

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/570

- Applicant** : West & North Development Limited represented by Allgain Land Administrators (Hong Kong) Limited
- Site** : Lots 1964 S.A (Part) and 1964 S.B (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 1,300m²
- 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** : “Recreation” (“REC”)
- Application** : Temporary Open Storage of Hardware Accessories for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of hardware accessories for a period of three years at the application site (the Site) (**Plan A-1**) zoned “REC” on the OZP. 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). The Site is hard-paved, fenced off, erected with structures, and currently used for the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via a local track, with the ingress/egress located at the southeast of the Site (**Drawing A-1**). As shown on the layout plan at **Drawing A-1**, an area of about 550m² (or 42%) of the Site is designated for open storage purpose, while three single-storey structures (about 3m to 9m in height) with a total floor area of not more than 260m² are used for warehouse (for storage of hardware accessories), site office and toilet uses. A loading/unloading space for light goods vehicle is provided.
- 1.3 According to the applicant, the operation hours are between 8 a.m. and 6 p.m. from Mondays to Saturdays. There is no operation on Sundays and public holidays, and no workshop activities are to be carried out at the Site. The proposed layout plan, vehicular access plan, fire service installations (FSIs) proposal and drainage proposal 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/493) for the same use submitted by the same applicant with a larger open storage area (i.e. 700m²) and similar layout, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 24.11.2023 (**Plan A-1**). However, the planning permission was subsequently revoked on 24.5.2025 due to non-compliance with approval conditions (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 21.8.2025 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 22.8.2025 (**Appendix Ia**)
 - (c) Further Information (FI) received on 8.12.2025* (**Appendix Ib**)
**accepted and not exempted from publication requirements*
- 1.6 On 10.10.2025, the Committee agreed to defer making a decision on the application for two months 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, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the applied use is temporary in nature for a period of three years and would not jeopardise the long-term planning intention of the “REC” zone;
- (b) similar applications have been approved in the vicinity of the Site;
- (c) the applied use would not involve the use of heavy vehicles. No adverse traffic impact would be caused to Deep Bay Road;
- (d) the applied use would not involve felling of trees. No adverse landscape impact would be caused to the surroundings; and
- (e) the applied use would not cause adverse air quality, noise and 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 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 Ordinance (TPB PG-No. 31B) by posting site notice and sending notification letter to the Ping Shan 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 (TPB PG-No. 13G) promulgated by the Board on 14.4.2023 are relevant to the application. The Site falls within the Category 2 areas under the TPB PG-No. 13G. The

relevant extract of the Guidelines is attached at **Appendix II**.

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/493) submitted by the same applicant for the same temporary open storage use, which was approved with conditions by the Committee on 24.11.2023 mainly on the considerations that the temporary approval would not jeopardise the long-term planning intention of the “REC” zone; the proposed use was not incompatible with the surrounding land uses; concerned government departments had no objection to the application and the technical concerns could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked on 24.5.2025 due to non-compliance with time-limited approval conditions regarding the submission and/or implementation of drainage and FSI proposals. Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. **Similar Applications**

- 7.1 Within the same “REC” zone, there are 11 similar applications for various open storage uses in the past five years. Ten of them were approved while one was rejected by the Committee. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

Approved applications

- 7.2 Applications No. A/YL-LFS/399 and 451 were approved with conditions by the Committee on 25.6.2021 and 3.2.2023 respectively mainly on considerations that the proposed use was in line with the relevant TPB PG-No. 13 in that the sites were subject to previous permissions, and there had been no major change in planning circumstances since the granting of the previous permissions; and concerned government departments generally had no objection to the applications and/or the technical concerns could be addressed by implementation of approval conditions.
- 7.3 Eight applications (No. A/YL-LFS/479, 504, 505, 514, 515, 516, 555 and 568) were approved with conditions by the Committee between August 2023 and October 2025, i.e. after the sites and their adjoining areas were reclassified from Category 3 to Category 2 areas under TPB PG-No. 13G promulgated on 14.4.2023, mainly on similar considerations as mentioned in paragraph 6 above.

