

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-SK/459

- Applicant** : KWOK Tsz Hung represented by R-riches Planning Limited
- Site** : Lot 1415 in D.D. 114, Shek Kong, Yuen Long
- Site Area** : About 2,519m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” 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). Filling of land within the “AGR” zone also requires planning permission from the Board. The Site is currently hard-paved with concrete, fenced-off and occupied by open storage of construction materials with temporary structures erected without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Shek Sheung Road leading to Kam Sheung Road (**Plans A-1 and A-3**). According to the applicant, the proposed use involves six single-storey structures with a total floor area of about 1,005m² and height of not more than 6m for storage of construction materials and machineries (e.g. metal racks, metal scaffolding platforms, excavators, electricity generators, etc.) and ancillary site office (**Drawing A-1**). No dangerous goods or dusty materials will be stored within the Site and no open storage, dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be carried out at the Site at all times. All the proposed warehouse structures will be fully enclosed and storage activities will be kept within the enclosed structures. A solid metal fencing of 2.5m in height has been erected along the site boundary to minimise potential nuisance to the surroundings. Three private car parking spaces, one

loading/unloading (L/UL) space for light goods vehicle and one L/UL space for heavy goods vehicle as well as sufficient manoeuvring space will be provided within the Site to ensure that no vehicle will turn back onto the local access. The proposed operation hours are between 9:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The applicant also applies for regularisation of filling of land for the entire Site with concrete of not more than 0.2m in depth up to a site level of about +36.5mPD for site formation of structures and circulation space. No further land filling will be carried out. The site layout plan and land filling plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

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

- (a) Application Form with attachments received on 9.7.2026 (Appendix I)
- (b) Further Information (FI) received on 17.8.2026* (Appendix Ia)

** 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 with attachments at **Appendices I and Ia**. They can be summarised as follows:

- (a) The proposed use can support the local warehousing and storage industry in the area as well as nearby workshops and open storage yards. It can also alleviate the pressing demand for indoor storage spaces in the New Territories.
- (b) The proposed use is not incompatible with the surrounding areas and the temporary nature of the application would not frustrate the long-term planning intention of the “AGR” zone while better utilising precious land resources in the New Territories.
- (c) The applied filling of land is considered necessary to meet the operational needs at the Site, while there will be no further land filling to be carried out at the Site during the planning approval period.
- (d) The proposed use would not induce adverse traffic, environmental, fire safety and drainage impacts on the surrounding areas. The proposed warehouse structures will be fully enclosed and a solid metal fencing of 2.5m in height has been erected along the site boundary to minimise potential nuisance brought to the surroundings. The applicant will also follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department and relevant environmental protection/pollution control ordinances to minimise potential nuisance to the surrounding areas.

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

The applicant is not a “current land owner” of the Site 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 posting site notice and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. **Background**

- 4.1 The Site was formed (not with concrete) before incorporation of the requirement for planning permission from the Board for filling of land in the Notes for the "AGR" zone on the draft Shek Kong OZP No. S/YL-SK/7 gazetted on 29.4.2005. The Site has also been occupied by vehicle parking use and/or open storage over the years. As shown in the aerial photo, site photos (**Plans A-3, A-4a and A-4b**) and the applicant's submission (**Appendix I**), the Site is currently hard-paved with concrete.
- 4.2 The Site is subject to planning enforcement action against unauthorized development (UD) involving storage use (No. E/YL-SK/286) (**Plan A-2**). Enforcement Notice (EN) was issued on 10.8.2026 requiring discontinuation of the UD by 10.11.2026. If the EN is not complied with, prosecution action would be considered.

5. **Previous Applications**

The Site is the subject of six previous applications (No. A/YL-SK/80, 91, 115, 232, 300 and 390) for temporary vehicle park use approved by the Committee between 1999 and 2024. Considerations of these six applications are irrelevant to the current application due to different uses involved. Details of the previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

6. **Similar Application**

There is no similar application within the same "AGR" zone in the past five years.

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

7.1 The Site is:

- (a) accessible from Shek Sheung Road leading to Kam Sheung Road; and
- (b) currently hard-paved, fenced-off and occupied by open storage of construction materials with temporary structures erected without valid planning permission.

