

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1114

- Applicant** : Trans-Concept Limited represented by R-riches Planning Limited
- Site** : Lot 1165 (Part) in D.D. 106, Kam Tin South, Yuen Long
- Site Area** : About 770m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Animal Boarding Establishment with Ancillary Facilities and Associated Filling of Land for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary animal boarding establishment (ABE) and associated filling of land for a period of five years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “AGR” zone, ‘Animal Boarding Establishment’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission¹ (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Kam Sheung Road via a local track (**Plans A-2 and A-3**). According to the applicant, the applied use involves five structures of one to two storeys with a height of not more than 7m and a total floor area of about 342m² for ABE and ancillary facilities include site office, washroom and storage of pet supplies. The uncovered area of about 572m² will be used as circulation area, landscaping area, and outdoor dog activities area for daytime animal recreation and training activities (**Drawing A-1**). The applied use will accommodate no more than 40 dogs at a time. The operation hours will be 9:00 a.m. to 7:00 p.m daily, with 24-hour animal boarding services. Prior booking is required for visiting the Site. All

¹ The Site is covered by a valid planning permission until 25.10.2027 under application No. A/YL-KTS/1023 submitted by the same applicant for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years and associated filling of land (details at paragraph 5 below).

dogs staying overnight will be kept inside the enclosed structures fitted with soundproof materials, 24-hour mechanical ventilation and air conditioning systems beyond the operation hours (i.e. 7:00 p.m. to 9:00 a.m. daily), and two staff members will stay overnight to manage the boarding services. No quarantine station will be involved. Three existing trees within the Site, including one mango tree near the ingress/egress and two in the northeastern portion of the Site, will be maintained by the applicant. The existing fencing of 2.5m tall along the boundary of the Site will also be maintained to minimise potential nuisance to the surrounding areas. No public announcement system, whistle blowing, portable loud speaker, or any form of audio amplification system will be used at the Site at all times. Two parking spaces for private cars are provided within the Site and no vehicles exceeding 5.5 tonnes are allowed to enter/park at the Site. Sufficient manoeuvring space is provided within the Site to ensure that no vehicle will turn back onto the local access and staff will be deployed at the ingress/egress to direct incoming/outcoming traffic to ensure pedestrian safety and avoid road safety hazard.

- 1.3 The applicant also applies for regularisation of filling of land for 635m² (about 82.5% of the Site) with concrete of not more than 0.2m in depth to a level of not more than +16.6mPD for site formation of structures and vehicular circulation. No additional land filling will be carried out at the Site. The site layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments and **(Appendix I)** Supplementary Information (SI) received on 16.1.2026 and 21.1.2026 respectively
 - (b) Further Information (FI) received on 3.3.2026* **(Appendix Ia)**
 - (c) FI received on 5.3.2026* **(Appendix Ib)**

* *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**. They can be summarised as follows:

- (a) The Site has been paved with no active agricultural use. The applied use is temporary in nature and will not frustrate the long-term planning intention of the “AGR” zone and is not incompatible with the surrounding areas. The applied use can better utilize precious land resources in the New Territories.
- (b) The Site is the subject of four approved applications for temporary ‘shop and services’, ‘eating place’ and ‘warehouse’ and there are similar applications for ABE approved by the Committee within the “AGR” zones in the OZP, approving the application is in line with the Board’s previous decisions and would not set an undesirable precedent within the “AGR” zone.

- (c) Filling of land is necessary for site formation of structures, vehicular circulation and the outdoor animal activity area. The applicant undertakes to reinstating the Site upon expiry of the planning approval.
- (d) The applied use will not result in adverse impacts on the surrounding areas. The applicant will comply with all environmental protection/pollution control ordinances and strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') and Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs) to minimise the possible adverse impacts and environmental nuisance to the nearby environment. In support of the application, the applicant has submitted photographic records of the existing drainage facilities and a fire service installations (FSIs) proposal.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. Background

- 4.1. The Site is not subject to any active enforcement action.
- 4.2. The Site is covered by a licensed animal boarding premises granted by the Agriculture, Fisheries and Conservation Department (AFCD) under the Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I).

