

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1361

<u>Applicant</u>	:	Yield Well Management Limited represented by Aikon Development Consultancy Limited
<u>Site</u>	:	Various Lots in D.D. 121, Tong Yan San Tsuen, Yuen Long
<u>Site Area</u>	:	4,739 m ² (about)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Tong Yan San Tsuen (TYST) Outline Zoning Plan (OZP) No. S/YL-TYST/14
<u>Zoning</u>	:	“Residential (Group D)” (“R(D)”) <i>[Restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]</i>
<u>Application</u>	:	Proposed Temporary Vehicle Repair Workshop and Open Storage of Vehicles with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary vehicle repair workshop and open storage of vehicles with ancillary facilities for a period of three years at the application site (the Site) falling within an area zoned “R(D)” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced-off, mostly vacant and partly occupied by an animal boarding establishment (i.e. dog kernel) without valid planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site with the ingress/egress at its southeastern part is accessible from Long Hon Road via a local track (**Plans A-2 and A-3**). According to the applicant, the proposed uses involve temporary vehicle repair workshop for routine maintenance and mechanical repairs of medium/heavy goods vehicles (M/HGVs) and open storage of vehicles. Ten single-storey structures (not exceeding 7m in height) with a total floor area of about 1,561m² are provided for vehicle repair workshop, storage and office uses. All the vehicle repair workshop activities will be taken place in indoor area and the area used for open storage is about 1,000m² (i.e. about 21.1%

of the site area). Three parking spaces for private cars and three loading and unloading (L/UL) spaces for HGVs will be provided. The operation hours are from 9 a.m. to 6 p.m. from Mondays to Saturdays and there will be no operations on Sundays and public holidays. An existing footpath of about 1.2m-wide in the northeastern portion of the Site will be remained as a public passageway connecting to Long Hon Road. The footpath will be fully accessible to the public and the applicant will be responsible for the maintenance of the footpath. Plans showing the vehicular access leading to the Site and site layout submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 According to the applicant, the current application is to facilitate the relocation of its existing operation (at various lots in D.D. 124) affected by the land resumption and clearance exercise under the Second Phase Development of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). Thus, there is an imminent need for the existing operator to secure a relocation site to continue its affected operation. The applicant has conducted a site search to identify suitable site for the relocation of the affected operation and the Site is identified as the most suitable site for relocation. The Site (i.e. about 4,739m²) is larger than the original premises (i.e. about 1,700m²) as the applicant would like to upgrade and expand its business scale due to growing demand in the region.
- 1.4 The major development parameters of the current application are summarised as follows:

Site Area	About 4,739 m ²
Total Floor Area (Non-domestic)	About 1,561 m ²
No. and Height of Structures	10 • for vehicle repair workshop, storage and site offices (7m, 1 storey)
No. of Parking Spaces	3 (for private cars) (5m x 2.5m each)
No. of L/UL Spaces	3 (for HGVs) (11m x 3.5m each)
Operation Hours	9:00 a.m. to 6:00 p.m., with no operation on Sundays and Public Holidays

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 5.6.2026 **(Appendix I)**
 - (b) Further Information (FI) received on 15.7.2026* **(Appendix Ia)**
 - (c) FI received on 22.7.2026* **(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 FIs (**Appendices I to Ib**). They can be summarised as follows:

- (a) the current application aims to relocate an existing vehicle repair workshop and open storage of vehicles operations affected by the Second Phase Development of the HSK/HT NDA;
- (b) the applicant has conducted a site search to identify suitable site for the relocation of the affected operation. Other alternative sites had been reviewed but considered not appropriate;
- (c) approval of the application on a temporary basis will not jeopardise the long-term planning of the area and is compatible with the surrounding areas;
- (d) there are similar planning applications approved for temporary open storage use in the “R(D)” zone in recent years. Therefore, approval of the current application will not set an undesirable precedent; and
- (e) there will be no adverse traffic, environmental and drainage impacts from the proposed uses. The applicant pledges to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) should the application be approved.

