

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1222

<u>Applicant</u>	: Pearl River Holdings Limited represented by R-riches Planning Limited
<u>Site</u>	: Lot 4115 (Part) in D.D. 104, Kam Tin North, Yuen Long
<u>Site Area</u>	: About 690m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
<u>Zoning</u>	: “Other Specified Uses” annotated “Railway Reserve” (“OU(Railway Reserve)”)
<u>Application</u>	: Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Open Storage of Construction Materials and Facilities for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary open storage of construction materials and facilities for a period of three years at the application site (the Site), which falls within an area zoned “OU(Railway Reserve)” 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 hard-paved, fenced-off, erected with some temporary structures and used for the applied use without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from San Tam Road via a local track (**Plans A-2 to A-4**). According to the applicant, the applied use involves two structures of not more than two storeys (with height of not more than 8m) and a total floor area of about 436m² for warehouse / storage of miscellaneous goods (such as packaged herbal medicine, apparel, footwear and electronic goods), ancillary office, toilet, covered loading/unloading (L/UL) area and rain shelter, as well as ancillary open storage areas for construction materials (such as bricks, scaffold and steel beam) of about 71m² (10.3% of the Site) with a maximum stacking height of 3m (**Drawing A-1**). Two parking spaces for private car and one L/UL space for light goods vehicle are provided at the Site. Peripheral solid metal fencing of 2.5m in height is erected along the site boundary on all sides to minimise environmental nuisance

to the surroundings. No open storage outside the designated area, dismantling, maintenance, recycling, cleansing, paint spraying or other workshop activities will be involved at the Site at all times. The operation hours are between 8:00 a.m. and 7:00 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 25.3.2026 (**Appendix I**) and 27.3.2026
- (b) Further Information (FI) received on 24.6.2026* (**Appendix Ia**)
- (c) FI received on 9.7.2026* (**Appendix Ib**)
- (d) FI received on 22.7.2026* (**Appendix Ic**)

** accepted and exempted from publication and recounting requirements*

1.4 On 22.5.2026, the Rural and New Town Planning Committee (the Committee) of the Board 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**, and can be summarised as follows:

- (a) the applied use is in support of the local warehousing industry in the New Territories. The temporary nature of the application will not frustrate the long-term planning intention of the “OU(Railway Reserve)” zone;
- (b) sufficient space is provided for vehicles to manoeuvre smoothly within the Site and the applied use will generate infrequent trips. Adverse environmental and traffic impacts are not anticipated. In support of the current application, the applicant has submitted record of existing drainage facilities and fire service installations (FSIs) proposal; and
- (c) the applicant undertakes to terminate the applied use and vacate the Site upon land resumption by the Government for implementation of the Northern Metropolis Highway (NMH) (San Tin Section) project.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

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

4. **Background**

The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under Town Planning Ordinance will be undertaken.

5. **Previous Applications**

The Site is the subject of four previous applications (No. A/YL-KTN/440, 515, 653 and 841) for temporary open storage (including one renewal of temporary approval granted) which were all approved with conditions by the Committee between 2014 and 2022, and their considerations are not relevant to the current application due to different use involved. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. **Similar Application**

There is a similar application No. A/YL-KTN/783 for temporary warehouse straddling the same “OU(Railway Reserve)” zone in the vicinity of the Site in the past five years. The application was approved with conditions by the Committee in 2021 mainly on the considerations that approving the application on a temporary basis would not jeopardise the long-term planning intention of the “OU(Railway Reserve)” zone; the applied use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments could be addressed by approval conditions. Details of the similar application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible from San Tam Road via a local track; and
- (b) currently hard-paved, fenced-off, erected with some temporary structures and used for the applied use without valid planning permission.

7.2 The surrounding areas are rural in character with an intermix of storage yards, warehouse, parking of vehicles, shop and services and eating place¹, hobby farm, residential structures, grassland, farmland and vacant land to the north, east and south of the Site, whereas to the west are San Tam Road, which is about 30m from the Site, and San Tin Highway (**Plans A-1 to A-3**).

¹ A planning application (No. A/YL-KTN/1247) for temporary shop and services and eating place with ancillary facilities is submitted for the consideration of the Committee at the same meeting.