5. Previous Applications

The Site is the subject of four previous applications (No. A/YL-KTS/809, 900, 975 and 1023) for temporary shop and services, temporary eating place, and temporary warehouse, each for a period of three years with or without filling of land. All applications were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2019 and 2024. Considerations of these applications are irrelevant to the current application due to different use involved. Details of the previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Applications

There are two similar applications (No. A/YL-KTS/919 and 1009) covering the same site for temporary ABE each for a period of five years and associated filling of land within the same "AGR" zone in the vicinity of the Site in the past five years. Both applications were approved with conditions by the Committee in 2022 and 2024 respectively mainly on the considerations that the temporary approval would not frustrate the long-term planning intention; the proposed/applied use was not incompatible with the surroundings; and the relevant government departments consulted in general had no adverse comment or their concerns could be addressed by relevant approval conditions. Details of the

similar applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible from Kam Sheung Road via a local track; and
- (b) currently occupied by the applied use without valid planning permission.

7.2 The surrounding areas are rural in character comprising predominantly low-rise residential development named Seasons Palace (四季豪園), ABE, open storage and storage yard, warehouse (with valid planning permission), car services, vehicle repair workshop, a trading and logistics company, a plant nursery, a restaurant and grassland.

8. Planning Intention

8.1 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.

8.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. Comments from Relevant Government Departments

9.1. Apart from the government department 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 in the Recommended Advisory Clauses, if any, are provided in **Appendices III** and **IV** respectively.

9.2. The following government department conveys adverse comment on the application:

District Office’s Comments

9.2.1 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

- (a) no comment on the application; and

(b) his office has received one adverse comment from the public².

10. Public Comments Received During Statutory Publication Period

On 23.1.2026, the application was published for public inspection. During the statutory public inspection period, 32 public comments were received, including two individuals supporting the application without providing grounds, and 30 individuals objecting to the application mainly on the grounds that the applied use is not in line with the planning intention of the “AGR” zone and is not compatible with the surrounding areas; the applied use will cause noise, air pollution, odour, drainage, hygiene, public health, traffic and safety impacts on the surrounding areas and affect the quality of life of the nearby residents; the applied use is in close proximity to residential area which is not suitable for ABE; the Site should not be used for any purpose in order to preserve and protect the mango tree within the Site which is a landmark of the area; the scale of the applied use will raise animal welfare concerns; the approval conditions of the previous applications were not complied with; and formal community consultation should be conducted for the applied use (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary ABE and associated filling of land for a period of five years at the Site which is zoned “AGR” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation has no strong view on the application from agricultural perspective and no comment from nature conservation perspective. In view of the above and taking into account the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of five years.
- 11.2 Filling of land in the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental planning 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.
- 11.3 The applied use is considered not incompatible with the surrounding areas which are occupied mainly by a residential development, open storage and storage yards, warehouse, car services, vehicle repair workshop, a trading and logistics company, a plant nursery, a restaurant and grassland (**Plan A-2**). All the existing trees within the Site will be preserved and maintained by the applicant. 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 applied use is not incompatible with the landscape setting in the

² The same submission was received during the statutory public inspection period of the application and the views are incorporated in paragraph 10.

proximity and significant adverse landscape impact arising from applied use is not anticipated.

- 11.4 Other concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services who considers the FSI's proposal acceptable, and Director Food and Environmental Hygiene have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. The applicant will also be advised to follow the 'CoP' issued by the Environmental Protection Department and other relevant environmental guidelines and legislation in order to minimise any potential environmental nuisance caused by the applied use on the surrounding areas.
- 11.5 There are two approved similar applications within the same "AGR" zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.
- 11.6 For the public comments mentioned in paragraph 10 above, departmental comments and planning assessments above are relevant. Furthermore, the Site is covered by a licensed animal boarding premises granted by AFCD under Cap. 139I. Public consultation on the application has been conducted in accordance with the provision of the Town Planning Ordinance.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above 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 five years until 13.3.2031. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a condition record of the existing drainage facilities within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 13.6.2026;
- (b) in relation to (a) above, the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the implementation of the accepted 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 13.12.2026;
- (d) if the above planning condition (b) 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 any of the above planning condition (a) 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; 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**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied 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, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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

Appendix I	Application Form with Attachments and SI received on 16.1.2026 and 21.1.2026 respectively
Appendix Ia	FI received on 3.3.2026
Appendix Ib	FI received on 5.3.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan

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

**PLANNING DEPARTMENT
MARCH 2026**