

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

APPLICATION NO. A/YL-PH/1097

Applicant : Tanford Development Limited represented by Chief Force Limited

Site : Lots 3017 S.B ss.2, 3017 S.B ss.3 (Part), 3017 S.B ss.4 (Part), 3017 S.B ss.5, 3017 S.B ss.6 (Part), 3017 S.B ss.7 (Part) and 3017 S.B ss.8 (Part) in D.D. 111 and Adjoining Government Land (GL), Wang Toi Shan, Pat Heung, Yuen Long

Site Area : About 3,156.4m² (including GL about 384.5m² (12%))

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11

Zoning : “Residential (Group D)” (“R(D)”) [restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]

Application : Temporary Open Storage of Vehicles, Vehicle Parts and Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of vehicles, vehicles parts and construction materials with ancillary facilities and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1a**). 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). Filling of land in the “R(D)” zone also requires planning permission from the Board. The Site is currently hard-paved, fenced and used for the applied open storage use with a valid planning permission under Application No. A/YL-PH/937 until 3.3.2026 (**Plan A-1b**).
- 1.2 The Site is accessible from Kam Tin Road via a local track. According to the applicant, the applied use involves one two-storey structure with a floor area of 225m² and a height of 4.2m for site office, staff resting room and toilet uses and the remaining open area is designated for open storage of vehicles, vehicle parts and construction materials (**Drawing A-1**). Two loading/unloading spaces (with no

fixed location) for vehicles not exceeding 5.5 tonnes are provided at the Site. No workshop activities will be conducted at the Site at all times. The applicant also applies for regularisation of associated filling of land for the entire Site with cement for a depth of about 0.2m, raising the site level from +31.2mPD to +31.4mPD for site formation (**Drawing A-2**). No further filling is required. The operation hours are between 9:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 The Site, in whole or in part, is the subject of nine approved previous applications for the same temporary open storage use (details at paragraph 6 below). The last application (No. A/YL-PH/937) submitted by the same applicant at the same site for the same use as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 3.3.2023. All approval conditions have been complied with and the planning permission is valid until 3.3.2026. Compared with the last application, the current application involves reduction in number of structures and gross floor area, as well as regularisation of associated filling of land.
- 1.4 In support of the application, the applicant has submitted an Application Form with supporting documents which were received on 5.12.2025 and 10.12.2025 (**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 and FI at **Appendices I**, and can be summarised as follows:

- (a) The applied use on a temporary basis will not frustrate the long-term planning intention of the “R(D)” zone.
- (b) The current application is the subject of an approved application (No. A/YL-PH/937) for the same applied use, except that regularisation of associated filling of land is involved in the current application. There is no change to the site area, site boundary, operation scale or mode.
- (c) Since the previous approval of application No. A/YL-PH/937, no complaint related to the Site has been received from the public or government departments. All approval conditions have been complied with and the Site has been maintained in a good condition.
- (d) The applied use will not cause any adverse impacts on drainage, traffic and environmental aspects. A drainage proposal with photo records of the existing drainage facilities and a fire service installations (FSIs) proposal with fire certificates have been submitted in support of the current application.

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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out at TPB PG-No. 31B are not applicable.

4. Town Planning Board Guidelines

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) promulgated on 14.4.2023 are relevant to the application. The Site falls within Category 2 areas under the TPB PG-No. 13G, and the relevant extract of which is at **Appendix II**.

5. Background

The Site is not subject to any active enforcement action.

6. Previous Applications

6.1 The Site, in part or in whole, is the subject of 11 previous applications (No. A/YL-PH/111, 230, 295, 357, 547, 589, 660, 729, 814, 923 and 937) for various temporary open storage uses. Among the 11 applications, nine were approved with conditions by the Committee while two were rejected by the Board upon review. Details of these applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

Rejected Applications

6.2 Applications No. A/YL-PH/111 (for open storage of vehicles with repairing workshop) and 230 (for open storage of construction materials only) were rejected by the Board upon review in 1998 and 1999 respectively mainly for the reasons that there was no strong justification for a departure from the planning intention of the “R(D)” zone; the applied/proposed use was not compatible with the nearby wooded knoll; and approval of the application would set an undesirable precedent.

