

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/755

- Applicant** : Hang Sing Limited represented by Metro Planning & Development Company Limited
- Site** : Lot 2224 (Part) in D.D. 118, Tai Tong, Yuen Long, New Territories
- Site Area** : 900 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Warehouse for Storage of Construction Materials and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse for storage of construction materials and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned “AGR” on the OZP (**Plan A-1a**). According to the Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years and filling of land within the “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission (**Plan A-4**).
- 1.2 According to the applicant, the application is to facilitate the relocation of the business in Shan Ha Tsuen, Yuen Long which is affected by the land resumption and clearance exercise under the Yuen Long South New Development Area (YLS NDA). Although the size of the Site (i.e. about 900 m²) is 45% (or about 280 m²) larger than its affected business in Shan Ha Tsuen (i.e. about 620 m²), the applicant considers that the Site is the most suitable location due to operational needs and its proximity to the affected business operation.
- 1.3 The Site is accessible from Tai Shu Ha Road East via a local track with an ingress/egress point at the southwest (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal consists of one single-storey structure (8m in height) for storage of construction materials with a loading/unloading space for medium goods vehicle (11m x 3.5m) with a floor area of not more than 800 m². The

applicant also proposes to regularise the land filling of the entire site (i.e. 900 m² with concrete in depth of about 0.2m) which has already been undertaken at the Site for operation needs. No workshop activities would be carried out on the Site. The operation hours are from 9:00 a.m. to 6:00 p.m. daily excluding Sundays and public holidays. Plans showing the vehicular access, site layout, drainage and fire service installations (FSIs) proposals submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.4 The Site was involved in four previous applications, including one application (No. A/YL-TT/608) for temporary warehouse use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2023 (details at paragraph 5 below). Compared with the last approved application (No. A/YL-TT/608), the current application is submitted by the same applicant for the same use with the same site layout and development parameters.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on **(Appendix I)** 24.11.2025
 - (b) Supplementary Information (SI) received on 27.11.2025 **(Appendix Ia)**
 - (c) Further Information (FI) received on 7.1.2026* **(Appendix Ib)**
 - (d) FI received on 23.3.2026* **(Appendix Ic)**
**accepted and exempted from publication and recounting requirements*
- 1.6 On 23.1.2026, the Committee agreed to the applicant's requests to defer making a decision on the application for two months.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FIs at **Appendices I to Ic**. They can be summarised as follows:

- (a) the applicant has conducted site search for relocating the affected business operation in Shan Ha Tsuen, and considers that the Site is the most suitable location due to operational needs and its proximity to the affected business operation;
- (b) the Site was covered by a previously approved application (No. A/YL-TT/608) for the same use submitted by the same applicant in 2023. However, there was insufficient time to implement the FSIs proposal and the planning permission was revoked in 2025;
- (c) the applicant will follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" ("CoP");
- (d) the application is temporary in nature and approval of the application would not frustrate the long-term planning intention of the "AGR" zone; and

- (e) the applied use is not incompatible with the surrounding areas. No adverse visual, traffic, fire safety and drainage impacts are anticipated.

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 obtaining consent of the “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The storage use on the Site would be subject to planning enforcement action.

5. **Previous Applications**

- 5.1 The Site was involved in four previous applications (No. A/YL-TT/92, 103, 292 and 608) for various temporary uses. Details of these previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.

Rejected Applications

- 5.2 Applications No. A/YL-TT/92, 103 and 292 for proposed temporary open storage for a period of three years were rejected by the Committee between 2000 and 2011. Considerations of these three previous applications are not relevant to the current application which involves a different use.

Approved Application

- 5.3 Application No. A/YL-TT/608 covering the same site of the current application for proposed warehouse for storage of construction materials for a period of three years was approved with conditions by the Committee on 13.10.2023 mainly on the considerations that the application had policy support from the Secretary for Development (SDEV); the application would not jeopardise the long-term planning intention of the “AGR” zone; the proposal was not incompatible with the surrounding land uses; and the technical concerns of relevant government departments could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval condition on implementation of FSIs proposal.

6. **Similar Applications**

- 6.1 There are 10 similar applications (No. A/YL-TT/575, 648, 651, 671, 717, 739, 741, 757, 766 and 775) for temporary warehouse with associated filling of land for a period of three years within the same “AGR” zone in the past five years. All of them were approved with conditions by the Committee between 2022 and 2026 mainly on similar considerations as those mentioned in paragraph 5.3 above; and

applications No. A/YL-TT/575, 651 and 757 had policy support from SDEV. Details of these similar applications are summarised in **Appendix II** and their locations are shown on **Plan A-1a**.

- 6.2 For Members' information, planning application No. A/YL-TT/782 for the same use within the subject "AGR" zone will also be considered by the Committee at this meeting (**Plan A-1a**).

