

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

APPLICATION NO. A/YL-PH/1089

- Applicant** : Ms LAW Yuk-fong represented by Mr KWOK Wun Hou Wilson
- Site** : Lots 9 (Part) and 10 (Part) in D.D. 111, Pat Heung, Yuen Long
- Site Area** : About 1,910m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Residential (Group D)” (“R(D)”) [restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Renewal of Planning Approval for Temporary Open Storage of Vehicles and Landscape Plant Materials for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning permission for temporary open storage of vehicles and landscape plant materials for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1a**). 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 fenced-off, hard-paved, and occupied by the applied use with valid planning permission under application No. A/YL-PH/932 until 9.12.2025 (**Plan A-4**).
- 1.2 The Site is accessible from Fan Kam Road via a local track (**Plan A-2**). According to the applicant, the applied use involves three single-storey structures and one two-storey structure, with heights ranging from 2.6m to 6.6m and a total gross floor area of about 245.58m², for site office, storerooms and toilet uses (**Drawing A-1**). A total of nine parking spaces, including two for private cars and seven for heavy goods vehicles (HGVs), and one loading/unloading bay for HGVs are provided within the Site (**Drawing A-2**). Vehicles not exceeding 30 tonnes, including lorries with water tanks, are allowed to be stored within the Site. The operation hours are between 8:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on

Sundays and public holidays. The layout plans submitted by the applicant are at **Drawings A-1 and A-2**.

- 1.3 The Site, in part or in whole, is the subject of eight previous applications for various temporary open storage uses (details at paragraph 6 below). The last application (No. A/YL-PH/932) submitted by the same applicant as the current application for the same use at the same site was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 9.12.2022. All approval conditions for the last application have been complied with and the planning permission is valid until 9.12.2025. Compared with the last application, the current application maintains the same layout and development parameters.
- 1.4 In support of the application, the applicant has submitted an Application Form with supporting documents which were received on 3.10.2025 and 10.10.2025 (**Appendix I**).

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**, and can be summarised as follows:

- (a) The current application is for renewal of a previously approved application No. A/YL-PH/932 for the same use. The existing drainage, landscape and fire service installations (FSIs) facilities have been properly maintained. The applicant undertakes to comply with the approval conditions and maintain the Site in a good condition if the application is approved.
- (b) A drainage proposal with photo record of the existing drainage facilities and a FSIs proposal with fire certificates have been submitted in support of the current application.

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

The applicant is not a “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 obtaining consent from the current land owners. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

- 4.1. The Town Planning Board Guidelines for ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34D) are relevant to the application, and the relevant extract of which is at **Appendix II**.

- 4.2. 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) promulgated on 14.4.2023 are relevant to the application. The Site falls within Category 2 areas under the TPB PG-No. 13G, and the relevant extract of which is at **Appendix III**.

5. **Background**

The Site is not subject to any active enforcement action.

6. **Previous Applications**

- 6.1 The Site, in part or in whole, is the subject of eight previous planning applications (No. A/YL-PH/351, 396, 460, 692, 728, 738, 817 and 932) (including two renewals of planning approval granted) for various temporary open storage uses. Details of these applications are summarised in **Appendix IV** and their locations are shown on **Plan A-1b**.

Rejected Application

- 6.2 Application No. A/YL-PH/460 for temporary open storage of recyclable metal was rejected by the Board upon review in August 2004, mainly for the reasons that the applied use was not in line with the planning intention of the “R(D)” zone; the applied use did not comply with the Town Planning Guidelines for Application for Open Storage and Port Back-up Uses in that the application site fell within Category 3 areas and two previous planning approvals were revoked due to non-compliance with approval conditions; and there was insufficient information to demonstrate that the applied use would not have adverse drainage impact on the surrounding land uses.

Approved Applications

- 6.3 The seven approved applications (No. A/YL-PH/351, 396, 692, 728, 738, 817 and 932) (including two renewals of planning approvals granted) were for various temporary open storage uses, and the last five applications were submitted by the same applicant as the current application. These applications were approved with conditions by the Committee between December 2000 and December 2022, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “R(D)” zone; the proposed/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 permissions under applications No. A/YL-PH/351, 396, 692 and 728 were subsequently revoked between December 2001 and June 2016 due to non-compliance with approval conditions.
- 6.4 Compared with the last application (No. A/YL-PH/932), the current application maintains the same layout and development parameters, and all approval conditions

for the last application have been complied with and the planning permission is valid until 9.12.2025 as mentioned in paragraph 1.3 above.

