

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1117

- Applicant** : Chief Force Limited
- Site** : Lot 1280 RP (Part) in D.D. 106 and Adjoining Government Land (GL),
Kong Ha Wai, Kam Sheung Road, Kam Tin South, Yuen Long
- Site Area** : About 3,670m² (including GL of about 13.8m² (0.37%))
- Lease** : (i) Block Government Lease (demised for agricultural use); and
(ii) GL
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Residential (Group D)” (“R(D)”) *[Restricted to maximum plot ratio of 0.2 and maximum building height of 2 storeys (6m)]*
- Application** : Temporary Open Storage of Construction Materials and Construction Machineries with Ancillary Site Office, Staff Restrooms and Facilities for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction materials and construction machineries with ancillary site office, staff restrooms and facilities for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1a**). 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). The Site is currently occupied by the applied use with valid planning permission¹ (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kam Sheung Road via a local track (**Plans A-1a and A-3**). According to the applicant, the applied use involves an area of about 2,318m² (about 63.2% of the Site) for open storage of construction materials (such as stone and ironware) with a maximum stacking height of 4m and machineries (such as cranes, excavators and tower crane components); and four one to two storeys structures with a height of not more than 9m and a total floor area of about 297m² for ancillary site office, storage, staff restroom, toilet and sunshade

¹ The Site is covered by application No. A/YL-KTS/951 for temporary open storage of construction materials with ancillary site office and staff restrooms, with valid planning permission until 26.5.2026.

(Drawing A-1). No dangerous goods and dusty materials will be stored within the Site and no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be involved at the Site at all times. Green soundproofing fencing of 3m in height is erected along the site boundary to minimise potential nuisance to the surrounding areas. Nine car parking spaces (four for private cars, two for light goods vehicles and three for medium/heavy goods vehicles) and sufficient manoeuvring space are provided within the Site to ensure that no vehicle will turn back onto the local access. The operation hours are between 9:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The site layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Site, in part or in whole, was involved in 12 previous applications for various temporary open storage uses which were all approved by the Rural and New Town Planning Committee (the Committee) of the Board between 1994 and 2023 (**Plan A-1b**) (details in paragraph 6 below). Compared with the last approved application No. A/YL-KTS/951, the current application is submitted by the same applicant covering the same site with addition of open storage of construction machinery use and consequential changes in layout and development parameters. A comparison of the major development parameters between the last previous application and the current applicant is summarized as follows:

Development Parameters	A/YL-KTS/951 Previous approved application (a)	A/YL-KTS/1117 Current application (b)	Difference (b)-(a)
Site Area	3,670m ² (about)	3,670m ² (about)	No Change
Gross Floor Area	455m ² (about)	297m ² (about)	-158m ² (-34.3%)
No. of Structures	5	4	-1
No. of Storeys/ Max. Building Height	1 Not more than 2.5m	1-2 Not more than 9m	+6.5m
Car Parking Spaces	0	9	+9

- 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 12.2.2026 and 13.2.2026 respectively
 - (b) Further Information (FI) received on 17.3.2026* **(Appendix Ia)**
 - (c) FI received on 23.3.2026* **(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 Site falls within Category 2 areas under the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” (TPB PG-No. 13G). The temporary nature of the application would not frustrate the long-term planning intention of the “R(D)” zone.
- (b) The Site is the subject of a previous application No. A/YL-KTS/951. The current application aims to apply for addition of open storage of construction machinery and revision on development parameters and layout. All approval conditions of the previous application have been complied with and no complaints were received from public and government departments regarding the Site.
- (c) The applied use would not induce adverse drainage, fire safety, traffic and environmental impacts on the surrounding areas. Green soundproofing fencing of 3m in height will be erected along the site boundary to minimise potential nuisance to the surrounding areas and mitigation planting. The applicant will strictly follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department to minimize potential nuisance to the surrounding areas. In support of the application, the applicant has submitted a fire service installations (FSIs) proposal and photographic records of the existing drainage facilities.

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 posting site notice and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Member’s inspection. For the GL portion, the “Owner’s Consent / Notification” Requirements are not applicable.

4. Background

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

5. Town Planning Board Guidelines

The TPB PG-No. 13G promulgated by the Board on 14.4.2023 are relevant to the application. The Site falls within Category 2 areas under TPB PG-No. 13G. Relevant extracts of the Guidelines are at **Appendix II**.

