

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/596

- Applicant** : Mr. Pang Fu Keung represented by Metro Planning & Development Company Limited
- Site** : Various Lots in D.D. 129 and Adjoining Government Land (GL), Lau Fau Shan, Yuen Long
- Site Area** : About 2,440m² (Includes GL of about 171m² or 7%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Recreation” (“REC”)
- Application** : Temporary Open Storage of Scrap Metal for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of scrap metal for a period of three years at the application site (the Site) (**Plan A-1**) which is zoned “REC” on the OZP. 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). The Site is currently formed, erected with structures, and used for the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road with the ingress/egress located at the southwest of the Site (**Drawing A-1**). According to the applicant, the applied use involves an area of about 1,560m² (or 63.9%) for open storage of scrap metal, while a two-storey structure (not more than 6m in height) with a floor area of not more than 60m² is used as site office. One parking space for private car and one loading/unloading space for light goods vehicle are provided. No medium goods vehicle, heavy goods vehicle or container trailer/tractor will be allowed to enter/park at the Site. No workshop activities are to be carried out at the Site. The operation hours are between 9 a.m. and 7 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The proposed layout plan, vehicular access plan and proposed drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.
- 1.3 The Site, in whole or in part, was involved in three previous applications for various temporary uses. The last previous application (No. A/YL-LFS/479) for the same

applied use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 11.8.2023 and the planning permission was subsequently revoked in 2025 due to non-compliance with approval condition (details at paragraph 6 below). Compared with the last previous application, the current application is submitted by the same applicant for the same use with a similar layout.

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

- (a) Application Form with attachments received on 13.1.2026 (Appendix I)
- (b) Supplementary Information (SI) received on 15.1.2026 (Appendix Ia)
- (c) Further Information (FI) received on 21.1.2026* (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, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the applied use is temporary in nature for a period of three years and would not jeopardise the long-term planning intention of the “REC” zone;
- (b) the applied use is of insignificant scale, and is not incompatible with the surrounding areas predominated by open storage yards, warehouses and parking of vehicles;
- (c) the applied use would not involve felling of trees;
- (d) the Site falls within the Category 2 areas under the Town Planning Board Guidelines No. 13G for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” (TPB PG-No. 13G) where open storage use would be favourably considered;
- (e) the applied use will have insignificant traffic, drainage and environmental impacts; and
- (f) the surface channel along the site periphery has been constructed and the remaining discharge path to the outlet will be completed under the current application to comply with the drainage-related approval conditions.

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 Ordinance (TPB PG-No. 31B) by posting site notice and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owner’s Consent/ Notification” Requirements are not applicable.

4. **Town Planning Board Guidelines**

Town Planning Board Guidelines No. 13G for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” (TPB PG-No. 13G) promulgated by the Board on 14.4.2023 are relevant to the application. The Site falls within the Category 2 areas under the TPB PG-No. 13G. The relevant extract of the Guidelines is attached at **Appendix II**.

5. **Background**

The Site is currently not subject to any active planning enforcement action.

6. **Previous Applications**

6.1 The Site, in whole or in part, was involved in three previous applications (No. A/YL-LFS/332, 406 and 479) for various temporary uses. Details of these previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

Rejected application

6.2 Application No. A/YL-LFS/332 for proposed temporary warehouse use was rejected by the Committee on 1.2.2019. The considerations of this rejected application are not relevant to the current application which is for a different use.

Approved applications

6.3 Application No. A/YL-LFS/406 for proposed temporary shop and services use was approved with conditions by the Committee on 24.9.2021. The considerations of this application are not relevant to the current application which is for a different use.

6.4 The last previous application No. A/YL-LFS/479 submitted by the same applicant for the same use of the current application was approved with conditions by the Committee on 11.8.2023 mainly on considerations that temporary approval would not jeopardise the long-term planning intention of the “REC” zone; the applied use was not incompatible with the surrounding land uses; concerned government departments had no objection to the application and the technical concerns could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked in May 2025 due to non-compliance with time-limited approval condition on implementation of the revised drainage proposal.

7. **Similar Applications**

7.1 Within the same “REC” zone, there are 12 similar applications for various open storage uses in the past five years. 11 of them were approved while one was rejected by the Committee. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

Approved applications

- 7.2 Applications No. A/YL-LFS/399 and 451 were approved with conditions by the Committee on 25.6.2021 and 3.2.2023 respectively mainly on considerations that the applied use was in line with the relevant TPB PG-No. 13 in that the site (in Category 3 area) was subject to previous permissions, and there had been no major change in planning circumstances since the granting of the previous permissions; and concerned government departments generally had no objection to the applications and/or the technical concerns could be addressed by implementation of approval conditions.
- 7.3 Nine applications (No. A/YL-LFS/493, 504, 505, 514, 515, 516, 555, 560 and 568) were approved with conditions by the Committee between November 2023 and September 2025, i.e. after the sites and their adjoining areas were reclassified from Category 3 to Category 2 areas under TPB PG-No. 13G promulgated on 14.4.2023, mainly on considerations that the proposed/applied use was in line with TPB PG-No. 13G in that concerned government departments generally had no objection to the applications and the technical concerns could be addressed by implementation of approval conditions.

