

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/614

- Applicant** : Mr. Kong Chun Ying represented by Metro Planning & Development Company Limited
- Site** : Various Lots in D.D. 129 and Adjoining Government Land (GL), Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 6,165m² (including GL of about 910m² or 14.8%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Recreation” (“REC”)
- Application** : Temporary Warehouse for Storage of Water Pumps and Motors for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse for storage of water pumps and motors for a period of three years at the application site (the Site) falling within an area zoned “REC” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use without valid planning permission (**Plans A-2, A-4a to A-4b**).
- 1.2 The Site, with ingress/egress point at its northwest, is accessible from Deep Bay Road via a local track (**Drawing A-2**). As shown on the layout plan at **Drawing A-1**, 13 structures of one to two storeys (about 2m to 8m in height) with a total floor area of about 4,018m² are erected for warehouses, site offices, toilets, store rooms, guard room, water tank and pump room purposes. As indicated in the submission, the warehouse will be used for storage of water pumps and cartoned motors. One loading/unloading (L/UL) space for light goods vehicle (LGV) will be provided. According to the applicant, the operation hours would be between 9 a.m. and 6 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan, vehicular access plan and as-built drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.
- 1.3 The Site is the subject of four previous applications for warehouse uses, including three applications (No. A/YL-LFS/320, 368 and 457) approved with conditions by

the Rural and New Town Planning Committee (the Committee) of the Board between 2018 and 2023 (details at paragraph 5 below). Compared to the last previous application No. A/YL-LFS/457, the current application is submitted by the same applicant for the same use with a similar layout but with a slightly larger site area (+565m²) and floor area (+293m²) and addition of eight structures.

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 15.5.2026 (Appendix I)
- (b) Supplementary Information (SI) received on 19.5.2026 (Appendix Ia)

2. Justifications from the Applicant

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

- (a) the planning intention of the “REC” zone will not be realised in the near future;
- (b) the applied use is compatible with the surrounding areas comprising mainly open storage yards, warehouses and rural workshops in terms of land use and development bulk;
- (c) the Site is the subject of three previous applications (No. A/YL-LFS/320, 368 and 457) for the same applied use. All the approval conditions of the last previous application No. A/YL-LFS/457 had been complied with. The current application is for regularisation of additional structures at the Site as requested by the Lands Department (LandsD);
- (d) the Site had been used as a sauce factory and food processing workshop before 1989 which were regarded as ‘Existing Use’. Upon the subsequent closure of the sauce factory and food processing workshop due to their relocation to the Mainland, the applicant turned the Site into a warehouse for storage of construction materials so as to maintain his living. Sympathetic consideration should therefore be given to the current application; and
- (e) the water pumps and motors which are clean and tidy would be stored within the warehouses. The storage items could be delivered by LGVs and the applied use would not generate significant adverse traffic and environmental impacts.

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 Ordinance (TPB PG-No. 31B) by posting site notice and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. **Background**

The warehouse 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-LFS/99, 320, 368 and 457), covering the majority of the Site, for warehouse with or without open storage use. Three of them were approved and one was rejected by the Committee/the Board on review. Details of these previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

Approved applications

- 5.2 Application No. A/YL-LFS/320 for temporary warehouse for storage of documents for a period of three years was approved with conditions by the Committee on 6.7.2018 mainly on considerations that temporary approval would not jeopardise the long-term planning intention; the applied use was not incompatible with the surrounding land uses; concerned government departments generally had no objection to the application and the technical concerns could be addressed by approval conditions. Nevertheless, the planning permission was subsequently revoked on 6.10.2020 due to non-compliance with time-limited approval conditions regarding the submission and implementation of the fire service installations (FSIs) proposal, as well as implementation of the revised drainage and tree preservation and landscape proposals.
- 5.3 Application No. A/YL-LFS/368 for temporary warehouse for storage of construction materials for a period of three years was approved with conditions by the Committee on 4.9.2020 mainly on similar considerations as mentioned in paragraph 5.2 above. Nevertheless, the planning permission was subsequently revoked on 4.2.2023 due to non-compliance with a time-limited approval condition regarding the implementation of FSIs proposal.
- 5.4 Application No. A/YL-LFS/457 submitted by the same applicant for the same use as the current application was approved with conditions by the Committee on 31.3.2023 mainly on similar considerations as mentioned in paragraph 5.2 above. All the approval conditions were complied with and the planning permission expired on 31.3.2026.

