

**APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-LFS/586**

**Applicant** : Yuan Run Aquatic Product Company Limited

**Site** : Lot 349 in D.D. 129, Lau Fau Shan, Ha Tsuen, Yuen Long, New Territories

**Site Area** : About 2,095m<sup>2</sup>

**Lease** : Block Government Lease (demised for agricultural use)

**Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11

**Zoning** : “Green Belt” (“GB”)

**Application** : Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary animal boarding establishment with ancillary facilities for a period of three years at the application site (the Site) (**Plan A-1**) zoned “GB” on the OZP. According to the Notes of the OZP for the “GB” zone, ‘Animal Boarding Establishment’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently largely formed<sup>1</sup>, fenced off and used for storage of bamboo sticks, plastic road side barriers and other miscellaneous items without valid planning permission (**Plans A-3a and A-4**).
- 1.2 The Site is accessible from Deep Bay Road via a local track with the ingress/egress located at the northeast tip of the Site (**Drawing A-4**). As shown on the layout plan at **Drawing A-2**, eight single-storey structures (not more than 3m in height) with a total floor area of about 616m<sup>2</sup> are proposed for animal boarding establishment, animal food storage, animal clinic and staff office uses. One parking space for private car and one parking space for light goods vehicle (LGV) will be provided.
- 1.3 As indicated in the submission, the proposed use would provide boarding service for stray dogs and cats (**Appendices I to Ib**). According to the applicant, the operation hours would be between 8 a.m. to 5 p.m. from Mondays to Saturdays. There would be no operation on Sundays and public holidays. A maximum of 30 animals would be accommodated at the Site and all animals will be kept within enclosed structures

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<sup>1</sup> Majority part of the Site had already been filled / paved without planning permission. The applicant has not applied planning permission for land filling in the current application.

with soundproofing materials during night time. No whistle blowing, public announcement system, portable loudspeaker or audio amplification system would be used. There is no staff toilet provided on-site, and staff can utilise the nearby public toilets at Sha Kiu Tsuen (about 1.2km away) by riding bicycle. Animal waste will be collected by staff and disposed at public refuse collection point regularly. The location plan, proposed layout plan, as-built drainage plan and vehicular access plan submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.4 The Site was involved in a previous application (No. A/YL-LFS/539) for temporary open storage of construction materials for a period of three years, which was rejected by the Rural and New Town Planning Committee (the Committee) of the Board on 10.1.2025 (details at paragraph 6 below).
- 1.5 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with attachments received on 2.12.2025 (Appendix I)
  - (b) Supplementary Information (SI) received on 5.12.2025 (Appendix Ia)
  - (c) Further Information (FI) received on 2.1.2026 (Appendix Ib)  
*[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, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the proposed use is temporary in nature, and would not jeopardise the long-term planning intention of the “GB” zone;
- (b) the proposed development aims to promote adoption and discourage abandonment of pets, and will operate on a non-profit making basis. The applicant will apply to the Inland Revenue Department as charitable institution under section 88 of the Inland Revenue Ordinance (Cap. 112) in due course; and
- (c) the Site is away from residential areas and hence impact on the surrounding areas will be minimised.

## **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**

- 4.1 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**.
- 4.2 According to Town Planning Board Guidelines for “Application for Developments

within Deep Bay Area under Section 16 of the Town Planning Ordinance" (TPB PG No. 12C), the Site falls within the Wetland Buffer Area (WBA). The relevant assessment criteria are detailed at **Appendix III**.

## 5. **Background**

The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate planning enforcement action would be taken.

## 6. **Previous Application**

The Site was involved in a previous application (No. A/YL-LFS/539) submitted by the current applicant for temporary open storage of construction materials for a period of three years, which was rejected by the Committee on 10.1.2025. The considerations for the previous application are not relevant to the current application which involves a different use. Details of the previous application are summarised at **Appendix IV** and its location is shown on **Plan A-1**.

