

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

**APPLICATION NO. A/YL-KTN/1193**

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|---------------------------|---|
| <b><u>Applicant</u></b>   | : Wenming Global Limited represented by Allgain Land Planning Limited   |
| <b><u>Site</u></b>        | : Various Lots in D.D. 109, Kam Tin North, Yuen Long, New Territories   |
| <b><u>Site Area</u></b>   | : About 4,000m <sup>2</sup>   |
| <b><u>Lease</u></b>       | : Block Government Lease (demised for agricultural use)   |
| <b><u>Plan</u></b>        | : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11  |
| <b><u>Zoning</u></b>      | : “Agriculture” (“AGR”)   |
| <b><u>Application</u></b> | : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) 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 proposed temporary place of recreation, sports or culture (hobby farm) 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 “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “AGR” zone, ‘Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently fenced-off, vacant, partly formed and partly covered by shrubs and trees (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Chi Ho Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the proposed use involves seven structures of not more than two storeys with height of not more than 7m and a total floor area of about 500m<sup>2</sup> for ancillary site office, rooms for teaching farming skills and resting, toilet and changing room, storage and E&M facilities (**Drawing A-1**). An area of about 2,500m<sup>2</sup> (62.5% of the Site) will be used for farming. The applicant also applies for proposed filling of land for about 1,500m<sup>2</sup> (37.5% of the Site) with concrete of not more than 0.2m in depth (to a level of about 8.2mPD) for site formation and circulation (**Drawing A-2**). No tree felling would be involved. Three parking spaces for private car will be provided at the Site. The proposed use will accommodate a maximum of 30 visitors per day and visitors are required to make advance reservation to use the parking spaces. No public announcement system,

whistle blowing or portable loudspeaker will be allowed at the Site at all times. The operation hours will be between 9:00 a.m. and 6:00 p.m. daily (including 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 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 8.12.2025 (**Appendix I**) and 15.12.2025
- (b) Further Information (FI) received on 22.1.2026\* (**Appendix Ia**)

*\* 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 and FI at **Appendices I** and **Ia**, and can be summarised as follows:

- (a) The temporary nature of the application would not frustrate the long-term planning intention of the “AGR” zone. The proposed use is not incompatible with the surrounding areas and it can provide suitable space for agricultural activities for the public.
- (b) Sufficient space will be allowed for vehicle manoeuvring within the Site. Infrequent trip generation is anticipated. The proposed use will not induce adverse environmental, traffic or drainage impacts on the surrounding areas.

## **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. Background**

Part of the Site is subject to an active planning enforcement action (No. E/YL-KTN/713) against unauthorized development involving storage use (**Plan A-2**). Reinstatement Notice was issued on 12.12.2025 requiring reinstatement of the concerned land.

## **5. Previous Application**

There is no previous application involving the Site.

## **6. Similar Applications**

There are 12 similar applications for temporary hobby farm (including eight with filling of land; and three also involving holiday camp/barbeque site uses) in the vicinity of the Site within/straddling the same “AGR” zone in the past five years. All these applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2020 and 2025 mainly on the considerations that the proposed/applied use on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone or the temporary use could be tolerated; the proposed/applied use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comment or their concerns and public comments, if any, could be addressed by approval conditions. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) currently fenced-off, vacant, partly formed and partly covered by shrubs and trees; and
- (b) accessible from Chi Ho Road via local tracks.

7.2 The surrounding areas are rural in character with an intermix of scattered residential structures, farmland, grassland, woodland and vacant land (**Plan A-2**).

## **8. Planning Intention**

8.1 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.

8.2 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.

## **9. Comments from Relevant Government Departments**

9.1 Apart from the government department as set out in paragraph 9.2 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, if any, are provided at **Appendices III** and **IV** respectively.

9.2 The following government department has adverse comments on the application:

### **Land Administration**

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

- (a) has adverse comments on the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) LandsD has reservation on the application since there is/are unauthorized structure(s) and/or use(s) on Lots No. 1143 S.A ss.3 and 1143 S.L in D.D. 109 included by the application which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
- (d) advisory comments are at **Appendix IV**.

### **10. Public Comment Received During Statutory Publication Period**

On 16.12.2026, the application was published for public inspection. During the statutory public inspection period, a public comment was received from an individual objecting to the application on the grounds that the proposed structures and filling of land under the application are considered not justified for genuine farming.

### **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary place of recreation, sports or culture (hobby farm) with ancillary facilities 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, according to the applicant, about 2,500m<sup>2</sup> (62.5%) of the Site will be used for farming area and the proposed filling of land is for site formation and circulation. The Director of Agriculture, Fisheries and Conservation has no strong view on the application from agricultural perspective on the understanding that agricultural activities are involved in the proposed use. In view of the above and 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.
- 11.2 Filling of land in 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 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.

- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of scattered residential structures, farmland, grassland, woodland and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with the surrounding landscape character and significant adverse landscape impact is not anticipated.
- 11.4 Other relevant government 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 12.2 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. Regarding DLO/YL, LandsD’s concerns on the unauthorized structure(s) and/or use(s) on the concerned lots of the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 There are 12 approved similar applications for temporary hobby farm within/straddling the same “AGR” zone in vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comment as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 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 submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or the Town Planning Board by 6.8.2026;

- (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 6.11.2026;
- (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 the Town Planning Board by 6.8.2026;
- (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 6.11.2026;
- (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 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; and
- (h) 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 IV**.

- 12.3 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.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.

- 13.3 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.

**14. Attachments**

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| <b>Appendix I</b>   | Application Form with attachments received on 8.12.2025 and 15.12.2025 |
| <b>Appendix Ia</b>  | FI received on 22.1.2026   |
| <b>Appendix II</b>  | Similar applications   |
| <b>Appendix III</b> | Government departments' general comments                               |
| <b>Appendix IV</b>  | Recommended advisory clauses   |
| <b>Appendix V</b>   | Public comment   |
| <b>Drawing A-1</b>  | Site layout plan   |
| <b>Drawing A-2</b>  | Land filling plan  |
| <b>Plan A-1</b>     | Location plan  |
| <b>Plan A-2</b>     | Site plan  |
| <b>Plan A-3</b>     | Aerial photo   |
| <b>Plan A-4</b>     | Site photos  |

**PLANNING DEPARTMENT  
FEBRUARY 2026**