7. Similar Applications

There are four similar applications for renewal of planning approval for various temporary open storage uses within the same “R(D)” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between November 2020 and June 2024 on similar considerations as mentioned in paragraph 6.3 above. Details of these similar applications are summarised in **Appendix V** and the locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible from Fan Kam Road via a local track; and
- (b) currently fenced-off, hard-paved, and occupied by the applied use with valid planning permission under application No. A/YL-PH/932 until 9.12.2025.

8.2 The surrounding land uses are rural in character comprising mainly open storage/storage yards (one with valid planning permission) intermixed with scattered residential structures, a plant nursery, grassland and vacant land, as well as the Hong Kong Police Force JPC Permanent Activity Centre and Integrated Youth Training Camp across Fan Kam Road to the northwest. There are fresh water mains in close proximity to the Site in the north and west.

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

10. Comments from Relevant Government Departments

10.1 Apart from the government departments as set out in paragraph 10.2 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 VI** and **VII** respectively.

10.2 The following government departments have adverse comment on or do not support the application:

Land Administration

10.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) Lot 9 in D.D. 111 is covered by Short Term Waiver (STW) No. 4084 for the purpose of 'temporary open storage (building materials and vehicles)';
- (d) there is/are unauthorized structure(s) and uses on Lot 10 in D.D. 111 covered by the application which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD;
- (e) if the planning application is approved, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate and the lots owner(s) shall apply to this office for a STW to permit the structure(s) erected within Lot 10 in D.D. 111. The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (f) advisory comments are at **Appendix VII**.

Environment

10.2.2 Comments of the Director of Environmental Protection (DEP):

- (a) does not support the application in accordance with the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') as there are sensitive receivers in the vicinity (i.e. a residential structure is about 19m east of the Site) and the applied use involves a parking space for medium goods vehicle which is considered as 'heavy vehicle'. Thus, environmental nuisance is expected;
- (b) no substantiated environmental complaint concerning the Site was received in the past three years; and

(c) advisory comments are at **Appendix VII**.

11. Public Comment Received During Statutory Publication Period

On 14.10.2025, 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 permission for temporary open storage of vehicles and landscape plant materials for a period of three years at the Site zoned “R(D)” (**Plan A-1a**). Whilst the applied use is not in line with the planning intention of the “R(D)” zone, there is currently no known proposal for long-term development at the Site or in its vicinity within the “R(D)” zone and approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)” zone. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis of three years.

12.2 The applied use is considered not incompatible with the surrounding land uses which are rural in character comprising mainly open storage/storage yards intermixed with scattered residential structures, a plant nursery, grassland, vacant land, and the Hong Kong Police Force JPC Permanent Activity Centre and Integrated Youth Training Camp. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied use is not anticipated.

12.3 The Site falls within Category 2 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that except DEP and DLO/YL, LandsD, all relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department and the Director of Fire Services, who also consider the submitted drainage proposal with photo record of the existing drainage facilities and FSI's proposal with fire certificates acceptable, as well as the Commissioner for Transport and Chief Engineer/Construction of Water Supplies Department, 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 13.2 below. DEP does not support the application as the applied use involves the use of heavy vehicles and environmental nuisance on the sensitive receivers (i.e. residential structures) in the vicinity of the Site is expected. In this regard, should the Committee decide to approve the application, it is recommended to advise the applicant to follow the ‘CoP’ to minimise the potential environmental nuisance on the surrounding land uses. Regarding DLO/YL, LandsD's concerns on the unauthorized structure(s) and uses within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the application be approved by the Committee.

- 12.4 The application is also considered generally in line with TPB PG-No. 34D in that there is no material change in the planning circumstances; no adverse planning implication arising from the renewal is anticipated; all approval conditions under the previous approval had been satisfactorily complied with; and the three-year approval period sought which is the same timeframe as the previous approval is reasonable.
- 12.5 There are seven approved previous applications for the same or similar uses for the Site, and four approved similar applications within the same “R(D)” zone in the vicinity of the Site in the past five years as detailed in paragraphs 6 and 7 above respectively. Approving the current 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, PlanD 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 10.12.2025 to 9.12.2028. 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 existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (c) if the above planning condition (a) or (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.

Advisory Clauses

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

- 13.3 There is no strong reason to recommend rejection of the renewal 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 supporting documents received on 3.10.2025 and 10.10.2025
Appendix II	Relevant Extract of TPB PG-No. 34D
Appendix III	Relevant Extract of TPB PG-No. 13G
Appendix IV	Previous Applications
Appendix V	Similar Applications
Appendix VI	Government Departments' General Comments
Appendix VII	Recommended Advisory Clauses
Drawings A-1 and A-2	Layout Plans
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**