

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1318

- Applicant** : So Kee Logistic Company Limited represented by Cyan Planning & Development Company
- Site** : Lots 649, 650, 651 and 652 RP (Part) in D.D. 121 and Adjoining Government Land (GL), Tong Yan San Tsuen, Yuen Long
- Site Area** : 9,730 m² (about) (including GL of about 977 m² (about 10%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14
- Zoning** : “Residential (Group D)” (“R(D)”)
[Restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Proposed Temporary Warehouse with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse with ancillary facilities for a period of three years at the application site (the Site) which is zoned “R(D)” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently partly vacant and partly occupied by open storage of construction materials without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site with the ingress/egress at the southern part is accessible from Long Hon Road via a local track (**Plans A-2 and A-3**). According to the applicant, the proposed warehouse is for storage of construction materials (including bricks, gravel and glass). A total of nine structures including seven single-storey structures and two two-storey structures (not exceeding 3m to 11m in height) with a total floor area of about 6,963m² are provided for warehouses, site offices, toilet, guard room, meter rooms and pump room uses. No dangerous goods will be stored and no open storage, car washing, repairing, dismantling, spraying or other workshop activities

will be carried out at the Site. Seven loading/unloading (L/UL) spaces for medium goods vehicles (MGVs) will be provided at the Site and L/UL activities will be carried out upon appointment. Plans showing the vehicular access leading to the Site, the site layout and the drainage proposal submitted by the applicant are at **Drawings A-1 to A-3** respectively.

1.3 According to the applicant, the current application is to facilitate the relocation of its existing operation (at various lots in D.D. 125) affected by the land resumption and clearance exercise under the Second Phase Development of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). Thus, there is an imminent need for the applicant to secure a relocation site to continue its affected operation. The area of the current application (i.e. about 9,730m²) is of similar size as the affected operation (i.e. about 9,104m²).

1.4 The major development parameters of the application are summarised as follows:

Site Area	About 9,730 m ²
Total Floor Area (Non-domestic)	About 6,963 m ²
No. and Height of Structures	9 • for warehouses, site offices, toilet, guard room, meter rooms and pump room (3 – 11m, 1 – 2 storey(s))
No. of Parking Space	Nil
No. of L/UL Spaces	7 (for MGVs) (11m x 3.5m each)
Operation Hours	9:00 a.m. to 6:00 p.m., with no operation on Sundays and Public Holidays

1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 18.6.2025 (**Appendix I**)
- (b) Further Information (FI) received on 14.10.2025* (**Appendix Ia**)
- (c) FI received on 12.1.2026# (**Appendix Ib**)

* *accepted and exempted from publication and recounting requirements*

accepted but not exempted from publication and recounting requirements

1.6 On 15.8.2025 and 5.12.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each 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 and FIs (**Appendices I to Ib**). They can be summarised as follows:

- (a) the proposed use can meet the increasing demand for warehouse use in the New Territories and the temporary use would not jeopardise the long-term development of the area;

- (b) a similar application (No. A/YL-TYST/1234) for temporary warehouse and open storage uses was approved in the subject “R(D)” zone in 2023. The proposed use is not incompatible with the surrounding environment;
- (c) short term waiver application will be submitted upon approval of the current planning application;
- (d) the applicant commits to vacate the portion of the Site which falls within the land resumption area of the Yuen Long South (YLS) NDA before the reversion date to the Government; and
- (e) there will be no adverse traffic, environmental and drainage impacts arising from the proposed use.

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 Town Planning Ordinance (TPB PG-No. 31B) by publishing notices in local newspapers and sending notice to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Background

The open storage use on the Site is suspected unauthorized development which would be subject to planning enforcement action.

5. Previous Application

There is no previous planning application concerning the Site.

6. Similar Application

6.1 There is a similar planning application (No. A/YL-TYST/1234) for temporary warehouse and open storage uses within the same “R(D)” zone in the past five years. Details of similar application is summarised in **Appendix II** and the location of the site is shown on **Plan A-1**.

6.2 Application No. A/YL-TYST/1234 was approved with conditions for a period of three years by the Committee on 10.11.2023 mainly on the considerations that the application is to facilitate smooth clearance for the HSK/HT NDA and provide operating space for displaced brownfield operations; the proposal was not incompatible with the surrounding areas; approval of the application on a temporary basis would not frustrate the long-term development of the area; and the concerns

of relevant government departments could be addressed by implementation of approval conditions.

