

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-SK/451

- Applicant** : Li Chi Yung represented by Allgain Land Planning Limited
- Site** : Lots 1326 RP (Part), 1327 S.A (Part) and 1327 S.B (Part) in D.D. 114, Shek Kong, Yuen Long, New Territories
- Site Area** : About 820 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/10
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary place of recreation, sports or culture (hobby farm) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “AGR” zone, ‘Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently fenced-off and vacant, with the northern portion vegetated and the southern portion formed (**Plan A-4**).
- 1.2 The Site is accessible from Kam Sheung Road via a local track (**Plans A-2 and A-3**). According to the applicant, the proposed use involves a total farming area of about 520m² (about 63% of the Site), which will be sub-divided into four sub-areas within each there will be one single-storey structure with a floor area of about 40m² and a building height not exceeding 5m for storage, agriculture education rooms, and/or ancillary office and reception (resulting in a total floor area of about 160m²). No car parking space and loading/unloading space will be provided within the Site. No public announcement system, whistle blowing, portable loud speaker and any form of audio amplification system will be allowed at the Site at all times. The applicant also applies for regularisation of filling of land for about 300m² (about 37% of the Site) with concrete in a depth of not more than 0.2m (to a level of not more than +34.9mPD) for site formation of structures and circulation space. The operation hours will be from 9:00

a.m. to 6:00 p.m. daily, including public holidays. It is estimated that there will be a maximum of about 20 visitors and about two staff members working at the Site per day. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with attachments and Supplementary Information (SI) received on 20.3.2026 and 23.3.2026 respectively; and
- (b) Further Information (FI) received on 20.4.2026* **(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** respectively. They can be summarised as follows:

- (a) The proposed use is on a temporary basis, and the hobby farming activities and its nature are similar to the permitted agricultural activities under “AGR” zone. It also intends to promote sustainable farming in Shek Kong area and is in line with the Government’s new agriculture policy. It will not jeopardise the long-term planning intention of the “AGR” zone.
- (b) The proposed hobby farm, with four single-storey structures for ancillary storage, agriculture education rooms, ancillary office and reception, is considered not incompatible with the surroundings.
- (c) The proposed filling of land is for erection of temporary structure and provision of circulation space at the Site. The extent of paving has been kept to minimal and no further land filling will be carried out. The applicant also commits to reinstate the Site upon expiry of the planning approval.
- (d) The proposed use would not cause adverse traffic, environmental, landscape and drainage impacts on the surrounding areas. No felling of existing tree at the Site will be involved. No public announcement system, whistle blowing, portable loud speaker and any form of audio amplification system will be allowed, and no parking space will be provided at the Site. The applicant will strictly follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) and the relevant Professional Persons Environmental Consultative Committee Practice Notes to minimise possible environmental impacts.

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 Sections 12A and 16 of the Town Planning

Ordinance (TPB PG-No. 31B) by posting site notice and sending notice to Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

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

5. Previous Application

The Site is not subject to any previous application.

6. Similar Applications

There are four similar applications (No. A/YL-SK/327, 359, 361 and 378) covering three sites for temporary place of recreation, sports or culture (hobby farm) with or without filling of land within the same "AGR" zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Rural and New Town Planning Committee (the Committee), each for a period of three years, between 2022 and 2024 mainly on the considerations that the planning permission on temporary basis will not jeopardise the long-term planning intention of "AGR" zone; the proposed use was not incompatible with the surroundings; relevant government departments consulted generally had no adverse comment on the application or their concerns could be addressed by approval conditions. The planning permissions under applications No. A/YL-SK/327, 359 and 361 were subsequently revoked between 2023 and 2025 due to non-compliance with time-limited approval conditions related to the submission and/or implementation of the drainage proposal and/or the fire service installations proposal. Details of the similar applications are summarised in **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) accessible from Kam Sheung Road via a local track; and
- (b) currently fenced-off and vacant, with the northern portion vegetated and the southern portion formed.

7.2 The surrounding areas are rural in character comprising mainly vacant land and fallow agricultural land, as well as a hobby farm (with valid planning permission under application No. A/YL-SK/378) in the immediate east, scattered residential dwellings and residential developments (including Parlain Villa and Atlantic Maple Court), a vehicle repair workshop and a garden.

8. Planning Intention

8.1 The planning intention of the "AGR" zone is 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.

- 8.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other 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 III** and **IV** respectively.

- 9.2 The following government department has adverse comments on the application:

Land Administration

- 9.2.1 Comments from the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) he 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 structures are allowed to be erected without the prior approval of the Government;
- (c) the following irregularities covered by the current planning application have been detected by his office:

Unauthorised structure(s) within the said private lot(s) covered by the planning application

there is/are unauthorised structure(s) on Lot 1327 S.B in D.D. 114 which is/are 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 his office; and

- (d) the applicant should note his advisory comments at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 27.3.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual providing views that the current application is similar to application No. A/YL-SK/378, which was right adjoining to the Site and approved by the Board in 2024, and the applicant of the current application could

utilise the proposed structures under application No. A/YL-SK/378; and the Committee should also enquire about the current status of application No. A/YL-SK/378 (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary place of recreation, sports or culture (hobby farm) and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “AGR” zone, according to the applicant, majority of the Site (about 520m² or about 63%) will be used for hobby farming, and the Director of Agriculture, Fisheries and Conservation has no strong view on the application from agricultural perspective noting that agricultural activities are involved in the proposed use and that the Site will be reinstated upon the expiry of the planning permission. In view of the above and taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis for a period of three years.
- 11.2 Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from public drainage and environmental planning 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. The applicant also commits to reinstating the Site to an amenity area upon expiry of the planning approval.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character comprising mainly vacant land and fallow agricultural land, as well as a hobby farm (with planning permission) in the immediate east of the Site, scattered residential dwellings and residential developments (including Parlain Villa and Atlantic Maple Court), a vehicle repair workshop and a garden (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not entirely incompatible with the landscape character of the surrounding environment and significant adverse landscape impact arising from the proposed use is not anticipated.
- 11.4 Regarding DLO/YL of LandsD’s concern on the unauthorised structure(s) on the concerned lots, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. The applicant has also committed to rectifying the lease breaches upon approval of the current application. Other relevant government departments consulted, including 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, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the latest ‘CoP’ issued by the Environmental Protection Department (EPD) and other relevant environmental guidelines and legislation, as well as the relevant Practice Note for

Professional Person PN 5/93 on “Drainage Plans subject to Comment by EPD” to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas.

- 11.5 There are four approved similar applications within the same “AGR” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comment mentioned in paragraph 10, the departmental comments and planning assessments 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, PlanD 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 8.5.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a 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 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 on the site 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;
- (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; and

- (h) upon expiry of the planning permission, the reinstatement of the Site, including the removal of hard paving and fill material, 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 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 proposed use with associated filling of land is not in line with the planning intention of the "Agriculture" 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 purposes. 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 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 the 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 and SI received on 20.3.2026 and 23.3.2026 respectively
Appendix Ia	FI received on 20.4.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Area Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
MAY 2026**