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

7.1 The Site is:

- (a) currently occupied by the applied use without valid planning permission; and
- (b) accessible from Tai Shu Ha Road East via a local track.

7.2 The surrounding areas are predominantly rural in character comprising warehouses, open storage/storage yards, parking of vehicles intermixed with scattered residential dwellings and vacant/unused land.

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, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the subject "AGR" zone.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government bureau and department as set out in paragraphs 9.2 and 9.3 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 III** and **IV** respectively.

9.2 The following government bureau supports the application:

Policy Aspect

9.2.1 Comments of the SDEV:

- (a) the current application is to facilitate relocation of a warehouse for storage of construction materials in Yuen Long which was displaced by the YLS NDA. According to the applicant, a site search was conducted with a view to identifying suitable site for re-establishment of the affected business operation, and the site under

the current application is considered the most suitable for the relocation; and

- (b) subject to no adverse comment on the land use compatibility and technical aspects from relevant departments, the application is supported from the policy perspective.

9.3 The following government departments do not support the application:

Agriculture and Nature Conservation

9.3.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) the Site falls within the “AGR” zone and is generally occupied by structures. There are active agricultural activities 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 and plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the applied use is not supported from agricultural perspective;
- (b) no adverse comment from nature conservation point of view; and
- (c) should the application be approved, the applicant should note his advisory comments in **Appendix IV**.

Environment

9.3.2 Comments of the Director of Environmental Protection (DEP):

- (a) he does not support the application as there are residential uses in the vicinity and the applied use will cause traffic of heavy vehicles and environmental nuisance is expected;
- (b) there was no substantiated environmental complaint concerning the Site received in the past three years;
- (c) no adverse comment on the filling of land from environment perspective; and
- (d) should the application be approved, the applicant should note his advisory comments in **Appendix IV**.

10. Public Comment Received During the Statutory Publication Period

On 2.12.2025, the application was published for public inspection. During the statutory publication period, a public comment was received from an individual (**Appendix V**) objecting the application mainly on the ground that the approval condition of the previous planning permission was not complied with.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse for storage of construction materials and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP. The applied use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation. Nevertheless, according to the applicant, the application is to facilitate the relocation of the business based in Shan Ha Tsuen in Yuen Long which was affected by the land resumption and clearance exercise under the YLS NDA. Although the size of the Site (i.e. about 900 m²) is 45% (or about 280 m²) larger than its affected business in Shan Ha Tsuen (i.e. about 620 m²), the applicant considers that the Site is the most suitable location due to operational needs and its proximity to the affected business in Shan Ha Tsuen. To facilitate relocation of the business operation affected by the YLS NDA, SDEV supports the application from the policy perspective. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of three years.
- 11.2 The application also involves regularisation of filling of land already undertaken at the entire site with a depth of 0.2m with concrete for business operation. Filling of land within 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 adverse comment on the 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 applied use is considered not incompatible with the surrounding areas which are predominantly rural in character comprising warehouses, open storage/storage yards, parking of vehicles intermixed with scattered residential dwellings and vacant/unused land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) 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 (D of FS) have no objection to or no adverse comment on the application from traffic and fire safety aspects respectively. While DEP does not support the application as there are residential uses in the vicinity and the applied use will cause traffic of heavy vehicles and environmental nuisance is expected, there was no environmental complaint concerning the Site received in the past three years. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments, and the applicant will also be advised to follow the latest “CoP” to minimise potential environmental nuisances on the surrounding areas.
- 11.5 The Committee approved a previous application (No. A/YL-TT/608) for the same use at the Site in 2023 as detailed in paragraph 5 above. However, the planning permission was subsequently revoked in 2025 due to non-compliance with the

approval condition related to implementation of FSIs proposal. According to the applicant, there was insufficient time to implement the FSIs proposal. In support of current application, the applicant has submitted a FSIs proposal (**Drawing A-4**) and D of FS has no in-principle objection to the application. In view of the above, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.

- 11.6 There are 10 similar applications approved by the Committee in the past five years as mentioned in paragraph 6.1 above. Approval of the current application is in line with Committee's previous decisions.
- 11.7 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.6 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 22.5.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the implementation of the accepted 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;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of a revised 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;
- (d) in relation to (c) above, the implementation of the revised 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;
- (e) if the above planning condition (b) 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;
- (f) if any of the above planning condition (a), (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; and

- (g) upon expiry of the planning permission, the reinstatement of the site, including the removal of fill materials and hard paving 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 applied 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. No strong planning justification has been given 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 24.11.2025
Appendix Ia	SI received on 27.11.2025
Appendix Ib	FI received on 7.1.2026
Appendix Ic	FI received on 23.3.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Drainage Proposal
Drawing A-4	FSIs Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan

Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MAY 2026**