- 6.3 For Members' information, another similar application No. A/YL-TYST/1326 for proposed temporary warehouse and open storage of construction materials for a period of three years involving the same "R(D)" zone will be considered at the same meeting (**Plan A-1**).

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

7.1 The Site is:

- (a) accessible from Long Hon Road via a local track (**Plans A-2 and A-3**); and
- (b) currently partly vacant and partly occupied by open storage of construction materials without valid planning permission (**Plans A-2 to A-4**).

7.2 The surrounding areas comprise predominantly warehouses and open storage/storage yards intermixed with a vehicle repair workshop, graves and unused land (**Plans A-2 and A-3**).

8. Planning Intention

The planning intention of the "R(D)" zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government bureau 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 are provided in **Appendices III and IV** respectively.

9.2 The following government bureau supports the application:

Policy Aspect

Comments of the Secretary for Development (SDEV):

- (a) the application is to facilitate the relocation of a brownfield operation as a warehouse which was previously located at various lots in D.D. 125 in Yuen Long which is affected by the Second Phase and Remaining Phase Developments of HSK/HT NDA;
- (b) the site area under the current application is similar to that of the original premises of the affected brownfield operation; and

- (c) subject to no adverse comments on land use compatibility and technical aspects from relevant departments, the application is supported from the policy perspective.

10. Public Comments Received During the Statutory Publication Periods

On 27.6.2025 and 20.1.2026, the application and its FI were published for public inspection. During the statutory public inspection periods, three public comments were received from the village representatives of Tong Yan San Tsuen and an individual respectively, both objecting to the application on the grounds that the proposed use is incompatible with the surrounding areas; the application is not in line with the planning intention of the “R(D)” zone; the proposed use would jeopardise the long-term development of the YLS NDA; the application involves excessive GL; and the proposed use will generate adverse drainage and traffic impacts on the surrounding areas (**Appendix V**).

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary warehouse with ancillary facilities for a period of three years at the Site which is zoned “R(D)” on the OZP. Although the applied use is not in line with the planning intention of “R(D)” on the OZP, according to the applicant, the application is to facilitate the relocation of business operation affected by the Second Phase Development of HSK/HT NDA. The Site is considered the most suitable for the relocation and the size of the Site (i.e. about 9,730 m²) is comparable to the affected operation (i.e. 9,104m²). To facilitate smooth clearance for the HSK/HT NDA and provide operating space for displaced brownfield operations still needed by the community, SDEV supports the application from policy perspective. There is also no known development programme or proposal at the Site for the time being. According to the Revised Recommended Outline Development Plan of YLS NDA, the Site falls within an area partly zoned “Residential – Zone 5”, “Green Belt” (“GB”) and “GB(1)” under the Third Phase of YLS NDA. In this regard, the Chief Engineer/Cross-Boundary Infrastructure and Development of Planning Department (PlanD) and Project Manager (West) of Civil Engineering and Development Department have no objection to the application and the Director of Agriculture, Fisheries and Conservation has no adverse comment on the application from nature conservation perspective. Taking into account the above and the planning assessments below, approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area.

11.2 The surrounding areas comprise predominantly warehouses and open storage/ storage yards intermixed with a vehicle repair workshop, graves and unused land (**Plans A-2 and A-3**). The proposed use is generally not incompatible with the surrounding land uses.

11.3 Other concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from traffic, environmental,

fire safety and drainage aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the planning application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise potential environmental nuisance on the surrounding areas and that the planning permission does not condone any other development/use found on the Site (i.e. open storage use) but not covered by the application.

11.4 There is a similar application (No. A/YL-TYST/1234) for temporary warehouse and open storage uses within the same “R(D)” zone approved in the past five years. Approval of the current application is in line with the previous decision of the Committee.

11.5 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant. In respect of the concern on involving excessive GL, the District Lands Officer/ Yuen Long, Lands Department has no adverse comment on the application.

12. Planning Department’s Views

12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments 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 27.2.2029. 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 27.8.2026;
- (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 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; 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 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 is not in line with the planning intention of the "R(D)" zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas into permanent buildings and for low-rise, low-density residential development. No strong planning justification has been given 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

Appendix I	Application Form with attachments received on 18.6.2025
Appendix Ia	FI received on 14.10.2025
Appendix Ib	FI received on 12.1.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Drainage Proposal

Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**