

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-SK/426

<u>Applicant</u>	: Jetford International Trading Limited represented by R-riches Planning Limited
<u>Site</u>	: Lots 987, 988, 989 (Part) and 990 S.C (Part) in D.D. 106, Shek Kong, Yuen Long, New Territories
<u>Site Area</u>	: About 6,427m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Draft Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/10 <i>(currently in force)</i>
	Approved Shek Kong OZP No. S/YL-SK/9 <i>(at the time of submission)</i>
<u>Zoning</u>	: “Agriculture” (“AGR”) <i>(no change on the current OZP)</i>
<u>Application</u>	: Proposed Temporary Open Storage of Construction Materials and Vehicles and Associated Filling of Land for a Period of Three Years

1. **The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary open storage of construction materials and vehicles and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). 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). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is currently hard-paved, fenced-off and vacant (**Plans A-2** and **A-4**).

- 1.2 The Site is accessible from Shek Kong Airfield Road via local tracks (**Plans A-1** to **A-3**). According to the applicant, the proposed use involves an area of about 4,120m² (64% of the Site) for open storage of construction materials (such as pipes, bricks, tiles, sockets, iron covers, water pumps, etc.) with a maximum stacking height of 3m and vehicles (private cars and light goods vehicles (LGVs)), and the designated open storage areas will be set back for 3m from the site boundary

(Drawing A-1). No structure will be erected at the Site. The applicant also applies for regularisation of filling of land for the entire Site with concrete of not more than 0.1m in depth (to levels of not more than 13.6mPD) for site formation and vehicular circulation **(Drawing A-2).** No dismantling, repairing, cleansing, paint spraying or other workshop activities will be involved at the Site at all times. One parking space for private car and three loading/unloading (L/UL) spaces for LGV will be provided. The operation hours will be between 9:00 a.m. and 7.00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the site layout and land filling area submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

1.3 Various parts of the Site are the subject of three previous applications (details at paragraph 6 below), including the last application No. A/YL-SK/350 for temporary open storage of electric vehicles which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2024 and the planning permission was subsequently revoked in 2025 due to non-compliance with approval conditions. Compared with the last application, the current application involves an increase in site area (+1,486.7m²/+30.1%), reduction in parking space (-1/-50%) and new provision of L/UL spaces.

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 21.7.2025 and 24.7.2025 (Appendix I)
- (b) Further Information (FI) received on 13.8.2025* (Appendix Ia)
- (c) FI received on 22.9.2025* (Appendix Ib)
- (d) FI received on 29.9.2025[#] (Appendix Ic)
- (e) FI received on 7.11.2025* (Appendix Id)
- (f) FI received on 25.11.2025* (Appendix Ie)

** accepted and exempted from publication and recounting requirements*
accepted but not exempted from publication and recounting requirements

1.5 On 19.9.2025 and 21.11.2025, the Committee agreed to defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Ie**, and can be summarised as follows:

- (a) The proposed use can meet the demand for open storage spaces in the New Territories. The temporary basis of the proposed use would not jeopardise the long-term planning intention of the “AGR” zone. The proposed use is not incompatible with the surrounding areas as there are various open storage yards being operated in the vicinity of the Site.

- (b) The applied filling of land is for meeting the operational needs and no further filling of land would be required. The designated open storage areas will be set back from the site boundary to avoid affecting the existing streamcourses to the southeast and southwest of the Site (**Drawing A-1**).
- (c) Sufficient space will be provided for vehicles to smoothly manoeuvre within the Site and infrequent trips are anticipated. In support of the application, the applicant has submitted drainage and fire service installations (FSIs) proposals.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

The applicant is not a ‘current land owner’ but has complied with the requirement 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 posting site notice and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

