

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1124

- Applicant** : Gold Ride (Hong Kong) Limited represented by Metro Planning & Development Company Limited
- Site** : Lots 447 RP (Part) and 448 (Part) in D.D. 106 and adjoining Government Land (GL), Kam Sheung Road, Kam Tin South, Yuen Long
- Site Area** : About 4,186m² (including GL of about 191m² or about 4.6% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Other Specified Uses” annotated “Rural Use” (“OU(RU)”)
[Restricted to maximum plot ratio of 0.4 and maximum building height of 3 storeys (9m)]
- Application** : Temporary Open Storage of Construction Machinery, Construction Material, Vehicle and Vehicle Parts for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction machinery, construction material, vehicle and vehicle parts for a period of three years at the application site (the Site), which falls within an area zoned “OU(RU)” on the OZP (**Plan A-1a**). 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). The Site is currently hard-paved and occupied by the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kam Sheung Road via a local track (**Plans A-1a and A-3**). According to the applicant, the Site is sub-divided into three fenced-off portions and the applied use involves three plots of open area with a total area of about 2,000m² (about 47.8% of the Site) for open storage of construction materials (i.e. PVC pipe, tiles and U-channel moulds), machineries (i.e. miniature excavator and miniature electric generator), vehicles (e.g. private cars and light goods vehicles) and vehicle parts with a maximum stacking height of 5m and eight structures of one or two storeys with height of not more than 6m and a total floor area of about 610m² for ancillary storage, site offices, toilets and electricity metre room (**Drawing A-1**). No dangerous goods and dusty materials (e.g. cement, earth,

pulverized fuel ash, aggregates, silt, stonefines, sand, debris, sawdust and wooden chips) will be stored and no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be carried out at the Site at all times. Metal fencing of 2.5m in height is erected along the site boundary to minimise potential nuisance to the surrounding areas. 31 existing trees within the Site will be preserved (**Drawing A-2**). Three private car parking spaces and three loading/unloading (L/UL) spaces for light goods vehicle (one car parking space and one L/UL space for each portion) will be provided, and sufficient manoeuvring space are provided within the Site to ensure that no vehicle will turn back onto the local access. No vehicles exceeding 5.5 tonnes, including trailer/tractor will be allowed to enter/be stored at the Site. The operation hours are between 9:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The site layout plan and tree preservation plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

- 1.3 The Site, in part or in whole, was involved in 12 previous applications for various temporary open storage uses which were all approved by the Rural and New Town Planning Committee (the Committee) of the Board between 1998 and 2021 (**Plan A-1b**) (details in paragraph 6 below). All time-limited approval conditions under the last previous application (No. A/YL-KTS/865) were complied with and the permission lapsed on 26.3.2024. Compared with the last approved application, the current application is submitted by a different applicant for the same use covering the same site with changes in layout and development parameters (i.e. reduction in total floor area (-20m²/-3.2%) and increase in number of structures (+1/+14.2%)).
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments and (**Appendix I**)
Supplementary Information (SI) received on
13.4.2026 and 20.4.2026 respectively
 - (b) Further Information (FI) received on 21.4.2026* (**Appendix Ia**)
 - (c) FI received on 6.5.2026* (**Appendix Ib**)
 - (d) FI received on 18.5.2026* (**Appendix Ic**)
- * 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 FIs at **Appendices I to Ib** and can be summarised as follows:

- (a) The Site is subject to 12 previous planning applications for open storage use, and all the approval conditions of the last planning application had already been complied with. While the applied use remains the same as the last approved application, the layout and development parameters are changed, thus necessitating a fresh planning application. Open storage area is less than 50% under the current application to provide sufficient manoeuvring space.

- (b) There is a shortage of land for port back-up purpose in Yuen Long. The applied use is compatible with the surrounding areas and the temporary nature of the application would not frustrate the long-term planning intention of the “OU(RU)” zone. The planning circumstances of the current application are similar to the nearby open storage and port back-up uses applications recently approved.
- (c) The applied use would not induce adverse traffic, environmental and drainage impacts on the surrounding areas. The applicant will strictly follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department to minimise potential nuisance to the surrounding areas. In support of the current application, the applicant has submitted an as-built drainage plan.

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 site notice and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Member’s inspection.

4. Background

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

5. Town Planning Board Guidelines

The Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13G) and the Town Planning Board Guidelines for “Designation of “OU(RU)” Zone and Application for Development within “OU(RU)” Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 38) are relevant to the application. The Site falls within Category 3 areas under TPB PG-No. 13G. Relevant extracts of the said Guidelines are attached at **Appendix II**.

