

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/752

- Applicant** : Mr. TAM Fung Lam represented by Goldrich Planners and Surveyors Limited
- Site** : Lots 839 S.A (Part) and 840 (Part) in D.D. 117, Tai Tong, Yuen Long, New Territories
- Site Area** : 665 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** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Open Storage of Construction Materials and Vehicles (Private Cars and Light Goods Vehicles (LGVs)) with Ancillary Office for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) and open storage of construction materials and vehicles (private cars and LGVs) 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-1**). 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 vehicle repair workshop and storage uses 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 northwest (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposed uses consist of five one to two-storey structures (ranging from 2.5m to 7m in height) with a total floor area of not more than 322 m² for warehouse with ancillary office while part of the uncovered area (about 240 m² or 36% of the Site) is for open storage of construction materials and vehicles. No

dangerous goods will be stored at the Site and no workshop activities will be carried out thereat. One parking space for LGV is provided within the Site. 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 10.11.2025 (**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 with attachments at **Appendix I**. They can be summarised as follows:

- (a) the proposed uses could meet the strong demand for warehouse and open storage in the area;
- (b) the proposed uses are 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” (“CoP”) and relevant environmental protection/pollution control ordinances;
- (d) similar applications were approved with conditions within the “OU(RU)” zone on the Tai Tong OZP in the past three years; and
- (e) the proposed uses are 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/755) against unauthorized developments (UDs) involving storage use (including deposit of containers), workshop use and use for place for parking of vehicles (**Plan A-2**). Enforcement Notice (EN) was issued on 30.7.2025 requiring discontinuation of the UD by 30.10.2025. The latest site inspection in November 2025 revealed that the UD still continued upon expiry of the EN and prosecution action would be considered.

5. Town Planning Board Guidelines

- 5.1 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**.
- 5.2 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) is relevant to the application. The Site falls within Category 2 areas under TPB PG-No. 13G. Relevant extract of the Guidelines is at **Appendix III**.

6. Previous Application

There is no previous application concerning the Site.

7. Similar Applications

There are three similar applications (No. A/YL-TT/593, 667 and 738) for temporary warehouse use and/or open storage of construction materials for a period of three years within the subject “OU(RU)” 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 2023 and 2025 mainly on the considerations that the proposed uses would not jeopardise the long-term planning intention of the “OU(RU)” zone; being not incompatible with the surrounding uses; and the departmental concerns could be addressed by implementation of approval conditions. Details of these applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.

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-1 to A-4)

9.1 The Site is:

- (a) currently paved, fenced off and occupied by temporary structures for vehicle repair workshop and storage uses 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, temporary structures and open storage/storage yards intermixed with farmland and vacant/unused land.

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 in the Recommended Advisory Clauses are provided in **Appendices V and VI** respectively.

11. Public Comment Received During the Statutory Publication Period

On 18.11.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix VIII**) objecting to the application on the grounds that the operation is close to the nearby residential dwellings and approval of the application will further expand the existing brownfield operations in the “OU(RU)” zone.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) and open storage of construction materials and vehicles (private cars and LGVs) with ancillary office for a period of three years at the Site zoned “OU(RU)” on the OZP. While the proposed uses are not in line with the planning intention of “OU(RU)” zone, under the Revised Recommended Outline Development Plan of Yuen Long South New Development Area (YLS NDA), part of the Site falls within an area zoned “District Open Space” under the Third Phase of YLS NDA. In this regard, the Chief Engineer/Cross-Boundary Infrastructure and Development of Planning Department (PlanD) 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 proposed uses are considered not incompatible with the surrounding areas which are predominantly rural fringe in character comprising warehouses, temporary structures and open storage/storage yards intermixed with farmland and vacant/unused land (**Plan A-2**).
- 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, concerned government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services, Chief Engineer/Mainland North of Drainage Services Department and Chief Town Planner/Urban Design and Landscape of PlanD have no objection to or no adverse comment on the application from environmental, traffic, fire safety, drainage and landscape aspects respectively.

- 12.4 In light of the above, the application is also considered generally in line with TPB PG-No. 38 in that the proposal would not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings, and would not overstrain the capacity of existing and planned infrastructure. Relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of the concerned government departments. Should the application be approved, the applicant will also be advised to follow the latest “CoP” to minimise potential environmental nuisance on the surrounding areas.
- 12.5 Three similar applications within the same “OU(RU)” 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.
- 12.6 Regarding the public comment as summarised in paragraph 10 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 above and having taken into account the public comment detailed in paragraph 11 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 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 9.7.2026;
- (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 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 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 (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 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; 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 VI**.

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

the proposed uses are 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 attachment received on 10.11.2025
Appendix II	Relevant Extract of TPB PG-No. 38
Appendix III	Relevant Extract of TPB PG-No. 13G
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Good Practice Guidelines for Open Storage Sites
Appendix VIII	Public Comment
Drawing A-1	Vehicular Route
Drawing A-2	Site Layout Plan
Drawing A-3	Swept Path Analysis
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan

Plan A-3

Plan A-4

Aerial Photo

Site Photos

**PLANNING DEPARTMENT
JANUARY 2026**