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 Town Planning Ordinance (TPB PG-No. 31B) by published notice in local newspaper and sending notice to the Ping Shan Rural Committee. 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 Backup Uses” (TPB PG-No. 13G) promulgated by the Board on 14.4.2023 is relevant to the application. The Site falls within Category 3 areas under TPB PG-No. 13G. The relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The animal boarding establishment on the Site is a suspected unauthorized development (UD) which would be subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site was, in part or in whole, involved in 14 previous applications for various temporary uses, including 10 applications (No. A/YL-TYST/4, 5, 44, 80, 119, 129, 145, 158, 182 and 670) for temporary open storage use.

Approved Applications

- 6.2 Applications No. A/YL-TYST/4, 5, 44, 80 and 129 were approved with conditions each for a period of 12 months or 3 years by the Rural and New Town Planning Committee (the Committee) or by the Board upon review between 1997 and 2001 mainly on the considerations that the proposal would not jeopardise the long-term development of the area; the concerns of relevant government departments could be addressed by implementation of conditions; and the approval of temporary use would not have significant impact on the surrounding areas.

Rejected Applications

- 6.3 Applications No. A/YL-TYST/119, 145, 158, 182 and 670 were rejected by the Committee or by the Board upon review between 2001 and 2014 mainly on the grounds that there were adverse environmental and traffic impacts to the surrounding areas; the development was not compatible with the surrounding environment; no strong justification was provided for a departure from the planning intention of the “R(D)” zone; and the application did not comply with the then TPB PG-No. 13E in that there were adverse departmental comments and local objections against the application.
- 6.4 The remaining four applications (No. A/YL-TYST/262, 784, 968 and 1163) were for temporary recycling facility and temporary animal boarding establishment, and their considerations are not relevant to the current application which involves different uses. Details of the previous applications are summarised in **Appendix III** and the boundaries of the sites are shown on **Plan A-1b**.

7. Similar Applications

There are four similar applications (No. A/YL-TYST/1234, 1323, 1325 and 1326) involving three sites for temporary open storage use with/without vehicle repair workshop or other uses within the subject “R(D)” zone in the past five years. All applications were approved by the Committee mainly on similar considerations as mentioned in paragraph 6.2 above. Details of these similar applications are summarised in **Appendix IV** and the locations of the sites are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible from Long Hon Road via a local track (**Plans A-2 and A-3**); and
- (b) currently paved, fenced-off, mostly vacant and partly occupied by an animal boarding establishment (i.e. dog kernel) without valid planning permission (**Plans A-4a and A-4b**).

- 8.2 The surrounding areas comprise predominantly warehouses and open storage/storage yards with scattered residential structures, parking of vehicles, agricultural land, unused land and vacant land/structures (**Plan A-2**).

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

10. Comments from Relevant Government Bureau/Departments

10.1 Apart from the government bureau/department as set out in paragraphs 10.2 and 10.3 below, other 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 V** and **VI** respectively.

10.2 The following government bureau supports the application:

Policy Aspect

10.2.1 Comments of the Secretary for Development (SDEV):

- (a) the application is to facilitate the relocation of a brownfield operation providing vehicle workshop previously located in Hung Shui Kiu. The brownfield operation has been affected by the Second Phase development of the HSK/HT NDA.
- (b) according to the applicant, a site search was conducted with a view to identifying a suitable site for re-establishment of the affected business operation, and that the current application site is considered the most suitable for relocation. Whilst the application site area is larger than the original premises of the affected business operation, the applicant claims that the larger site is needed for enhancing internal circulation with provision of parking and manoeuvring spaces for the operation; and
- (c) subject to no adverse comments on land use compatibility and technical aspects from concerned departments, the application is supported from policy perspective.

10.3 The following government department does not support the application:

Environment

10.3.1 Comments of the Director of Environmental Protection (DEP):

- (a) he does not support the application as there are residential buildings located within 100m of the site boundary (**Plan A-2**) and the proposed uses will cause traffic of heavy vehicles, environmental nuisance is expected;
- (b) there was no environmental complaint concerning the Site received in the past three years; and

- (c) should the application be approved, the applicant should note his advisory comments in **Appendix VI**.

