

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1234

- Applicant** : King Way Investment Holding (HK) Limited represented by Mr. 黃榮健
- Site** : Lots 81 S.A RP, 81 S.B and 82 in D.D. 110, Kam Tin North, Yuen Long
- Site Area** : About 10,177.6m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Residential (Group C) 2” (“R(C)2”)
[restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m)]
- Application** : Temporary Open Storage of Private Cars for a Period of One Year

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of private cars for a period of one year at the application site (the Site), which falls within an area zoned “R(C)2” on the OZP (**Plan A-1**). 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 fenced-off, hard-paved and used for the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Kam Tai Road (**Plans A-1 to A-3**). According to the applicant, the applied use involves the use of the entire Site for open storage of about 404 unlicensed electric private cars to be sold (**Drawing A-1**). No structure is proposed at the Site. No cleansing, repairing, dismantling or other workshop activities will be involved at the Site at all times. The operation hours (for transporting the private cars) will be between 9:00 a.m. and 5:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 26.5.2026 (**Appendix I**)
 - (b) Further Information (FI) received on 29.6.2026* (**Appendix Ia**)

- (c) FI received on 16.7.2026* (Appendix Ib)
- (d) FI received on 20.7.2026* (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 Ic**, and can be summarised as follows:

- (a) a land exchange application for residential development at the Site is currently under processing by the Lands Department (LandsD). To optimise the utilisation of scarce land resources, temporary use for a period of one year could make good use of the Site prior to LandsD's approval of the land exchange application, particularly to accommodate the open storage operations displaced by various New Development Areas;
- (b) the unauthorised open storage of vehicles and containers at the Site under the Enforcement Notice (No. E/YL-KTN/721) issued by the Planning Authority has been discontinued by the applicant;
- (c) adverse traffic and environmental impacts on the surrounding areas are not anticipated; and
- (d) regarding the lease breaches at the Site as raised by LandsD, the applicant has rectified the situation by removing the unauthorized structures within the Site.

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 Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance' (TPB PG-No. 13G) promulgated by the Board on 14.4.2023 are relevant to the application. The Site falls within Category 4 areas under TPB PG-No. 13G, and the relevant extracts of which are at **Appendix II**.

5. **Background**

The Site is currently subject to active planning enforcement case (No. E/YL-KTN/764) against unauthorized development (UD) involving storage use (**Plan A-2**). Enforcement Notice was issued on 12.6.2026 requiring discontinuation of the UD by 12.7.2026. Site inspection on 14.7.2026 revealed that the UD still continued upon expiry of the notice, prosecution is being considered.

6. Previous Application

The central portion of the Site is the subject of a previous application No. A/YL-KTN/458 for temporary dog kennel cum dog recreation centre approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2015, and its considerations are not relevant to the current application due to different uses involved. Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. Similar Application

There is no similar application for temporary open storage of private cars within the same “R(C)2” zone in the vicinity of the Site in the past five years.

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

8.1 The Site is:

- (a) accessible from Kam Tai Road; and
- (b) currently fenced-off, hard-paved and used for the applied use without valid planning permission.

8.2 The surrounding areas are rural fringe in character predominated by low-rise residential developments (including Seasons Monarch to its west (about 30m) and Seasons Villas to its further east (about 250m)) and residential structures/village settlements (including those in Pang Ka Tsuen and Shek Kong San Tsuen located to the south of the Site within the “Residential (Group D)” zone), open storage/storage yard/parking of vehicles (without valid planning permissions), grassland and vacant land. A watercourse running from the east to the northwest is located to the south of the Site. To the north across Kam Tai Road is Kam Tin River.

9. Planning Intention

The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

10. Comments from Relevant Government Departments

10.1 Apart from the government departments as set out in paragraph 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, if any, are provided at **Appendices IV** and **V** respectively.

- 10.2 The following government departments have adverse comments or provide views on the application:

Land Administration

- 10.2.1 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):

- (a) he has adverse comments on the application;
- (b) the Site comprises Lot Nos. 81 S.A RP, 81 S.B and 82 all in D.D. 110 which are Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structure is allowed to be erected without the prior approval of the Government;
- (c) it is noted that no structure is proposed in the application; and
- (d) LandsD has reservation on the planning application since there are unauthorized building works and/or uses on Lot No. 81 S.B in D.D. 110 (warning letter was issued on 27.8.2014 and registered against the Lot in Land Registry on 17.11.2014) which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularise the lease breaches as demanded by LandsD.

