

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/1111

- Applicant** : Chief Force Limited
- Site** : Lots 1832 RP (Part), 1840 (Part), 1861 (Part), 1864 RP (Part), 1865 (Part), 1866 (Part), 1867 (Part) and 1868 (Part) in D.D. 111, Pat Heung, Yuen Long
- Site Area** : About 3,660m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Open Storage of Construction Materials, Construction Machineries, Second-hand Vehicles and Automotive Parts with Ancillary Facilities and Associated Filling of Land and Pond for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction materials, construction machineries, second-hand vehicles and automotive parts with ancillary facilities 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-1a**). 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). Filling of land/pond in the “AGR” zone also requires planning permission from the Board. The Site is currently fenced-off, hard-paved and used for the applied use (with open storage of construction materials, second-hand vehicles and automotive parts covered by valid planning permission until 12.5.2026 under application No. A/YL-PH/941) (**Plan A-1b**).
- 1.2 The Site is accessible from Kam Tin Road via a local track. According to the applicant, the applied use involves one single-storey structure with a height of not more than 2.5m and a floor area of 70m² for ancillary staff canteen (**Drawing A-1**). The Site is divided into two parts by an existing narrow watercourse located on Government land and the two parts are currently connected by temporary iron sheets laid by the applicant over existing stone blocks on the watercourse. One

loading/unloading space (with no fixed location) for light goods vehicle and vehicle not exceeding 5.5 tonnes is provided at the Site. Entry of container vehicles/tractors and vehicles exceeding 5.5 tonnes at the Site will not be allowed, and no dismantling, maintenance, repairing, cleaning, paint-spraying or other workshop activities will be carried out at the Site at all times. The applicant also applies for regularisation of filling of pond for about 2,062m² (56.3% of the Site) with soil for a depth of 1.5m and regularisation of filling of land for the entire Site (including the pond filling area) with concrete for a depth of about 0.1m, raising the site level to +20.5mPD, for site formation to support the applied use (**Drawings A-2 and A-3**). No further filling of land and pond will be undertaken 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 layout plan and land/pond filling plans submitted by the applicant are at **Drawings A-1 to A-3** respectively.

1.3 The Site, in part or in whole, is the subject of seven previous applications for various temporary open storage uses (details at paragraph 6 below). The last application (No. A/YL-PH/941) for renewal of a planning approval for open storage use submitted by the same applicant as the current application was approved with condition by the Rural and New Town Planning Committee (the Committee) of the Board on 31.3.2023. The approval condition on the submission of condition record of existing drainage facilities has been complied with and the planning permission is valid until 12.5.2026. Compared with the last application, the current application involves the same site area/boundary, same number of structures and open storage of construction materials, second-hand vehicles and automotive parts, but with addition of open storage of construction machineries and regularisation of associated filling of land and pond for the Site.

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

(a) Application Form with supporting documents received on (Appendix I)
3.3.2026 and 5.3.2026

(b) Further Information (FI) received on 10.4.2026* (Appendix Ia)

* *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 applied use on a temporary basis will not frustrate the long-term planning intention of the “AGR” zone.
- (b) The Site falls within Category 2 areas under the Town Planning Board Guidelines for ‘Applications for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13G) and is situated within or adjacent to clusters of open storage, port back-up, or other types of brownfield/temporary uses.

- (c) The Site is the subject of an approved previous application (No. A/YL-PH/941) for the same open storage use, with the addition of open storage of construction machineries and regularisation of associated filling of land and pond. There is no substantial change to the applied use and site layout. Since the approval of the last application (No. A/YL-PH/941), no complaint related to the Site has been received from the public or government departments.
- (d) The applied use will not cause any adverse impact on drainage, traffic and environmental aspects. The existing drainage facilities and fire service installations (FSIs), as implemented under the last application (No. A/YL-PH/941), have been properly maintained. The drainage proposal with the latest condition record of the existing drainage facilities and FSIs proposal with the latest fire certificates have been submitted in support of the current application.

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

The applicant is not a “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The TPB PG-No. 13G promulgated on 14.4.2023 are relevant to the application. The Site falls within Category 2 areas under the TPB PG-No. 13G, and the relevant extract of which is at **Appendix II**.

5. Background

The Site is not subject to any active enforcement action.

6. Previous Applications

6.1 The Site, in part or in whole, is the subject of seven previous applications (No. A/YL-PH/235, 635, 667, 683, 740, 834 and 941) for various temporary open storage uses. Amongst them, one was rejected while six were approved with conditions by the Committee. Details of these applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

Rejected Application

6.2 Application No. A/YL-PH/235 covering a larger site area, which encroached onto an area zoned “Village Type Development” (“V”) on the OZP, for nine temporary open storage yards of construction materials was rejected by the Committee in

October 1998 mainly for the reasons that the proposed use was not in line with the planning intentions of the “AGR” and “V” zones; the proposed use did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that it was incompatible with the village settlements and the nearby domestic structures; the frequent transportation of construction materials to and from the site would generate adverse noise and traffic impacts on the nearby village settlement; there was insufficient information to demonstrate that the development would not have adverse drainage impact on the surrounding areas; and approval of the application would set an undesirable precedent.

