

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/741

- Applicant** : Mr. 莊夢傑 represented by 海願規劃發展公司
- Site** : Lot 1889 (Part) in D.D. 118, Tai Tong, Yuen Long, New Territories
- Site Area** : 926 m² (about)
- 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 Warehouse for Storage of Construction Materials and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse for storage of construction materials 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 Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years and filling of land within the “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is currently paved and occupied by temporary structures with open storage use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Tai Shu Ha Road East via a local track with an ingress/egress at the east (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposed use consists of six single-storey structures (ranging from 3m to 6m in height) with a total floor area not more than 291 m² for a warehouse with ancillary meter and storage rooms. No dangerous goods will be stored at the Site and no workshop activities will be carried out thereat. Two parking spaces for light goods vehicles (7m x 3.5m) are provided within the Site. The application also involves regularisation of filling of land already undertaken at the entire site with a depth of 0.2m with concrete mainly for erection of structures, vehicle parking and circulation purposes. The operation hours are from 8:00 a.m. to 6:00 p.m. daily excluding Sundays and public holidays. Plans showing the site layout and site paving plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 2.10.2025 **(Appendix I)**
- (b) Further Information (FI) received on 6.11.2025* **(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**. They can be summarised as follows:

- (a) the proposed warehouse is for storing construction materials and preventing their damage from the weather;
- (b) the proposed use is temporary in nature and would not jeopardise the long-term planning intention of the “AGR” zone;
- (c) similar applications were approved with conditions within the “AGR” zone on the Tai Tong OZP in recent years; and
- (d) the proposed 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 posting site notice 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/761) against unauthorized developments (UDs) involving storage use (including deposit of containers) and use for place for parking of vehicles (**Plan A-2**). Enforcement Notice (EN) was issued on 21.8.2025 requiring discontinuation of the UD by 21.11.2025. If the EN is not complied with, prosecution action would be considered.

5. Previous Application

There is no previous application concerning the Site.

6. Similar Applications

- 6.1 There are six similar applications (No. A/YL-TT/575, 608, 648, 651, 671 and 717) for temporary warehouse for a period of three years with/without associated filling of land within the same “AGR” zone in the past five years. All the applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2022 and 2025 mainly on the considerations that the temporary use would not jeopardise the long-term planning intention of the “AGR” zone; being not incompatible with the surrounding uses; having policy support (for applications No. A/YL-TT/575, 608 and 651) and the departmental concerns could be addressed by implementation of approval conditions. Details of the applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.
- 6.2 For Members’ information, planning application No. A/YL-TT/739 for the same use within the subject “AGR” zone will also be considered at this meeting (**Plan A-1**).

7. Planning Intention

- 7.1 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.
- 7.2 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.

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

- 8.1 The Site is:
- (a) currently paved and occupied by temporary structures with open storage use without valid planning permission; and
 - (b) accessible from Tai Shu Ha Road East via a local track.
- 8.2 The surrounding areas are predominantly rural in character comprising open storage/storage yards, temporary structures, farmland, graves and unused land.

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 are provided in **Appendices III** and **IV** respectively.

9.2 The following government department does not support the application:

Agriculture

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

- (a) the Site falls within the “AGR” zone and is generally vacant. There are active agricultural activities in the vicinity and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as greenhouses and plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective; and
- (b) no adverse comment from nature conservation point of view.

10. Public Comments Received During the Statutory Publication Period

On 10.10.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received from an individual and the Kardoorie Farm and Botanic Garden respectively (**Appendix V**) objecting to the application mainly on the grounds that the application is suspected to be for open storage use; and the relevant authorities shall investigate whether there is UD at the Site.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse for storage of construction materials and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP. The proposed use is not in line with the planning intention of “AGR” zone and DAFC does not support the application from agricultural perspective. Nonetheless, taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 The application also involves regularisation of filling of land already undertaken at the entire site (with a depth of 0.2m with concrete) for erection of structures, 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 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.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are predominantly rural in character comprising open storage/storage yards,

temporary structures, farmland, graves 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.

- 11.4 Other concerned government departments consulted, including the Commissioner for Transport and Director of Fire Services have no objection to or 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. The applicant will also 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 Six similar applications within the subject “AGR” zone were approved by the Committee in the past five years. Approval of the current application is generally in line with the Committee’s previous decisions.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant. As for the concern on using the Site for open storage, any UD on the Site would be subject to planning enforcement action.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments detailed 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 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;
- (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; and
- (h) 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 Attachments received on 11.9.2025
Appendix Ia	FI received on 6.11.2025
Appendix II	Similar Applications

Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Site Layout Plan
Drawing A-2	Site Paving Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**