Traffic

- 10.2.2 Comments of the Commissioner for Transport (C for T):

- (a) Kam Tai Road is a single carriageway with limited road capacity. Considering the large number of vehicles to be stored on Site, the traffic impact arisen due to the applied use is unknown especially when there is no traffic review and delivery plan available;
- (b) the applicant should provide traffic review and assess the traffic impact to Kam Tai Road when the vehicles are delivering to the Site. If delivery is split into several days, the delivery plan shall be provided;
- (c) the applicant should provide information on how to control the vehicles going in / out the site;
- (d) the applicant should demonstrate the smooth manoeuvring of vehicles to / from Kam Tai Road;
- (e) the applicant should indicate the clear width of the vehicular ingress/egress on the layout plan and carry out works for run-in/out according to Highways Department's standard drawing; and
- (f) advisory comments are at **Appendix V**.

11. **Public Comments Received During Statutory Publication Period**

On 2.6.2026, the application was published for public inspection. During the statutory public inspection period, 27 public comments were received from individuals, including 25 objecting to the application (including 23 in form of standard letters) mainly on the grounds that the Site has been used for the applied use without planning permission and the applied use will cause adverse drainage, environmental, fire safety and traffic impacts on the surrounding areas; and another two providing views on the application that the Site should be reinstated to its original state before obtaining planning permission; the applied use will cause adverse pedestrian safety impacts; and appropriate drainage facilities should be provided by the applicant to address the flooding problem in the area (**Appendix VI**).

12. **Planning Considerations and Assessments**

12.1 The application is for temporary open storage of private cars for a period of one year at the Site zoned “R(C)2” (**Plan A-1**). The applied use is not in line with the planning intention of the “R(C)2” zone, which is intended for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. There is no strong planning justification given in the submission for a departure of the planning intention, even on a temporary basis.

12.2 The Site is currently fenced-off, hard-paved and currently used for the applied use without valid planning permission and subject to active planning enforcement action (**Plans A-1 to A-4b**), and located in an area rural fringe in character predominated by village settlements/residential developments, where the nearest residential house of the low-rise residential development (i.e. Seasons Monarch) is only about 30m away from its west (**Plans A-2 and A-3**). Although there are open storage/storage yards and parking of vehicles in the vicinity of the Site, they are suspected UD's subject to planning enforcement actions by the Planning Authority. The applied use is considered not compatible with the surrounding areas.

12.3 The Site falls within Category 4 areas under TPB PG-No. 13G. The following considerations in the Guidelines are relevant:

Category 4 areas: applications for open storage and port back-up uses would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals, and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning application and included in the applications relevant technical assessments/proposals to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. Planning permission for a maximum period of three years may be allowed for an applicant to identify suitable sites for relocation.

- 12.4 C for T advises that Kam Tai Road is a single carriageway with limited road capacity and considers that given the large number of vehicles to be stored on Site, the traffic impact arisen due to the applied use is unknown especially when there is no traffic review and delivery plan available. DLO/YL, LandsD has adverse comments on the application since there is/are unauthorized structures and/or uses on the concerned lot of the Site. Other relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection, Director of Fire Services and Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD), have no objection to or no adverse comment on the application.
- 12.5 The application is considered not in line with TPB PG-No. 13G in that no previous approval for the applied use has been granted at the Site; there are adverse comments from the relevant department and local objections; there is insufficient information in the submission to demonstrate that the applied use would not have adverse traffic impact on the surrounding areas. Besides, there is no similar application approved within the same “R(C)2” zone in the past five years. Although the application is applied for a period of one year mainly to better utilise the Site during LandsD’s processing of the land exchange application at the Site, there is no strong justification to support the application.
- 12.6 Regarding the public comments as mentioned in paragraph 11, the departmental comments and planning assessments 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 comments mentioned in paragraph 11 above, PlanD does not support the application for the following reasons:
- (a) the applied use is not in line with the planning intention of the “Residential (Group C) 2” zone, which is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
 - (b) the applied use is not in line with the Town Planning Board Guidelines on ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13G) in that there is no previous approval granted at the site; there are adverse departmental comments on the application; and the applicant fails to demonstrate that the applied use would not have adverse traffic impact on the surrounding areas.
- 13.2 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 one year until 24.7.2027. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a Drainage Impact Assessment 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 24.10.2026;
- (b) in relation to (a) above, the implementation of the Drainage Impact Assessment 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 24.1.2027;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the compliance with fire safety requirements 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 24.1.2027;
- (e) the submission of a run-in/out proposal at Kam Tai Road within 3 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board by 24.10.2026;
- (f) in relation to (e) above, the implementation of the run-in/out proposal at Kam Tai Road within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 24.1.2027;
- (g) 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
- (h) 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.

Advisory clauses

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

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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

- 14.3 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.

15. Attachments

Appendix I	Application Form with attachments received on 26.5.2026
Appendix Ia	FI received on 29.6.2026
Appendix Ib	FI received on 16.7.2026
Appendix Ic	FI received on 20.7.2026
Appendix II	Relevant extracts of TPB PG-No. 13G
Appendix III	Previous application
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public Comments
Drawing A-1	Site layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a and A-4b	Site photos

**PLANNING DEPARTMENT
JULY 2026**