

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-KTS/1119**

- Applicant** : Mr. 鄭林雄
- Site** : Lots 447 RP (Part) and 448 (Part) in D.D. 106, Kam Sheung Road, Kam Tin South, Yuen Long
- Site Area** : About 412m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use);
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Other Specified Uses” annotated “Rural Use” (“OU(RU)”)   
*[Restricted to maximum plot ratio of 0.4 and maximum building height of 3 storeys (9m)]*
- Application** : Temporary Open Storage of Construction Machinery, Construction Material, Vehicle and Vehicle Parts with Ancillary Office for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary open storage of construction machinery, construction material, vehicle and vehicle parts with ancillary office for a period of three years at the application site (the Site), which falls within an area zoned “OU(RU)” 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 hard-paved and occupied by the applied use without valid planning permission (**Plans A-2 to A-4b**).
- 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 open area of about 382m<sup>2</sup> (about 93%) of the Site designated for open storage of construction machineries (i.e. forklifts), construction materials (i.e. ironware), vehicles and vehicle parts with a maximum stacking height of 2m and one two-storey structure with a height of not more than 5.2m and a total floor area of about 59.6m<sup>2</sup> for ancillary office (**Drawing A-1**). No dangerous goods and dusty materials will be stored and no workshop activities will be involved at the Site at all times. Metal fencing of 2.5m in height is erected along the site boundary to minimise potential nuisance to the surrounding areas. One car parking space for private car and one

loading/unloading space for light goods vehicle are provided within the Site, and sufficient manoeuvring space are provided within the Site to ensure that no vehicle will turn back onto the local access. No vehicles exceeding 5.5 tonnes will be allowed to be parked or stored at the Site. 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 13 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 1998 and 2021 (**Plan A-1b**) (details in paragraph 6 below). Compared with the last approved application No. A/YL-KTS/872, the current application is submitted by the same applicant covering the same site with the same layout and development parameters. All time-limited approval conditions under the last previous application were complied with and the permission lapsed on 2.5.2024.
- 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 3.3.2026  
and 6.3.2026 respectively
  - (b) Further Information (FI) received on 30.3.2026\* (**Appendix Ia**)
  - (c) FI received on 14.4.2026\* (**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** and can be summarised as follows:

- (a) The Site and the adjoining sites are subject to previous planning approvals for open storage or similar uses. The applied use which is temporary in nature would not jeopardize the long-term development of the Site and is also compatible with the surrounding environment.
- (b) The applied use could better utilise land resources and provides job opportunities for economic development. It has locational advantage and can create synergy with other similar uses in the area.
- (c) The applied use would not induce adverse environmental and drainage impacts to the surrounding areas due to its small and similar scale compared to the surrounding uses in similar nature. The applicant has also complied with the approval conditions of the previous application including implementation of drainage proposal and maintaining the drainage facilities. In support of the application, the applicant has submitted photographic records of the existing drainage facilities and a set of FS 251 certificates.

### **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.

### **4. Background**

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

### **5. Town Planning Board Guidelines**

The Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13G) and the Town Planning Board Guidelines for “Designation of “OU(RU)” Zone and Application for Development within “OU(RU)” Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 38) are relevant to the application. The Site falls within Category 3 areas under TPB PG-No. 13G. Relevant extracts of the said Guidelines are attached at **Appendix II**.

### **6. Previous Applications**

The Site was involved in 13 previous applications (No. A/YL-KTS/136, 204, 220, 298, 333, 371, 427, 503, 586, 653, 757, 865 and 872)<sup>1</sup> for various temporary open storage uses (including two for renewal of planning permission granted). All applications were approved with conditions by the Committee between 1998 and 2021, each for a period of either 18 months, two years or three years, mainly on the considerations that the proposed/applied use was not incompatible with the surrounding land uses; the application was generally in line with the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ or its previous versions; significant adverse environmental impact was not expected; temporary approval was an interim arrangement to alleviate the acute shortage of open storage land in the area; there was no change in planning circumstances (for renewal applications); and the relevant government departments consulted generally had no adverse comment or their concerns could be addressed by approval conditions. For the last approved application No. A/YL-KTS/872, all time-limited approval conditions have been complied with and the planning permission lapsed on 5.2.2024. Compared with the last approved application, the current application is submitted by the same applicant covering the same site with the same layout and development parameters. Details of the applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

