

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/738

- Applicant** : Mr. TAM Fung Lam represented by Goldrich Planners and Surveyors Limited
- Site** : Lots 831 (Part), 832 (Part) and 986 (Part) in D.D. 117, Tai Tong, Yuen Long, New Territories
- Site Area** : 235 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Other Specified Uses” annotated “Rural Use” (“OU(RU)”)
[Restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m)]
- Application** : Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary office for a period of three years at the application site (the Site) which falls within an area zoned “OU(RU)” 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 paved, fenced off and occupied by temporary structures for the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Pak Sha Shan Road via a local track with an ingress/egress at the east (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal consists of two single-storey structures (from 3.5m to 9m in height) with a total floor area of not more than 202 m² for a warehouse with ancillary office and a container storage. Construction materials such as bamboo, scaffoldings, bricks and metals will be stored in the warehouse. No dangerous goods will be stored at the Site and no workshop activities will be carried out thereat. One parking space for medium goods vehicle (7m x 3.5m) is provided within the warehouse. The operation hours are from 9:00 a.m. to 7:00 p.m. daily excluding Sundays and

public holidays. Plans showing the vehicular access, site layout and swept path analysis submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 In support of the application, the applicant has submitted an Application Form with attachments received on 22.9.2025 (**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**. They can be summarised as follows:

- (a) the applied use could meet the strong demand for warehouses in the area;
- (b) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the “OU(RU)” zone;
- (c) the applicant pledges to strictly follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“Code of Practice”) and relevant environmental protection/pollution control ordinances;
- (d) similar applications were approved with conditions within the “OU(RU)” zones on the Tai Tong OZP; and
- (e) the applied use is not incompatible with the surrounding areas. No adverse visual, traffic, fire safety and drainage impacts are anticipated.

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 publishing notices in local newspapers and sending notice to the Shap Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is subject to planning enforcement action (No. E/YL-TT/751) against unauthorized developments (UDs) involving storage use (including deposit of containers), use for place for parking of vehicles and workshop use (**Plan A-2**). Enforcement Notice (EN) was issued on 7.5.2025 requiring discontinuation of the UD by 7.8.2025. The latest site inspection conducted in September 2025 revealed that the UD still continued upon expiry of the EN, prosecution action is being considered.

5. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Designation of “Other Specified Uses” Annotated “Rural Use” (“OU(RU)”) Zone and Application for Development within

“OU(RU)” Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 38) are relevant to this application. The relevant extract of the Guidelines is attached at **Appendix II**.

6. **Previous Applications**

A small part of the Site was involved in two previous applications (No. A/YL-TT/30 and 37) for temporary open storage of lorry bodies for a period of 12 months which were rejected by the Committee/the Board on review in 1998 and 1999 respectively. Considerations of these previous applications are not relevant to the current application which involves different use. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.

7. **Similar Applications**

There are two similar applications (No. A/YL-TT/593 and 667) for temporary warehouse use with/without open storage of construction materials for a period of three years within the subject “OU(RU)” zone in the past five years. Both applications were approved with conditions by the Committee in 2023 and 2024 respectively mainly on the considerations that the proposed use would not jeopardise the long-term planning intention of the “OU(RU)” zone; was not incompatible with the surrounding uses; and the concerns of relevant government departments could be addressed by implementation of approval conditions. Details of these applications are summarised at **Appendix III** and their location are shown on **Plan A-1a**.

8. **Planning Intention**

The planning intention of the “OU(RU)” zone is primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities.

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

9.1 The Site is:

- (a) currently paved, fenced off and occupied by temporary structures for the applied use without valid planning permission; and
- (b) accessible from Pak Sha Shan Road via a local track.

9.2 The surrounding areas are predominantly rural fringe in character comprising warehouses and open storage/storage yards intermixed with farmland, chicken sheds and unused land.

10. Comments from Relevant Government Departments

10.1 Apart from the government department 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 are provided in **Appendices IV and V** respectively.

10.2 The following government department does not support the application:

Environment

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

- (a) he does not support the application as there are residential uses in the vicinity, the applied use would generate heavy vehicle traffic and environmental nuisance is expected;
- (b) however, there was no environmental complaint concerning the Site received in the past three years; and
- (c) should the application be approved, the applicant should note his advisory comments in **Appendix V**.

11. Public Comment Received During the Statutory Publication Period

On 30.9.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix VI**) objecting to the application on the ground that the applied use is small in scale which would not aid to the modern logistics industry.

12. Planning Considerations and Assessments

12.1 The application is for temporary warehouse (excluding dangerous goods godown) with ancillary office for a period of three years at the Site zoned “OU(RU)” on the OZP. Although the applied use is not in line with the planning intention of “OU(RU)” zone, it could meet any such demand for warehouse in the area. Under the Revised Recommended Outline Development Plan of Yuen Long South (YLS) Development, the Site falls within an area 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 and the Project Manager (West) of Civil Engineering and Development Department have no objection to the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area. Nonetheless, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for implementation of government projects.

12.2 The applied use is considered not incompatible with the surrounding areas which are predominantly rural fringe in character comprising warehouses and open storage/storage yards intermixed with farmland, chicken sheds and unused land

(Plan A-2). The Chief Town Planner/Urban Design & Landscape of Planning Department has no adverse comment on the application from landscape planning perspective.

- 12.3 Other concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from traffic, fire safety and drainage aspects respectively. While DEP does not support the application as there are residential uses in the vicinity, the applied use would generate heavy vehicle traffic and environmental nuisance is expected, there was no environmental complaint concerning the Site received in the past three years. Should the application be approved, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of the concerned government departments. The applicant will also be advised to follow the latest “Code of Practice” to minimise the potential environmental nuisances on the surrounding areas.
- 12.4 Two similar applications within the subject “OU(RU)” zone were approved by the Committee in the past five years. Approval of the current application is in line with the Committee’s previous decisions.
- 12.5 Regarding the public comment as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.4 above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment detailed in paragraph 11 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 until 21.11.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 21.5.2026;
- (b) in relation to (a) above, the implementation of the 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 21.8.2026;
- (c) in relation to (b) above, the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period;
- (d) 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 21.5.2026;

- (e) in relation to (d) 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 21.8.2026;
- (f) if the above planning condition (c) 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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 V**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied use is not in line with the planning intention of the "Other Specified Uses" annotated "Rural Use" zone which is primarily for the preservation of the character of the rural area. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

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 22.9.2025
Appendix II	Relevant extract of TPB PG-No. 38
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Swept Path Analysis

Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**