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

5. Background

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

6. Previous Applications

- 6.1 Various parts of the Site are the subject of three previous applications (No. A/YL-SK/67, 180 and 350) for temporary open storage. Applications No. A/YL-SK/67 and 180 were rejected by the Board on review in 1998 and 2013 respectively mainly on the grounds that no strong planning justification had been given in the submission for a departure from the planning intention; the applied use was incompatible with the surrounding areas; and the application did not comply with the then TPB PG-No. 13.
- 6.2 The last application No. A/YL-SK/350 for temporary open storage of electric vehicles submitted by a different applicant from the current application was approved with conditions by the Committee in 2024 mainly on the considerations that the proposed use on a temporary basis could be tolerated; the proposed use was not incompatible with the surrounding areas; the relevant government departments consulted generally had no adverse comments or their concerns and public comments could be addressed by approval conditions; and the application was generally in line with TPB PG-No. 13G. The planning permission was

subsequently revoked in 2025 due to non-compliance with approval conditions related to submission and implementation of drainage and FSIs proposals. Compared with the last application, the current application involves changes in site area and parking and L/UL spaces as mentioned in paragraph 1.3 above. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

7. **Similar Applications**

There are five similar applications for temporary open storage with filling of land/pond within the same “AGR” zone in the vicinity of the Site in the past five years, which were all approved with conditions by the Committee between 2024 and 2025 mainly on the similar considerations as mentioned in paragraph 6.2 above. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) currently hard-paved, fenced-off and vacant;
- (b) accessible from Shek Kong Airfield Road via local tracks; and
- (c) within the Shui Lau Tin Site of Archaeological Interest (**Plan A-1**).

8.2 The surrounding areas are rural in character with an intermix of open storage yard (with valid planning permission), pigsty, residential structures and vacant land. To the southeast and southwest are two sections of streamcourses and to the north across the local track is a drainage nullah (**Plan A-2**).

9. **Planning Intention**

9.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

10. **Comments from Relevant Government Bureau/Departments**

10.1 Apart from the government department as set out in paragraph 10.2 below, other bureau/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.

10.2 The following government department does not support the application:

Agriculture and Nature Conservation

Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone and is a cemented vacant land. Agricultural infrastructures such as road access and water source are available. The Site can be used for agricultural activities such as greenhouses and plant nurseries; and
- (c) no comment on the application from nature conservation perspective.

11. Public Comment Received During Statutory Publication Periods

On 29.7.2025 and 10.10.2025, the application and FI were published for public inspection. During the statutory public inspection periods, a public comment was received from an individual expressing concerns on drainage and fire safety aspects and potential impact on the nearby streamcourses (**Appendix VI**).

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary open storage of construction materials and vehicles and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 12.2 Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department, who considers the submitted drainage proposal acceptable, and Director of Environmental Protection have no objection to the application from drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 12.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage yard, pigsty, residential structures and vacant land. According to the applicant, the designated open storage areas will be set back from the site boundary. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD)

considers that significant adverse landscape impact is not anticipated, and DAFC has no comment on the application from nature conservation perspective.

- 12.4 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 except DAFC, all other relevant government bureau/departments consulted, including 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, 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 proposed use.
- 12.5 Various parts of the Site are the subject of three relevant previous applications as mentioned in paragraphs 6.1 and 6.2 above. For the two rejected previous applications No. A/YL-SK/67 and 180, their planning considerations and circumstances are different from those of the current application. The last application No. A/YL-SK/350, with considerations and circumstances more comparable to the current application, was approved with conditions by the Committee. Besides, there are five approved similar applications within the same “AGR” zone in the vicinity of the Site in the past five years as mentioned in paragraph 7 above. Approving the current application is in line with the Committee’s previous decisions.
- 12.6 Regarding the public comment as mentioned in paragraph 11, the departmental comments and planning assessments above are relevant.

13. Planning Department’s View

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment mentioned 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 23.1.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the implementation of the accepted 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;
- (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 compliance with fire safety requirements 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;

- (d) 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;
- (e) if any of the above planning condition (a) or (c) 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
- (f) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and 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 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 proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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 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 21.7.2025 and 24.7.2025
Appendix Ia	FI received on 13.8.2025
Appendix Ib	FI received on 22.9.2025
Appendix Ic	FI received on 29.9.2025

Appendix Id	FI received on 7.11.2025
Appendix Ie	FI received on 25.11.2025
Appendix II	Relevant extracts of TPB PG-No. 13G
Appendix III	Previous and similar applications
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public comment
Drawing A-1	Site layout plan
Drawing A-2	Land filling plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

PLANNING DEPARTMENT
JANUARY 2026