

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

**APPLICATION NO. A/YL-KTN/1214**

- Applicant** : Mr. TANG Tsz Mo represented by R-riches Planning Limited
- Site** : Lot 1905 RP (Part) in D.D. 107 and Adjoining Government Land (GL), Kam Tin North, Yuen Long
- Site Area** : About 4,069m<sup>2</sup> (including GL of about 104m<sup>2</sup> (3%))
- Lease** : New Grant No. YL553 (for agriculture purposes)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Comprehensive Development Area (1)” (“CDA(1)”) *[restricted to a maximum plot ratio of 1.2 and a maximum building height of 16 storeys]*
- Application** : Temporary Open Storage of Construction Materials and Machineries and Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary open storage of construction materials and machineries and warehouse (excluding dangerous goods godown) for a period of three years at the application site (the Site), which falls within an area zoned “CDA(1)” on the OZP (**Plan A-1**). 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 largely hard-paved and fenced-off, erected with some temporary structures and used for the applied use without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Shui Mei Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the applied use involves a total area of about 1,254m<sup>2</sup> (about 31% of the Site) for open storage of construction materials (such as steel beams, bricks and scaffolds) and machineries (such as generators and elevated platform) with a maximum stacking height of 3m; and five structures of not more than two storeys (height of not more than 8m) with a total floor area of about 1,140m<sup>2</sup> for warehouse, ancillary storage, site office and washroom (**Drawing A-1**). Peripheral fencing of 3m in height will be erected along the site boundary on all sides. No storage of dangerous and dusty goods, dismantling, maintenance,

repairing, cleansing, paint spraying or other workshop activities will be involved at the Site at all times. 17 new trees will be planted at the northern periphery and the existing trees clusters at the eastern periphery will be preserved, both serving as landscape screening from nearby residential dwellings (**Drawing A-1**). Four parking spaces for private car, one loading/unloading (L/UL) space for light goods vehicle (LGV) and two L/UL spaces for heavy goods vehicle (HGV) are provided at the Site. The operation hours are between 9:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.

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

- (a) Application Form with attachments received on 23.2.2026 (**Appendix I**) and 27.2.2026
- (b) Further Information (FI) received on 16.3.2026<sup>#</sup> (**Appendix Ia**)
- (c) FI received on 9.4.2026\* (**Appendix Ib**)
- (d) FI received on 23.4.2026\* (**Appendix Ic**)

<sup>#</sup> *accepted but not exempted from publication and recounting requirements*

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## 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 Ic**, and can be summarised as follows:

- (a) the applied use can support the local construction, warehousing and storage industry. The temporary nature of the application would not frustrate the long-term planning intention of the “CDA(1)” zone;
- (b) the Site falls within Category 2 areas under the Town Planning Board Guidelines for application for open storage and port back-up uses. The applied use is not incompatible with the surrounding areas with open storage yards; and
- (c) sufficient space will be provided for vehicles to manoeuvre smoothly within the Site. The applied use will involve infrequent trips of only two anticipated vehicle trips per day during peak hour for L/UL by HGVs. Adverse traffic and environmental impacts on the surrounding areas are not anticipated. In support of the current application, the applicant has submitted a drainage proposal.

## 3. **Compliance with the ‘Owner’s Consent/Notification’ Requirements**

The applicant is not a ‘current land owner’ but has complied with the requirement 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 Kam Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the ‘Owner’s Consent/Notification’ Requirements are not applicable.

#### **4. Town Planning Board Guidelines**

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) 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, and the relevant extracts of which are at **Appendix II**.

#### **5. Background**

The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

#### **6. Previous Application**

The Site is the subject of a previous application No. A/YL-KTN/604, which covers most of the “CDA(1)” zone, for proposed comprehensive residential development approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2019<sup>1</sup>, and its considerations are not relevant to the current application due to different use involved. Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

#### **7. Similar Applications**

There are five similar applications (No. A/YL-KTN/1020, 1085, 1125, 1130 and 1182) for temporary open storage and/or warehouse within the same “CDA(1)” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee in 2025 mainly on the considerations that the temporary approval would not jeopardise the long-term planning intention of the “CDA(1)” zone; the proposed/applied use was not incompatible with the surrounding areas; the relevant government departments consulted generally had no adverse comment or their concerns and public comments, if any, could be addressed by approval conditions; and the application was generally in line with TPB PG-No. 13G. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) currently largely hard-paved and fenced-off, erected with some temporary structures and used for the applied use without valid planning permission; and

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<sup>1</sup> The implementation of the proposed comprehensive residential development under application No. A/YL-KTN/604 is still subject to land acquisition. The validity of the planning permission has been extended to 22.3.2027.