## 7. **Similar Applications**

- 7.1 Within the same "GB" zone, there are two similar applications (No. A/YL-LFS/423 and A/YL-LFS/465) in the past five years. Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.
- 7.2 Application No. A/YL-LFS/423 for temporary animal boarding establishment for a period of three years and filling and excavation of land was approved with conditions by the Committee on 6.5.2022 mainly on sympathetic considerations that the site was the subject of previous planning permissions for temporary recreational use with ancillary car park between 2001 and 2005; the applicant was a charitable institution under section 88 of the Inland Revenue Ordinance (Cap. 112) and the proposed development was for accommodation of abandoned/stray dogs and cats; and concerned government departments had no objection to/adverse comment on the application.
- 7.3 Application No. A/YL-LFS/465 for proposed temporary animal boarding establishment for a period of three years and filling and excavation of land was rejected by the Committee on 19.5.2023 mainly on the considerations that the proposed use was not in line with the planning intention of the "GB" zone and TPB PG-No. 10 due to incompatibility with the surrounding areas and adverse landscape impact.

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

- 8.1 The Site is:

- (a) currently largely formed, fenced off and used for storage of bamboo sticks, plastic road side barriers and other miscellaneous items without valid planning permission; and

(b) accessible from Deep Bay Road located about 400m to its north via a local track.

8.2 The surrounding areas are predominated by woodland and unused land. A warehouse located to the immediate northwest of the Site is a suspected unauthorized development (UD) subject to planning enforcement action. To the further southeast and east are the Tsim Bei Tsui Egretary Site of Special Scientific Interest (SSSI) and the Inner Deep Bay SSSI respectively.

## **9. Planning Intention**

9.1 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.

9.2 As filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

## **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 V and VI** respectively.

10.2 The following government departments have reservation on the application:

### **Land Administration**

10.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

(a) He has reservation on the planning application since there are unauthorized structure(s) on Lot 349 in D.D.129 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify and/or apply for regularisation of the lease breaches as demanded by his office.

(b) The applicant should note his advisory comments at **Appendix VI**.

### **Landscape**

10.2.2 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

(a) She has reservation on the application from landscape planning perspective.

- (b) According to the aerial photo taken in 2024, the Site is situated in area of rural coastal plains characterised by dense tree groups to the west, east and south of the Site. A temporary structure is observed to its north.
- (c) According to the site photos taken in December 2025, the Site is largely formed with a temporary structure and existing trees/vegetation are observed in the western and southern portions of the Site. Comparing the aerial photos taken in 2023 and 2024, vegetation removal and site formation works at the Site are observed.
- (d) While the structures for the animal boarding establishment are proposed on the formed portion of the Site, further degradation of the landscape resources and quality of the “GB” zone by the proposed use is anticipated.

## **11. Public Comments Received During Statutory Publication Period**

On 9.12.2025, the application was published for public inspection. During the statutory public inspection period, two public comments from Kadoorie Farm & Botanic Garden Corporation and an individual (**Appendices VII-1 to VII-2**) were received objecting to the application mainly on grounds of being not in line with the planning intention; adverse ecological impact; and no justifications for approval.

## **12. Planning Considerations and Assessments**

- 12.1 The application is for proposed temporary animal boarding establishment with ancillary facilities for a period of three years at the Site zoned “GB” zone on OZP (**Plan A-1**), which is primarily intended for defining the limits of urban and suburban 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. The proposed use is not in line with the planning intention of the “GB” zone. There is no strong planning justification given in the submission for a departure of the planning intention, even on a temporary basis.
- 12.2 The Site is located in an area predominated by woodland and natural vegetation (**Plan A-3b**), including the woodland of Tsim Bei Tsui Egretary SSSI and the mangroves and ponds of Inner Deep Bay SSSI to the southeast and further east respectively (**Plan A-1**). The proposed use is considered not compatible with the surrounding land uses as well as the wider context of the “GB” zone.
- 12.3 According to 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 should not involve extensive clearance of existing natural vegetation and affect the existing natural landscape. The design and layout of any proposed development within “GB” zone should also be compatible with the surrounding areas. The issue on land use compatibility has been discussed in paragraph 12.2 above. Regarding the impact on existing natural vegetation and landscape, by comparing the site condition through aerial photos of November 2023, January 2025 and site photos taken in December 2025 (**Plans A-**