8. **Planning Intention**

The planning intention of the “OU(Railway Reserve)” zone is primarily for railway development. According to the Explanatory Statement of the OZP, the “OU(Railway Reserve)” zone is for the proposed Northern Link (NOL)².

9. **Comments from Relevant Government Departments**

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided in **Appendices III** and **IV** respectively.

9.2 The following government department has adverse comment on the application:

Land Administration

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

- (a) has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lot No. 4115 in D.D. 104 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;
- (c) LandsD has reservation on the application since there is/are unauthorized structure(s) on Lot No. 4115 in D.D. 104 which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
- (d) advisory comments are at **Appendix IV**.

9.3 The following government departments have specific views on the application:

Railway Development

9.3.1 Comments of the Chief Engineer/Railway Development 1-1, Highways Department (CE/RD1-1, HyD):

- (a) no adverse comment on the application from railway development viewpoint;
- (b) the Site is located outside the authorized scheme boundary of NOL Main Line; and

² The scheme of NOL Main Line (**Plan A-2**) has been authorized under the Railways Ordinance (Cap. 519) on 8.4.2025.

(c) advisory comments are at **Appendix IV**.

9.3.2 Comments of the Chief Estate Surveyor/Railway Development, LandsD (CES/RD, LandsD):

the Site does not overlap with any authorized railway project nor gazetted proposed railway project currently being handled by his office.

Project Interface

9.3.3 Comments of the Chief Engineer 6/Major Works, HyD (CE6/MW, HyD):

according to the latest gazetted NMH alignment, the Site falls within the works area of the proposed NMH (San Tin Section). The main construction works is planned for commencement in 2027, subject to funding approval.

10. Public Comment Received During Statutory Publication Period

On 10.4.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application mainly on the ground that the approval conditions under the previous application No. A/YL-KTN/841 were not complied with (**Appendix V**).

11. Planning Considerations and Assessments

11.1 The application is for temporary warehouse (excluding dangerous goods godown) with ancillary open storage of construction materials and facilities for a period of three years at the Site zoned “OU(Railway Reserve)” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “OU(Railway Reserve)” zone, CE/RD1-1, HyD and CES/RD, LandsD have no adverse comment on the application and advise that the Site does not fall within the authorized scheme boundary of NOL Main Line (**Plan A-2**) or other authorized/proposed railway project. In this regard, it is considered that approving the application on a temporary basis would not frustrate the long-term planning intention of the “OU(Railway Reserve)” zone. Besides, according to the applicant, the applied use is in support of the local warehousing industry in the New Territories. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.

11.2 The applied use is considered not incompatible with the surrounding areas which are rural in character with an intermix of storage yards, warehouse, parking of vehicles, shop and services and eating place, hobby farm, residential structures, grassland, farmland, vacant land and roads. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) advises that no distinctive landscape resources or mature trees are observed within the Site.

11.3 From project interface perspective, whilst CE6/MW, HyD advises that the Site falls within the works area of the proposed NMH (San Tin Section) project, the

applicant undertakes to terminate the applied use and vacate the Site upon land resumption by the Government for implementation of the NMH (San Tin Section) project. Should the Committee decide to approve the application, the applicant will be advised to terminate the applied use and vacate the Site upon request by the relevant government departments for the implementation of NMH (San Tin Section) project at any time during the planning approval period.

- 11.4 Other relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services who consider the submitted FSIs proposal acceptable, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the applied use. Regarding DLO/YL, LandsD's concern on the unauthorized structure(s) on the concerned lot of the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 There is an approved similar application for the same use straddling the same "OU(Railway Reserve)" zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee's previous decision.
- 11.6 Regarding the public comment as mentioned in paragraph 10, the previous application No. A/YL-KTN/841 for temporary open storage at the Site was submitted by a different applicant.

12. Planning Department's View

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, PlanD 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 14.8.2029. 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 14.2.2027;
- (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 14.5.2027;

- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted 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 14.5.2027;
- (e) 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
- (f) if any of the above planning condition (a), (b) 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 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 "OU(Railway Reserve)" zone which is primarily for railway development. 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 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 the 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 25.3.2026 and 27.3.2026
Appendix Ia	FI received on 24.6.2026
Appendix Ib	FI received on 9.7.2026
Appendix Ic	FI received on 22.7.2026

Appendix II	Previous and similar applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comment
Drawing A-1	Site layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
AUGUST 2026**