

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1209

<u>Applicant</u>	: Chief Force Limited
<u>Site</u>	: Lots 375 S.C RP (Part) and 376 RP (Part) in D.D. 110, Tsat Sing Kong, Kam Tin North, Yuen Long
<u>Site Area</u>	: About 2,327m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Temporary Private Vehicle Park (Excluding Container Vehicle) and Associated Filling of Land and Pond for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary private vehicle park (excluding container vehicle) and associated filling of land and pond for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land/pond in the “AGR” zone also requires planning permission from the Board. The Site is currently fenced-off, largely hard-paved, erected with some temporary structures and used for the applied use without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kam Tin Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the applied use involves 10 parking spaces for private car, 10 parking spaces for light goods vehicle (LGV) and eight parking spaces for medium/heavy goods vehicle (M/HGV); and two single-storey structures with height of not more than 2.5m and a total floor area of about 45m² for ancillary office and staff resting room (**Drawing A-1**). The applicant also applies for regularisation of filling of pond for about 1,193m² (51.3% of the Site) with soil for about 1.5m in depth and regularisation of filling of land for about 2,155m² (92.6% of the Site) (including 1,086m² pond filling area) with asphalt of about 0.1m in depth (to levels of not more than 12.7mPD) for site formation and vehicular circulation (**Drawing A-2**). Buffer planting of 24 existing trees within

the Site along the site boundary is retained (**Drawing A-3**). Peripheral fence wall of about 2.5m in height is erected on all sides. No container vehicle, open storage of unlicensed vehicles, dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be involved at the Site at all times. The operation hours are 24 hours daily including Sundays and public holidays. Plans showing the site layout, land/pond filling area and landscape proposal submitted by the applicant are on **Drawings A-1 to A-3** respectively.

1.3 The Site is involved in seven previous applications (details at paragraph 5 below), including the last application No. A/YL-KTN/888 submitted by the same applicant for renewal of planning permission for the same use as the current application, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2023 and the planning permission lapsed on 21.3.2026. Compared with the last application, the current application involves the same site area/boundary, number of structures, building height and total floor area, with an increase in number of parking spaces for private car/LGV (+6/43%) and new addition of eight parking spaces for M/HGV.

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

- (a) Application Form with attachments received on 16.2.2026 (**Appendix I**)
- (b) Further Information (FI) received on 11.3.2026* (**Appendix Ia**)
- (c) FI received on 20.3.2026* (**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 FIs at **Appendices I to Ib**, and can be summarised as follows:

- (a) The applied use serves the vehicle fleet of a local logistics business and only the fleet vehicles are allowed to park at the Site. The temporary nature of the current application will not frustrate the long-term planning intention of the “AGR” zone.
- (b) The applied use under the current application is the same as the last application No. A/YL-KTN/888. No complaint related to the Site has been received since the last approval and all the approval conditions under the last applications have been complied with.
- (c) Sufficient space is provided for vehicles to manoeuvre smoothly within the Site. Adverse traffic impact on the surrounding areas is not anticipated. In support of the current application, the applicant has submitted drainage record and fire service installations (FSIs) proposal.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

The applicant is not a ‘current land owner’ but has complied with the requirement 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 posting site notice 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 currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

5. **Previous Applications**

5.1 The Site is involved in seven previous applications (No. A/YL-KTN/263, 340, 400, 429, 548, 694 and 888). Application No. A/YL-KTN/263, covering a larger site, for temporary open storage was rejected by the Committee in 2007, and its considerations are not relevant to the current application due to different use involved.

5.2 The remaining six applications (including three renewals of temporary approval granted) for temporary private vehicle park, four of which submitted by the same applicant as the current application, were approved with conditions by the Committee between 2010 and 2023 each for a period of three years, mainly on the considerations that the applied use on a temporary basis would not frustrate the long-term planning intention of the "AGR" zone; the applied use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments, if any, could be addressed by approval conditions. The planning permission under the last application No. A/YL-KTN/888 lapsed on 21.3.2026. Compared with the last application, the current application involves changes in the scheme as mentioned in paragraph 1.3 above. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. **Similar Applications**

There are seven similar applications for temporary vehicle park (including two renewals of temporary approvals granted; five with filling of land/pond; and one also involving storage use) within the same "AGR" zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2022 and 2025 mainly on the similar considerations as mentioned in paragraph 5.2 above. Details of the similar applications are summarised at **Appendix II** and their 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, largely hard-paved, erected with some temporary structures and used for the applied use without valid planning permission; and
- (b) accessible from Kam Tin Road via local tracks.

