

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

**APPLICATION NO. A/YL-KTN/1226**

- Applicant** : Mr. TSOI Tak Lee represented by Goldrich Planners and Surveyors Limited
- Site** : Lot 1348 (Part) in D.D. 109 and Lot 76 RP (Part) in D.D. 110, Kam Tin North, Yuen Long
- Site Area** : About 1,705m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Office and Associated Filling of Land for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) with ancillary office 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 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). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is currently hard-paved, fenced-off, erected with some temporary structures and used for open storage of vehicles without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kong Po Road via its adjoining site to the southwest which is subject to an approved application No. A/YL-KTN/1146 for proposed temporary warehouse (**Plans A-1 to A-3**). According to the applicant, the proposed use for storage of construction materials (such as bamboo, scaffoldings, bricks, metals and sand) involves eight single-storey structures with height of not more than 8m and a total floor area of about 682m<sup>2</sup> for warehouse, ancillary office and storeroom (**Drawing A-1**). Four parking spaces for private car and two parking spaces for light goods vehicle will be provided at the Site. The applicant also applies for filling of land for the entire Site, including regularisation of filling

of land for about 1,230m<sup>2</sup> (72% of the Site) with concrete of not more than 0.2m in depth (to a level of not more than 7.5mPD) as well as regularisation and additional filling of land for about 475m<sup>2</sup> (28% of the Site) with asphalt and concrete of not more than 0.1m in depth respectively (to a level of not more than 7.7mPD) for site formation and vehicular circulation (**Drawing A-2**). Peripheral fencing of 2m in height will be erected along the site boundary on all sides. No open storage, maintenance, repairing, dismantling, cleansing or other workshop activities will be involved at the Site at all times. The operation hours will be between 9:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the site layout and land filling area submitted by the applicant are on **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 received on 26.3.2026 (**Appendix I**) and 1.4.2026
- (b) Further Information (FI) received on 14.5.2026\* (**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 proposed use can meet the strong market demand for warehouse in Yuen Long area. The temporary nature of the application would not frustrate the long-term planning intention of the “AGR” zone. The proposed use is not incompatible with the surrounding areas and there are similar applications approved in the vicinity of the Site;
- (b) sufficient space will be provided for vehicles to manoeuvre smoothly within the Site. Adverse impacts are not anticipated; and
- (c) the Site is accessible via its adjoining site, which is subject to the approved application No. A/YL-KTN/1146 for proposed temporary warehouse use submitted by a different applicant. The applicant under the current application will follow up with the concerned applicant and land owner(s) for the access arrangement.

## **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 publishing notices in local newspapers and sending notice to the Pat Heung 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. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

#### **5. Previous Application**

The southern portion of the Site is involved in a previous application No. A/YL-KTN/805 for temporary animal boarding establishment which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2022, and its considerations are not relevant to the current application due to different use involved. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

#### **6. Similar Applications**

6.1 There are 17 similar applications for temporary warehouse with 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 Committee between 2023 and 2026 mainly on the considerations that the proposed use on a temporary basis could be tolerated; the proposed use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments, if any, could be addressed by approval conditions. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6.2 Two similar applications for temporary warehouse within the same “AGR” zone, including No. A/YL-KTN/1227 in the vicinity of the Site, as well as No. A/YL-KTN/ 1192 located further away in the northwest, will be considered at the same meeting (**Plan A-1**).

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

7.1 The Site is:

- (a) currently hard-paved, fenced-off, erected with some temporary structures and used for open storage of vehicles without valid planning permission; and
- (b) accessible from Kong Po Road via its adjoining site to the southwest which is subject to an approved application No. A/YL-KTN/1146.

7.2 The surrounding areas are rural in character with an intermix of open storage/storage yards/warehouses (including two sites with valid planning permissions), vehicle repair workshop, site office (with valid planning permission), parking of vehicles, residential structures, a chicken farm and vacant land along both sides of Kong Po Road and the abutting nullah.

## **8. Planning Intention**

- 8.1 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.
- 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 departments as set out in paragraph 9.2 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 III** and **IV** respectively.
- 9.2 The following government department does not support the application:

### **Agriculture and Nature Conservation**

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. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and
- (c) no comment on the application from nature conservation perspective.

## **10. Public Comments Received During Statutory Publication Period**

On 10.4.2026, the application was published for public inspection. During the statutory public inspection period, three public comments were received, including one from Kadoorie Farm and Botanic Garden Corporation and one from an individual, both objecting to the application mainly on the grounds that suspected unauthorized development (UD) is involved at the Site, there would be potential impact on the proposed Agricultural Priority Areas and the application is not in line with the planning intention of the “AGR” zone; and one from an individual raising concerns on the potential traffic impact to the surrounding areas (**Appendix V**).

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary office 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 in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 Filling of land in 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 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.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards/warehouses, vehicle repair workshop, site office, parking of vehicles, residential structures, a chicken farm and vacant land along both sides of Kong Po Road and the abutting nullah. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) notes that there are no distinctive landscape resources or mature trees within the Site and has no adverse comment on the application from landscape planning perspective.
- 11.4 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, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise any potential environmental nuisance caused by the proposed use.
- 11.5 There are 17 approved similar applications within the same “AGR” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6.1 above. Approving the current application is in line with the Committee’ previous decisions.
- 11.6 Regarding the public comments as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant. Besides, any UD at the Site would be subject to planning enforcement action.

## 12. Planning Department's View

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments 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 22.5.2029. 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 22.11.2026;
- (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 22.2.2027;
- (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 22.11.2026;
- (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 22.2.2027;
- (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 materials 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 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 “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 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**

<b>Appendix I</b>	Application Form with attachments received on 26.3.2026 and 1.4.2026
<b>Appendix Ia</b>	FI received on 14.5.2026
<b>Appendix II</b>	Previous and similar applications
<b>Appendix III</b>	Government departments’ general comments
<b>Appendix IV</b>	Recommended advisory clauses
<b>Appendix V</b>	Public comments
<b>Drawing A-1</b>	Site layout plan
<b>Drawing A-2</b>	Land filling plan
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plan A-4</b>	Site photos

**PLANNING DEPARTMENT  
MAY 2026**