Rejected application

- 7.4 Application No. A/YL-LFS/400 was rejected by the Committee in 2021, when the site and its adjoining areas were still classified as Category 3 areas under the then TPB PG-No. 13F, mainly on grounds that no strong justification was provided for a

departure from the planning intention; the site was not subject to previous permissions for open storage use; and there were adverse departmental comments on environmental, traffic, landscape and/or drainage aspects.

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

8.1 The Site is:

- (a) hard-paved, fenced off, erected with structures, and currently used for the applied use without valid planning permission;
- (b) accessible from Deep Bay Road via a local track; and
- (c) located within the Lau Fau Shan Site of Archaeological Interest.

8.2 The surrounding areas are predominated by open storage yards and warehouses, some of which are covered by valid planning permission. Other uses such as residential dwellings, pigsty, animal boarding establishment, recycling workshop, temple and vacant/unused land are also found in the vicinity of the Site.

9. Planning Intention

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

10. Comments from Relevant Government Bureau / Departments

All 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 are provided in **Appendices IV and V** respectively.

11. Public Comments Received During Statutory Publication Period

On 26.8.2025 and 16.12.2025, the application was published for public inspection. During the statutory public inspection period, two public comments from an individual (**Appendix VII**) were received objecting to the application on grounds that the approval conditions of the previous application had not been complied with.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of hardware accessories for a period of three years at the Site zoned “REC” on the OZP (**Plan A-1**). While the applied use is not in line with the planning intention of the “REC” zone, there is no known development proposal at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of

the “REC” zone. Notwithstanding the above, the Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/clearance programme is currently being reviewed under the relevant investigation study and subject to change. Should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and be advised not to carry out any substantial works therein.

- 12.2 The Site is located in an area predominated by open storage yards and warehouses, some of which are covered by valid planning permissions. The applied use is considered generally not incompatible with the surrounding land uses. The Chief Town Planner/Urban Design & Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective since no significant adverse landscape impact arising from the proposed use is anticipated.
- 12.3 The Site falls within Category 2 areas under TPB PG-No. 13G. The application is generally in line with TPB PG-No. 13G in that there are no adverse comments from concerned government departments including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire Services (D of FS). The technical requirements of CE/MN of DSD and D of FS could be addressed by imposing approval conditions recommended in paragraph 13.2 below. To minimise any possible environmental nuisance on the surrounding areas, the applicant will also be advised to adopt the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’.
- 12.4 The Site was involved in a previous application (No. A/YL-LFS/493) submitted by the same applicant for the same temporary open storage use, which was approved by the Committee on 24.11.2023. However, the planning permission was subsequently revoked in 2025 due to compliance with time-limited approval condition regarding the submission and/or implementation of drainage and FSIs proposals. In this regard, the applicant has submitted drainage and FSIs proposals in support of the current application (**Drawings A-3 and A-4**), and CE/MN, DSD and D of FS have no adverse comment on the current application. As such, sympathetic consideration may be given to the current application. Nevertheless, 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 may not be given to any further applications.
- 12.5 There are 10 similar applications within/straddling the subject “REC” zone approved by the Committee in the past five years. Eight of which were approved after the area has been reclassified from Category 3 to Category 2 areas under TPB PG-No.13G promulgated on 14.4.2023 and have similar planning circumstances with the current application. Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 Regarding the public comments as stated in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.5 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 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 submission of a revised 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 6.8.2026;
- (b) in relation to (a) above, the implementation of the revised 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 revised fire service installations proposal within **6 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 6.8.2026;
- (e) in relation to (d) above, the implementation of the revised fire service installations proposal within **9 months** from the date of the 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; and
- (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.

Advisory Clauses

The recommended advisory clauses are attached 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 "REC" zone, which is primarily for recreational developments for the use of the general public. 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 planning 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 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 21.8.2025
Appendix Ia	SI received on 22.8.2025
Appendix Ib	FI received on 8.12.2025
Appendix II	Extract of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13G)
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	'Good Practice for Open Storage Sites' by the Fire Services Department
Appendix VII	Public Comments Received During Statutory Publication Period
Drawing A-1	Proposed Layout Plan
Drawing A-2	Vehicular Access Plan
Drawing A-3	FSIs Plan
Drawing A-4	Drainage Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**