Approved Applications

- 6.3 The other six previous applications (No. A/YL-PH/635, 667, 683, 740, 834 and 941) for various temporary open storage uses (including two renewals of planning approval granted) were approved with conditions by the Committee between January 2012 and March 2023, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “AGR” zone; the applied use was not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no objection to or no adverse comment on the application or their concerns could be addressed by relevant approval conditions. The planning permissions under applications No. A/YL-PH/635 and 667 were subsequently revoked in April and October 2013 respectively due to non-compliance with approval conditions.
- 6.4 The last application (No. A/YL-PH/941) submitted by the same applicant at the same site for the same applied use as the current application was approved with conditions by the Committee on 31.3.2023. Compared with the last application, the current application involves changes as set out in paragraph 1.3 above.

7. Similar Applications

There are seven similar applications for various temporary open storage with/without warehouse uses (No. A/YL-PH/885, 914, 916, 945, 1009, 1050 and 1057) (including four renewals of planning approval granted and one with filling of land) within or straddling 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 July 2021 and May 2025 on similar considerations as mentioned in paragraph 6.3 above. The planning permission under application No. A/YL-PH/945 was subsequently revoked in June 2025 due to non-compliance with approval conditions. Details of these applications are summarised in **Appendix IV** and the 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) currently fenced-off, hard-paved and used for the applied use (with open storage of construction materials, second-hand vehicles and automotive parts covered by valid planning permission); and

(b) accessible from Kam Tin Road via a local track.

8.2 The surrounding areas are predominantly occupied by open storage/storage yards and warehouses (three with valid permissions and some are located within the adjacent “Open Storage” (“OS”) zone) intermixed with scattered residential structures. The Shek Kong Stabling Sidings and Emergency Rescue Siding of the Express Rail Link (XRL) is located to the west, whereas the village settlements of Wang Toi Shan San Tsuen and Leung Uk Tsuen within the “V” zone are located to the further north.

9. Planning Intention

9.1. 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.

9.2. According to the Explanatory Statement of the OZP for “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.

10. Comments from Relevant Government Departments

10.1 Apart from the government departments as set out in 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 V** and **VI** respectively.

10.2 The following government departments have adverse comment on or do not support the application:

Land Administration

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

- (a) has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structure is allowed to be erected without the prior approval of the Government;
- (c) Lot 1832 RP in D.D. 111 is covered by Short Term Waiver (STW) No. 4046 for the purpose of temporary open storage of backdrop screens, advertising aluminium frames and construction materials

and temporary open storage of building materials, second-hand vehicles and automotive parts with ancillary staff canteen;

- (d) there is/are unauthorised structure(s) and/or uses on Lot 1861 in D.D. 111 which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD;
- (e) if the planning application is approved, the STW holder will need to apply to his office for modification of the STW conditions where appropriate and the lot owner(s) without STW shall apply to his office for a STW to permit the structure(s) erected within the said private lot(s). The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (f) advisory comments are at **Appendix VI**.

Agriculture and Nature Conservation

10.2.2 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 and is occupied by construction materials and machineries. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are available. The Site can be used for agricultural activities such as greenhouses, plant nurseries, etc.;
- (c) no comment on the applied filling of land and pond from nature conservation and fisheries perspectives; and
- (d) advisory comments are at **Appendix VI**.

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, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of construction materials, construction machineries, second-hand vehicles and automotive parts with ancillary facilities and associated filling of land and pond for a period of three years at the Site zoned “AGR” (**Plan A-1a**). 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. Nevertheless, the applied use is currently in operation at the Site with valid planning permission (covering open storage of construction materials, second-hand vehicles and automotive parts) until 12.5.2026 and the current application is to continue the applied use at the Site with the addition of open storage of construction machineries and regularisation of the associated filling of land and pond. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land and pond on a temporary basis for a period of three years.
- 12.2 Filling of land/pond within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective, and Director of Environmental Protection and DAFC have no comment on the applied filling of land and pond from environmental planning 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.
- 12.3 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by open storage/storage yards and warehouses (most are either with planning permissions or located within the adjacent “OS” zone) intermixed with scattered residential structures as well as the Shek Kong Stabling Sidings and Emergency Rescue Siding of XRL. 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 entirely incompatible with the surrounding environment and significant adverse landscape impact on the Site from the applied use is not anticipated.
- 12.4 The Site falls within Category 2 areas under TPB PG-No. 13G. The application is generally in line with the TPB PG-No. 13G in that, except DLO/YL, LandsD and DAFC, the relevant government departments consulted, including those mentioned above as well as the Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, approval conditions are recommended in paragraph 13.2 below. It is also recommended to advise the applicant to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Uses’ to minimise any potential environmental nuisance on the surrounding areas. Regarding DLO/YL, LandsD’s concerns on the unauthorized structures and uses 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 There are six approved previous applications for temporary open storage uses at the Site and seven approved similar applications within or straddling the same “AGR” zone in the vicinity of the Site in the past five years as detailed in paragraphs 6.3 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 17.4.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission of a condition record of the existing drainage facilities implemented 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;
- (b) in relation to (a) above, the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) 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 17.10.2026;
- (d) in relation to (c) 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 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;
- (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 be revoked immediately without further notice; and
- (g) upon expiry of the planning permission, the reinstatement of the site, including the removal of fill materials and 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 VI**.

- 13.3 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 purpose. 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 supporting documents received on 3.3.2026 and 5.3.2026
Appendix Ia	FI received on 10.4.2026
Appendix II	Relevant Extract of TPB PG-No. 13G
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Drawing A-3	Pond Filling Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos