

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/770

Applicant : Men Fung Investment Limited represented by Metro Planning & Development Company Limited

Site : Lot 1302 RP (Part) in D.D. 118, Tai Shu Ha Road West, Yuen Long

Site Area : 706 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 : Proposed Temporary Open Storage and 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 proposed temporary open storage and 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 paved and partly occupied by some temporary structures for storage use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Tai Shu Ha Road West via a local track with an ingress/egress point at the northwest (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal consists of an area of about 300m² (42.4% of the site area) for open storage of construction materials, including PVC pipes, sanitary ware etc., and two one-to-two storey structures (not more than 8.5m in height) for warehouse for storage of construction materials, site office and toilet uses with a total floor area of not more than 270m². One loading/unloading space for light goods vehicle (7m x 3.5m) would be provided within the Site. The applicant also proposes to regularise the filling of land which has already been undertaken for the entire site (i.e. 706m² with concrete of about 0.2m in depth) for site formation (**Drawing A-3**). The operation hours are from 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the

site layout, land filling area, drainage facilities and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site was involved in four previous applications (**Plan A-1b**), including one application (No. A/YL-TT/642) for the same uses as the current application for a period of three years approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2024 (details at paragraph 6 below). However, the planning permission was revoked in 2025 due to non-compliance with time-limited approval conditions. As compared with the last approved application, the current application is submitted by the same applicant at the same site with same layout and development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 16.2.2026 (**Appendix I**)
 - (b) Further Information (FI) received on 18.5.2026* (**Appendix Ia**)
*[*accepted and exempted from publication and recounting requirements]*
- 1.5 On 27.3.2026, the Committee agreed to the applicant's request 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 and FI at **Appendices I to Ia**. They can be summarised as follows:

- (a) the Site falls within the Category 2 areas under the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G), which is considered suitable for open storage activities;
- (b) the Site was covered by a previous planning permission (application no. A/YL-TT/642) which was subsequently revoked. The applicant clarifies that the non-compliance of approval conditions was mainly due to insufficient time. The applicant is committed to complying with all relevant approval conditions should this application be approved. To support the current application, the applicant has submitted a drainage proposal and a FSIs proposal (**Drawings A-3 and A-4**);
- (c) the proposed uses are not incompatible with the surrounding areas. Similar applications within the same "AGR" zone for open storage use were approved by the Committee;
- (d) as the Site is undulated and uneven in topography, filling of land is required for the proposed uses;
- (e) the applicant will follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" ("CoP") to minimise any potential environmental impacts;

- (f) the application is temporary in nature and approval of the application would not frustrate the long-term planning intention of the “AGR” zone; and
- (g) no adverse traffic, drainage and environmental impacts are anticipated.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

The TPB PG-No. 13G is relevant to the application. The Site falls within Category 2 areas under TPB PG-No. 13G. Relevant extract of the Guidelines is at **Appendix II**.

5. **Background**

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

6. **Previous Applications**

- 6.1 The Site was involved in three rejected previous applications (No.: A/YL-TT/89, 226 and 234) and an approved previous application (No. A/YL-TT/642) covering different uses and extents. Details of these previous applications are summarised in **Appendix III** and the boundaries of the sites are shown on **Plan A-1b**.

Rejected applications

- 6.2 Application No. A/YL-TT/89 for temporary marble workshop for a period of three years was rejected by the Board on review in 2001. Considerations of the application are not relevant to the current application which involves different uses.
- 6.3 Applications No. A/YL-TT/226 and 234 for temporary open storage of machinery with/without temporary warehouse for construction machinery and materials each for a period of three years, which were submitted by a different applicant as compared to the current application, were rejected by the Committee in 2008 and the Board on review in 2009 respectively on grounds of being not in line with the planning intention of “AGR” and the then TPB PG-No.13; setting an undesirable precedent; and insufficient information to demonstrate the proposed use would not cause adverse impacts on the surrounding areas.

Approved application

- 6.4 Application No. A/YL-TT/642 for the same uses as the current application was approved with conditions by the Committee in 2024 mainly on the considerations that being not incompatible with the surrounding uses; the departmental comments could be addressed by implementation of approval conditions; and in line with the

relevant TPB PG-No. 13G¹ and the Committee's previous decisions on similar applications. However, the planning permission was revoked in 2025 due to non-compliance with time-limited approval conditions related to submission and implementation of drainage and FSI proposals.

7. **Similar Applications**

- 7.1 There are 22 similar applications for proposed temporary open storage and/or warehouse with or without associated filling of land within the same "AGR" zone in the past five years. Details of these similar applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.