7.2 The surrounding areas are rural in character with an intermix of open storage/storage yards (including two sites with valid planning permissions), parking of vehicles (with valid planning permission), grassland and vacant land. To the southwest is a temporary transitional housing development with hobby farm approved under application No. A/YL-PH/1083 (**Plans A-2 and A-3**).

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/pond 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 departments as set out in paragraphs 9.2 and 9.3 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 at **Appendices III and IV** respectively.

9.2 The following government department supports the application:

Traffic

Comments of the Commissioner for Transport (C for T):

- (a) supports the application from traffic engineering perspective to address the local demand; and
- (b) advisory comments are at **Appendix IV**.

9.3 The following government departments do not support the application:

Environment

9.3.1 Comments of the Director of Environmental Protection (DEP):

- (a) does not support the application from environmental planning perspective;
- (b) based on the applicant's submission, the applied use would not involve dusty operation but it would cause traffic of heavy vehicles (i.e. M/HGVs). According to his review, there are residential structures within 100m from the boundary of the Site. As such, according to the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP'), it is anticipated that the applied use would cause environmental nuisance to the residential structures nearby;
- (c) no comment on the applied filling of land and pond;
- (d) there was no environmental complaint received against the Site in the past three years; and
- (e) advisory comments are at **Appendix IV**.

Agriculture, Nature Conservation and Fisheries

9.3.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the "AGR" zone. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.;
- (c) there is no existing fishpond with the Site;
- (d) no comment on the applied filling of land and pond from nature conservation and fisheries perspectives; and
- (e) advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 24.2.2026, 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 temporary private vehicle park (excluding container vehicle) and associated filling of land and pond for a period of three 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 and DAFC does not support the application from agricultural perspective, according to the applicant, the applied use can serve a local logistics business and C for T supports the application as it could help address the local parking demand. 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 and pond on a temporary basis of three years.
- 11.2 Filling of land/pond 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, who also considers the submitted drainage record acceptable, has no objection to the application from drainage perspective, and DEP and DAFC have no comment on the applied filling of land/pond from environmental and nature conservation and fisheries 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 rural in character with an intermix of open storage/storage yards, parking of vehicles, transitional housing development with hobby farm, grassland and vacant land. 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 proximity and significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 DEP does not support the application as the applied use involves use of heavy vehicles and there are sensitive receivers in the vicinity of the Site. In this regard, according to the applicant, the buffer planting of 24 existing trees along the site boundary and the erected peripheral fence wall of 2.5m in height on all sides of the Site will continue to be retained. Besides, there was no environmental complaint received against the Site in the past three years. To address DEP’s concerns, the applicant will be advised to follow the revised ‘CoP’ to minimise any potential environmental nuisance caused by the applied use should the application be approved by the Committee. The operation of the applied use is also subject to the relevant pollution control ordinances.
- 11.5 Other relevant government departments consulted, including the Director of Fire Services, 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.
- 11.6 The Site is involved in six approved previous applications for temporary private vehicle park and there are seven approved similar applications within the same “AGR” zone in the vicinity of the Site in the past five years as mentioned in

paragraphs 5.2 and 6 above. Approving the current application is in line with the Committee's previous decisions.

12. Planning Department's View

- 12.1 Based on the assessments made in paragraph 11, 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 27.3.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the existing drainage facilities 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 27.9.2026;
- (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 27.12.2026;
- (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;
- (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; and
- (f) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving 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 and pond 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 received on 16.2.2026
Appendix Ia	FI received on 11.3.2026
Appendix Ib	FI received on 20.3.2026
Appendix II	Previous and similar applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Drawing A-1	Site layout plan
Drawing A-2	Land/pond filling plan
Drawing A-3	Landscape proposal
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
MARCH 2026**