

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-MKT/63

- Applicant** : Ying Shing (Hopewell) Engineering Company Limited
- Site** : Lots 98, 99, 101 and 103 in D.D. 86 and Adjoining Government Land (GL), Man Kam To, New Territories
- Site Area** : About 2,032m² (including GL of about 60m², or about 3% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Man Kam To Outline Zoning Plan (OZP) No. S/NE-MKT/7
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (Storage of Construction Materials) 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 (storage of construction materials) with ancillary 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-1**). According to the Notes of the OZP, temporary use or development of any land or building 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 formed, partly hard-paved with a filled platform, occupied by some temporary structures and used for open storage of coaches and general goods without valid planning permission which adjoins a site covered by a valid planning permission under application No. A/NE-MKT/49 for a temporary vehicle repair workshop and open storage of vehicle (coaches only) and ancillary facilities¹ (**Plans A-2 and A-4a to A-4c**).
- 1.2 The Site is accessible from Lin Ma Hang Road to the north via a local track passing through the adjoining vehicle repair workshop under approved application No. A/NE-MKT/49 (**Plan A-2**). According to the submission, the proposed use consists of two

¹ Application No. A/NE-MKT/49 for temporary vehicle repair workshop and open storage of vehicles (coaches only) with ancillary facilities was approved with conditions by the Board on review on 12.12.2025, having regard to its unique circumstances, including the support from the Commissioner for Tourism, the applicant’s prominent market share in cross-boundary coach vehicle repair services supporting tourism development, the site’s suitability for such operations, the absence of adverse technical issues, its inclusion within the boundary of the future New Territories North New Town, and the temporary nature of the application. Members generally agreed that approval would not set a precedent for similar applications due to its distinctive characteristics.

single-storey structures with a total floor area of about 600m² and a building height of not more than 5m for a warehouse and an ancillary office. One private car parking space (5m (L) x 2.5m (W)) and one medium goods vehicle (MGV) loading/unloading (L/UL) space (11m (L) x 3.5m (W)) are proposed within the Site. The operation hours of the proposed use are between 9:00 a.m. and 5:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. No workshop activities will be carried out at the Site. Boundary fence will be erected at the Site. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 According to the applicant, a 7m-wide ingress/egress is proposed at the southwest of the Site and sufficient space will be provided within the Site for manoeuvring of vehicles. A swept path analysis for private car and MGV have been submitted in support of the application. According to the traffic management measures proposed by the applicant (**Appendix Ic**), an advance booking of parking and L/UL spaces will be required to prevent illegal parking; traffic signs and convex mirrors will be provided at the ingress/egress to ensure pedestrian safety; car gate will be kept open during daily operation hours to prevent vehicles from queuing outside the Site; and on-site staff will be deployed at the ingress/egress to manage the traffic flow during operation hours.
- 1.4 The applicant also applies for regularisation of land filling of about 1,792m² (or about 88% of the Site) with concrete by about 0.2m in depth for site formation purpose (**Drawing A-2**). According to the applicant, vegetation clearance and land filling have been conducted at the Site prior to the submission of the planning application in order to accommodate the proposed use, and no further land filling will be carried out at the Site.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 14.4.2026 (**Appendix I**)
 - (b) Supplementary Planning Statement (SPS) (**Appendix Ia**)
 - (c) Supplementary Information (SI) received on 17.4.2026 (**Appendix Ib**)
 - (d) Further Information (FI) received on 13.5.2026 and 14.5.2026* (**Appendix Ic**)
 - (e) FI received on 20.5.2026* (**Appendix Id**)
 - (f) FI received on 29.5.2026* (**Appendix Ie**)

* *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, SPS, SI and FIs at **Appendices I to Ie**, as summarised below:

- (a) the proposed use could meet the surging demand for land for storage of construction materials, which is necessary to support various development projects in the Northern Metropolis;
- (b) the proposed use, layout, form and scale are considered not incompatible with the surrounding areas where warehouses are commonly found along Lin Ma Hang Road;
- (c) the Site has been vacant for a long period of time and it has not been rehabilitated for agricultural activities. Besides, the proposed use is temporary in nature and would not

jeopardise the long-term planning intention of the “AGR” zone. The Site will be reinstated by the applicant upon expiry of the planning permission;

