

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1217

- Applicant** : Champ Faith Trading Limited represented by Metro Planning & Development Company Limited
- Site** : Lot 1750A6 RP (Part) in D.D. 107 and Adjoining Government Land (GL), Fung Kat Heung, Kam Tin, Yuen Long
- Site Area** : About 7,500m² (including GL of about 2,180m² (29%))
- Lease** : New Grant No. YL557 (for agriculture purposes)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Comprehensive Development Area (1)” (“CDA(1)”) *[restricted to a maximum plot ratio of 1.2 and a maximum building height of 16 storeys]*
- Application** : Temporary Open Storage of Construction Materials and Machineries 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 for a period of three years at the application site (the Site), which falls within an area zoned “CDA(1)” 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, partly fenced-off, partly vacant and partly used for the applied use without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Shui Mei Road via a local track (**Plans A-1 to A-3**). According to the applicant, the applied use involves a total area of about 1,800m² (about 24% of the Site)¹ for open storage of construction materials (such as barricades, pipes and metal rods) and machineries (such as electric generators and miniature excavators) with a maximum stacking height of 5m, as well as six open shed structures with a height of not more than 6.5m and a total floor area of about 1,380m² for storage of weather-sensitive construction materials and machineries

¹ About 1,780m² (23.7%) of the Site is allocated for waterworks reserve use (**Drawing A-1**), as requested by the Water Supplies Department.

(Drawing A-1). Peripheral fencing of 2.5m in height will be erected along the Site boundary on all sides. No storage of dusty materials, container trailer/tractor or workshop activities will be involved on the Site at all times. Two loading/unloading (L/UL) spaces for medium/heavy goods vehicles (M/HGVs) are provided at the Site. The 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. 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 3.3.2026 **(Appendix I)**
- (b) Further Information (FI) received on 24.4.2026* **(Appendix Ia)**
- (c) FI received on 1.6.2026* **(Appendix Ib)**
- (d) FI received on 27.7.2026* **(Appendix Ic)**
- (e) FI received on 3.8.2026* **(Appendix Id)**

** accepted and exempted from publication and recounting requirements*

1.4 On 17.4.2026 and 5.6.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each 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 Id**, and can be summarised as follows:

- (a) the Site falls within Category 2 areas under the Town Planning Board Guidelines for application for open storage and port back-up uses. The applied use is compatible with the surrounding areas with open storage yards;
- (b) sufficient manoeuvring space for vehicles will be provided within the Site. The applied use will involve infrequent trips of only four anticipated vehicle trips per day for L/UL by M/HGVs. Adverse traffic and environmental impacts are not anticipated; and
- (c) the applicant has reinstated part of the Site to avoid extensive encroachment of concrete blocks upon the waterworks reserve (**Drawing A-1**).

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 notices in local newspapers and sending notice to the Kam Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the ‘Owner’s Consent/Notification’ Requirements are not applicable.

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 2 areas under TPB PG-No. 13G, and the relevant extracts of which are at **Appendix II**.

5. **Background**

The Site is currently subject to active planning enforcement action (No. E/YL-KTN/772) against unauthorized development (UD) involving storage use and workshop use (**Plan A-2**). Enforcement Notice was issued on 9.7.2026 requiring discontinuation of the UD by 9.8.2026. Site inspection on 11.8.2026 revealed that the UD partially discontinued upon expiry of the notice, prosecution is being considered.

6. **Previous Application**

Majority of the Site is the subject of a previous application No. A/YL-KTN/604, which covers most of the “CDA(1)” zone, for proposed comprehensive residential development approved with conditions by the Committee in 2019², and its considerations are not relevant to the current application due to different use involved. Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. **Similar Applications**

There are six similar applications (No. A/YL-KTN/1020, 1085, 1125, 1130, 1182 and 1214) for temporary open storage within the same “CDA(1)” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2025 and 2026 mainly on the considerations that the temporary approval would not jeopardise the long-term planning intention of the “CDA(1)” zone; the proposed/applied use was not incompatible with the surrounding areas; the relevant government departments consulted generally had no adverse comment or their concerns and public comments, if any, could be addressed by approval conditions; and the application was generally in line with TPB PG-No. 13G. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) currently hard-paved, partly fenced-off, partly vacant and partly used for the applied use without valid planning permission; and

² The implementation of the proposed comprehensive residential development under application No. A/YL-KTN/604 is still subject to land acquisition. The validity of the planning permission has been extended to 22.3.2027.

(b) accessible from Shui Mei Road via a local track.

8.2 The surrounding areas are rural in character with an intermix of open storage/storage yards (including a site with valid planning permission), hobby farm (with valid planning permission), grassland and vacant land. To the north and northeast of the Site is an existing watercourse (**Plans A-2 and A-3**), and the medium-rise residential development namely Park Yoho is located to the further northwest (**Plans A-1 and A-3**).

9. Planning Intention

The “CDA(1)” zone is intended primarily for comprehensive development/redevelopment of the area for residential use with the provision of commercial, open space and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

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 10.3.2026, the application was published for public inspection. During the statutory public inspection period, three public comments were received from individuals objecting to the application mainly on the grounds that suspected unauthorized development (UD) is involved at the Site; there would be adverse traffic, environmental, electricity and fire safety impacts on the surrounding areas; details of the applied use are not provided; and approval conditions under a similar application for a site nearby were not complied with (**Appendix VI**).

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of construction materials and machineries for a period of three years at the Site zoned “CDA(1)” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “CDA(1)” zone, the subject “CDA(1)” zone is largely covered by an approved application (No. A/YL-KTN/604) for proposed comprehensive residential development, of which the implementation is currently subject to land acquisition. In this regard, it is considered that approving the application on a temporary basis would not jeopardise the implementation of the approved comprehensive residential development or the long-term planning intention of the “CDA(1)” zone. 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.

- 12.2 The applied use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards, hobby farm, grassland and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application and considers that the applied use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied use is not anticipated.
- 12.3 The Site falls within Category 2 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that all 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 Director of Electrical and Mechanical 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 13.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspect of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the applied use.
- 12.4 There are six approved similar applications for temporary open storage within the same "CDA(1)" zone in the vicinity of the Site as mentioned in paragraph 7 above. Approving the current application is in line with the Committee's previous decisions.
- 12.5 Regarding the public comments as mentioned in paragraph 11, the departmental comments and planning assessments above are relevant. Besides, any UD on the Site would be subject to planning enforcement action.

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 has no objection to the application.
- 13.2 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 25.9.2029. 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 25.3.2027;
- (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 25.6.2027;

- (c) in relation to (b) above, the implemented drainage facilities 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 25.3.2027;
- (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 25.6.2027;
- (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**.

- 13.3 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 "CDA(1)" zone which is primarily for comprehensive development/redevelopment of the area for residential use with the provision of commercial, open space and other supporting facilities, if any. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

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 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.
- 14.3 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.

15. Attachments

Appendix I

Application Form with attachments received on 3.3.2026

Appendix Ia	FI received on 24.4.2026
Appendix Ib	FI received on 1.6.2026
Appendix Ic	FI received on 27.7.2026
Appendix Id	FI received on 3.8.2026
Appendix II	Relevant extracts of TPB PG-No. 13G
Appendix III	Previous and similar 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
Plan A-4	Site photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**