(b) accessible from Shui Mei Road via local tracks.

8.2 The surrounding areas are rural in character with an intermix of open storage/storage yards (including a site with valid planning permission), parking of vehicles (including a site with valid planning permission) and scattered residential structures. To the north of the Site across an existing nullah is the medium-rise residential development namely Park Yoho (**Plans A-1 and A-3**).

## **9. Planning Intention**

The “CDA(1)” zone is intended primarily for comprehensive development/redevelopment of the area for residential use with the provision of commercial, open space and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

## **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, if any, are provided at **Appendices IV and V** respectively.

10.2 The following government department does not support the application:

### **Environment**

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. HGVs). According to his review, there are residential structures within 100m from the boundary of the Site. As such, according to the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’), it is anticipated that the applied use would cause environmental nuisance to the residential structures nearby;
- (c) there were two substantiated environmental complaints received against the Site in the past three years. Nonetheless, no violation of related environmental ordinance was spotted; and
- (d) advisory comments are at **Appendix V**.

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

On 3.3.2026 and 24.3.2026, the application was published for public inspection. During the statutory public inspection periods, one public comment was received from an individual raising concerns mainly on the potential impact of the applied use on the planned residential development at the Site (**Appendix VI**).

## **12. Planning Considerations and Assessments**

- 12.1 The application is for temporary open storage of construction materials and machineries and warehouse (excluding dangerous goods godown) for a period of three years at the Site zoned “CDA(1)” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “CDA(1)” zone, the subject “CDA(1)” zone is largely covered by an approved application (No. A/YL-KTN/604) for proposed comprehensive residential development of which the implementation is currently subject to land acquisition. In this regard, it is considered that approving the application on a temporary basis would not jeopardise the implementation of the approved comprehensive residential development or the long-term planning intention of the “CDA(1)” zone. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis of three years.
- 12.2 The applied use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards, parking of vehicles, scattered residential structures as well as a medium-rise residential development across an existing nullah. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application 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 DEP does not support the application as the applied use involves the use of heavy vehicles and there are sensitive receivers in the vicinity of the Site. In this regard, according to the applicant, peripheral fencing of 3m in height will be erected; 17 new trees will be planted at the northern periphery and the existing tree clusters at the eastern boundary will be preserved as landscape screening from nearby residential dwellings; and the applied use will involve infrequent trips of not more than two anticipated trips per day during peak hour for L/UL by HGVs. To address DEP’s concerns, the applicant will be advised to follow the revised ‘CoP’ to minimise any potential environmental nuisance caused by the applied use. 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 of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application. Concerns from DEP can be addressed as mentioned in paragraph 12.3 above. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 13.2 below.

- 12.5 There are five approved similar applications for temporary open storage and/or warehouse within the same “CDA(1)” zone in the vicinity of the Site as mentioned in paragraph 7 above. Approving the current application is in line with the Committee’s previous decisions.
- 12.6 Regarding the public comment as mentioned in paragraph 11, the departmental comments and planning assessments above are relevant.

**13. Planning Department’s View**

- 13.1 Based on the assessments made in paragraph 12 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 8.5.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a revised drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 8.11.2026;
- (b) in relation to (a) above, the implementation of the revised drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 8.2.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) 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;
- (e) in relation to (d) 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;
- (f) if the above planning condition (c) 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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 "CDA(1)" zone which is primarily for comprehensive development/redevelopment of the area for residential use with the provision of commercial, open space and other supporting facilities, if any. 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 received on 23.2.2026 and 27.2.2026
<b>Appendix Ia</b>	FI received on 16.3.2026
<b>Appendix Ib</b>	FI received on 9.4.2026
<b>Appendix Ic</b>	FI received on 23.4.2026
<b>Appendix II</b>	Relevant extracts of TPB PG-No. 13G
<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-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plans A-4</b>	Site photos

**PLANNING DEPARTMENT  
MAY 2026**