

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/602

- Applicant** : YU Kin Kwok represented by SIN Mei Yee
- Site** : Various Lots in D.D. 125, Ha Tsuen, Yuen Long
- Site Area** : About 4,800m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/3
(currently in force)
- Approved HSK and HT OZP No. S/HSK/2
(at the time of submission)
- [the zoning and development restrictions for the application site (the Site) remain unchanged on OZP No. S/HSK/3]*
- Zoning** : “Residential (Group A)3” (“R(A)3”)
[Restricted to a maximum plot ratio (PR) of 5.5 and a maximum building height (BH) of 140mPD]
- Application** : Temporary Open Storage of Construction Machineries, Hardware Groceries, Spare Parts and Ancillary Office for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction machineries, hardware groceries, spare parts and ancillary office for a period of three years at the Site falling within an area zoned “R(A)3” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years at the Site requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission.
- 1.2 The Site is accessible from Ping Ha Road via a local track (**Plan A-2**) with the ingress/egress point at the southern part of the Site. According to the applicant, two two-storey temporary structures (not more than 5.5m in height) with a total floor area of about 241m² are used for site office and storage of machineries parts and spare parts, while open areas of about 3,200m² (about 66.7% of the Site) are used for open storage of construction machineries, hardware groceries and spare parts. A

loading/unloading (L/UL) space for light goods vehicle (LGV) (7m x 3.5m) and four L/UL spaces for medium/heavy goods vehicles (MGV/HGVs) (each of 11m x 3.5m) are provided (**Drawing A-2**). The operation hours are from 8:00 a.m. to 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the layout, and landscape and drainage facilities at the Site submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 The Site was involved in six 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 1999 and 2013 (details at paragraph 6 below) (**Plan A-1b**).
- 1.4 Compared with the last application No. A/YL-HT/875 approved by the Committee on 13.12.2013, the current application is submitted by the same applicant for the similar use at the same site with a similar layout. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Approved Application (A/YL-HT/875) (a)	Current Application (A/HSK/602) (b)	Difference (b) – (a)
Applied Use	Temporary Open Storage of Second-Hand Vehicles, Metal, Machineries, Parts and Ancillary Office for a Period of 3 Years	Temporary Open Storage of Construction Machineries, Hardware Groceries, Spare Parts and Ancillary Office for a Period of 3 Years	Addition of Hardware Groceries Deletion of Open Storage of Metal and Second-Hand Vehicles
Site Area	About 4,800 m ²		No change
Total Floor Area	About 241.05m ²		No change
No. of Structures	2 (site office and storage of machineries parts and spare parts)		No change
Building Height	5 m (1 - 2 storeys)	Not more than 5.5 m (Not more than 2 storeys)	+0.5 m (+10%)
No. of L/UL Spaces	Nil	1 for LGV (each of 7m x 3.5m) 4 for MGV/HGVs (each of 11m x 3.5m)	+5
Operation Hours	from 8:00 a.m. to 6:00 p.m. on Mondays to Saturdays, and no operation on Sundays and public holidays		No change

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 11.3.2026 (**Appendix I**)
- (b) Further Information (FI) received on 17.4.2026* (**Appendix Ia**)

(c) FI received on 22.4.2026*

(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 FIs at **Appendices I to Ib**. They can be summarised as follows:

- (a) previous applications for temporary open storage uses have been approved by the Committee at the Site. Compared with the last application (No. A/YL-HT/875), the current application is also for open storage use with a similar layout. All approval conditions under the previous application have been complied with. There will be no significant impact on environment, drainage and traffic aspects. Besides, the applicant has carried out drainage and landscape improvement works within the Site;
- (b) vehicles can only enter the Site with prior appointment. Vehicles must leave the Site after loading and unloading and are not allowed to park within the Site. Insignificant traffic impacts are anticipated;
- (c) the applied use is temporary in nature and would not jeopardise the planning intention of the Site; and
- (d) the application conforms with the relevant Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13G) and the applied use is not incompatible with the surrounding areas.

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 notifying two current land owners of the Site. Detailed information would be deposited at the meeting for Members' inspection.

4. **Town Planning Board Guidelines**

TPB PG-No.13G promulgated on 14.4.2023 is relevant to the application. The Site falls within the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extract of the Guidelines is attached at **Appendix II**.

