

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PS/765

Applicant : CHEUNG Kin Yue represented by Allgain Land Administrators (Hong Kong) Limited

Site : Lots 914, 915, 916 (Part) and 917 (Part) in D.D.122, Ping Shan, Yuen Long

Site Area : About 2,780m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Draft Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/21

Zoning : “Green Belt” (“GB”)

Application : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) 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) for a period of three years at the application site (the Site) zoned “GB” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Place of Recreation, Sports or Culture’ is a Column 2 use requiring planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, largely vacant and occupied by some temporary structures and existing trees (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site with the ingress/egress at the northeastern part is accessible from Long Ping Road via a local track (**Drawing A-2, Plans A-2 and A-3**). According to the applicant, eight single-storey structures (not exceeding 3 to 5m in height) with a total floor area of about 1,560m² are proposed for greenhouses, storage, site office with toilet, security and surveillance camera room and meter room uses (**Drawing A-3**). The total area for cultivation including open farming areas and four greenhouses is about 1,720m² (or 62% of the Site). The operation hours will be from 9:00 a.m. to 6:00 p.m. daily, including Sundays and public holidays. The maximum number of visitors would not be more than 20 per day at any time. Two parking spaces for private cars and one loading/ unloading space for light goods vehicles will be provided. Advanced booking would be required for using the parking spaces on-

site. Since the Site has been occupied with structures and hard-paved for years¹, no further filling of land and tree felling would be undertaken at the Site. The layout plan, location plan with vehicular access and landscape plan submitted by the applicant are shown at **Drawings A-1 to A-4** respectively.

- 1.3 According to the landscape plan submitted by the applicant, to mitigate the adverse landscape impact arising from the proposed use, the existing 24 trees and seven potted plants within the Site are proposed to be preserved (**Drawings A-3 and A-4**).
- 1.4 The Site was involved in a previous application (No. A/YL-PS/704) for the same applied use approved by the Rural and New Town Planning Committee (the Committee) of the Board on 1.3.2024² (details at paragraph 5 below). Compared with the last approved application, the current application is submitted by the same applicant at the same site with the same layout, development parameters and operation hours. The major development parameters of the current application are summarised as follows:

Major Development Parameters	Current Application (A/YL-PS/765)
Proposed Use	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years
Site Area	About 2,780 m ²
Maximum Floor Area	About 1,560 m ²
Farming Area	About 1,720 m ² (including open air farmland and greenhouses)
No. of Structures	8 for <ul style="list-style-type: none">• greenhouses• site office• security and surveillance camera room• store room• meter room
Maximum Height of Structures	Not exceeding 3m to 5m (1 storey)
No. of Car Parking Spaces	2 (5m x 2.5m each)
Loading/unloading spaces	1 for light goods vehicle (7m x 3.5m)
Operation Hours	9:00 a.m. to 6:00 p.m. daily (including Sundays and public holidays)

- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form and supplementary statement received (**Appendix I**) on 15.10.2025

¹ According to aerial photos and record, the Site was covered by structures for agricultural purposes before the gazettal of the draft Ping Shan Development Permission Area (DPA) Plan No. DPA/YL-PS/1 on 18.6.1993.

² The planning permission was revoked on 1.9.2025 due to non-compliance with the approval conditions on submission and implementation of drainage proposal.

(b) Further information (FI) received on 10.11.2025 (Appendix Ia)
[accepted but not 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 the FI at **Appendices I to Ia**. They can be summarised as follows:

- (a) The Site has been granted with a previous planning approval under application No. A/YL-PS/704 for the same applied use. While the approval conditions related to fire service installations have been complied with, the applicant could not timely comply with the approval conditions regarding submission and implementation of drainage proposal. A fresh application with a drainage proposal is therefore submitted to demonstrate no adverse drainage impact envisaged due to the proposed use.
- (b) The proposed use is temporary in nature. It is in line with the planning intention of the “GB” zone and would be compatible with the surrounding environment and land uses. The proposed use would not jeopardise the long-term planning intention of the “GB” zone.
- (c) The proposed hobby farm is in line with the government’s New Agriculture Policy. It can promote sustainable leisure farming and raise public awareness of environmental protection.
- (d) The proposed use does not involve filling of land or tree felling, and the structures on site are all temporary in nature. No adverse impact to the surrounding environment would be caused.
- (e) The proposed use would not cause adverse traffic, air quality, noise and drainage impacts on the surrounding areas.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

Town Planning Board Guidelines for “Application for Development within the Green Belt Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10) are relevant to the application. The relevant assessment criteria are detailed at **Appendix II**.

5. **Background**

5.1 The Site formed part of a cluster of structures for a vacant poultry farm before the gazettal of the draft Ping Shan DPA Plan No. DPA/YL-PS/1 on 18.6.1993. The structures were demolished in 2001 and the Site had been occupied with scattered

temporary structures since 2002.

5.2 The Site is currently not subject to any planning enforcement action.

6. **Previous Applications**

6.1 The Site, in part or in whole, was involved in four previous planning applications for various temporary uses including one application (No. A/YL-PS/704) for the same applied use. Details of the previous applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1**.

Approved Application

6.2 Application No. A/YL-PS/704 for temporary place of recreation, sports or culture (hobby farm) for a period of three years was approved by the Committee on 1.3.2024 mainly on considerations that the proposal was not incompatible with the surrounding areas; approval of the application on a temporary basis would not frustrate the long-term development of the area; the proposed development did not contravene the TPB PG-No. 10; and the concerns of relevant government departments could be addressed by implementation of approval conditions. However, the planning permission was revoked on 1.9.2025 due to non-compliance with the approval conditions on submission and implementation of drainage proposal.

