

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1227

- Applicant** : Mr. TANG Lok San
- Site** : Lot 109 (Part) in D.D. 110, Kam Tin North, Yuen Long
- Site Area** : About 1,649m²
- 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 Facilities 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 facilities 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 vacant, largely fenced-off and hard-paved with some self-seeded vegetation along the site boundary (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kam Tai Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the proposed use for storage of miscellaneous goods (such as packaged food, apparel, footwear, electronic goods and furniture) involves three single-storey structures with height of not more than 8m and a total floor area of about 674m² (40.9% of the Site) for warehouse and ancillary office, and an ancillary open storage area of about 102m² (6.2% of the Site) with a maximum stacking height of 3m (**Drawing A-1**). One loading/unloading space for medium goods vehicle (MGV) will be provided at the Site. The applicant also applies for regularisation of filling of land for the entire Site with concrete of not more than 0.2m in depth (to a level of not more than 8.0mPD) for site formation and vehicular circulation (**Drawing A-2**). Peripheral fencing of 3m in height will

be erected along the site boundary. No open storage outside the designated area, storage of dangerous goods, recycling, cleansing, repairing, dismantling 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 31.3.2026 (**Appendix I**) and 2.4.2026
- (b) Further Information (FI) received on 15.5.2026* (**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 support the pressing demand for indoor storage space in the New Territories. The temporary nature of the application would not jeopardise the long-term planning intention of the “AGR” zone. The proposed use is not incompatible with the surrounding areas; and
- (b) the applied filling of land is necessary to meet operation needs. Sufficient space will be provided for vehicles to manoeuvre smoothly within the Site and the proposed use will involve infrequent trips of only two anticipated vehicle trips per day during peak hour for L/UL by MGVs. Adverse impacts are not anticipated.

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 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.

5. Previous Application

There is no previous application involving the Site.

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. The surrounding areas of most of these application sites are generally occupied by brownfield uses with planning permissions, such as the distinctive cluster of brownfield sites to the southwest of the Site across Kong Po Road (**Plan A-1**). All these applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board 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/1226 in the vicinity of the Site as well as No. A/YL-KTN/1192 located to the further 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 vacant, largely fenced-off and hard-paved with some self-seeded vegetation along the site boundary; and
 - (b) accessible from Kam Tai Road via local tracks.
- 7.2 The surrounding areas are rural in character with an intermix of open storage/storage yards, vehicle repair workshop, parking of vehicles, scattered residential structures, grassland and vacant land to the south of Kong Po Road. To the further southwest is a cluster of brownfield uses with planning permissions, whereas the village settlements of Tai Kong Po are to the further northwest about 100m across a nullah and Kong Po Road (**Plans A-1 and A-2**).

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 departments do not support the application:

Agriculture and Nature Conservation

9.2.1 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 generally vacant. 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.

Environment

9.2.2 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 proposed use would not involve dusty operation but it would cause traffic of heavy vehicles (i.e. MGV). 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 proposed use would cause environmental nuisance to the residential structures nearby;
- (c) no comment on the applied filling of land;
- (d) there was no environmental complaint received against the Site in the past three years; and
- (e) advisory comments are at **Appendix IV**.

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, two public comments were received from the Kadoorie Farm and Botanic Garden Corporation and an individual, both objecting to the application mainly on the grounds that the proposed use is not in line with the planning intention of the “AGR” zone; there would be potential impacts on the proposed Agricultural Priority Areas; suspected unauthorized development (UD) is involved at the Site; and operators should be forced to invest modern facilities located within designated industrial park (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities 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 adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from drainage perspective and DEP has no comment on the applied filling of land from environmental perspective. 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 mainly with an intermix of open storage/storage yards, vehicle workshop, parking of vehicles, scattered residential structures, grassland and vacant land. A cluster of brownfield uses is to the further southwest of the Site across Kong Po Road and the village settlements of Tai Kong Po are to the further northwest about 100m across a nullah and Kong Po Road. 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 proposed use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated.
- 11.4 Whilst DEP does not support the application as the proposed use involves use of heavy vehicle and there are sensitive receivers in the vicinity of the Site, according to the applicant, peripheral fencing of 3m in height will be erected along the site boundary; and the proposed use will involve infrequent trips of not more than two anticipated trips per day during peak hour for L/UL by MGVs. To address DEP’s concerns, the applicant will be advised to follow the revised ‘CoP’ to minimise any potential environmental nuisance caused by the proposed use. The operation of the proposed use is also subject to the relevant pollution control ordinances.

- 11.5 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.
- 11.6 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. The current application warrants the similar planning circumstances and considerations of these approved similar applications. Approving the current application is in line with the Committee’ previous decisions.
- 11.7 Regarding the public comments as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant. Besides, any UD on the Site would be subject to planning enforcement action.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above 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

Appendix I	Application Form with attachments received on 31.3.2026 and 2.4.2026
Appendix Ia	FI received on 15.5.2026
Appendix II	Similar applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments

Drawing A-1	Site layout plan
Drawing A-2	Land filling plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
MAY 2026**