.2 The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) is relevant to the application. The relevant assessment criteria are at **Appendix III**.

5. Background

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

6. Previous Applications

The Site, in part or in whole, was involved in ten previous applications (No. A/YL-HT/228, 395, 551, 628, 660, 708, 877 and 1063 and A/HSK/197 and 412) for various temporary open storage uses. All the applications were approved with conditions by the Committee between 2001 and 2022 mainly on the considerations that the temporary use was not incompatible with the surrounding areas; being generally in line with the relevant TPB PG-No. 13 and there were no major adverse comments from concerned government departments. However, one of the planning permissions (No. A/YL-HT/551) was subsequently revoked. As for the last application No. A/HSK/412, all the approval conditions have been complied with and the planning permission is valid until 13.12.2025. Details of these applications are summarised at **Appendix IV** and their boundaries are shown on **Plan A-1**.

7. Similar Applications

There are four similar applications for temporary open storage within/partly within/straddling the same “O” and/or “R(B)2” zones and/or area shown as ‘Road’ in the past five years. All applications were approved with conditions by the Committee on similar considerations as mentioned in paragraph 6 above. Details of these applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) directly accessible from Lau Fau Shan Road; and
- (b) currently used for the applied use with valid planning permission under

application No. A/HSK/412.

- 8.2 The surrounding areas are predominantly occupied by logistics centres, open storage yards, warehouses, vehicle repair workshop, storage facility and parking of vehicles intermixed with residential dwellings and unused land. Some of these uses are covered with valid planning permissions. To its east across Lau Fau Shan Road is the village cluster of Sha Kong Wai.

9. Planning Intentions

- 9.1 The planning intention of the “O” zone is intended 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.
- 9.2 The planning intention of the “R(B)” zone is intended primarily for medium-density residential developments.

10. 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 V and VI** respectively.

11. Public Comment Received During Statutory Publication Period

On 19.9.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of planning approval for temporary open storage of scrap metal for a period of three years at the Site partly zoned “O” and “R(B)2” and partly shown as ‘Road’ on the OZP. Whilst the applied use is not in line with the planning intentions of the “O” and “R(B)” zones, there is no known development programme 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 of 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.
- 12.2 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by logistics centres, open storage yards, warehouses, vehicle repair workshop, storage facility and parking of vehicles intermixed with residential dwellings and unused land (**Plan A-2**).
- 12.3 The proposed use is generally in line with TPB PG-No. 13G in that the Site falls

within the HSK/HT NDA and ten previous planning approvals for various temporary open storage uses have been approved by the Committee between 2001 and 2022. For the last approved application No. A/HSK/412, all approval conditions have been complied with. The current application is submitted by the same applicant for the same use with the same layout and development parameters at the same site. In view of the above, sympathetic consideration may be given to the application.

- 12.4 The application also complies with TPB PG-No. 34D in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/HSK/412; all time-limited approval conditions under the previous approval have been complied with; there is no adverse departmental comment on the renewal application; and the three-year approval period sought which is the same as the last approval granted by the Committee is considered reasonable.
- 12.5 Other relevant government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and the Chief Engineer/Mainland North of Drainage Services Department 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 13.2 below. Should the application be approved, the applicant will 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.
- 12.6 The Committee has approved ten previous applications for various temporary open storage use at the Site and four similar applications within/straddling the same “O” and/or “R(B)2” zones and area shown as ‘Road’ in the past five years. Approval of the current renewal application is in line with the Committee’s previous decisions.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 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, and be renewed **from 14.12.2025 to 13.12.2028**. 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 commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **14.3.2026**;
- (c) 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

- (d) if the above planning condition (b) 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 VI**.

13.3 There is no strong reason to recommend rejection of the application.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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 the 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 10.9.2025
Appendix Ia	SI received on 17.9.2025
Appendix Ib	FI received on 20.10.2025
Appendix Ic	FI received on 31.10.2025
Appendix II	Relevant Extracts of TPB PG-No. 13G
Appendix III	Relevant Extracts of TPB PG-No. 34D
Appendix IV	Previous and Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Drainage Plan
Drawing A-3	FSIs Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**