- (d) there are similar precedent cases (applications No. A/NE-MKT/34, 37, 49 and 56) approved by the Committee in the same “AGR” zone;
- (e) no significant adverse impacts in terms of environmental, drainage, etc. are anticipated;
- (f) the applicant has obtained the occupier’s consent to use the adjoining private lot (i.e. Lot 518 in D.D. 90) for vehicular access; and
- (g) the applicant will liaise with the Lands Department (LandsD) on the land administration matters should the Committee approve the application.

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 posting notice near the Site and sending notice to the Ta Kwu Ling District Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owner’s Consent/Notification” requirements are not applicable.

4. Background

- 4.1 The Site is currently not subject to any active enforcement action.
- 4.2 The Site was largely vegetated around the time of the gazettal of the draft Man Kam To Development Permission Area Plan No. DPA/NE-MKT/1 on 30.7.2010 (**Plan A-3b**). Extensive tree and vegetation clearance and land filling at the Site have been observed (**Plans A-3b** and **A-3c**). Recent site inspection revealed that suspected unauthorized storage and parking activities were identified at the Site. Storage use (including deposit of containers) and use for place for parking of vehicles on the Site would be subject to planning enforcement action.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Applications

- 6.1 There are 13 similar applications (No. A/NE-MKT/25, 26, 29, 31, 34, 35, 37, 39, 40, 46, 55, 56 and 61) for temporary warehouses with or without associated filling of land within the same “AGR” zone in the vicinity of the Site in the past five years (**Plan A-1**).

- 6.2 Amongst them, nine applications (No. A/NE-MKT/34, 35, 37, 39, 40, 46, 55, 56 and 61)² for proposed warehouses were approved by the Committee between July 2024 and May 2026 mainly on the considerations that the application was to facilitate relocation of business operations affected by government projects (i.e. Kwu Tung North/Fanling North, Yuen Long South and Hung Shui Kiu/Ha Tsuen New Development Areas) and the Secretary for Development (SDEV) rendered policy support to the application; there was no major adverse departmental comments on the application; and the proposed use was not entirely incompatible with the surrounding land uses.
- 6.3 The remaining four applications (No. A/NE-MKT/25, 26, 29 and 31) were rejected by the Committee/the Board on review in 2023 mainly for the reasons of having no strong planning justification for a departure from the planning intention of the “AGR” zone; and being failed to demonstrate that the proposed use would not induce adverse traffic, drainage, landscape and/or environmental impacts on the surrounding areas. For application No. A/NE-MKT/25, the site was subsequently covered by one of the approved similar applications (No. A/NE-MKT/56) for proposed temporary warehouse as mentioned in paragraph 6.2 above.
- 6.4 Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.
- 6.5 There is another similar application (No. A/NE-MKT/62) for proposed temporary warehouse (storage of construction materials) for a period of three years located to the southwest of the Site across Lin Ma Hang Road within the same “AGR” zone (**Plan A-1**), which will be considered by the Committee at this meeting.

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

- 7.1 The Site is:
- (a) formed, partly hard-paved with a filled platform, occupied by some temporary structures and used for open storage of coaches and general goods without valid planning permission;
 - (b) situated to the immediate southeast of a temporary vehicle repair workshop and open storage of vehicles (coaches only) with ancillary facilities covered by a valid planning permission under application No. A/NE-MKT/49, with no clear boundary fencing between them; and
 - (c) accessible from Lin Ma Hang Road to the north via a local track passing through the adjoining vehicle repair workshop under approved application No. A/NE-MKT/49.
- 7.2 The surrounding areas are of rural character mainly comprising warehouses, storage yards, temporary domestic structures, vegetated areas and tree clusters. To the south is a site subject to a planning enforcement action (No. E/NE-MKT/37) against unauthorized development (UD) involving use for place for parking of vehicles. To the further

