

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1141

- Applicant** : Ms. Lung Yi represented by Man Chi Consultants and Construction Limited
- Site** : Lots 132 RP and 141 RP in D.D. 113, Kam Tin South, Yuen Long
- Site Area** : About 416m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Animal Boarding Establishment with Ancillary Facilities and Associated Filling of Land for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary animal boarding establishment (ABE) with ancillary facilities and associated filling of land for a period of five years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “AGR” zone, ‘Animal Boarding Establishment’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently vacant, partially fenced-off, mostly hard-paved and erected with a temporary structure and partially covered by vegetation and trees (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kam Ho Road via a local track (**Plans A-1 to A-3**). According to the applicant, the proposed use involves two two-storey structures with a height of not more than 7m and a total floor area of about 290m² for ABE and ancillary toilet, meter room and office. The uncovered area of 271m² will be used as circulation area and an outdoor area (about 40m²) for dog playground (**Drawing A-1**). No parking space and loading/unloading space will be provided within the Site and animal drop off/pick up activities will be carried out at the local track to the north of the Site. Two existing trees within the Site will be preserved and maintained by the applicant (**Drawing A-2**). The proposed use will accommodate no more than 20 dogs at a time. The operation hours will be from 9:00 a.m. to 7:00 p.m. daily including public holidays, with 24-hour animal

boarding services. Prior bookings are required for visiting the Site and no walk-in visitors will be allowed. All animals staying overnight will be kept inside the enclosed structures fitted with soundproof materials, mechanical ventilation and air conditioning systems beyond the operation hours (i.e. 7:00 p.m. to 9:00 a.m.), and one staff member will stay overnight to manage the boarding services. No public announcement system will be used and no quarantine station or animal pound will be provided at the Site at all times. Metal fencing of 2.5m in height will be erected along the site boundary to minimise potential nuisance to the surrounding areas. The applicant also applies for filling of land for 411m² (about 98.8% of the Site) with concrete of not more than 1m in depth up to a level of +11.0mPD for site formation of structures and circulation area. The site layout plan, existing trees plan and land filling plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

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

- (a) Application Form with attachments and (Appendix I)
Supplementary Information (SI) received on 22.6.2026
and 25.6.2026 respectively
- (b) Further Information (FI) received on 29.7.2026* (Appendix Ia)
- (c) FI on 31.7.2026* (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 FI at **Appendices I and Ia**. They can be summarised as follows:

- (a) The proposed use could bring convenience and provide overnight boarding services, daytime pet recreation and training activities to local pet owners and residents in Pat Heung and Kam Tin areas.
- (b) The proposed use is temporary in nature and will not frustrate the long-term planning intention of the “AGR” zone. It is not incompatible with the surrounding areas and there are also similar applications within other “AGR” zones of the OZP. Approving the application would not set an undesirable precedent within the “AGR” zone.
- (c) The proposed use would not induce adverse traffic, environmental, fire safety and drainage impacts on the surrounding areas. The applicant will strictly follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) and relevant environmental protection/pollution control ordinances to minimise potential nuisance to the surrounding areas.
- (d) Upon approval of the application, the applicant will follow up with the necessary application for Short Term Waiver (STW) to the Lands Department (LandsD) as appropriate for implementing the proposed use.

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

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

4. Background

The Site is not subject to any active enforcement action.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Application

There is no similar application within the same “AGR” zone in the vicinity of the Site in the past five years.

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

7.1 The Site is:

- (a) accessible from Kam Ho Road via a local track; and
- (b) currently vacant, partially fenced-off, mostly hard-paved and erected with a temporary structure and partially covered by vegetation and trees.

7.2 The surrounding areas are rural in character comprising mainly plant nurseries, brownfield operations (warehouse and open storage/storage yard), an ABE and a residential structure within the same “AGR” zone, as well as woodland and graves within the adjacent “Green Belt” zone. A nullah and the Pat Heung Depot (PH Depot) are located to the east across Kam Ho Road.

8. Planning Intention

8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

8.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. 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 II and III** respectively.

10. Public Comment Received During Statutory Publication Period

On 30.6.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting the application mainly on the grounds that the application is to pave way for brownfield operation and raising concerns on how the animals can be transported given the site is distant from residences and no parking or public transport is available for the Site (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary ABE with ancillary facilities and associated filling of land for a period of five years at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation (DAFC) has no strong view on the application from agricultural perspective. In view of the above and taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis for a period of five years.
- 11.2 Filling of land in the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character comprising mainly plant nurseries, brownfield operations, an ABE, a residential structure, woodland, graves, a nullah and the PH Depot (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated.
- 11.4 Other concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services and Director of Food and Environmental Hygiene have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate

approval conditions are recommended in paragraph 12.2 below. Should the application be approved by the Committee, the applicant will be advised to follow the 'CoP' issued by the Environmental Protection Department and other relevant environmental guidelines and legislation in order to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas. The applicant will also be advised that under the Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I), any person who provides food and accommodation for animals in return for a fee paid by the owner must apply for a Boarding Establishment Licence from DAFC.

- 11.5 Regarding the public comment as mentioned in paragraph 10 above, the planning assessments and departmental comments above are relevant. Besides, any unauthorized development at the Site would be subject to planning enforcement action.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10, 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 five years until 14.8.2031. 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 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;

- (g) if any of the above planning condition (a), (b), (d) and (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; and
- (h) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials, and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are at **Appendix III**.

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

the proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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 and SI received on 22.6.2026 and 25.6.2026 respectively
Appendix Ia	FI received on 29.7.2026
Appendix Ib	FI received on 31.7.2026
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Existing Tree Plan

Drawing A-3	Lang Filling 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