6. Previous Applications

The Site was involved in 12 previous applications (No. A/YL-KTS/136, 204, 220, 298, 333, 371, 427, 503, 586, 653, 757 and 865)¹ for various temporary open storage uses (including two for renewal of planning permission granted). All applications were approved with conditions by the Committee between 1998 and 2021, each for a period of either 18 months, two years or three years, mainly on the considerations that the proposed/applied use was not incompatible with the surrounding land uses; the application was generally in line with the Town Planning Board Guidelines for ‘Application for Open

¹ Applications No. A/YL-KTS/136, 204, 220, 298, 333 and 371 were approved under the then “Undetermined” zone on the Kam Tin South OZP. The application sites were rezoned to “OU(RU)” on the draft Kam Tin South OZP No. S/YL-KTS/10 gazetted on 22.9.2006.

Storage and Port Back-up Uses'; significant adverse environmental impact was not expected; temporary approval was an interim arrangement to alleviate the acute shortage of open storage land in the area; there was no change in planning circumstances (for renewal applications); and the relevant government departments consulted generally had no adverse comment or their concerns could be addressed by approval conditions. Planning permissions for applications No. A/YL-KTS/204, 503 and 586 were subsequently revoked between 2000 and 2021 due to non-compliance with time limited approval conditions. For the last approved application No. A/YL-KTS/865, all time-limited approval conditions have been complied with and the planning permission lapsed on 26.3.2024. Compared with the last approved application, the current application is submitted by a different applicant for the same use covering the same site with the changes in layout and development parameters as set out in paragraph 1.3 above. Details of the applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

7. **Similar Applications**

There are seven similar applications (No. A/YL-KTS/924, 933, 958, 1072, 1082, 1119 and 1123) covering four sites for various temporary open storage uses (including five for renewal of planning permission granted) within the same "OU(RU)" zone in the vicinity of the Site in the past five years. All applications were approved with conditions by the Committee between 2022 and 2026 each for a period of three years on the considerations similar to those mentioned in paragraph 6 above. Details of the similar applications are summarised in **Appendix III** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible from Kam Sheng Road via a local access; and
- (b) currently hard-paved and occupied by the applied use without valid planning permission.

8.2 The surrounding areas are rural in character with an intermix of brownfield operations (including warehouse/storage yards, open storage, vehicle repair workshops and depot) (some with valid planning permissions), site office (with valid planning permission), scattered residential structures, parking of vehicles, a garden, a religious institution, graves, vacant land, grassland and unused land. The Site is bounded by a nullah to its immediate west.

9. **Planning Intention**

The planning intention of the "OU(RU)" zone is primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities.

10. Comments from the Relevant Government Departments

All 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 IV** and **V** respectively.

11. Public Comment Received During Statutory Publication Period

On 21.4 .2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of construction machinery, construction material, vehicle and vehicle parts for a period of three years at the Site zoned “OU(RU)” (**Plan A-1a**). Whilst the applied use is not in line with the planning intention of the “OU(RU)” zone, there is currently no known proposal for long-term development involving the Site and approval of the application on a temporary basis will not frustrate the long-term planning intention of the “OU(RU)” zone. In view of the above and taking into account the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.
- 12.2 The applied use is considered not incompatible with the surrounding areas which are rural in character with a intermix of brownfield operations, site office, scattered residential structures, parking of vehicles, a garden, a religious institution, graves, vacant land, grassland, unused land and a nullah (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment from landscape planning perspective and considers that the applied use is not entirely incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied use is not anticipated.
- 12.3 The Site falls within Category 3 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that 12 previous approvals for similar or the same temporary open storage uses had been granted at the Site between 1998 and 2021 (**Plan A-1b** and **Appendix III**); all the approval conditions under the last previous application No. A/YL-KTS/865 had been complied with; and the relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services, Director of Environmental Protection and Commissioner for Transport have no adverse comment on or no objection to the current application. In addition, the application is also considered not in conflict with TPB PG-No. 38 in that the applied use would not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings, nor would it overstrain the capacity of existing and planned infrastructure. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. It is also

recommended to advise the applicant to follow the revised 'CoP' to minimise any potential environmental nuisance caused by the applied use.

- 12.4 There are 12 approved previous applications for the Site and seven approved similar applications within the same "OU(RU)" zone in the vicinity of the Site in the past five years as mentioned in paragraphs 6 and 7 above. Approving the current application is in line with the Committee's previous decisions.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above, PlanD has no objection to the application.
- 13.2 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 5.6.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a condition record of the existing drainage facilities within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.9.2026;
- (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 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;
- (d) in relation to (c) 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;
- (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; and
- (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.

Advisory clauses

The recommended advisory clauses are at **Appendix V**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied use is not in line with the planning intention of the “OU(RU)” zone, which is primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Board, with a view to upgrading or improving the area or providing support to the local communities. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form with attachments and SI received on 13.4.2026 and 20.4.2026 respectively
Appendix Ia	FI received on 21.4.2026
Appendix Ib	FI received on 6.5.2026
Appendix Ic	FI received on 18.5.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G and TPB PG-No. 38
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments’ General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Drawing A-2	Tree Preservation Plan
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 Photo

**PLANNING DEPARTMENT
JUNE 2026**