6. Previous Applications

The Site was involved in 12 previous applications (No. A/DPA/YL-KTS/92, A/YL-KTS/97, 144, 222, 266, 290, 408, 528, 637, 730, 844 and 951) for various temporary open storage uses (including three for renewal of planning permission granted). All

applications were approved with conditions by the Committee between 1994 and 2023 each for a period of three years, mainly on the considerations that approval on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone; the proposed/applied use was not incompatible with the surrounding land uses; the relevant government departments consulted generally had no adverse comment or their concerns could be addressed by approval conditions; and the application was generally in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ and/or ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’. For the last approved application No. A/YL-KTS/951, all time-limited approval conditions have been complied with and the planning permission is valid until 26.5.2026. Compared with the last approved application, the current application is submitted by the same applicant covering the same site with changes in development parameters as set out in paragraph 1.3 above. Details of the applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

7. Similar Applications

There are five similar applications (No. A/YL-KTS/880, 883, 886, 907 and 1030) covering four sites for various temporary open storage with/without warehouse or workshop uses (including three for renewal of planning permission granted) within the “R(D)” zone in the vicinity of the Site in the past five years. All applications were approved with conditions by the Committee between 2021 and 2024 each for a period of three years on the considerations similar to those mentioned in paragraph 6 above. Details of the similar applications are summarised in **Appendix III** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible from Kam Sheng Road via a local access; and
- (b) currently occupied by the applied use.

8.2 The surrounding areas are rural in character comprising predominantly brownfield operations (including warehouse, open storage yards (without valid planning permissions), vehicle repair workshops (one with valid planning permission)), plant nurseries, residential structures, a farm and grassland. A nullah is located to the east of the Site across Kam Shui Road.

9. 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.

10. Comments from the Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 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 IV** and **V** respectively.

10.2 The following government department does not support the application:

Environment

10.2.1 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., medium/ heavy goods vehicles). According to his review, there are residential structures within 100m from the boundary of the Site. As such, according to the revised 'CoP', it is anticipated that the applied use would cause environmental nuisance to the residential structures nearby;
- (c) there were two substantiated environmental complaints related to noise aspect received against the Site in the past three years; and
- (d) his advisory comments are in **Appendix IV**.

11. 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.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of construction materials and construction machineries with ancillary site office, staff restrooms and facilities for a period of three years at the Site which is zoned "R(D)" on the OZP (**Plan A-1a**). Whilst the applied use is not in line with the planning intention of the "R(D)" zone, there is no known development proposal involving the Site. In view of the above and taking into account the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.

12.2 The applied use is considered not incompatible with the surrounding areas which comprise predominantly brownfield operations, plant nurseries, residential structures, a farm, grassland and a nullah. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment from

landscape planning perspective and considers that the applied use is not entirely incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied use is not anticipated.

- 12.3 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, the applicant has erected green soundproofing fencing of 3m in height along the site boundary to minimise potential nuisance to the surrounding areas. Should the application be approved by the Committee, the applicant will be advised to follow the revised 'CoP' to minimise any potential environmental nuisance caused by the applied use on the surrounding areas. The operation of the applied use is also subject to the relevant pollution control ordinances.
- 12.4 The Site falls within Category 2 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that, except DEP, all other relevant government departments consulted, including the Commissioner for Transport, Chief Engineer/Mainland North, Drainage Services Department and Director of Fire Services who also considers the submitted FSIs proposal acceptable, have no objection to or no adverse comment on the application. To address the technical requirements of concerned department, appropriate approval conditions are recommended in paragraph 13.2 below.
- 12.5 There are 12 previous approved applications for various temporary open storage uses at the Site and five approved similar applications within the "R(D)" zone in the vicinity of the Site in the past five years as mentioned in paragraphs 6 and 7 above respectively. Approving the current application is in line with the Committee's previous decisions.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above, 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 27.3.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) 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 27.12.2026;
- (c) 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; and

- (d) 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.

Advisory clauses

The recommended advisory clauses are 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 "R(D)" zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and is also intended for low-rise, low density residential developments subject to planning permission from the Board. 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 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 the 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 and SI received on 12.2.2026 and 13.2.2026 respectively
Appendix Ia	FI received on 17.3.2026
Appendix Ib	FI received on 23.3.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site plan

Plan A-3	Aerial photo
Plan A-4	Site photos

PLANNING DEPARTMENT
MARCH 2026