Approved applications

- 7.2 21 applications (No. A/YL-TT/575, 583, 608, 617, 648, 651, 671, 675, 695, 717, 737, 739, 741, 755, 757, 758, 759, 766, 775, 776 and 782) for proposed temporary open storage and/or warehouse with or without associated filling of land within the same "AGR" zone were approved with conditions by the Committee between 2022 and 2026 mainly on similar considerations as those mentioned in paragraph 6.4 above, and 12 of them had policy support from the Secretary for Development.

Rejected application

- 7.3 Application No. A/YL-TT/590 for proposed temporary public vehicle park and open storage of agricultural and construction machinery and materials for a period of three years with associated filling of land was rejected by the Committee in 2023 mainly on the grounds that there was no strong planning justification for a departure from the planning intention; the proposed open storage use was not in line with TPB PG-No. 13G in that no previous approval had been granted and there were adverse departmental comments and local objections; and the applicant failed to demonstrate that the land filling was essential for the proposed uses.

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

- 8.1 The Site is:

- (a) paved and partly occupied by some temporary structures for storage use without valid planning permission; and
- (b) accessible from Tai Shu Ha Road West via a local track.

- 8.2 The surrounding areas are rural in character comprising predominantly agricultural land intermixed with open storage/storage yards, vehicle repair workshops/workshop uses, animal boarding establishments, plant nurseries, graves and unused/vacant land. Some of these uses are covered by valid planning permissions.

¹ The Site has been re-classified from Category 3 to Category 2 areas under TPB PG-No. 13G promulgated on 14.4.2023.

9. Planning Intention

- 9.1 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.
- 9.2 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.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government department as set out in paragraphs 10.2 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 IV and V** respectively.

- 10.2 The following government department does not support the application:

Agriculture and Nature Conservation

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

- (a) the Site falls within the “AGR” zone and is generally vacant with some 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 proposed uses are not supported from agricultural perspective; and
- (b) no adverse comment from nature conservation point of view.

11. Public Comment Received During the Statutory Publication Period

On 24.2.2026, the application was published for public inspection. During the statutory publication period, a public comment from an individual was received providing views that the previous approval conditions have not been fulfilled and the approved period should be shortened to one year (**Appendix VI**).

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary open storage and warehouse for storage of construction materials and associated filling of land for a period of three years at the Site which is zoned “AGR” on the OZP. Although the proposed uses are not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective mainly on consideration that the Site

possesses potential for agricultural rehabilitation, taking into account the planning assessments below, there is no objection to the application on a temporary basis for a period of three years.

- 12.2 The application also involves regularisation of filling of land already undertaken for the entire site (i.e. 706m²) with concrete of not more than 0.2m in depth for site formation. 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 (CE/MN, DSD) and Director of Environmental Protection (DEP) have no objection to the application from drainage and environmental perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring 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.
- 12.3 The proposed uses are considered not incompatible with the surrounding areas which are rural in character comprising predominantly agricultural land intermixed with open storage/storage yards, vehicle repair workshops/workshop uses, animal boarding establishments, plant nurseries, graves and unused/vacant land, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 12.4 The Site falls within Category 2 areas under the TPB PG-No. 13G. The application generally complies with TPB PG-No.13G in that except DAFC, other relevant government departments consulted, including the Commissioner for Transport, CE/MN, DSD, DEP and Director of Fire Services (D of FS), have no objection to or no adverse comment on the application. Should the application be approved, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of concerned government departments. The applicant will also be advised to follow the latest “CoP” to minimise potential environmental nuisances on the surrounding areas.
- 12.5 The Committee has approved a previous application (No. A/YL-TT/642) for the same uses as the current application in 2024. However, the planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval conditions related to submission and implementation of drainage and FSIs proposals. The applicant clarifies that the non-compliance of approval conditions is mainly due to insufficient time and is committed to complying with all relevant approval conditions should this application be approved. In support of the current application, the applicant has submitted drainage and FSIs proposals and there is no objection to the application from CE/MN, DSD and D of FS. 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.
- 12.6 There are 21 approved similar applications for proposed temporary open storage and/or warehouse with or without associated filling of land at the same “AGR” zone in the past five years as mentioned in paragraph 7.2 above. Approval of the current application is generally in line with the previous decisions of the Committee.
- 12.7 Regarding the public comment as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.6 above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11 above, the Planning Department 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 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 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 10.1.2027;
- (e) in relation to (d) 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 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;
- (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; and
- (h) upon expiry of the planning permission, the reinstatement of the application site, including the removal of fill materials and hard paving and grassing of the application site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 proposed uses with associated filling of land are 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.

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 received on 16.2.2026
Appendix Ia	FI received on 18.5.2026
Appendix II	Relevant Extract of TPB PG-No. 13G
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Drawing A-3	Drainage Plan
Drawing A-4	FSIs 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 Photos

**PLANNING DEPARTMENT
JULY 2026**