

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-KTN/1251**

|                           |                                                                                                                          |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b><u>Applicant</u></b>   | : Promise Luck Limited represented by Miss WAI Siu Yiu                                                                   |
| <b><u>Site</u></b>        | : Lots 1198 S.B (Part) and 1199 RP (Part) in D.D. 109, Kam Tin, Yuen Long                                                |
| <b><u>Site Area</u></b>   | : About 7,400m <sup>2</sup>                                                                                              |
| <b><u>Lease</u></b>       | : Block Government Lease (demised for agricultural use)                                                                  |
| <b><u>Plan</u></b>        | : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11                                                       |
| <b><u>Zoning</u></b>      | : “Village Type Development” (“V”)<br><i>[restricted to a maximum building height (BH) of 3 storeys (8.23m)]</i>         |
| <b><u>Application</u></b> | : Temporary Open Storage of Construction Materials and Machineries with Ancillary Facilities for a Period of Three Years |

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary open storage of construction materials and machineries with ancillary facilities for a period of three years at the application site (the Site), which falls within an area zoned “V” 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, vacant at the southern portion and used for the applied use without planning permission at the northern portion (**Plans A-2, A-4a and A-4b**).
- 1.2 According to the applicant, the potential tenant of the Site is a brownfield business operator, namely 速拼國際有限公司, and the application is to facilitate the relocation of its open storage operation at a site of about 15,000m<sup>2</sup> in Mai Po Lung, San Tin, which is affected by the Government project of San Tin Technopole (STT)<sup>1</sup>. The site of the affected operation has been resumed by the Government.

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<sup>1</sup> No information provided by the applicant (such as tenancy agreement) to demonstrate that said brownfield operator is affected by the development of STT.

- 1.3 The Site is accessible from Kong Tai Road (**Plans A-2 and A-3**). According to the applicant, the applied use involves a total area of about 5,150m<sup>2</sup> (about 69.6% of the Site) for open storage of construction materials and machineries (such as steel pipes, metal frames, metal scaffolds, distribution box and cargo lift) with a maximum stacking height of 4m, and 15 single-storey structures of not more than 5m in height and total floor area of about 526m<sup>2</sup> for ancillary storage rooms, staff rest room and site office (**Drawing A-1**). Peripheral fencing of 3m in height with sound-proofing materials with surface density of not less than 10kg/m<sup>2</sup> will be erected along the western and eastern boundaries of the Site. No spraying, packaging, dismantling, cleansing, repairing or other workshop activities will be involved at the Site, and no open storage/parking of vehicles at the buffer area at all times. Two parking spaces for light goods vehicle, four parking spaces for heavy goods vehicle (HGV), six parking spaces for container trailer and one loading/unloading space for crane lorry of 30 tonnes in maximum will be provided within the Site. The operation hours will be between 9:00 a.m. and 6:00 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**
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 22.6.2026 (**Appendix I**) and 30.6.2026
  - (b) Further Information (FI) received on 20.7.2026\* (**Appendix Ia**)
  - (c) FI received on 30.7.2026\* (**Appendix Ib**)
  - (d) FI received on 10.8.2026\* (**Appendix Ic**)
  - (e) FI received on 11.8.2026\* (**Appendix Id**)

*\* 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 Id**, and can be summarised as follows:

- (a) the potential tenant of the Site is a brownfield business operator and the application is to facilitate the relocation of its original open storage operation in Mai Po Lung, San Tin, which is affected by the implementation of STT. The affected site has been resumed by the Government;
- (b) the applied use is temporary in nature which will not frustrate the long-term planning intention of the Site. The items stored at the Site will be gradually decreased over time as it will be transported to the construction sites; and
- (c) the stormwater will be discharged to Kam Tin River through the proposed drainage system within the Site, and thus disturbance to the nearby watercourse (**Plan A-2**) during operation and construction phases is not anticipated. A drainage proposal has been submitted in support of the application. The applicant will implement

mitigation measures such as water spraying system and tree planting along the Site boundary to minimise the impact on the surrounding areas. Moreover, the proposed car parking provision is to meet the operational need and the applied use will generate infrequent trips.

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

The applicant is not a ‘current land owner’ but has complied with the requirement 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 publishing newspaper notice and sending notice to the Pat Heung 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 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 not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be taken.

6. **Previous Applications**

The Site is involved in three previous applications No. A/YL-KTN/168, 640 and 1048 for proposed 74 houses and minor relaxation of BH restriction from 8.23 to 9m; temporary public vehicle park; and temporary shop and services respectively, which are not relevant to the current application due to different uses involved. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

7. **Similar Application**

7.1 There is no similar application for temporary open storage of construction materials and machineries within the same “V” zone in the vicinity of the Site in the past five years.

7.2 One similar application No. A/YL-KTN/1252 for temporary open storage use submitted by the same applicant as the current application within the same “V” zone will be considered at the same meeting (**Plan A-2**).