² The planning permissions under applications No. A/NE-MKT/34, 35 and 40 were revoked on 20.9.2025, 19.4.2026 and 2.5.2026 respectively, due to non-compliance with approval conditions relating to the submission and/or implementation of drainage proposal/drainage impact assessment, fire services installations proposal, and/or traffic management measures.

northwest along Lin Ma Hang Road are four sites covered with valid planning permissions under applications No. A/NE-MKT/37, 39, 59 and 61 for temporary warehouses/retail shop. To the immediate southwest of the Site is a densely vegetated knoll zoned “Green Belt” (“GB”), which are permitted burial grounds for indigenous villagers, while another knoll zoned “GB” is located to the northeast.

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.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and the recommended advisory clauses are provided at **Appendices III** and **IV** respectively.
- 9.2 The following government departments object to/do not support the application.

Land Administration

9.2.1 Comments of the District Lands Officer/North, LandsD (DLO/N, LandsD):

- (a) he objects to the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contain the restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress of the Site is required to pass through GL but no right of access via GL is granted to the Site;
- (c) unless and until the unauthorised structure(s) and the unlawful occupation of GL are duly rectified by the lot owner(s)/applicant, it should be taken as his office’s objection to the application which must be brought to the attention of the Board when it considers the application; and
- (d) his other advisory comments are at **Appendix IV**.

Agriculture and Nature Conservation

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

Agriculture

- (a) as the Site processes potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective; and
- (b) the Site falls within the “AGR” zone and is generally vacant with some vehicles being parked. 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.;

Nature Conservation

- (c) he has no comment on the application from nature conservation perspective; and
- (d) his other advisory comments are at **Appendix IV**.

9.3 The following government departments provide views on the application.

Landscape

9.3.1 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) she has no adverse comment on the application from landscape planning perspective;
- (b) based on the aerial photo taken in 2025, the Site was located in an area of rural inland plain landscape character comprising scattered woodlands, village houses, warehouses, temporary structures, vegetated areas and tree clusters. The proposed use is considered not entirely incompatible with the surrounding environment;
- (c) with reference to site photos taken in April 2026, the Site was largely cleared without any trees and it had been largely paved. A temporary structure was observed in the southwestern portion of the Site. According to site visit in April 2026, no distinctive landscape resources were found on it. As stated in the application form at **Appendix I**, tree felling will not be involved;
- (d) notwithstanding the above, it is noted from the previous site photos that trees generally of common species and vegetation were present within the Site. However, as observed from the site photos in April 2026, trees and vegetation clearance have taken place and the Site has been largely paved; and
- (e) her other advisory comments are at **Appendix IV**.

Traffic

9.3.2 Comments of the Commissioner for Transport (C for T):

- (a) she has no adverse comment on the application from traffic engineering perspective;
- (b) after taking into consideration the location of the Site and the traffic conditions on Lin Ma Hang Road, should the application be approved, conditions should be included requesting the applicant to implement the proposed traffic management measures, and to maintain the implemented traffic management measures at all times during the planning approval period; and
- (c) her other advisory comments are at **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 21.4.2026, the application was published for public inspection. During the statutory public inspection period, six public comments were received (**Appendix V**). Amongst them, five comments from the Indigenous Inhabitant Representative of Muk Wu, Kadoorie Farm and Botanic Garden, World Wide Fund For Nature Hong Kong and two individuals object to the application mainly on the grounds that the proposed use will cause adverse traffic and ecological impacts on the surrounding areas, as well as pose risks to pedestrian safety and induce environmental nuisance to nearby residents; and the Site is the subject of suspected UD/involved in ongoing enforcement case(s) and not the subject of any previously approved application. One individual further points out that the adjoining site to the immediate northwest (application No. A/NE-MKT/49) was approved for vehicle repair workshop and open storage uses (i.e. brownfield uses) by the Board on review in 2025 to facilitate the relocation of brownfield operation, in which the planning considerations are not applicable to the current application. The remaining public comment from a member of the North District Council indicates no comment on the application.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (storage of construction materials) with ancillary office and associated filling of land for a period of three years at the Site which is zoned “AGR” on the OZP (**Plan A-1**). The proposed use 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. DAFC does not support the application from agricultural perspective as the Site possess potential for agricultural rehabilitation. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.
- 11.2 The applicant applies for regularisation of land filling of about 1,792m² (or about 88% of the Site) with a depth of about 0.2m for site formation purpose (**Drawing A-2**). Filling of land within “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 the public drainage viewpoint and the Director of Environmental Protection has no comment on the filling of land from environmental planning perspective.