11. Public Comment Received During the Statutory Publication Period

On 12.6.2026, the application was published for public inspection. During the statutory public inspection period, a public comment was received from an individual objecting the application as the proposed uses are not in line with the planning intention of “R(D)” zone and not compatible with the residential developments nearby (**Appendix VII**).

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary vehicle repair workshop and open storage of vehicles with ancillary facilities for a period of three years at the Site zoned “R(D)” on the OZP. Although the proposed uses are not in line with the planning intention of the “R(D)” zone, there is no known development proposal at the Site for the time being. According to the applicant, the application is to facilitate the relocation of business operation affected by the Second Phase Development of HSK/HT NDA. The applicant has conducted a site search before identifying the Site as the most suitable for the relocation. While the size of the Site (i.e. about 4,739 m²) is larger than that of the affected operation (i.e. about 1,700 m²), the applicant states that such increase in site area is considered necessary due to the need of expanding the business in view of growing business demand. To facilitate smooth clearance for the HSK/HT NDA and to provide operating space for displaced brownfield operations still needed by the community, SDEV supports the application from policy perspective.
- 12.2 Under the Revised Recommended Outline Development Plan of Yuen Long South New Development Area (YLS NDA), the Site falls within an area zoned “Residential – Zone 5” under the Third Phase of YLS NDA. In this regard, the Chief Engineer/Cross-Boundary Infrastructure and Development of Planning Department (PlanD) and Project Manager (West) of Civil Engineering and Development Department have no objection to the application. Taking into account the above and the planning assessments below, approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area.
- 12.3 The surrounding areas comprise predominantly warehouses and open storage/storage yards with scattered residential structures, parking of vehicles, agricultural land, unused land and vacant land/structures (**Plans A-2 and A-3**). The proposed uses are generally not incompatible with the surrounding land uses.
- 12.4 The application is considered generally in line with TPB PG-No. 13G in that policy support is rendered by SDEV to the application for relocation of the affected uses/operations to the Site; and other relevant government departments consulted, including the Commissioner for Transport (C for T), Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to or no adverse comment on the application from traffic, drainage and fire safety perspectives respectively. While DEP does not support the application as there are sensitive receivers of residential use in the vicinity of the Site (with the

nearest one located to its immediate east) (**Plan A-2**) and the applied uses will involve heavy vehicle traffic thus environmental nuisance is expected, there has been no substantiated environmental complaint concerning the Site received in the past three years. Should the application be approved, the applicant will be advised to follow the latest “CoP” to minimise possible environmental nuisance on the surrounding areas and to keep the Site clean and tidy at all times. To address the technical requirements of other concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. The applicant will also be advised that the planning permission does not condone any other development/use found on the Site (i.e. animal boarding establishment) but not covered by the application.

- 12.5 The Site was involved in five previous approvals for temporary open storage use which were granted between 1997 and 2001. Although there were five previous applications for temporary open storage use rejected by the Committee or by the Board upon review between 2001 and 2014 on the considerations stated in paragraph 6.3 above, the circumstances of the current application are different in that policy support is rendered by SDEV and C for T has no objection to the application, and DEP’s concern could be addressed as mentioned in paragraph 12.4 above. The considerations of these rejected applications are not applicable to the current application.
- 12.6 Four similar applications for temporary open storage use with/without vehicle repair workshop or other uses within/straddling the subject “R(D)” zone were approved by the Committee in the past five years as stated in paragraph 7 above. Approval of the current application is generally in line with the Committee’s previous decisions.
- 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, PlanD 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 submission of a 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 24.1.2027;
- (b) in relation to (a) above, the implementation of the 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;

- (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 24.1.2027;
- (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 24.4.2027;
- (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 at **Appendix VI**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed uses are not in line with the planning intention of the "R(D)" zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas into permanent buildings and for low-rise, low-density residential development. 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 5.6.2026
Appendix Ia	FI received on 15.7.2026
Appendix Ib	FI received on 22.7.2026
Appendix II	Extract of the TPB PG-No. 13G
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comment
Appendix VIII	The Good Practice Guidelines for Open Storage Sites
Drawing A-1	Location Plan
Drawing A-2	Site Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photos
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JULY 2026**