

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/607

- Applicant** : Chung Kin Engineering (International) Limited represented by Metro Planning & Development Company Limited
- Site** : Various Lots in D.D. 129 and Adjoining Government Land (GL), Lau Fau Shan, Yuen Long
- Site Area** : About 3,780m² (Including GL of about 13m² or 0.3%)
- 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 Open Storage of Construction Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction materials for a period of three years at the application site (the Site) (**Plan A-1a**) falling within the “REC” zone on the OZP. 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 hard-paved, partly vacant and partly used for the applied use in the eastern portion without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Deep Bay Road with an ingress/egress located at the southwest of the Site (**Drawing A-1**). As shown on the layout plan at **Drawing A-1**, an area of about 2,680m² (or 70.9% of the Site) is designated for open storage of construction materials, such as elevated working platform (**Plan A-4**). Two one-to two-storey structures (not exceeding 8m in height) with a total floor area of about 130m² are proposed for site office, electricity meter room and toilet. Two loading/unloading (L/UL) spaces for light goods vehicles (LGVs) are provided. According to the applicant, no medium goods vehicle, heavy goods vehicle or container trailer/tractor will be allowed to enter/park at the Site. No workshop activities are to be carried out at the Site. The operation hours are between 9 a.m. and 7 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan, vehicular access plan, drainage proposal and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

1.3 The Site, in part or in whole, was involved in five previous applications for temporary plastic recycling workshop and various temporary open storage uses. The last previous application No. A/YL-LFS/560, covering the eastern part of the Site and submitted by the same applicant for temporary open storage of elevated working platform, was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 10.10.2025. However, the planning permission was subsequently revoked in 2026 due to non-compliance with time-limited approval conditions (details at paragraph 6 below).

1.4 A comparison of the major development parameters between the last previous application and the current application is as follows:

	Previously Approved Application No. A/YL-LFS/560 (a)	Current Application No. A/YL-LFS/607 (b)	Difference (b) - (a)
Site Area	About 1,730m ² (all private land)	About 3,780m ² (Including GL of 13m ²)	+2,050m ² (+118%)
Total Floor Area	About 104m ²	Not more than 130m ²	+26m ² (+25%)
Area Designated for Open Storage Use	About 1,200m ²	About 2,680m ²	+1,480m ² (+123%)
No. of Structures	2		No change
Building Height	Not more than 7 m and 2 storeys	Not more than 8 m and 2 storeys	Maximum height +1m (+14%)
No. of Parking Spaces	Nil		No change
No. of L/UL Spaces	1 for LGV	2 for LGVs	+1 for LGV (+100%)
Operation Hours	9 a.m. to 7 p.m. from Mondays to Saturdays, no operation on Sundays and public holidays		No change

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

- (a) Application Form with attachments received on 24.3.2026 **(Appendix I)**
- (b) Further Information (FI) received on 23.4.2026* **(Appendix Ia)**
- (c) FI received on 12.5.2026* **(Appendix Ib)**
- (d) FI received on 26.5.2026* **(Appendix Ic)**

** accepted and exempted from publication and recounting requirements*

1.6 On 22.5.2026, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

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**. They can be summarised as follows:

- (a) the applicant would like to extend the open storage operations in the eastern portion of the Site which was previously covered by planning permission under application No. A/YL-LFS/560 to the adjoining lots;
- (b) the applied use is temporary in nature for a period of three years and would not jeopardise the long-term planning intention of the “REC” zone;
- (c) the applied use is of insignificant scale, and is not incompatible with the surrounding areas predominated by open storage yards and warehouses;
- (d) the applied use would not involve felling of trees;
- (e) 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) where open storage use would be favourably considered; and
- (f) the applied use will have insignificant traffic, environmental and noise 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 “Owner’s Consent/ Notification” Requirements are not applicable.

4. **Town Planning Board Guidelines**

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) promulgated by the Board on 14.4.2023 are relevant to the application. The Site falls within the Category 2 areas under the TPB PG-No. 13G. The relevant extract of the Guidelines is attached at **Appendix II**.

5. **Background**

The middle and western parts of the Site are subject to two active planning enforcement cases (No. E/YL-LFS/675 and 676) (**Plan A-2**) against unauthorized developments (UDs) involving storage use and parking of vehicles respectively. Enforcement Notices were issued on 11.12.2025 requiring the UD to be discontinued by 11.3.2026. Recent site inspection revealed that the subject areas were generally vacant. The cases are currently under monitoring.

6. **Previous Applications**

- 6.1 The Site, in whole or in part, was involved in five previous applications (No. A/YL-LFS/26, 38, 123, 134 and 560) for temporary plastic recycling workshop and various temporary open storage uses. Details of these previous applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

Rejected applications

- 6.2 Applications No. A/YL-LFS/26, 38 and 123 for temporary open storage of construction materials or recycling plastic materials workshop were rejected by the Board on review and the Committee between 1998 and 2005 mainly on considerations that no strong planning justifications for departure from the planning intention were provided; the proposed use was not compatible with the surrounding land uses or rural character; there was insufficient information to demonstrate the proposed use would not have adverse traffic, drainage, environmental or landscape impacts; and setting of undesirable precedent. Application No. A/YL-LFS/123 was also considered as not being in line with the then TPB-PG No. 13C as the Site fell within Category 3 areas at that time.
- 6.3 Application No. A/YL-LFS/134 for temporary plastic recycling workshop was rejected by the Committee in 2005. The considerations of this rejected application are not relevant to the current application which is for a different use.