Rejected application

- 5.5 Application No. A/YL-LFS/99 for temporary warehouse and open storage of construction materials for a period of three years was rejected by the Board on review on 4.7.2003 mainly on grounds of not in line with the planning intention (with no strong justification for a departure from such intention) and the then Town Planning Board Guidelines No. 13C¹ in that the site was not covered by any previous planning permission and there were adverse departmental comments on traffic aspect; and setting an undesirable precedent.

¹ The then Town Planning Board Guidelines (TPB PG) No. 13C was related to application for open storage and port back-up uses. The latest version, i.e. TPB PG-No. 13G was promulgated in April 2023.

6. Similar Applications

- 6.1 Within the same “REC” zone, there are 14 similar applications involving temporary warehouse in the past five years, all of which were approved with conditions by the Committee between 2021 and 2026 mainly on similar considerations as mentioned in paragraph 5.2 above. Details of these similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.
- 6.2 A similar application (No. A/YL-LFS/615) also for warehouse use within the same “REC” zone will be considered by the Committee at the same meeting.

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

- 7.1 The Site is:
- (a) hard paved, largely covered by structures and being used for the applied use without valid planning permission; and
 - (b) accessible from Deep Bay Road via local track.
- 7.2 The surrounding areas are predominated by warehouses and open storage yards, some of which are covered by valid planning permissions. Other uses such as recycling workshop, graves and vacant land are also found in the vicinity of the Site.

8. Planning Intention

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department 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 are provided in **Appendices III and IV** respectively.
- 9.2 The following government department has reservation on the application:

Land Administration

- 9.2.1 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):
- (a) he has reservation on the application since there are unauthorized structure(s) on Lot 1690 in D.D.129 which is already subject to lease

enforcement actions according to case priority. The lot owner(s) should rectify and/or apply for regularisation of the lease breaches as demanded by LandsD; and

- (b) the applicant should note his advisory comments at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 22.5.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix V**) mainly questioning whether the approval conditions of the previous application have been complied with.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse for storage of water pumps and motors for a period of three years at the Site within the “REC” zone of the OZP (**Plan A-1**). Although the applied use is not in line with the planning intention of the “REC” zone, there is no known development proposal at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “REC” zone. Notwithstanding the above, the Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/clearance programme is currently being reviewed under the relevant investigation study and subject to change. Should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.
- 11.2 The Site is located in an area predominated by warehouses and open storage yards, some of which are covered by valid planning permissions. The applied use is considered not incompatible with the surrounding land uses.
- 11.3 Concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire Services (D of FS) have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety aspects respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by implementation of approval conditions recommended in paragraph 12.2 below. To minimise possible environmental nuisance, the applicant will also be advised to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’.
- 11.4 Regarding DLO/YL’s concern on the unauthorised structures within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 Three previous applications for temporary warehouse covering the majority of the

Site were approved by the Committee between 2018 and 2023 as detailed at paragraph 5 above (**Plan A-1**). The Committee has also approved 14 similar applications within the same “REC” zone in the past five years as detailed in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.

- 11.6 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant, and all the approval conditions of the last previous application had been complied with.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10, the Planning Department 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 **10.7.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site 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 **10.10.2026**;
- (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 **10.1.2027**;
- (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 **10.4.2027**;
- (e) if the above planning condition (a) 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 (b), (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 attached 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 is not in line with the planning intention of the "REC" zone, which is primarily for recreational developments for the use of the general public. 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 planning 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 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 15.5.2026
Appendix Ia	SI received on 19.5.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment Received During Statutory Publication Period
Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Drawing A-3	As-Built Drainage Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
JULY 2026**