- 11.3 The Site, being accessible from Lin Ma Hang Road to the north via an adjoining brownfield operation, is located in an area of rural character mainly comprising warehouses, storage yards, temporary domestic structures, vegetated areas and tree clusters (**Plans A-2, A-3a and A-3c**). While a temporary vehicle repair workshop and open storage of vehicles (coaches only) with ancillary facilities covered by a valid planning permission under application No. A/NE-MKT/49 is located to the immediate northwest of the Site (**Plan A-2**), that application was approved with conditions by the Board upon review based on its unique circumstances as mentioned in footnote 1 above, thus its planning considerations are not applicable to the current application. To the immediate south is a UD site involving parking of vehicles, which is currently subject to planning enforcement action. The Site is generally bounded by a densely wooded knoll zoned “GB” zone to the south (**Plans A-2, A-4a and A-4b**). CTP/UD&L, PlanD advises that though no distinctive landscape resources are found within the Site, trees and vegetation clearance have recently taken place and the Site had been largely paved³ (**Plans A-3b and A-3c**). Approving the current application would encourage further proliferation of similar brownfield uses into the inner part of the subject “AGR” zone and away from Lin Ma Hang Road, the cumulative impacts of which would result in a general degradation of the rural environment of the area.
- 11.4 DLO/N, LandsD objects to the application as there are unauthorised structure(s) and the unlawful occupation of GL at the Site. Other relevant government departments consulted, including the Director of Fire Services and C for T, have no objection to or no adverse comment on the application.
- 11.5 The Site is not subject to any previous approval for brownfield use. There are 13 similar applications for temporary warehouses with or without associated filling of land within the same “AGR” zone in the vicinity of the Site in the past five years (**Plan A-1**). In particular, all nine approved similar applications were related to the relocation of brownfield operations affected by government projects as detailed in paragraph 6.2 above. The planning considerations of these applications are not applicable to the current application in that the proposed use does not involve relocation of brownfield operation affected by the government project and no policy support has been given by the relevant bureau.
- 11.6 Regarding the public comments mentioned in paragraph 10 above, the government departments’ comments and planning assessments 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 comments in paragraph 10 above, PlanD does not support the application for the following reason:

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.

³ The vegetation clearance and land filling at the Site were conducted by the applicant as mentioned in paragraph 1.4 above.

12.2 Alternatively, 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 5.6.2029. The following conditions of approval and advisory clauses are 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 5.12.2026;
- (b) in relation to (a) above, the implementation of the drainage facilities 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 5.3.2027;
- (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 5.12.2026;
- (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 5.3.2027;
- (f) the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 5.3.2027;
- (g) in relation to (f) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (h) if any of the above planning condition (c) or (g) 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;
- (i) if any of the above planning condition (a), (b), (d), (e) or (f) 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
- (j) upon the expiry of the planning permission, the reinstatement of the Site, including removal of fill materials and hard paving, and grassing 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**.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, 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. Attachments

Appendix I	Application Form received on 14.4.2026
Appendix Ia	SPS
Appendix Ib	SI received on 17.4.2026
Appendix Ic	FI received on 13.5.2026 and 14.5.2026
Appendix Id	FI received on 20.5.2026
Appendix Ie	FI received on 29.5.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Proposed Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a to A-3c	Unmanned Aerial Vehicle Photo and Aerial Photos
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
JUNE 2026**