Approved application

- 6.4 Application No. A/YL-LFS/560 covering the eastern part of the Site and submitted by the same applicant for proposed temporary open storage of elevated working platform was approved with conditions by the Committee on 10.10.2025¹ mainly on considerations that temporary approval would not jeopardise the long-term planning intention of the “REC” zone; the proposed use was not incompatible with the surrounding land uses; and the proposed use was in line with TPB PG-No. 13G in that concerned government departments generally had no objection to the applications and the technical concerns could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked in April 2026 due to non-compliance with time-limited approval conditions on submission and/or implementation of revised drainage and FSIs proposals.

7. **Similar Applications**

- 7.1 Within the same “REC” zone, there are 14 similar applications for various open storage uses in the past five years, all of which have been approved. Details of these similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.
- 7.2 Application No. A/YL-LFS/451 was approved with conditions by the Committee on 3.2.2023 mainly on considerations that the applied use was in line with the then TPB PG-No. 13F in that the site was subject to previous permissions, and there had been no major change in planning circumstances since the granting of the previous

¹ The site and its adjoining areas were reclassified from Category 3 to Category 2 areas under TPB PG-No. 13G promulgated on 14.4.2023.

permissions; and concerned government departments generally had no objection to the application and the technical concerns could be addressed by implementation of approval conditions.

- 7.3 13 applications (No. A/YL-LFS/479, 493, 504, 505, 514, 515, 516, 555, 568, 570, 583, 594 and 596) were approved with conditions by the Committee between 2023 and 2026 on similar considerations as stated in paragraph 6.4 above.

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

8.1 The Site is:

- (a) currently hard-paved, partly vacant and partly used for the applied use without valid planning permission;
- (b) accessible from Deep Bay Road via a local track; and
- (c) located within the Lau Fau Shan Site of Archaeological Interest.

8.2 The surrounding areas are predominated by storage/open storage yards and warehouses, some of which are covered by valid planning permissions. Other uses such as parking of vehicles and residential dwellings are also found in the vicinity of the Site.

9. 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.

10. Comments from Relevant Government Bureau/Departments

10.1 Apart from the government department as set out in paragraphs 10.2 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 in the Recommended Advisory Clauses are provided in **Appendices IV and V** respectively.

10.2 The following government department has concern on the application:

Land Administration

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

- (a) The Site comprises GL and Old Schedule Agricultural Lot(s) held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior

approval of the Government.

- (b) The GL within the Site (about 13m² subject to verification) has been unlawfully occupied without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice;
- (c) The applicant should note his advisory comments at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 31.3.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VI**) objecting to the application mainly on the grounds that the Site has long been hard paved and used for open storage operations without planning permission, and raising concern on reclassifying the Site to Category 2 areas under TPB PG-No. 13G.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of construction materials for a period of three years at the Site falling within the "REC" zone on the OZP (**Plan A-1a**). While 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 be advised not to carry out any substantial works therein.
- 12.2 The Site is located in an area predominated by storage/open storage yards and warehouses, some of which are covered by valid planning permissions. The applied use is considered generally not incompatible with the surrounding land uses.
- 12.3 According to TPB PG-No. 13G, the Site falls within Category 2 areas. The application is in line with TPB PG-No. 13G in that there are no adverse comments from concerned government departments including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire Services (D of FS) from environmental, traffic, drainage and fire safety perspectives respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by implementation of approval conditions recommended in paragraph 13.2 below. To minimise any possible environmental nuisance on the surrounding areas, the applicant will also be advised to adopt the latest 'Code of Practice on

Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’.

- 12.4 Regarding DLO/YL’s concern on the unlawful occupation of GL within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.5 Part of the Site was involved in a previous application (No. A/YL-LFS/560) submitted by the same applicant for similar open storage use, which was approved with conditions by the Committee on 10.10.2025. However, the planning permission was subsequently revoked in 2026 due to non-compliance with time-limited approval conditions regarding submission and/or implementation of the revised drainage and FSIs proposals. In this regard, the applicant has submitted drainage and FSIs proposals in support of the current application (**Drawings A-3 and A-4**), and CE/MN of DSD considers the drainage proposal acceptable and D of FS has no objection to the application. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should they fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications.
- 12.6 There are 14 similar applications within/straddling the subject “REC” zone approved by the Committee between 2023 and 2026 as detailed at paragraph 7 above (**Plan A-1a**). Approval of the current application is in line with the previous decisions of the Committee.
- 12.7 Regarding the public comment as detailed 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 above and having taken into account the public comment mentioned in paragraph 11, 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 **24.7.2029**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the implementation of the accepted 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 **24.4.2027**;
- (b) in relation to (a) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (c) the submission of a revised fire service installations proposal within **6 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **24.1.2027**;

- (d) in relation to (c) above, the implementation of the revised fire service installations proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **24.4.2027**;
- (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 attached 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 "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.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning 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 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 24.3.2026
Appendix Ia	FI received on 23.4.2026
Appendix Ib	FI received on 12.5.2026
Appendix Ic	FI received on 26.5.2026
Appendix II	Extract of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13G)
Appendix III	Previous and Similar Applications
Appendix IV	Government Bureau/Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment Received During Statutory Publication Period

Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Drawing A-3	Drainage Proposal
Drawing A-4	FSIs Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Location Plan with Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
JULY 2026