

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1156

Applicant : Ms. CHIU Hei Fung represented by Innovative Land Use Planning Consultancy Co. Ltd.

Site : Lots 629 S.Q, 630 S.B ss.15 and 653 S.B RP (Part) in D.D.110, Kam Tin, Yuen Long, New Territories

Site Area : About 820m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11

Zoning : “Residential (Group D)” (“R(D)”) *[restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m)]*

Application : Temporary Open Storage of Private Vehicles and Vehicle Parts with Ancillary Facilities for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of private vehicles and vehicle parts with ancillary facilities 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-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). The Site is currently fenced-off, hard-paved, erected with temporary structures and occupied by the applied use without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kam Tin Road (**Plans A-1 to A-3**). According to the applicant, the applied use involves an open storage area of about 455m² and two single-storey structures with height of 3m and a total floor area of about 190m² for storage of vehicles and vehicle parts, ancillary office and toilet (**Drawing A-1**). Peripheral fence wall of 2.5m in height is erected along the site boundary on all sides. No dismantling, maintenance, recycling, cleansing, paint spraying or other workshop activities will be involved at the Site at all times. 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. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.

1.3 The Site is the subject of 12 previous applications (details at paragraph 6 below), including the last application No. A/YL-KTN/792 for the same use submitted by the same applicant as the current application which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in July 2022, with the planning permission subsequently revoked in August 2022 due to non-compliance with approval conditions. Compared with the last application, the current application involves reductions in site area (-15m²/-2%), total floor area (-74m²/-28%) and building height (-6m/-67%) with a similar layout.

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

- (a) Application Form with attachments received on 30.7.2025 **(Appendix I)**
- (b) Further Information (FI) received on 19.8.2025* **(Appendix Ia)**
- (c) FI received on 11.9.2025* **(Appendix Ib)**
- (d) FI received on 22.9.2025* **(Appendix Ic)**
- (e) FI received on 23.12.2025* **(Appendix Id)**
- (f) FI received on 19.1.2026* **(Appendix Ie)**

** accepted and 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 Site is the subject of approved previous applications for the same use submitted by the same applicant. The proposal under the current application is similar to the previous applications. In support of the current application, the applicant has submitted drainage record and fire service installations (FSIs) proposal with a set of fire certificate for the drainage facilities and FSIs implemented at the Site.
- (b) Sufficient space is provided for vehicles to manoeuvre within the Site. Adverse impacts on the surrounding areas are not anticipated.

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

The applicant is one of the ‘current land owner(s)’. In respect of the other ‘current land owner(s)’, the applicant 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 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 3 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. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

6. Previous Applications

The Site is the subject of 12 previous applications for temporary open storage. Amongst these applications, application No. A/YL-KTN/42 was rejected by the Committee in 1997 mainly on the grounds that the applied use was not in line with the planning intention of the “R(D)” zone and it was not compatible with the adjacent village houses. The remaining 11 applications (including four renewals of temporary approval granted) were all approved with conditions by the Committee between 1998 and 2022 mainly on the considerations that the applied use would not frustrate the long-term planning intention of the “R(D)” zone; the applied use was not incompatible with the surrounding areas; the relevant government departments consulted generally had no adverse comment on the application or their concerns and public comments, if any, could be addressed by approval conditions; and the application was generally in line with then TPB PG-No. 13. The planning permissions under applications No. A/YL-KTN/635 and 792, which were submitted by the same applicant as the current application, were consecutively revoked in 2021 and 2022 respectively due to non-compliance with approval conditions related to provision of fire extinguisher and submission and/or implementation of drainage and FSIs proposals. Compared with the last application No. A/YL-KTN/792, the current application involves reduction in scale with a similar layout 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 seven similar applications, involving four sites, for temporary open storage (all being renewals of temporary approval granted) within/straddling the same “R(D)” zone in the vicinity of the Site in the past five years. These applications were all approved with conditions by the Committee between 2021 and 2025 mainly on the similar considerations as mentioned in paragraph 6 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 fenced-off, hard-paved, erected with temporary structures and occupied by the applied use without valid planning permission; and
- (b) accessible from Kam Tin Road.

8.2 The surrounding areas are rural in character with an intermix of open storage yard (with valid planning permission), workshops and car services to the east and west; and scattered residential structures mainly located to the north. To the south across Kam Tin Road are Shek Kong Barracks (**Plans A-1 to A-3**).

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 at **Appendices IV** and **V** respectively.

11. Public Comments Received During Statutory Publication Period

On 8.8.2025, the application was published for public inspection. During the statutory public inspection period, seven public comments were received, including three indicating support to the application; three providing views that the applied use is compatible with the surrounding areas and it can meet the market demand; and one objecting to the application as the applied use is being operated without planning permission (**Appendix VI**).

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of private vehicles and vehicle parts with ancillary facilities for a period of three years at the Site zoned “R(D)” (**Plan A-1**). The applied use is not in line with the planning intention of the “R(D)” zone. Nonetheless, there is currently no known proposal for long-term development involving the Site. It is considered that approving the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis of three years.

12.2 The applied use at the Site with an area of about 820m² is not significant in scale and it is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage yard, workshops, car services and scattered residential structures. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied use is not anticipated.

12.3 Other relevant government departments consulted, including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD), Director of Environmental Protection and Director of Fire Services (D of FS), have no objection to or no adverse comment on the application. To address the technical requirement of concerned department, 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 applied use.

12.4 The Site falls within Category 3 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that previous planning approvals involving the same use had been granted and there is no adverse departmental comment. In this regard, sympathetic consideration may be given to the current application.

12.5 The Site is the subject of 12 previous applications for temporary open storage as mentioned in paragraph 6 above. Whilst previous application No. A/YL-KTN/42 was rejected by the Committee, its planning considerations and circumstances are different from the current application. All the remaining 11 previous applications were subsequently approved with conditions by the Committee. Amongst these approved previous applications, the planning permissions under the last two applications No. A/YL-KTN/635 and 792, which were submitted by the same applicant as the current application, were revoked in 2021 and 2022 respectively due to non-compliance with the approval conditions related to provision of fire extinguisher and submission and/or implementation of drainage and FSIs proposals, resulting in two consecutive revocations. In support of the current application, the applicant has submitted drainage record and FSIs proposal with fire certificate which are considered acceptable by CE/MN, DSD and D of FS respectively. In this regard, sympathetic consideration may be given to the current application. Should the application be approved by the Committee, 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 would not be given to any further application.

12.6 There are also seven approved similar applications within/straddling the same "R(D)" 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.

12.7 Regarding the public comments as mentioned in paragraph 11, the departmental comments and planning assessments 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 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 6.2.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period; and
- (b) if the above planning condition (a) 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.

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 applied use 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. 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 30.7.2025

Appendix Ia	FI received on 19.8.2025
Appendix Ib	FI received on 11.9.2025
Appendix Ic	FI received on 22.9.2025
Appendix Id	FI received on 23.12.2025
Appendix Ie	FI received on 19.1.2026
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 comments
Drawing A-1	Site layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

PLANNING DEPARTMENT
FEBRUARY 2026