

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/615

- Applicant** : Mr. CHAN Chi Hung represented by Mr. WONG Sun Wo William
- Site** : Various Lots in D.D. 129 and Adjoining Government Land (GL), Lau Fau Shan, Yuen Long
- Site Area** : About 3,355m² (including GL of about 370m² or 11.0%)
- 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 Construction Materials with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse for storage of construction materials with ancillary facilities 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 hard-paved and currently used for the applied use without valid planning permission (**Plans A-2, A-4a to A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via a local track, with the ingress/egress located at the western edge of the Site (**Drawing A-1**). As shown on the layout plan at **Drawing A-1**, four single-storey structures (about 3.5m to 8m in height) with a total floor area of about 705m² are erected for warehouse, fire service control room and toilet uses. According to the applicant, the applied temporary warehouse is for the storage of construction materials such as ceramic floor tiles and wall tiles. Three parking spaces for private cars and two loading/unloading spaces for light goods vehicles are also provided. The operation hours would be between 8 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 drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively. The Geotechnical Planning Review Report submitted in support of the application is at **Appendix Ib**.

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

- (a) Application Form with attachments received on 19.5.2026 (Appendix I)
- (b) Supplementary Information (SI) received on 27.5.2026 (Appendix Ia)
- (c) Further Information (FI) received on 16.6.2026* (Appendix Ib)
**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 SI at **Appendices I and Ia**. They can be summarised as follows:

- (a) the applied use for a period of three years is temporary in nature which will not jeopardise the long-term planning intention of the “REC” zone;
- (b) only temporary structures are involved and adverse environmental impact on the surrounding areas from the applied use is not anticipated; and
- (c) there are similar applications for warehouses in the vicinity of the Site which were approved by the Board.

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 sending notification letter to the “current land owner”. 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 Site is currently subject to an active planning enforcement case (No. E/YL-LFS/679) against unauthorized development (UD) involving storage use (including deposit of containers) and use for place for parking of vehicles. Enforcement Notice was issued on 27.2.2026 requiring discontinuation of the UD by 27.4.2026. Site inspection on 28.4.2026 revealed that the UD continued upon expiry of the notice and prosecution action is being considered.

5. **Previous Applications**

The Site was involved in three previous applications submitted by different applicants. Applications No. A/YL-LFS/351 and A/YL-LFS/400 for temporary public vehicle park and/or open storage were rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2020 and 2021 respectively. Application No. A/YL-LFS/495 for shop and services use was approved with conditions by the Committee in 2023 and the planning permission was subsequently revoked on 8.12.2024. The considerations of these previous applications are not relevant to the current application which is for a different

use. Details of the previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Applications

- 6.1 Within the same “REC” zone, there are 15 similar applications involving temporary warehouse use in the past five years, all of which were approved by the Committee mainly on the considerations that temporary approval would not jeopardise the long-term planning intention; the applied use was not incompatible with the surrounding areas; there was generally no adverse comment from concerned government departments and the technical concerns could be addressed by implementation of approval conditions. Details of the 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/614 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 and used for the applied use without valid planning permission;
 - (b) situated within the Lau Fau Shan Site of Archaeological Interest; and
 - (c) accessible from Deep Bay Road via a local track.
- 7.2 A registered man-made slope (No. 2SW-C/C84) falls within the Site (**Plan A-2**).
- 7.3 The surrounding areas are predominated by warehouses/open storage yards, vehicle repair workshop and parking of vehicles. Some of these uses are covered by valid planning permissions. Other uses such as residential dwellings (e.g. Deep Bay Villa and Hill Top Villa), unused land and shrubland are also found in the vicinity of the Site. The Permitted Burial Ground No. YL/59 is located to the east 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 Bureau/Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments 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, Lands Department (DLO/YL, LandsD):

- (a) the Site comprises Old Schedule Agricultural Lots (OSALs) and GL. The OSALs are held under Block Government Leases which contain the restriction that no structures are allowed to be erected without the prior approval of the Government. No permission is given for the occupation of GL (about 370m² subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28);
- (b) he has reservation on the current application since there are unauthorized structure(s) and/or use(s) on Lots 1796, 1797, 1798, 1800, 1801 and 1802 in D.D. 129 which are 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;
- (c) the GL within the Site has been unlawfully occupied with unauthorized structure(s) without permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice; and
- (d) the applicant should note his advisory comments at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 29.5.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

11.1 The application is for temporary warehouse for storage of construction materials with ancillary facilities for a period of three years 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/open storage yards, vehicle repair workshop and parking of vehicles, some of which are covered by valid planning permissions. Other uses such as residential dwellings (e.g. Deep Bay Villa and Hill Top Villa), unused land and shrubland are also found in the vicinity of the Site. 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, LandsD's concern on the unauthorised structures within the Site and the occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 The Committee has approved 15 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.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above, 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 submission of a revised 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 **10.1.2027**;
- (b) in relation to (a) above, the implementation of the revised 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 **10.4.2027**;
- (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 **10.1.2027**;
- (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 **10.4.2027**;
- (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; and
- (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.

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 19.5.2026
Appendix Ia	SI received on 27.5.2026
Appendix Ib	FI received on 16.6.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Bureau/Departments' General Comments
Appendix IV	Recommended Advisory Clauses

Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Drawing A-3	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**