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<sup>1</sup> Applications No. A/YL-KTS/136, 204, 220, 298, 333 and 371 were approved under the then “Undetermined” zone on the Kam Tin South OZP. The application sites were rezoned to “OU(RU)” in the draft Kam Tin South OZP No. S/YL-KTS/10 gazetted on 22.9.2006.

## **7. Similar Applications**

There are five similar applications (No. A/YL-KTS/924, 933, 958, 1072 and 1082) covering three sites for various temporary open storage uses (including four for renewal of planning permission granted) within the same “OU(RU)” zone in the vicinity of the Site in the past five years. All applications were approved with conditions by the Committee between 2022 and 2025 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-4b)**

8.1 The Site is:

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

8.2 The surrounding areas are rural in character comprising predominantly brownfield operations (including warehouse, open storage/storage yards, depot and car parking) (some with valid planning permissions), site office (with valid planning permission), scattered residential structures, vacant land and grassland. A nullah is located to the west of the Site.

## **9. Planning Intention**

The planning intention of the “OU(RU)” zone is primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities.

## **10. Comments from the Relevant Government Departments**

All government 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.

## **11. Public Comment Received During Statutory Publication Period**

On 10.3.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual questioning the compliance status of the approval conditions of the last previous application No. A/YK-KTS/872.

## 12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of construction machinery, construction material, vehicle and vehicle parts with ancillary office for a period of three years at the Site zoned “OU(RU)” (**Plan A-1a**). Whilst the applied use is not in line with the planning intention of the “OU(RU)” zone, there is currently no known programme for long-term development at the Site and approval of the application on a temporary basis will not frustrate the long-term planning intention of the “OU(RU)” zone. 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, site offices, car parking, scattered residential structures, vacant land, grassland and a nullah (**Plan A-2**). 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 incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied use is not anticipated.
- 12.3 The Site falls within Category 3 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that 13 previous approvals for similar or the same temporary open storage uses had been granted to the Site between 1998 and 2021 (**Plan A-1b** and **Appendix III**); all the approval conditions under the last previous application No. A/YL-KTS/872 had been complied with; and the relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services, Director of Environmental Protection and Commissioner for Transport have no adverse comment on or no objection to the current application. In addition, the application is also considered not in conflict with TPB PG-No. 38 in that the applied use would not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings, nor would it overstrain the capacity of existing and planned infrastructure. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise any potential environmental nuisance caused by the applied use.
- 12.4 There are five approved similar applications within the same “OU(RU)” zone in the vicinity of the Site in the past five years as mentioned in paragraph 7 above. Approving the current application is in line with the Committee’s previous decisions.
- 12.5 For the public comment as mention in paragraph 11 above, all time-limited approval conditions under the last previous application No. A/YL-KTS/872 were complied with, and the departmental comments and planning assessments above are also 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 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 17.4.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) the submission of a revised 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 17.7.2026;
- (b) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) 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 17.10.2026;
- (d) in relation to (c) 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 17.1.2027;
- (e) 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; and
- (f) if any of the above planning condition (a), (c) or (d) 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 "OU(RU)" zone, which is primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local

communities. 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**

<b>Appendix I</b>	Application Form with attachments and SI received on 3.3.2026 and 6.3.2026 respectively
<b>Appendix Ia</b>	FI received on 30.3.2026
<b>Appendix Ib</b>	FI received on 14.4.2026
<b>Appendix II</b>	Relevant Extracts of TPB PG-No. 13G and TPB PG-No. 38
<b>Appendix III</b>	Previous and Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	Public Comment
<b>Drawing A-1</b>	Site Layout Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plan A-4a and A-4b</b>	Site photos

**PLANNING DEPARTMENT  
APRIL 2026**