Approved Applications

6.3 Nine applications (No. A/YL-PH/295, 357, 547, 589, 660, 729, 814, 923 and 937) for the same temporary open storage use (including one renewal of planning approval granted) with the site largely similar to or same as the one under the current application were approved with conditions by the Committee between September 1999 and March 2023, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “R(D)” zone;

the applied use was not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no objection to or no adverse comment on the application or their concerns (and public comments) could be addressed by relevant approval conditions.

6.4 The last previous application (No. A/YL-PH/937) submitted by the same applicant at the same site for the same use as the current application was approved with conditions by the Committee on 3.3.2023. All approval conditions have been complied with and the planning permission is valid until 3.3.2026. Compared with the last application, the current application involves changes as set out in paragraph 1.3 above.

7. **Similar Applications**

There are seven similar applications (No. A/YL-PH/878, 881, 910, 942, 1001, 1026 and 1034) for various temporary open storage uses within the same “R(D)” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between June 2021 and May 2025 on similar considerations as mentioned in paragraph 6.3 above. The planning permissions under Applications No. A/YL-PH/878 and 910 were subsequently revoked in August 2023 and April 2024 respectively due to non-compliance with approval conditions. Details of these similar applications are summarised in **Appendix IV** and the locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible from Kam Tin Road via a local track; and
- (b) currently hard-paved, fenced and used for the applied open storage use with a valid planning permission.

8.2 The surrounding areas are rural in character comprising open storage/storage yards and warehouses intermixed with a vehicle service area, a residential structure, grassland and graves within the same “R(D)” zone, whereas to the south is mainly the hillside woodland with graves within the “Conservation Area” (“CA”).

9. **Planning Intention**

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

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, if any, are provided in **Appendices V** and **VI** respectively.

11. Public Comment Received During Statutory Publication Period

On 12.12.2025, 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 vehicles, vehicle parts and construction materials with ancillary facilities and associated filling of land for a period of three years within the “R(D)” zone (**Plan A-1a**). Whilst the applied use is not in line with the planning intention of the “R(D)” zone, there is currently no known proposal for long-term development at the Site. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis of three years.
- 12.2 The applied use is currently in operation at the Site with valid planning permission till 3.3.2026 and the current application is to continue the applied use at the Site with regularisation of the associated filling of land. Filling of land within the “R(D)” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.
- 12.3 The applied use is considered not incompatible with the surrounding areas, which are rural in character comprising mainly open storage/storage yards and warehouses intermixed with a vehicle service area, a residential structure, grassland, graves and hillside woodland. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from the landscape planning perspective.
- 12.4 The Site falls within Category 2 areas under TPB PG-No. 13G. The application is generally in line with the TPB PG-No. 13G in that the relevant government departments consulted, including those mentioned above as well as the Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise to the applicant to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Uses’ to minimise any potential environmental nuisance caused by the applied use.

12.5 There are nine approved previous applications for the same temporary open storage use at the Site and seven approved similar applications within the same “R(D)” zone in the vicinity of the Site in the past five years as detailed in paragraphs 6 and 7 above respectively. Approving the current application is in line with the Committee’s previous decisions.

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 23.1.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission of a condition record of the existing drainage facilities implemented 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 23.4.2026;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of a revised 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 23.7.2026;
- (d) in relation to (c) above, the implementation of the revised 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 23.10.2026;
- (e) if the above planning condition (b) 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 condition (a), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately 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 Members’ reference:

the applied use with associated filling of land is not in line with the planning intention of the “R(D)” zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. There is no strong planning justification in the submission for a departure from the planning intention, even on 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 supporting documents received on 3.12.2025 and 10.12.2025
Appendix II	Relevant Extract of TPB PG-No. 13G
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos