

**Application for Renewal of Planning Approval  
 for Temporary Use  
 Under Section 16 of the Town Planning Ordinance**

**Application No. A/YL-SK/442**

<b>1. <u>Proposal</u></b>	
Applicant	CHEUNG Chi Wah represented by R-riches Planning Limited
Site ( <b>Plan A-1</b> )	Lots 84 S.A ss.1 S.A (Part), 84 S.A ss.1 RP (Part) and 84 S.A RP (Part) in D.D. 112, Nam Hing West Road, Shek Kong, Yuen Long, New Territories
Site Area	About 675m <sup>2</sup>
Zoning and Outline Zoning Plan (OZP) No.	“Agriculture” (“AGR”) zone on the draft Shek Kong OZP No. S/YL-SK/10
Application	Renewal of Planning Approval for Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Associated Filling of Land for a Period of 5 Years
Site Context and the Current Proposal	<p>The application site (the Site) is accessible from Kam Sheung Road via Nam Hing West Road (<b>Plan A-2</b>). According to the applicant, the applied use involves three one or two storeys structures (not more than 7m in height) with a total floor area of about 177.3m<sup>2</sup> for agriculture learning room, ancillary site office, storage of farm tools, washrooms, fire service water tank and control panel etc. No parking or loading/unloading space is provided at the Site. The operation hours are from 9:00 a.m. to 6:00 p.m. daily.</p> <p>The applicant also applies for regularization of filling of land for about 123.3m<sup>2</sup> (about 18% of the Site) with concrete of about 0.2m in depth to a site level ranging from about 25.3mPD to about 25.5mPD for erection of the three structures. About 385m<sup>2</sup> (about 57%) of the Site is used as farmland area, and the remaining part (about 167m<sup>2</sup> or about 25%) will be maintained as soiled ground for footpath, landscaping area and water reserve for existing water mains.</p> <p>The layout plan and land filling plan submitted by the applicant are at <b>Drawings A-1 and A-2</b>.</p>

<p>Last Previous Relevant Application<sup>1</sup></p>	<p>Application No. A/YL-SK/299 approved on 12.3.2021 for a period of five years until 12.3.2026, which was submitted by the same applicant for the same uses at the same site.</p> <p>(Please refer to <a href="https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_YL-SK_299/A_YL-SK_299_MainPaper.pdf">https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_YL-SK_299/A_YL-SK_299_MainPaper.pdf</a> for details of the last previous relevant application)</p>
<p>Justifications from the Applicant (Appendices I to Ia)</p>	<p>(a) The applied use is temporary in nature and the farming activities involved are similar to agricultural use, which is always permitted in “AGR” zone. It will not frustrate the long-term planning intention of the “AGR” zone and will better utilise the precious land resources in the New Territories.</p> <p>(b) The renewal application is intended to continue the operation of the hobby farm to provide space for recreational farming for the local community in Shek Kong. Filling of land at the Site is for erection of temporary structures and its area has been kept to minimal. The applicant will also reinstate the Site upon expiry of the planning permission.</p> <p>(c) The applicant has complied with all the approval conditions under the previous application (No. A/YL-SK/299). In support of the current application, the applicant submitted the accepted drainage and fire service installations (FSIs) proposals under the last approved application, as well as the drainage conditions records, and the latest valid FSI and Equipment Certificates (F.S. 251). Effective drainage facilities and FSIs have been provided at the Site.</p> <p>(d) The applicant has been undertaking the environmental mitigation measures in accordance with the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” and “Professional Persons Environment Consultative Committee Practice Notes (ProPECC PN) and will strictly comply with all environmental protection/pollution control ordinances at all times during the planning approval period. The applied use will not induce adverse environmental, drainage and traffic impacts on the surrounding area.</p>

<sup>1</sup> Two previous applications No. A/YL-SK/235 and 299 for the same applied use were submitted by the same applicant as the current application.

Compliance with the “Owner’s Consent/Notification” requirements <sup>2</sup>	Obtained consent from the current land owner by posting site notice at the Site and sending notice to the Pat Heung Rural Committee.
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<b>2. Planning Considerations and Assessments</b>				
	<b><u>Criteria</u></b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Remarks</u></b>
(a)	<p>In line with <a href="#">TPB PG No. 34D</a><sup>3</sup>, including:</p> <ul style="list-style-type: none"> <li>i. no material change in planning circumstances since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas);</li> <li>ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development);</li> <li>iii. all the time-limited approval conditions under the previous approval have been complied with; and</li> <li>iv. the 5-year approval period sought does not exceed the duration of the last approval.</li> </ul>	✓		<p>Whilst the applied use is not entirely in line with the planning intention of the “AGR” zone, according to the applicant, the majority of the Site (about 385m<sup>2</sup> or about 57% of the Site) has been designated as farming area and the Director of Agriculture, Fisheries and Conservation has no strong view on the application from agricultural and nature conservation perspectives. Taking into account the planning assessments below, there is no objection to the applied use on a temporary basis of five years.</p> <p>Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection 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. The applicant also commits to reinstate the Site upon expiry of the planning approval.</p>

<sup>2</sup> As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance ([TPB PG-No. 31B](#)) and detailed information would be deposited at the meeting for Members’ inspection.

<sup>3</sup> TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development

(c)	Any other relevant considerations (e.g. minor change in layout/development parameters)?		✓	
(d)	Any adverse departmental comments?		✓	<p>Relevant government departments consulted, including the Commissioner for Transport, Director of Fire Services, Director of Environmental Protection, have no objection to or no adverse comment on the application (<b>Appendix II</b>). Relevant approval conditions and advisory clauses are recommended at paragraph 4 below.</p> <p><u>PlanD's Assessments</u></p> <p>To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 4 below, and the applicant will also be advised 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.</p>
(e)	Public comment received during statutory publication period	✓		<p><b>Total: 1</b> - Adverse comment: 1 (<b>Appendix III</b>)</p> <p><u>Adverse comment</u></p> <ul style="list-style-type: none"> <li>The last approved application (No. A/YL-SK/299) is subject to 14 extension of time (EOT) approvals granted by the Board. If the approval conditions under the last approved application have not been complied with and implemented, the applied use at the Site should not be tolerated.</li> </ul> <p><u>Responses</u></p> <ul style="list-style-type: none"> <li>The applicant has complied with all the approval conditions under the last approved application.</li> </ul>

### **3. Planning Department's View**

- No objection to the application.

#### **4. Decision Sought**

- 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 five years, and be renewed from 13.3.2026 to 12.3.2031. The following conditions of approval and advisory clauses are 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 record of the existing drainage facilities on the site within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 13.6.2026;
- (c) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (d) if any of the above planning condition (a) or (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;
- (e) if the above planning condition (b) 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
- (f) 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**.

- There is no strong reason to recommend rejection of the renewal application.

**Attachments**

<b>Appendix I</b>	Application Form with Attachments received on 29.12.2025
<b>Appendix Ia</b>	Further Information received on 11.2.2026 (accepted and exempted from publication and recounting requirements)
<b>Appendix Ib</b>	Further Information received on 24.2.2026 (accepted and exempted from publication and recounting requirements)
<b>Appendix II</b>	Government Departments with No Objection / No Adverse Comment
<b>Appendix III</b>	Public Comment Received During Statutory Publication Period
<b>Appendix IV</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 with Previous and Similar Applications
<b>Plan A-2</b>	Site Plan

**PLANNING DEPARTMENT  
FEBRUARY 2026**