

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1252

- Applicant** : Promise Luck Limited represented by Miss WAI Siu Yiu
- Site** : Lots 1198 S.A ss.1, 1198 S.A ss.2 and 1198 S.A RP (Part) in D.D. 109, Kam Tin North, Yuen Long
- Site Area** : About 7,031m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height (BH) of 3 storeys (8.23m)]
- Application** : Temporary Open Storage of Metal Scaffolds with Ancillary Facilities for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of metal scaffolds 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, erected with a few temporary structures and used for the applied use without planning permission (**Plans A-2, A-4a to A-4c**).
- 1.2 According to the applicant, the current occupier at the Site is a brownfield business operator, namely 速拼國際有限公司, which is affected by the Government project of San Tin Technopole (STT) and the application is submitted to facilitate the relocation of its open storage operation at a site of about 15,000m² in Mai Po Lung, San Tin¹. The site of the affected operation has been resumed by the Government.

¹ 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 5,730m² (about 81.5% of the Site) for open storage of metal scaffolds with a maximum stacking height of 4m, and eight one to two-storey structures of not more than 6m in height and total floor area of about 388m² for ancillary storage room, staff rest room, site office, toilet and electric meter room (**Drawing A-1**). Peripheral fencing of 3m in height with sound-proofing materials with surface density of not less than 10kg/m² will be erected along the site boundary on all sides. Two existing trees at the southern boundary of the Site will be retained. No spraying and welding will be involved at the Site at all times. Three parking spaces for private car, three parking spaces for light goods vehicle and one loading/unloading (L/UL) space for crane lorry of 12 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 23.6.2026 (**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 Site is occupied by a brownfield business operator which is affected by the government project of STT and the current application is to facilitate the relocation of its open storage operation at a site in Mai Po Lung, San Tin. 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 applicant undertakes to relocate the applied use to a permanent site within the approval period should the Committee approve the current application; and
- (c) the applied use will generate infrequent trips. The applicant will also strictly comply with relevant environmental, safety and land-use regulations and requirements, and implement mitigation measures such as regular cleaning within the Site, as well as water spraying system and tree planting along the Site boundary to minimise the impact on the surrounding areas. Besides, a drainage proposal has been submitted in support of the application.

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 subject to active planning enforcement action (No. E/YL-KTN/774) against unauthorized development (UD) involving storage use (**Plan A-2**). Enforcement Notice was issued on 2.7.2026 requiring discontinuation of the UD. If the notice is not complied with, prosecution action would be considered.

6. **Previous Applications**

The Site is involved in two previous applications No. A/YL-KTN/168 and 1065 for proposed 74 houses and minor relaxation of BH restriction from 8.23 to 9m 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 metal scaffolds 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/1251 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-4c)

8.1 The Site is:

- (a) currently fenced-off, hard-paved, erected with a few temporary structures and used for the applied use without planning permission; and
- (b) accessible from Kong Tai Road.

8.2 The surrounding areas are rural in character with an intermix of residential structures/village houses (the closest is about 5m to the immediate east), open storage/storage yards (without valid planning permission, including two sites to the immediate east and further east across Kong Tai Road under on-going applications No. A/YL-KTN/1250 and 1251 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 the east under an active planning enforcement action No. E/YL-KTN/773 for storage use (**Plan A-2**)), village office, grassland and vacant land. To the southwest across Kam Tin Bypass are the village settlements of Kam Tin Shing Mun San Tsuen and Tai Hong Wai. To the further east across Kong Tai Road 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 and western boundaries of the Site from the southeast and discharges into the Kam Tin River to the north.

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

10.1 Apart from the government department 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 department conveyed local views on the application:

District Officer's comments

Comments of the District Officer (Yuen Long), Home Affairs Department (DO (YL), HAD):

- (a) a comment from an individual was received objecting to the application mainly on the grounds that the Site involves 'destroy first, built later' activities and the Site should be reinstated to its original state; the applied use will cause adverse environmental, traffic and drainage impacts on the surrounding areas; and lease enforcement actions should be undertaken; and
- (b) he has no particular comment on the application.

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 applied use involving storage of construction materials, the use of crane lorry and hard-paved surface will cause adverse environmental, traffic, visual and drainage impacts on the surrounding areas (**Appendix VI**).

12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of metal scaffolds 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 Site is occupied by a brownfield business operator namely 速拼國際有限公司 which is affected by the government project of STT and the current application is to facilitate the relocation of its open storage operation at a site in Mai Po Lung, San Tin, there is no information provided 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 currently fenced-off, hard-paved, erected with a few temporary structures and used for the applied use without planning permission (**Plans A-1 to A-4c**), and the surrounding areas are rural in character with an intermix of residential structures/village houses (the closest is about 5m to the immediate east), village office, grassland, watercourse and vacant land. Although there are open storage/storage yards in the vicinity of the Site, including two sites to the immediate east and further east across Kong Tai Road under on-going

applications No. A/YL-KTN/1250 and 1251 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 the east (**Plan A-2**), they are confirmed/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 Whilst the 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 local view conveyed by DO(YL), HAD and public comments as mentioned in paragraphs 10.2 and 11 respectively, 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 local view and public comments mentioned in paragraphs 10.2 and 11 above respectively, 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 comply 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) 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 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 23.6.2026 and 30.6.2026
Appendix Ia	FI received on 20.7.2026
Appendix Ib	FI received on 30.7.2026
Appendix Ic	FI received on 10.8.2026
Appendix Id	FI received on 11.8.2026
Appendix II	Relevant extracts of TPB PG-No. 13G
Appendix III	Previous applications
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 to A-4c	Site photos

**PLANNING DEPARTMENT
AUGUST 2026**