**3a, A-3b and A-4),** it is noted that vegetation removal and site formation works had been undertaken at the Site. The Site has gradually been transformed from mainly a woodland to formed land. Furthermore, despite part of the Site has already been paved, the applicant has not applied for planning permission to regularise the filling of land in the current application. In this regard, CTP/UD&L of PlanD has reservation on the application from landscape planning perspective, and considers that further degradation of the landscape resources and quality of the “GB” zone by the proposed use is anticipated. As such, the proposed use is considered incompatible with the landscape character of the “GB” zone from landscape planning perspective and the application is considered not in line with TPB PG-No. 10.

- 12.4 While the Site falls within the WBA designated under TPB PG-No. 12C, temporary uses are exempted from the requirement on submission on Ecological Impact Assessment as per the TPB PG-No. 12C. The Director of Agriculture, Fisheries and Conservation (DAFC) has no adverse comment on the application from nature conservation perspective for the Site is largely paved and located at about 300m away from the Wetland Conservation Area. Although there is a warehouse located to the immediate northwest of the Site, it is a suspected UD subject to planning enforcement action.
- 12.5 DLO/YL has reservation on the planning application since there are unauthorized structure(s) on Lot 349 in D.D.129 which is already subject to lease enforcement actions according to case priority. Other concerned departments consulted including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North, Drainage Services Department, Director of Fire Services and Director of Food and Environmental Hygiene have no objection to or no comment on the application from environmental, traffic, drainage, fire safety and environmental hygiene perspectives respectively.
- 12.6 No previous planning permission has been granted at the Site. For the approved similar application (No. A/YL-LFS/423), sympathetic consideration was given as the site was the subject of previous approval for temporary recreational use and relevant government departments had no adverse comment on the application. The current application does not warrant the same sympathetic consideration as the proposal is considered not compatible with the surrounding environment and there were adverse departmental comments. In fact, another similar application (No. A/YL-LFS/465) was rejected by the Committee in 2023 on similar considerations. Rejecting the current application is generally in line with the previous decisions of the Committee.
- 12.7 Regarding the public comments received objecting to the application as summarised in paragraphs 11, the planning considerations and assessments in paragraphs 12.1 to 12.6 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 comments mentioned in paragraph 11, the Planning Department **does not support** the application for the following reasons:
  - (a) 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; and

(b) the proposed use is not in line with the 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) in that the proposed use is considered not compatible with the surrounding areas, and the applicant fails to demonstrate that the proposed use would not have significant adverse landscape impact on the surrounding areas.

13.2 Alternatively, 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 23.1.2029. 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 23.7.2026;
- (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 23.10.2026;
- (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 proposal for water supplies for firefighting and fire service installations 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 23.7.2026;
- (e) in relation to condition (d) above, the provision of water supplies for firefighting and fire service installations 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 23.10.2026;
- (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 conditions (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 fill materials 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**.

### **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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 14.3 Alternatively, 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.

### **15. Attachments**

<b>Appendix I</b>	Application Form with attachments received on 2.12.2025
<b>Appendix Ia</b>	SI received on 5.12.2025
<b>Appendix Ib</b>	FI received on 2.1.2026
<b>Appendix II</b>	Extracts of Town Planning Board Guidelines for Application for Development within Green Belt Zone (TPB PG-No. 10)
<b>Appendix III</b>	Extract of TPB Guidelines for Application for Development within Deep Bay Area (TPB PG-No. 12C)
<b>Appendix IV</b>	Previous and Similar Applications
<b>Appendix V</b>	Government Departments' General Comments
<b>Appendix VI</b>	Recommended Advisory Clauses
<b>Appendices VII-1 to VII-2</b>	Public Comments Received During Statutory Publication Period
<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	As-built Drainage Plan
<b>Drawing A-4</b>	Vehicular Access Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3a and A-3b</b>	Aerial Photos
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT**  
**JANUARY 2026**