

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/1088

- Applicant** : Consense Development Limited (港昇發展有限公司)
- Site** : Lot 466 (Part) in D.D. 110, Pat Heung, Yuen Long
- Site Area** : About 674m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Storage of Cleansing Products and Packaging with Ancillary Facilities and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary storage of cleansing products and packaging with ancillary facilities and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” 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). Filling of land within the “AGR” zone also requires planning permission from the Board. The Site is currently hard-paved, erected with a few temporary structures and used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Kam Tin Road via a local track (**Plan A-2**). According to the applicant, the applied use involves three single-storey structures with height ranging from 2.8m to 4.5m and a total floor area of about 462m², including two as open sheds for storage of cleansing products and packaging, and one for ancillary office and washroom (**Drawing A-1**). An open-air area of about 34m² (5% of the Site) near the ingress/egress in the western part of the Site is designated for ancillary open storage to meet the operational needs. One loading/unloading bay for light goods vehicle is provided within the Site to support the applied use. The applicant also applies for regularisation of associated filling of land for the entire site with concrete for a depth of about 0.03m, raising the site level to about +14.5mPD for site formation (**Drawing A-2**). No further land filling is required. No storage of

dangerous goods or other workshop activities will be conducted at the Site and no heavy goods vehicles will be allowed to enter the Site at all times. The operation hours are between 9:00 a.m. and 5:30 p.m. from Mondays to Fridays, and between 9:00 a.m. and 5:00 p.m. on Saturdays, with no operation on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

- 1.3 The Site is the subject of one previous application No. A/YL-PH/973 (details in paragraph 5 below) submitted by the same applicant as the current application for the same use which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 24.11.2023. The planning permission was revoked on 24.8.2025 due to non-compliance with approval conditions. Compared with the last application, the current application involves the same site area/boundary, reduced number of structures and reduced maximum height of structures.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with supporting documents received on 9.9.2025 and 17.9.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 3.11.2025* (**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 at **Appendices I and Ia**, and can be summarised as follows:

- (a) The temporary nature of the application will not frustrate the long-term planning intention of the “AGR” zone. The applied use is not incompatible with the surrounding land uses.
- (b) The Site is the subject of an approved application (No. A/YL-PH/973) for the same applied use. The approval conditions on the implementation of the accepted drainage and fire service installations (FSIs) proposals under the last application (No. A/YL-PH/973) were not complied with due to insufficient time allocated for the construction phase. Compared with the last application, the current application involves a reduction in the number of structures to reflect the existing condition of the Site. There is no change to the materials to be stored.
- (c) The Site is selected in response to market demand, given its convenient access to transportation network. Only dishwashing detergents are stored at the Site. Due to limited indoor capacity, some packaging, non-hazardous and weather-resistant items are temporarily stored at the ancillary open storage area. No storage of dangerous goods or other workshop activities will be conducted at the Site. No adverse environmental impact to the surrounding areas will be caused by the applied use.

- (d) The applied use will not cause any adverse impacts on drainage and traffic aspects. Drainage and FSIs proposals have been submitted in support of the current application.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not the “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is not subject to any active enforcement action.

5. **Previous Application**

The Site is the subject of a previous application No. A/YL-PH/973 submitted by the same applicant as the current application for the same use which was approved with conditions by the Committee on 24.11.2023, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “AGR” zone; the applied use was not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no adverse comment or their technical concerns could be addressed by relevant approval conditions. The planning permission was subsequently revoked on 24.8.2025 due to non-compliance with approval conditions on the implementation of drainage and FSIs proposals. Compared with the last application, the current application involves the same site area/boundary and changes as set out in paragraph 1.3 above. Details of this application are summarised in **Appendix II** and the location is shown on **Plan A-1**.

6. **Similar Applications**

There are three similar applications (No. A/YL-PH/914, 952 and 1050) for various temporary warehouse with or without open storage uses (including two renewal of planning approvals granted by the Board) within or partially within the same “AGR” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2022 and 2025 on similar considerations as mentioned in paragraph 5 above. Details of these similar applications are summarised in **Appendix III** and the locations are shown on **Plan A-1**.

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

7.1. The Site is:

- (a) accessible from Kam Tin Road via a local track; and
- (b) hard-paved, erected with a few temporary structures and used for the applied use without valid planning permission.

7.2. The surrounding areas are rural in character comprising mainly open storage/storage yards intermixed with scattered residential structures, vehicle repair workshops, an office (with valid planning permission), a vehicle park, a warehouse, a dog kennel, vacant land, and grassland. Shek Kong Stabling Sidings and Emergency Rescue Siding of the Express Rail Link (XRL) is located to the southwest of the Site, and the village settlements of Wang Toi Shan Tsoi Yuen Tsuen are located to the further north and south.

8. **Planning Intention**

8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fishponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

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

9. **Comments from Relevant Government Departments**

9.1 Apart from the government department as set out in paragraph 9.2 below, other 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, if any, are provided in **Appendices IV** and **V** respectively.

9.2 The following government department does not support the application:

Agriculture and Nature Conservation

9.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone and is generally vacant with some structures. Agricultural infrastructures such as road access and

water source are available in the area. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and

- (c) no comment on the application from nature conservation perspective.

10. Public Comment Received During Statutory Publication Period

On 19.9.2025, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received expressing concerns on the application that the validity period of the approval of the current application should be shortened as the previous planning permission for the Site was revoked due to non-compliance with approval conditions.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary storage of cleansing products and packaging with ancillary facilities and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, taking into account the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of three years.
- 11.2 Filling of land within the “AGR” zone requires planning permission from the Board 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 (CE/MN of DSD) and the Director of Environmental Protection have no objection to the application from public drainage and environmental planning 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 rural in character comprising mainly open storage/storage yards intermixed with scattered residential structures, vehicle repair workshops, an office, a vehicle park, a warehouse, a dog kennel, vacant land, grassland, village settlement as well as the Shek Kong Stabling Sidings and Emergency Rescue Siding of the XRL. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comments on the application from landscape planning perspective and considers that the applied use is not incompatible with the landscape setting in the its proximity and significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of concerned government

departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the Committee decide to approve the application, it is recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise the potential environmental nuisance on the surrounding land uses.

11.5 The Site is the subject of one previous application submitted by the same applicant for the same use which was approved with conditions by the Committee in November 2023, and the planning permission was subsequently revoked in August 2025 due to non-compliance with approval conditions as mentioned in paragraph 5 above. In support of the current application, the applicant has submitted a drainage proposal, which is considered acceptable by CE/MN of DSD, and a FSIs proposal. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that sympathetic consideration may not be given to any further applications should it fail to comply with any of the approval conditions again resulting in revocation of planning permission. Besides, there are three similar approved applications within or partially within the same "AGR" zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.

11.6 Regarding the public comment mentioned in paragraph 10 above, the departmental comments and planning assessments above are relevant.

12. Planning Department's Views

12.1 Based on the assessments made in paragraph 11 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 7.11.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the implementation of the accepted 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 7.8.2026;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of the revised 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 7.5.2026;

- (d) in relation to (c) above, the implementation of the revised 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 7.8.2026;
- (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;
- (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; and
- (g) upon expiry of the planning permission, the reinstatement of the site, including the removal of fill materials and hard paving, and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are at **Appendix V**.

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 "AGR" 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 purpose. There is no strong planning 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 with supporting documents received on 9.9.2025 and 17.9.2025
Appendix Ia	FI received on 3.11.2025
Appendix II	Previous Application
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**