Rejected Applications

6.3 Three applications No. A/YL-PS/108, 218 and 232, covering larger site areas, for various temporary open storage uses were rejected by the Committee or the Board upon review between 2002 and 2006. The considerations for these applications are not relevant to the current application which involves a different use. Details of these previous applications are at **Appendix IV** and their locations are shown on **Plan A-1**.

7. **Similar Application**

There is one similar application (No. A/YL-PS/655) for temporary place of recreation, sports or culture (hobby farm) with ancillary facilities for a period of five years and associated filling of land within the same “GB” zone on the OZP in the past five years. The application was approved by the Committee on 1.6.2022 on similar considerations as mentioned in paragraph 6.2 above. Details of the similar application are at **Appendix IV** and the location is shown on **Plan A-1**.

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

8.1 The Site is:

(a) is hard-paved, largely vacant and occupied by some temporary structures and existing trees; and

(b) accessible from Long Ping Road via a local track (**Plans A-2 and A-3**).

8.2 The surrounding areas comprise predominantly open storage/storage yards, parking of vehicles, car servicing workshop intermixed with a factory, a restaurant, village office of Wing Ning Tsuen, residential structures and vacant and unused land.

9. Planning Intention

The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

10. Comments from Relevant Government Departments

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices V and VI** respectively.

11. Public Comments Received During Statutory Publication Period

On 28.10.2025 and 21.11.2025, the application was published for public inspection. During the statutory public inspection period, two public comments (**Appendix VII**) were received from the same individual raising concerns that the Site is the subject of previous revocation due to non-compliance with approval conditions under application No. A/YL-PS/704.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years at the Site zoned “GB” on the OZP (**Plan A-1**). The proposed temporary hobby farm, which can provide a passive recreational outlet for leisure farming, is considered not in conflict with the planning intention of the “GB” zone. In view of the above and taking into account of the planning assessment below, there is no objection to the application for a period of three years.

12.2 The surrounding areas comprise predominantly open storage/storage yards, parking of vehicles, car servicing workshop intermixed with a factory, a restaurant, village office of Wing Ning Tsuen, residential structures and vacant and unused land. The proposed use is considered not incompatible with the surrounding land uses.

12.3 As stated in TPB PG-No. 10, an application for new development within “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The development and its vehicular access road should not involve extensive clearance of existing natural vegetation and affect the existing natural landscape, as well as overstrain the capacity of existing and planned infrastructure in the area. The design and layout of the development should be compatible with the surrounding areas. Passive recreational uses which are

compatible with the character of surrounding areas may be given sympathetic consideration. As mentioned in paragraph 5.1 above, the Site has been occupied with structures before the draft Ping Shan DPA Plan took effect in 1993 and the proposed hobby farm has a total area for cultivation purpose taking up more than 60% of the Site (i.e. 1,720m² or 62%). The applicant has submitted a landscape proposal and proposed to preserve the existing 24 trees and seven potted plants at the Site to mitigate the landscape impact of the proposal development. The Chief Town Planner/Urban Design and Landscape, Planning Department has no adverse comment on the application from landscape planning point of view as significant landscape impact on existing landscape resources within the Site is not anticipated. In view of the above and noting the views of other concerned departments as stated in paragraph 12.4 below, the proposed temporary hobby farm is generally not in conflict with TPB PG-No. 10. As the site is zoned “GB”, an approval condition requiring the reinstatement of the site upon expiry of the planning permission so as to uphold the planning intention of the “GB” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.

- 12.4 Other government departments consulted including the Director of Agriculture, Fisheries and Conservation, Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) and Director of Fire Services have no objection to or no adverse comment on the application from natural conservation, environmental, traffic, drainage and fire safety aspects respectively. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of concerned government departments. Should the planning application be approved, 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 potential environmental nuisance on the surrounding areas.
- 12.5 The Site was involved in a previous application (No. A/YL-PS/704) submitted by the same applicant for same applied use which was approved with conditions for a period of three years by the Committee on 1.3.2024. However, the planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval conditions on the submission and implementation of drainage proposal. In this regard, the applicant has submitted a drainage proposal in support of the current application, and CE/MN, DSD has no in-principle objection to the application. As such, sympathetic consideration may be given to the current application. The applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further applications. The Committee has also approved a similar application within the same “GB” zone in the past five years. Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 Regarding the public comments as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the

public comments mentioned in paragraph 11, 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 **9.1.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised 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 **9.7.2026**;
- (b) in relation to (a) above, the implementation of the revised 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 **9.10.2026**;
- (c) in relation to (b) above, the implemented drainage facilities on 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 the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **9.7.2026**;
- (e) in relation to condition (d) above, the implementation of the fire service installations proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **9.10.2026**;
- (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 site, including the removal of hard paving and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix VI**.

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

the proposed use is not in line with the planning intention of the “GB” zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive

recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification 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 planning 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 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 received on 15.10.2025
Appendix Ia	FI received on 10.11.2025
Appendix II	Extracts of TPB PG-No. 10
Appendix III	Previous Applications
Appendix IV	Similar Application
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comment
Drawing A-1	Proposed Layout Plan
Drawing A-2	Location Plan with Proposed Vehicular Access
Drawings A-3 to A-4	Landscape Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
JANUARY 2026**