

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-HTF/1205

- Applicant** : Mr. LAM Wai represented by Lanbase Surveyors Limited
- Site** : Lots 343 (Part), 344 RP, 345, 346 (Part) and 366 RP (Part) in D.D. 128, Yuen Long, New Territories
- Site Area** : About 2,330m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Open Storage of Vehicle Parts with Ancillary Vehicle Parts Repairing Workshop and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary open storage of vehicle parts with ancillary vehicle parts repairing workshop and associated filling of land for a period of three years at the application site (the Site) which is zoned “AGR” on the OZP (**Plan A-1**). 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). According to the Notes of the OZP for the “AGR” zone, filling of land also requires planning permission from the Board. The Site is currently formed, hard paved and occupied by some structures for storage/workshop use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site can be accessed via a local track leading from Deep Bay Road and the ingress/egress is at the northern tip of the Site (**Plans A-2 and A-3**). As shown on the proposed layout plan at **Drawing A-2**, the southern portion of the Site with an area of about 1,440m² (about 62% of the Site) will be used for open storage for vehicle parts. Two single-storey (8m in height) structures will be erected for open sheds with a floor area of about 265m² (about 11% of the Site), which will be used for ancillary vehicle parts repairing workshop and storage of

vehicle parts. The remaining areas of the Site will be mainly for circulation purpose. Two parking spaces for private cars and one loading/unloading space for light goods vehicle will be provided. No medium or heavy goods vehicle or container vehicle will be used. The operation hours will be between 8:00 a.m. and 8:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays.

- 1.3 The applicant also seeks planning permission to regularise the land filling works that had been undertaken at the Site. As shown on the land filling plan at **Drawing A-3**, the entire Site (i.e. about 2,330m²) has been filled with concrete of not more than 0.2m in depth. No further filling of land will be carried out at the Site.
- 1.4 In support of the application, the applicant submitted the following documents:
- (a) Application Form with attachment received on **(Appendix I)**
29.12.2025
 - (b) Planning Statement **(Appendix Ia)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and the Planning Statement at **Appendices I and Ia**. They can be summarised as follows:

- (a) The Site falls within Category 2 areas under 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).
- (b) The applied use is compatible with the surrounding areas.
- (c) No adverse traffic, environmental, drainage and archaeological impacts are anticipated.
- (d) The applied use is temporary in nature and will not jeopardise the long-term planning intention of the Site.

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

The applicant is not the “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 Town Planning Ordinance (TPB PG-No. 31B) by publishing notice in newspaper and sending notice to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The storage use on the Site would be subject to planning enforcement action.

5. **Town Planning Board Guidelines**

TPB PG-No. 13G is relevant to the application. The Site is located within Category 2 areas under the prevailing TPB PG-No. 13G promulgated on 14.4.2023. Relevant extract of the Guidelines is at **Appendix II**.

6. **Previous Application**

The Site is not involved in any previous application.

7. **Similar Applications**

There are 11 similar applications (No. A/YL-HTF/1133, 1150, 1155, 1166, 1179, 1182, 1185, 1190, 1193, 1198 and 1203) for various open storage uses with/without filling of land within the same “AGR” zone in the past five years. All of them were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2022 and 2026 mainly on considerations that the application was in line with TPB PG-No. 13F/G; the applied use was not incompatible with the surrounding areas; concerned government departments generally had no objection to the application and/or the technical concerns could be addressed by imposing of approval conditions. Applications No. A/YL-HTF/1133, 1166, 1179 and 1203 had also obtained policy support from the Secretary for Development as they were for accommodating brownfield operations affected by the development of the New Development Area(s). The planning permissions under applications No. A/YL-HTF/1133, 1150 and 1155 were subsequently revoked between 2024 and 2025 due to non-compliance with time-limited approval conditions. Details of these 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-4b)**

8.1 The Site is:

- (a) formed, hard paved and currently occupied by some structures for storage/workshop use without valid planning permission;
- (b) accessible via a local track leading from Deep Bay Road; and
- (c) located within the Ngau Hom Shek Site of Archaeological Interest.

8.2 The surrounding areas are predominated by vacant/unused land and open storage yards, some of which have obtained planning permission (Applications

No. A/YL-HTF/1179 and 1185).

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, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the subject “AGR” zone.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government department as set out in paragraph 10.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices IV and V** respectively.
- 10.2 The following government department does not support the application:

Agriculture and Nature Conservation

- 10.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
- (a) the Site falls within the “AGR” zone and is generally vacant with some structures. Agricultural infrastructures such as road access and water source are available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective; and
 - (b) he has no adverse comment on the application from nature conservation perspective. The applicant should note his advisory comments at **Appendix V**.

11. Public Comment Received During the Statutory Publication Period

On 6.1.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VI**) objecting to the application mainly on grounds that land filling has been undertaken at the Site without planning permission; while the Site falls within Category 2 areas under TPB PG-No. 13G, the application is not for relocation of operations affected by Government projects; and the applied use would have adverse environmental impact.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary open storage of vehicle parts with ancillary vehicle parts repairing workshop for a period of three years and associated filling of land at the Site which is zoned “AGR” on the OZP. While the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from the agricultural perspective, 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 advised not to carry out any substantial works therein. Taking into consideration the planning assessments below, there is no objection to the application on a temporary basis for a period of three years.
- 12.2 The applicant also seeks to regularise the filling of land with concrete of not more than 0.2m in depth for the entire Site. 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 (CE/MN, DSD) and Director of Environmental Protection (DEP) have no objection to the application from drainage and environmental 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 Site is situated in an area of rural landscape character predominated by vacant/unused land and open storage yards, some of which have obtained planning permission. The applied use is considered generally not incompatible with the surrounding areas. The Chief Town Planner/Urban Design & Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning point of view.
- 12.4 The Site falls within Category 2 areas under TPB PG-No. 13G. The applied use is generally in line with TPB PG-No. 13G in that in addition to CE/MN, DSD and DEP, other relevant government departments including the Commissioner for Transport and Director of Fire Services also have no objection to or no adverse comment on the application from traffic and fire safety perspectives respectively. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will also be advised to follow the latest ‘Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise possible environmental nuisance on surrounding areas.
- 12.5 The Committee has approved 11 similar applications for various open storage

uses with/without filling of land within the same “AGR” zone between 2022 and 2026 mainly on considerations summarised in paragraph 7 above. Approval of this application is in line with the previous decisions of the Committee.

- 12.6 Regarding the public comment objecting to the application as summarised 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 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 27.2.2029. 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 of the Town Planning Board by 27.8.2026;
- (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 27.11.2026;
- (c) in relation to (b) above, the implemented drainage facilities 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 of the Town Planning Board by 27.8.2026;
- (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 27.11.2026;
- (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 application site, including the removal of hard paving and grassing of the application site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 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. 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 attachment received on 29.12.2025
Appendix Ia	Planning Statement
Appendix II	Extract of TPB PG-No. 13G
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Location Plan with Site Access
Drawing A-2	Proposed Layout Plan
Drawing A-3	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan

Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**