

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NSW/359

<u>Applicant</u>	:	Glorious Concrete (H.K.) Limited by Aikon Development Consultancy Limited
<u>Site</u>	:	Lot 1743 S.C RP (Part) in D.D. 107, Castle Peak Road, Sha Po, Yuen Long, New Territories
<u>Site Area</u>	:	About 7,810m ²
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Draft Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/11
<u>Zonings</u>	:	<p>“Other Specified Uses” annotated “Soy Sauce Factory” (“OU(SSF)”) (about 51.3%); <i>[restricted to a maximum non-domestic gross floor area (GFA) of 13,700m² and a maximum building height (BH) of 15mPD]</i></p> <p>“Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area (2)” (“OU(CDWRA)(2)”) (about 47.3%); and <i>[restricted to a maximum GFA of 392,300m² and a maximum BH of 115mPD]</i></p> <p>“Open Space” (“O”) (about 1.4%)¹</p>
<u>Application</u>	:	Temporary Open Storage of Construction Equipment and Materials with Ancillary Vehicle Park, Office and Storage Facilities for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction equipment and materials with ancillary vehicle park, office and storage facilities for a period of three years at the application site (the Site), which

¹ Regarded as minor boundary adjustment under the covering Notes of the OZP and the planning assessment would not take this into account.

falls within an area partly zoned “OU(SSF)” and partly zoned “OU(CDWRA)(2)” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is hard paved and partly used for open-air parking of vehicles and partly for vehicle repair workshop with structures erected without valid planning permission (**Plans A-2 to A-4b**).

- 1.2 The Site is accessible from Castle Peak Road – Tam Mi (**Plans A-2 and A-3**). According to the applicant, the applied use for storing construction materials (including gypsum-based render and cementitious screed packed in bags) involves an area of about 2,012m² (about 25.8%) designated for open storage; and seven single-storey structures with height of about 4m and a total floor area of about 842m² for ancillary site office and storage uses (**Drawing A-1**). An internal driveway of about 8m in width connecting to the proposed ingress/egress, and 10 parking spaces (nine for private car and one for light goods vehicle) and 10 loading/unloading (L/UL) bays for heavy goods vehicle will be provided within the Site (**Drawing A-1**). Sufficient manoeuvring space will be provided within the Site and no vehicles will queue back or reverse onto/from public road, and no storage of dangerous goods, recycling, cleaning, repairing, dismantling or other workshop activities will be carried out at the Site at all times. The operation hours will be between 7:00 a.m. and 7:00 p.m. from Mondays to Saturdays, except Sundays and public holidays. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 18.11.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 29.12.2025[#] (**Appendix Ia**)
 - (c) FI received on 31.12.2025[#] (**Appendix Ib**)
 - (d) FI received on 5.1.2026[#] (**Appendix Ic**)

[#] *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 at the Application Form and FIs at **Appendices I to Ic**, and can be summarised as follows:

- (a) The applied use is intended to serve a transshipment depot for a concrete batching plant in Hung Shui Kiu being affected by land resumption and it is an interim arrangement before the affected concrete batching plant will be fully relocated and operated in the relocation site in Shek Kong.

- (b) The applied use is temporary in nature and will not jeopardise the long-term comprehensive residential development at the Site.
- (c) Previous approvals had been granted for open storage of containers at the Site since 1994. The applied use will not set an undesirable precedent. The Site falls within Category 1 areas under 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).
- (d) No adverse infrastructural and environmental impacts are anticipated from the applied use at the Site which has been utilised for storage use for years.

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 Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by notifying the ‘current land owner’. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

Town Planning Board Guidelines for “Application for Developments within Deep Bay Area” (TPB PG-No. 12C) and TPB PG-No. 13G are relevant to the application. The Site falls within Category 1 areas under TPB PG-No. 13G. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

- 5.1 The Site was previously zoned “Open Storage” (“OS”) since gazettal of the Interim Development Permission Area (IDPA) Plan in 1990, and remained unchanged until the prevailing draft Nam Sang Wai OZP No. S/YL-NSW/11 which was exhibited on 12.9.2025. The Site and the adjoining areas were rezoned to “OU(SSF)” and “OU(CDWRA)(2)” on the prevailing OZP to take forward the partially agreed section 12A application No. Y/YL-NSW/9 for proposed comprehensive residential development, primary school and relocation of soy sauce factory². The development proposed under the section 12A application has not been commenced yet.
- 5.2 The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

² Section 12A Application No. Y/YL-NSW/9 for a proposed comprehensive residential development, a proposed primary school and a relocated soy sauce factory was partially agreed by the Committee on 28.2.2025.

6. **Previous Applications**

The Site is involved in eight previous applications (No. A/DPA/YL-NSW/18, A/YL-NSW/2, 70, 158, 194, 234, 276 and 338), covering larger areas, submitted by different applicant for container storage yard (including a renewal of temporary approval granted) when the Site was zoned “OS”³. Except A/DPA/YL-NSW/18, the remaining seven applications were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 1994 and 2025. The considerations of these applications are not relevant to the current application which involves a different use. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.