7.2 The surrounding areas are rural in character comprising predominantly open storage yards, vehicle repair yards, residential dwellings, a restaurant and vacant land to the immediate north, east and west, while areas to the immediate south are mainly vacant land and vacant structures, with active farmlands and residential dwellings located at the further southeast and southwest (**Plans A-2 and A-3**), and the Pat Heung Ventilation Building of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link at the further south (**Plan A-3**).

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

- 9.1 Apart from the government departments as set out in paragraph 9.2 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 in **Appendices III and IV** respectively.
- 9.2 The following government departments have adverse comment or do not support the application:

Agriculture and Nature Conservation

9.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone and is generally vacant with some sundries. Agricultural activities are active in the vicinity and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and
- (c) no comment on the planning application from nature conservation perspective.

Environment

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

- (a) does not support the application from environmental planning perspective;
- (b) based on the applicant’s submission, the proposed use does not involve dusty operation but would generate traffic of heavy vehicles. According to his review, there are residential dwellings within 100m from the boundary of the Site. As such, according to the revised ‘CoP’, it is anticipated that the proposed use would cause environmental nuisance to the residential dwellings nearby;
- (c) no comment on the applied filling of land;

- (d) there was no environmental complaint received against the Site in the past three years; and
- (e) his advisory comments are in **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 17.7.2026, the application was published for public inspection. During the statutory public inspection period, seven public comments were received from six villagers of Sheung Tsuen¹ and an individual objecting to the application mainly on the grounds that the Site is in close proximity to the burial ground of Sheung Tsuen ancestors, environmental concerns, traffic capacity of Shek Sheung Road, potential impact on the maintenance of the Pat Heung Ventilation Building, illegal parking issues on public and village roads, and doubts regarding the needs for more warehouse supply in Shek Kong (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of “AGR” zone and DAFC does not support the application from agricultural perspective, taking into account the assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. The Site was formed (not with concrete) before incorporation of the requirement for planning permission from the Board for filling of land in the Notes for the “AGR” zone on the draft Shek Kong OZP No. S/YL-SK/7 gazetted in 2005 and has been occupied by vehicle parking use and/or open storage over the years. As shown in the aerial photo, site photos (**Plans A-3, A-4a and A-4b**) and the applicant’s submission (**Appendix I**), the Site is currently hard-paved with concrete and hence, the applicant applies for regularisation of filling of land for the entire Site with concrete of not more than 0.2m in the application. The applicant also stated that no further filling of land will be carried out at the Site. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective and DEP has no comment on the applied filling of land from environmental planning perspective. 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 comprising predominantly temporary structures, open storage yards, vehicle repair yards, residential dwellings, a restaurant, vacant land to the immediate north, east and west, while areas to the immediate south are mainly vacant land and vacant structures, with

¹ The six public comments received from the villagers of Sheung Tsuen are in similar letter formats.

active farmlands and residential dwellings located at the further southeast and southwest, and the Pat Heung Ventilation Building is at the further south. The applicant has also erected a solid metal fencing of 2.5m in height along the site boundary to minimise potential nuisance to the surrounding areas. Besides, the proposed warehouses will be fully enclosed and all storage activities will be carried out within the enclosed structures. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment from landscape planning perspective and considers that the proposed use is not entirely incompatible with the surrounding environment and significant adverse landscape impact arising from proposed use is not anticipated.

- 11.4 DEP does not support the application as the proposed use involves use of heavy vehicles and environmental nuisance is expected as there are sensitive receivers in the vicinity of the Site. To address DEP's concern, should the planning application be approved by the Committee, the applicant will be advised to follow the revised 'CoP' to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas. The operation of the proposed use is also subject to the relevant pollution control ordinances.
- 11.5 Other relevant government departments consulted, including the Commissioner for Transport, Chief Engineer/Railway Development 1-1 of Highways Department and Director of Fire Services, 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.
- 11.6 Regarding the public comments mentioned in paragraph 10 above, departmental comments and planning assessments above are relevant. Besides, with regard to the proximity to the burial grounds of Sheung Tsuen ancestors, the Site is located more than 150m from the nearest permitted burial ground which falls within the "Conservation Area" zone (**Plan A-1**).

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments 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 28.8.2029. 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 28.2.2027;
- (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 28.5.2027;

- (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 28.2.2027;
- (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 28.5.2027;
- (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) 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; 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 IV**.

- 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 received on 9.7.2026
Appendix Ia	FI received on 17.8.2026
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
AUGUST 2026**