5. **Background**

The Site is subject to a planning enforcement case (No. E/YL-HSK/141) against an unauthorized development (UD) involving storage use (including deposit of containers) (**Plan A-2**). Enforcement Notice (EN) was issued on 3.2.2026 requiring the discontinuation of the UD by 3.5.2026. If the EN is not complied with, prosecution action would be considered.

6. Previous Applications

- 6.1 The Site was involved in six previous applications (No. A/YL-HT/83, 167, 243, 490, 530 and 875) for various temporary open storage uses. All the applications were approved with conditions by the Committee between 1999 and 2013 mainly on the considerations that the temporary use was not incompatible with the surrounding environment; being generally in line with the relevant TPB PG-No. 13 and there were no major adverse comments from concerned government departments. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.2 The last application No. A/YL-HT/875 for temporary open storage of second-hand vehicles, metal, machineries, parts and ancillary office submitted by the same applicant as the current application was approved with conditions by the Committee on 13.12.2013 for a period of three years. All the approval conditions have been complied with and the planning permission lapsed on 14.12.2016. Comparison of the last previous application and the current application is set out in paragraph 1.4 above.

7. Similar Applications

There are eight similar applications (No. A/HSK/312, 362, 385, 430, 506, 534, 538 and 558) involving various temporary open storage with or without warehouse and/or public vehicle park uses within the subject “R(A)3” zone in the past five years. All of them were approved with conditions by the Committee between 2021 and 2025 based on similar considerations as mentioned in paragraph 6.1 above. Details of these applications are summarised at **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 Ping Ha Road via a local track; and
 - (b) currently used for the applied use without valid planning permission.
- 8.2 The surrounding areas are predominantly occupied by open storage yards, warehouse and logistics uses intermixed with residential dwellings, car servicing, vehicle repair workshop, office and vacant land, with some of these uses covered by valid planning permissions.

9. Planning Intention

The planning intention of the “R(A)” zone is primarily for high-density residential development.

10. Comments from 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 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) he does not support the application because there are sensitive uses in the vicinity of the Site (there are residential dwelling within 100m from the boundary of the Site) (**Plan A-2**);
- (b) no environmental complaints pertaining to the Site were received in the past three years; and
- (c) should the application be approved, the applicant should note his advisory comments in **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 24.3.2026, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received (**Appendix VI**) expressing concerns on the UD within the Site.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of construction machineries, hardware groceries, spare parts and ancillary office for a period three years at the Site zoned “R(A)3” on the OZP. Whilst the applied use is not in line with the planning intention of the “R(A)” zone, there is no known development proposal at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development and the implementation programme and land resumption/clearance programme are currently being reviewed under the relevant investigation study and subject to change. Approval of the application on temporary basis of three years would not jeopardise the long-term planning intention of the “R(A)” zone. Nonetheless, 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.

12.2 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by open storage yards, warehouse, logistics uses and residential dwellings intermixed with car servicing, vehicle repair workshop, office and vacant land, with some of these uses covered by valid planning permissions (**Plan A-2**).

- 12.3 The applied use is generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and six previous planning approvals for various temporary open storage uses have been approved by the Committee between 1999 and 2013. For the last approved application No. A/YL-HT/875, all approval conditions have been complied with. The current application is submitted by the same applicant for similar use at the same site. In this regard, sympathetic consideration may be given to the application.
- 12.4 Relevant government departments consulted including the Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from traffic, fire safety and drainage perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. While DEP does not support the application as there are sensitive uses in the vicinity (there are residential dwelling within 100m from the boundary of the Site) (**Plan A-2**), there was no environmental complaint pertaining to the Site received in the past three years. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise any potential environmental nuisances on the surrounding areas.
- 12.5 There are eight similar applications within the same “R(A)3” zone approved in the past five years as mentioned in paragraph 7 above. Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 Regarding the public comment as summarised in paragraph 11 above, planning enforcement action has been taken against the UD as stated in paragraph 5 above, and the planning considerations and assessments in paragraph 12.1 to 12.5 above are 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, the Planning Department 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 **8.5.2029**. 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 **8.8.2026**;

- (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 **8.11.2026**;
- (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 **8.2.2027**;
- (e) 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
- (f) if any of the planning condition (b), (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 attached 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(A)" zone which is primarily for high-density residential development. 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 and Attachments received on 11.3.2026
Appendix Ia	FI received on 17.4.2026
Appendix Ib	FI received on 22.4.2026
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
Appendix VI	Public Comment
Drawing A-1	Site Layout Plan
Drawing A-2	Landscape and Drainage 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
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
MAY 2026**