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

### 8.1 The Site is:

- (a) currently fenced-off, hard-paved, vacant at the southern portion and used for the applied use without planning permission at the northern portion; and
- (b) accessible from Kong Tai Road.

8.2 The surrounding areas are rural in character with an intermix of residential structures/village houses, open storage/storage yards (without valid planning permission, including two sites to the west across Kong Tai Road under on-going applications No. A/YL-KTN/1250 and 1252 for temporary shop and services and open storage respectively, which are submitted by the same applicant as the current application and to be considered at the same meeting, and a site to its northwest subject to active planning enforcement action No. E/YL-KTN/773 for storage use (**Plan A-2**)), village office, grassland and vacant land. To the further southwest across Kam Tin Bypass are the village settlements of Kam Tin Shing Mun San Tsuen and Tai Hong Wai. To the east about 50m is the low-rise residential development namely Seasons Monarch (四季名園) within the “Residential (Group C)2” zone. To the south across a watercourse is a piece of reconstructed wetland zoned “Conservation Area (1)” to restore and enhance the ecological value of the area affected by the railway and road projects. A watercourse extends along the southern boundary of the Site from the east and discharges into the Kam Tin River to the northwest.

## 9. **Planning Intention**

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

## 10. **Comments from Relevant Government Departments**

All government 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.

## 11. Public Comments Received During Statutory Publication Period

On 3.7.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received from individuals objecting to the application mainly on the grounds that the Site has been used for the applied use before approval; the applied use is not in line with the planning intention of “V” zone and incompatible with the surrounding areas; the approval conditions under the previous approval were not complied with; the applied use involving storage of construction materials, the use of HGV and hard-paved surface will cause adverse environmental, traffic and drainage impacts on the surrounding areas (**Appendix VI**).

## 12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of construction materials and machineries with ancillary facilities for a period of three year at the Site zoned “V” (**Plan A-1**). The applied use is not in line with the planning intention of the “V” zone which is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. Whilst the applicant claims that the current application is submitted for a potential tenant who is a brownfield business operator, namely 速拼國際有限公司 to facilitate the relocation of its open storage operation at a site in Mai Po Lung, San Tin, which is affected by the government project of STT, there is no information submitted by the applicant to substantiate its claim. 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 fenced-off, hard-paved, vacant at the southern portion and used for the applied use without planning permission at the northern portion (**Plans A-1 to A-4b**), and the surrounding areas are rural in character with an intermix of residential structures/village houses, village office, grassland, watercourse, wetland and vacant land. Although there are open storage/storage yards in the vicinity of the Site, including two sites to the west across Kong Tai Road under on-going applications No. A/YL-KTN/1250 and 1252 for temporary shop and services and open storage respectively, which are submitted by the same applicant as the current application and to be considered at the same meeting and a site to its northwest (**Plan A-2**), they are UD's subject to on-going 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 Whilst relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, 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, 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, and there are local objections. Besides, there is no similar application approved within the same “V” zone in the past five years.
- 12.5 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 “Village Type Development” zone, which is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects, and land within this zone is primarily intended for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
  - (b) the applied use is not compatible with the surrounding land uses; and
  - (c) 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 for open storage use at the site and there are local objections.
- 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 three year 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 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 14.2.2027;
- (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 14.5.2027;
- (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 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 14.2.2027;
- (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 14.5.2027;
- (f) the submission of a run-in/out proposal at Kong 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 Town Planning Board by 14.2.2027;
- (g) in relation to (f) above, the implementation of the run-in/out proposal at Kong Tai Road within **9** 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 14.5.2027;
- (h) 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
- (i) if any of the above planning condition (a), (b), (d), (e), (f) or (g) 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**

|                            |                                                                       |
|----------------------------|-----------------------------------------------------------------------|
| <b>Appendix I</b>          | Application Form with attachments received on 22.6.2026 and 30.6.2026 |
| <b>Appendix Ia</b>         | FI received on 20.7.2026                                              |
| <b>Appendix Ib</b>         | FI received on 30.7.2026                                              |
| <b>Appendix Ic</b>         | FI received on 10.8.2026                                              |
| <b>Appendix Id</b>         | FI received on 11.8.2026                                              |
| <b>Appendix II</b>         | Relevant extracts of TPB PG-No. 13G                                   |
| <b>Appendix III</b>        | Previous applications                                                 |
| <b>Appendix IV</b>         | Government departments' general comments                              |
| <b>Appendix V</b>          | Recommended advisory clauses                                          |
| <b>Appendix VI</b>         | Public Comments                                                       |
| <b>Drawing A-1</b>         | Site layout plan                                                      |
| <b>Plan A-1</b>            | Location plan                                                         |
| <b>Plan A-2</b>            | Site plan                                                             |
| <b>Plan A-3</b>            | Aerial photo                                                          |
| <b>Plans A-4a and A-4b</b> | Site photos                                                           |

**PLANNING DEPARTMENT  
AUGUST 2026**