7. **Similar Application**

There is no similar application for open storage use within the same “OU(SSF)” and “OU(CDWRA)(2)” zones in the vicinity of the Site, except an application for temporary container storage yard (No. A/YL-NSW/356) to its south (**Plan A-2**) which is considered as a different use.

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

8.1 The Site is:

- (a) accessible from Castle Peak Road – Tam Mi;
- (b) partly used for open-air parking of vehicles and partly for vehicle repair workshop with structures erected without valid planning permission; and
- (c) within the Wetland Buffer Area (WBA) of the Deep Bay Area (**Plan A-1a**).

8.2 The surrounding areas are rural in character with an intermix of scattered residential structures, grassland, vacant land, an existing soy sauce factory namely Koon Chun Soy Sauce Factory, temporary quarters for imported labour and a temporary container storage yard (both with valid planning permissions). The Site is bounded by the bank of the old meander of Kam Tin River to its west and Castle Peak Road – Tam Mi and Tsing Long Highway to its east (**Plans A-2 and A-3**).

9. **Planning Intentions**

9.1 The planning intention of the “OU(SSF)” zone is primarily for the relocation and redevelopment of a soy sauce factory and uses related and/or ancillary to the operation of the factory.

³ All the eight previous applications fell within the then “OS” zone on previous IDPA Plan, DPA Plan or OZPs at the time of consideration by the Committee or upon review by the Board.

- 9.2 The planning intention of the “OU(CDWRA)(2)” zone is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential development to include wetland restoration area in Area (a) and phasing out of the existing industrial, open storage and port back-up uses through comprehensive residential development in Area (b), with the provision of public transport terminus as well as government, institution or community and other supporting facilities. Commercial uses serving the local neighbourhood and/or a wider area may also be permitted. Any new building should be located farthest away from Deep Bay.

10. Comments from Relevant Government Departments

All the government 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 at **Appendices IV and V** respectively.

11. Public Comment Received During Statutory Publication Period

On 21.11.2025, 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 temporary open storage of construction equipment and materials with ancillary vehicle park, office and storage facilities for a period of three years at the Site partly zoned “OU(SSF)” and partly zoned “OU(CDWRA)(2)” on the OZP (**Plan A-1a**). Whilst the applied use is not in line with the planning intentions of the “OU(SSF)” and “OU(CDWRA)(2)” zones, according to the applicant, the applied use is intended to serve a transshipment depot as an interim arrangement before the concrete batching plant being affected by land resumption in Hung Shui Kiu will be fully relocated and operated in the relocation site in Shek Kong. Besides, the planned development in the subject “OU(SSF)” and “OU(CDWRA)(2)” zones has not commenced yet. It is considered that approving the application on a temporary basis would not jeopardise the long-term planning intention of the “OU(SSF)” and “OU(CDWRA)(2)” zones. 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 areas which are rural in character with an intermix of scattered residential structures, grassland, vacant land, soy sauce factory, temporary labour quarters and temporary container storage yard. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that the applied use is not

entirely incompatible with the surrounding environment and significant landscape impact arising from the applied use is not anticipated.

- 12.3 Whilst the Site falls within the WBA under TPB PG-No. 12C, planning applications for temporary uses are exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation has no objection to the application from nature conservation perspective.
- 12.4 The Site falls within Category 1 areas under TPB PG-No. 13G. The application is considered in line with TPB PG-No. 13G in that relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 13.2 below. It is also 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 any potential environmental nuisance caused by the applied use.
- 12.5 The Site is the subject of eight previous applications for container storage yard, including seven approved applications as mentioned in paragraph 6 above. When compared with the approved previous applications, whilst there is a change in planning circumstances in that the Site has been rezoned from "OS" to "OU(SSF)" and "OU(CDWRA)(2)" on the prevailing OZP, the surrounding context remains generally the same since the last application.

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 until 9.1.2029. 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 submission of a condition record of the existing drainage facilities on the site within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 9.4.2026;

- (c) 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 9.7.2026;
- (d) in relation to (c) 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 9.10.2026;
- (e) if the above planning condition (a) 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
- (f) if any of the above planning conditions (b), (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.

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 intentions of the "OU(SSF)" and "OU(CDWRA)(2)" zones, which are for the relocation and redevelopment of a soy sauce factory and uses related and/or ancillary to the operation of the factory, and for providing incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential development respectively. There is no strong planning justification in the submission for a departure from the planning intentions, 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 18.11.2025
Appendix Ia	FI received on 29.12.2025
Appendix Ib	FI received on 31.12.2025
Appendix Ic	FI received on 5.1.2026
Appendix II	Relevant extracts of TPB PG-No. 12C and 13G
Appendix III	Previous Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JANUARY 2026**