

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

**APPLICATION NO. A/YL-PH/1102**

- Applicant** : Chief Force Limited
- Site** : Lot 2743 (Part) in D.D. 111, Wang Toi Shan Ho Lik Pui, Pat Heung, Yuen Long
- Site Area** : About 321m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Village Type Development” (“V”)  
[restricted to maximum building height of 3 storeys (8.23m)]
- Application** : Proposed Temporary Shop and Services and Associated Filling of Land for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary shop and services and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Shop and Services’ other than those on the ground floor of a New Territories Exempted House (NTEH), 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 and largely hard-paved with some weed overgrowth (**Plan A-4**).
- 1.2 The Site is accessible from Kam Tin Road via a local track (**Plan A-2**). According to the applicant, the proposed use is intended for display, rental and sale of forklifts to serve the nearby residents, customers and workers. It involves one single-storey structure with a height of not exceeding 3m and a floor area of about 15m<sup>2</sup> for site office. Two parking spaces, one for private car and one for light goods vehicle (LGV) will be provided within the Site. Only licensed private car and LGV will be allowed to be parked within the Site, and entry and parking of container vehicle and vehicle exceeding 5.5 tonnes at the Site will not be allowed. No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be conducted at the Site. The applicant also applies for regularisation of associated filling of land for the entire site with concrete for a depth of about 0.1m, raising the

site level to about +25.3mPD for site formation (**Drawing A-2**). The operation hours will be between 9:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 The Site is the subject of three previous applications for temporary shop and services (provision store) submitted by the same applicant as the current application (details in paragraph 5 below). The last application (No. A/YL-PH/948), which is a renewal of planning approval granted, was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 19.5.2023 and the planning permission is valid until 19.5.2026. Compared with the last application, the current application has the same site area/boundary and involves changes in type of goods for sale and layout, reduction in number of structures and floor area, as well as regularisation of the associated filling of land for the entire site.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with supporting documents received (**Appendix I**) on 7.1.2026 and 12.1.2026
  - (b) Further Information (FI) received on 13.2.2026\* (**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 proposed use on a temporary basis will not jeopardise the long-term planning intention of the “V” zone and is intended to serve the nearby residents, customers and workers. Samples of forklifts will be displayed for customers’ preview prior to placing orders online or at the Site.
- (b) Since the approval of the previous application (No. A/YL-PH/948), no complaint related to the Site has been received from the public or government departments. All approval conditions have been complied with and the Site has been maintained in a good condition. With the same site area/boundary as the previous applications, the current application involves a change in type of goods for sale due to decreasing demand for provision stores in the vicinity. Hence, a fresh application is submitted.
- (c) The existing drainage facilities, as implemented under the first approved previous application (No. A/YL-PH/744), have been properly maintained. A drainage proposal with condition record of the existing drainage facilities and a fire service installations (FSIs) proposal have been submitted in support of the current application.

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

The applicant is not a “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is not subject to any active enforcement action.

5. **Previous Applications**

The Site is the subject of three previous applications (No. A/YL-PH/744, 839 and 948) for temporary shop and services (provision store) (including the last two for renewal of planning approvals granted) submitted by the same applicant as the current application. All these applications were approved with conditions by the Committee between 2017 and 2023, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “V” zone; the applied use was not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no objection to or no adverse comment on the application or their concerns could be addressed by relevant approval conditions. Compared with the last application (No. A/YL-PH/948), the current application involves changes as set out in paragraph 1.3 above. Details of these applications are summarised in **Appendix II** and the locations are shown on **Plan A-1**.

6. **Similar Applications**

There are eight similar applications for various shop and services uses (No. A/YL-PH/825, 880, 970, 994, 1032, 1039, 1042 and 1043) (including six with filling of land) within or straddling the same “V” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between June 2021 and February 2025 on similar considerations as mentioned in paragraph 5 above. The planning permissions under applications No. A/YL-PH/825, 880 and 994 were subsequently revoked between November 2023 and August 2025 due to non-compliance with approval conditions. Details of these similar applications are summarised in **Appendix III** and the 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 and largely hard-paved with some weed overgrowth; and

(b) accessible from Kam Tin Road via a local track.

7.2 The surrounding areas are rural in character comprising mainly an intermix of village settlements of Wang Toi Shan Wing Ning Lei, open storage/storage yards, warehouses, vehicle parks, a vehicle repair workshop and grassland.

## **8. Planning Intention**

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and re-provisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

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

9.1 Apart from the government departments as set out in 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 in **Appendices IV** and **V** respectively.

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

### **Land Administration**

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

- (a) has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government;
- (c) there is/are unauthorised structure(s) and/or uses on the private lot(s) 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;
- (d) if the application is approved, the lots owner(s) shall apply to his office for a Short Term Waiver (STW) to permit the structure(s)

erected within the said private lot. The application for STW will be considered by LandsD acting in the capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;

- (e) there is no Small House application approved or under processing within the Site; and
- (f) advisory comments are at **Appendix V**.

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

On 16.1.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

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

- 11.1 The application is for proposed temporary shop and services and associated filling of land for a period of three years at the Site which is zoned “V” on the OZP (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the “V” zone, according to the applicant, the proposed use for display, rental and sale of forklifts is intended to serve the nearby residents, customers and workers. Besides, DLO/YL, LandsD advises that there is no Small House application approved or under processing at the Site. The proposed use of temporary nature would not adversely affect the land availability for NTEH/Small House within the “V” zone in the long term. Taking into account the above and the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis for a period of three years.
- 11.2 Filling of land within the “V” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department, who also considers the submitted drainage proposal with condition record of the existing drainage facilities acceptable, and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character comprising mainly an intermix of village settlements of Wang Toi Shan Wing Ning Lei, open storage/storage yards, warehouses, vehicle parks, a vehicle repair workshop and grassland. 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 entirely incompatible with the surrounding environment and significant adverse landscape impact on the Site from the proposed use 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, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise the potential environmental nuisance on the surrounding areas. Regarding DLO/YL, LandsD's concerns on the unauthorised structure(s) and/or uses within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the application be approved by the Committee.
- 11.5 There are three approved previous applications for the same applied use at the Site and eight approved similar applications within the same "V" zone in the vicinity of the Site in the past five years as detailed in paragraphs 5 and 6 above respectively. Approving the current application is in line with the Committee's previous decisions.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 27.2.2029. 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;
- (b) the submission of a revised 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;
- (c) in relation to (b) above, the implementation of the revised 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;
- (d) 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; and
- (e) if any of the above planning condition (b) 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.

### Advisory Clauses

The recommended advisory clauses are at **Appendix V**.

- 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 "V" zone which is to provide land primarily for development of Small Houses by indigenous villagers. 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**

<b>Appendix I</b>	Application Form with supporting documents received on 7.1.2026 and 12.1.2026
<b>Appendix Ia</b>	FI received on 13.2.2026
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	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