Rejected application

- 7.4 Application No. A/YL-LFS/400 was rejected by the Committee on 25.6.2021, i.e. when the sites and its adjoining areas were still classified as Category 3 areas under the then TPB PG-No. 13F, mainly on grounds that no strong justification was provided for a departure from the planning intention; the site was not subject to previous permissions for open storage use; and there were adverse departmental comments on environmental, traffic, landscape and drainage aspects.

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

8.1 The Site is:

- (a) formed, erected with structures, and used for the applied use without valid planning permission;
- (b) accessible from Deep Bay Road via a local track; and
- (c) located within the Lau Fau Shan Site of Archaeological Interest.

8.2 The surrounding areas are predominated by open storage yards and warehouses, some of which are covered by valid planning permissions. Other uses such as parking of vehicles, residential dwellings, graves, chicken shed, garden and a temple with columbarium are also found in the vicinity of the Site.

9. Planning Intention

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted

subject to planning permission.

10. Comments from Relevant Government Bureau/Departments

10.1 Apart from the government department as set out in paragraphs 10.2 below, other bureau/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 are provided in **Appendices IV and V** respectively.

10.2 The following government department has reservation on the application:

Land Administration

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

- (a) the Site comprises GL and Old Schedule Agricultural Lot(s) held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. No permission is given for the occupation of the GL (about 171m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28);
- (b) LandsD has reservation on the planning application since there are unauthorized structures on Lots 1973 and 2031 in D.D. 129 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify and/or apply for regularization the lease breaches as demanded by LandsD; and
- (c) The applicant should note his advisory comments at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 20.1.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VI**) raising concern on whether the approval conditions would be complied with by the applicant as the previous application No. A/YL-LFS/479 was revoked due to non-compliance with approval condition.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of scrap metal for a period of three years at the Site falling within the "REC" zone on the OZP (**Plan A-1**). While the applied use is not in line with the planning intention of the "REC" zone, there is no known development proposal at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning

intention of the “REC” zone. Notwithstanding the above, 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 be advised not to carry out any substantial works therein.

- 12.2 The Site is located in an area predominated by open storage yards and warehouses, some of which are covered by valid planning permissions. The applied use is considered generally not incompatible with the surrounding land uses. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning point of view.
- 12.3 According to TPB PG-No. 13G, the Site falls within Category 2 areas. The application is in line with TPB PG-No. 13G in that there are no adverse comments from concerned government departments including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire Services (D of FS) from environmental, traffic, drainage and fire safety perspectives respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by implementation of approval conditions recommended in paragraph 13.2 below. To minimise any possible environmental nuisance on the surrounding areas, the applicant will also be advised to adopt the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’.
- 12.4 Regarding DLO/YL’s concern on the unauthorised structures erected within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.5 The Site was involved in a previous application (No. A/YL-LFS/479) submitted by the same applicant for the same use, which was approved by the Committee on 24.11.2023. However, the planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval condition regarding implementation of the revised drainage proposal. In this regard, the applicant has submitted a drainage proposal in support of the current application (**Drawing A-3**) and CE/MN, DSD has no adverse comment on the current application. As such, sympathetic consideration may be given to the current application. Nevertheless, the applicant should be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further applications.
- 12.6 There are 11 similar applications within/straddling the subject “REC” zone approved by the Committee between 2021 and 2025 as detailed at paragraph 7 above (**Plan A-1**). Although the Committee rejected a similar application (No. A/YL-LFS/400) on 25.6.2021 mainly on the grounds that the application did not comply with the then TPB PG-No. 13F, the Site and its adjoining area under the current application have been reclassified from Category 3 to Category 2 areas under the TPB PG-No.13G promulgated on 14.4.2023 and the current application is in line with TPB PG-No. 13G as detailed in paragraph 12.3 above. Approval of the current application is in line with the previous decisions of the Committee.

12.7 Regarding the public comment as detailed in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.6 above are relevant.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11, 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 **13.3.2029**. 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 **13.9.2026**;
- (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 **13.12.2026**;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **13.9.2026**;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **13.12.2026**;
- (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 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 applied use is not in line with the planning intention of the “REC” zone, which is primarily for recreational developments for the use of the general public. 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 planning 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 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 attachments received on 13.1.2026
Appendix Ia	SI received on 15.1.2026
Appendix Ib	FI received on 21.1.2026
Appendix II	Extract of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13G)
Appendix III	Previous and Similar Applications
Appendix IV	Government Bureau/Departments’ General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment Received During Statutory Publication Period
Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Drawing A-3	Drainage Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
MARCH 2026**