

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/589

- Applicant** : Mr. Kong Chun Ying represented by Metro Planning & Development Company Limited
- Site** : Lots 1684 (Part), 1685 (Part) and 1686 (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 1,048m²
- 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 Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) for a period of three years (**Plan A-1**) at the application site (the Site) falling within an area 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 hard-paved and fenced off, erected with temporary structures, and partly used for the applied use without valid planning permission (**Plans A-3, A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via a local track with the ingress/egress located at its eastern part. According to the applicant, the applied warehouse is for storage of non-dangerous goods such as tiles and packed food provision. As shown on the layout plan at **Drawing A-1**, two single-storey structures not more than 6.5m in height with a total floor area of about 420m² are used as warehouse. A parking space for private car as well as a loading/unloading space for light goods vehicle will be provided. According to the applicant, the operation hours are between 9 a.m. and 7 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Drainage facilities (i.e. surface U-channels and catchpits) would be provided. No open storage and workshop activities will be carried out at the Site at all times. The layout plan, drainage plan and fire service installations (FSIs) plan

submitted by the applicant are at **Drawings A-1 to A-3** respectively.

1.3 The Site was involved in two previous applications (No. A/YL-LFS/99 and 442) for temporary warehouse use. The last application No. A/YL-LFS/442 for proposed temporary warehouse for storage of construction materials was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 11.11.2022 (details at paragraph 5 below). Compare with the last planning application No. A/YL-LFS/442, the current application submitted by the same applicant for warehouse use with the same planning parameters.

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

- (a) Application Form with attachments received on 8.12.2025 (Appendix I)
- (b) Supplementary Information (SI) received on 12.12.2025 (Appendix Ia)
- (c) Further Information (FI) received on 25.2.2026[^] (Appendix Ib)
[^] accepted but not exempted from publication 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, and would not jeopardise the long-term planning intention of the “REC” zone;
- (b) the applied use is not incompatible with the surrounding area, including the warehouses to the north which were approved by the Board;
- (c) the applied use is small in scale and would not generate significant adverse traffic, environmental, noise and drainage impacts;
- (d) the applied use will not involve tree felling; and
- (e) similar applications in the vicinity have been approved.

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.

4. Background

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

5. Previous Application

- 5.1 The Site was involved in two previous applications for temporary warehouse uses (No. A/YL-LFS/99 and 442). Application No. A/YL-LFS/99 for temporary warehouse and open storage of construction materials for a period of three years, covering a larger site, was rejected by the Board on review on 4.7.2003 mainly on grounds of no strong justification for a departure from the planning intention and not in line with the then Town Planning Board Guidelines No. 13C in that there was adverse departmental comment on traffic aspect; and setting an undesirable precedent.
- 5.2 Application No. A/YL-LFS/442 submitted by the same applicant as the current application for temporary warehouse for storage of construction materials covered the same extent of the Site was approved with conditions by the Committee on 11.11.2022 mainly on considerations that temporary approval would not jeopardise the long-term planning intention; the proposed use was not incompatible with the surrounding areas; and concerned government departments generally had no objection to the application and/or the technical concerns could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked on 11.8.2024 owing to non-compliance with time-limited approval conditions on the implementation of the FSIs proposal. Details of the above previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Applications

Within the same “REC” zone, there are 19 similar applications (No. A/YL-LFS/392, 410, 438, 441, 445, 449, 455, 457, 469, 478, 482, 490, 497, 498, 510, 538, 554, 557 and 558) for temporary warehouse in the past five years. All of them were approved with conditions by the Committee between 2021 and 2025 mainly on 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-4b)

- 7.1 The Site is:
- (a) hard-paved and fenced off, erected with temporary structures, and partly used for storage of miscellaneous items without valid planning permission; and
 - (b) accessible from Deep Bay Road via a local track.
- 7.2 The surrounding areas are predominated by open storages yards, vehicle parks, vehicle repair workshops, recycling workshop and unused land. The Permitted Burial Ground No. YL/59 is located to the south within the “Green Belt” zone (**Plan A-2**).

8. 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.

9. Comments from Relevant Government Departments

All 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 III and IV** respectively.

10. Public Comment Received During Statutory Publication Periods

On 16.12.2025 and 6.3.2026, the application was published for public inspection. During the statutory public inspection periods, one public comment from an individual (**Appendix V**) was received objecting to the application mainly on grounds that the applicant failed to comply with some of the approval conditions imposed under the last planning permission No. A/YL-LFS/442.

11. Planning Considerations and Assessments

11.1 The application is for temporary warehouse (excluding dangerous goods godown) for a period of three years at the Site falling within the “REC” zone of the OZP (**Plan A-1**). Although 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. Nonetheless, 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 programme and land resumption/clearance programme are 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 advised not to carry out any substantial works therein.

11.2 The Site is located in an area predominated by open storages yards, vehicle parks, vehicle repair workshops, recycling workshop and unused land. The applied use is considered not incompatible with the surrounding areas.

11.3 Concerned government departments consulted including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services (D of FS) have no objection to or no adverse comment on the applied use from traffic, environmental, drainage and fire safety perspectives respectively. The technical requirements of concerned departments could be addressed by implementation of approval conditions recommended in paragraph 12.2 below. To minimise any possible environmental nuisance, should the application be approved, the applicant will be

advised to adopt the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’.

- 11.4 The Site is the subject of a previous approval for warehouse use under application No. A/YL-LFS/442 submitted by the same applicant. However, the planning permission was subsequently revoked on 11.8.2024 owing to non-compliance with time-limited approval conditions on the implementation of the FSIs proposal. In support of the current application, the applicant has submitted a FSIs proposal and D of FS has no objection to the application. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions resulting in revocation of the planning permission, sympathetic consideration would not be given to any further applications.
- 11.5 The Committee has also approved 19 similar applications within the same “REC” zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are also relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department 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 **17.4.2029**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the Site 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**;
- (c) the submission of a revised 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 **17.10.2026**;
- (d) in relation to condition (c) above, the implementation of the revised 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 **17.1.2027**;

- (e) if the above planning condition (a) is not complied with during the 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 conditions (b), (c) or (d) is not complied with by the above 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 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 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.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning 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 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 8.12.2025
Appendix Ia	SI received on 12.12.2025
Appendix Ib	FI received on 25.2.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment Received During Statutory Publication Period
Drawing A-1	Layout Plan
Drawing A-2	Drainage Plan
Drawing A-3	Fire Service Installations 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
APRIL 2026**