

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/736

- Applicant** : Fung Shing Properties Development Limited represented by Metro Planning & Development Company Limited
- Site** : Lots 2117 and 2219 (Part) in D.D. 118 and Adjoining Government Land (GL), Yuen Long, New Territories
- Site Area** : 1,220 m² (about) (including GL of about 424 m² (about 34.8%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary place of recreation, sports or culture (hobby farm) and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for “AGR” zone, ‘Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently vacant and largely covered by soil/vegetation except the northeastern part is hard paved with a temporary structure (**Plans A-2 to A-4**).
- 1.2 The Site is accessible via a local track leading from Tai Shu Ha Road East with an ingress/egress point at the north (**Drawing A-1** and **Plan A-2**). According to the applicant, majority of the Site (i.e. 732 m² or 60%) is used as cultivated area of the hobby farm (**Drawing A-2**). One structure (4 m in height) with a total floor area of not more than 100 m² is proposed at the Site for site office, toilet, rain shelter and associated storage use for farming purpose. Four parking spaces for private cars (5m x 2.5m) will be provided on site. Visitors will be required to make appointment in advance, and only those who have reserved car parking spaces will be allowed to park on site. A maximum of 12 visitors and two staff could be accommodated at the Site at a time. The operation hours will be from 9:00 a.m. to 6:00 p.m. daily, including public holidays. No public announcement system and any form of audio amplification system would be used at the Site.

- 1.3 The application also involves regularisation of filling of land already undertaken (i.e. about 318 m² or 26% of the Site with a depth of 0.2m with concrete) mainly for erection of structure, vehicle parking and circulation purposes (**Drawing A-3**). To mitigate the potential landscape impact, the applicant proposes to plant seven new trees at the Site (**Drawing A-6**). Plans showing vehicular access, site layout, site paving area, drainage, fire service installations (FSIs) and landscape proposals submitted by the applicant are at **Drawings A-1 to A-6** respectively.
- 1.4 The Site was involved in a previous application No. A/YL-TT/564 for the same use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2022 (details at paragraph 5 below). Compared with the last approved application, the current application is submitted by the same applicant for the same use with same layout and development parameters.
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 9.9.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 28.10.2025* (**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 at **Appendices I and Ia**. They can be summarised as follows:

- (a) the proposal would better utilise the land resources now being idle and support the hobby farming industry;
- (b) the proposed use is compatible with the surrounding environment;
- (c) about 60% of the Site (i.e. 732 m²) is cultivated area for hobby farm. Vegetable such as pak-choi will be grown at the proposed hobby farm and consumed by the visitors;
- (d) this application involves only regularisation of filling of land and no further filling of land will be carried out; and
- (e) significant traffic, environmental, drainage and landscape impacts to the surrounding areas are not anticipated.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Background

The Site is not subject to planning enforcement action.

5. Previous Application

The Site is the subject of a previous application (No. A/YL-TT/564) for the same use submitted by the same applicant as the current application which was approved with conditions on a temporary basis by the Committee for a period of three years in 2022 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 permission was subsequently revoked in 2024 due to non-compliance with time-limited approval condition regarding the implementation of drainage proposal. Details of the previous application is summarised at **Appendix II** and the location is shown on **Plan A-1**.

6. Similar Application

There is no similar application within the subject “AGR” zone in the past five years.

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

7.1 The Site is:

- (a) currently vacant and largely covered by soil/vegetation except the northeastern part is hard paved with a temporary structure; and
- (b) accessible via a local track leading from Tai Shu Ha Road East.

7.2 The surrounding areas are rural character in nature comprising mainly open storage/storage yards, workshops and warehouse covered by a valid permission (No. A/YL-TT/575) intermixed with farmland, grave and vacant/unused land.

8. Planning Intention

8.1 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.

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

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 Comment Received During the Statutory Publication Period

On 16.9.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from Sung Shan New Village Residents Association (**Appendix V**) objecting to the application mainly on the grounds that (i) the proposal would attract additional traffic flow to the adjacent area; (ii) villagers' health and quality of life would be affected; and (iii) the proposal would increase demand on local infrastructure which may pose flooding and drainage concerns to the nearby area.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary place of recreation, sports or culture (hobby farm) and associated filling of land for a period of three years at the Site zoned "AGR" on the OZP. According to the applicant, majority of the Site (about 732 m² or 60% of the Site) is used for recreational farming which is generally not in conflict with the planning intention of the "AGR" zone. The Director of Agriculture, Fisheries and Conservation has no strong view on the application from agricultural point of view. In view of the above and taking into account the planning assessments below, there is no objection to the application on a temporary basis for a period of three years.
- 11.2 The Site is situated in an area of rural character in nature comprising mainly open storage/storage yards, workshops and warehouse covered by a valid permission intermixed with farmland, grave and vacant/unused land (**Plan A-2**). The proposed use is considered not incompatible with the surrounding areas. To mitigate the potential landscape impact, the applicant will plant seven new trees at the Site (**Drawing A-6**). In this regard, the Chief Town Planner/Urban Design & Landscape of Planning Department has no adverse comment on the application from landscape point of view.
- 11.3 The application also involves regularisation of filling of land already undertaken (i.e. about 318 m² or 26% of the Site with a depth of 0.2m with concrete) mainly for erection of structure, vehicle parking and circulation purposes. 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 (CE/MN, DSD) 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.
- 11.4 Other concerned government departments consulted, including the Commissioner for Transport and Director of Fire Services have no objection to/no adverse

comment on the application from traffic and fire safety aspects respectively. 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 and the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisances on the surrounding areas.

- 11.5 The Committee has approved a previous application (No. A/YL-TT/564) for the same use at the Site in 2022 as detailed in paragraph 5 above. However, the planning permission was subsequently revoked in 2024 due to non-compliance with time-limited approval condition related to implementation of drainage proposal. According to the applicant, there was insufficient time to implement the accepted drainage proposal. In the support of current application, the applicant has submitted a drainage proposal (**Drawing A-4**) which is accepted by CE/MN, DSD. In view of the above, sympathetic consideration may be given to the applicant. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.
- 11.6 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 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, 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 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 at the Site should be maintained at all times during the planning approval period;
- (c) the submission of a 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 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 proposed 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. No strong planning justifications have been given 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 attachment received on 9.9.2025
Appendix Ia	FI received on 28.10.2025
Appendix II	Previous Application
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	Site Paving Plan
Drawing A-4	Drainage Proposal
Drawing A-5	FSIs Proposal
Drawing A-6	Landscape Plan
Plan A-1	Location Plan with Previous Application
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2025