

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/625

- Applicant** : 黃慶有 (Mr.) represented by 海願規劃發展公司
- Site** : Lots 1667, 1669 and 1671 (Part) in D.D. 129 and Adjoining Government Land (GL), Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 4,822m² (including GL of about 248m² (about 5.1%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Recreation” (“REC”)
- Application** : Temporary Open Storage of Construction Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction materials for a period of three years at the application site (the Site) falling within an area zoned “REC” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is hard-paved and currently used for the applied use and open storage of construction machinery and miscellaneous items without valid planning permission (**Plans A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via local tracks, with three sets of ingress/egress located at the western and southern parts of the Site due to level differences (**Drawing A-1 and Plan A-3**). As shown on the layout plan at **Drawing A-1**, a total area of about 2,598m² (about 54% of the Site) is designated for open storage of construction materials, including mainly bricks, metals and cement products. Six single-storey structures (about 3m to 6m in height) with a total floor area of about 193m² are used for storage of construction materials, open shed, site office and meter room purposes. Four loading/unloading (L/UL) spaces for light goods vehicle (LGV) (7m x 3.5m) are also proposed at

the Site. According to the applicant, the operation hours of the applied use are between 9 a.m. and 6 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. No dismantling, cleansing, repairing, paint spraying, workshop and retail activities will be undertaken. The existing construction machinery and miscellaneous items not related to the applied use will be removed from the Site. The layout and vehicular access plan, drainage proposal and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in three previous applications (No. A/YL-LFS/514, 515 and 516), each covering a different part of the Site (**Plan A-1**), for the same use submitted by the same applicant as the current application. These three applications were approved by the Rural and New Town Planning Committee (the Committee) in April and May 2024 but all three planning permissions were subsequently revoked in 2025 due to non-compliance with time-limited approval conditions (details at paragraph 6 below).
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 27.7.2026 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 31.7.2026 (**Appendix Ia**)
 - (c) Further Information (FI) received on 16.9.2026* (**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, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the applied use is temporary in nature for a period of three years and will not frustrate the long-term planning intention of the “REC” zone;
- (b) traffic generated by the applied use will concentrate in off-peak hours and will not be significant. Sufficient manoeuvring space will be provided to facilitate turning and U-turn movement of vehicles. No vehicles will queue back to or reverse onto/from public roads. Hence, the applied use will not cause adverse traffic impact to the local road network;
- (c) there will be no night-time operation and hence no adverse environmental impact will be generated; and
- (d) the applied use will facilitate proper management of the Site. By preventing dumping or fly-tipping at the Site, the local environment will be improved.

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

The applicant is not a “current land owner” 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 notification letter to the Ping Shan 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 (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. The relevant extract of the Guidelines is attached at **Appendix II**.

5. **Background**

The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate planning enforcement action will be taken.

6. **Previous Applications**

The Site was involved in three previous applications (No. A/YL-LFS/514, 515 and 516), each covering a different part of the Site, submitted by the same applicant for the same temporary open storage use, which were approved with conditions by the Committee on 19.4.2024 and 10.5.2024 mainly on considerations that temporary approval would not jeopardise the long-term planning intention of the “REC” zone; the proposed/applied use was not incompatible with the surrounding land uses; and the proposed/applied use was in line with TPB PG-No. 13G in that concerned government departments generally had no objection to the application and the technical concerns could be addressed by implementation of approval conditions. However, the respective planning permissions were subsequently revoked on 19.10.2025 and 10.11.2025 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage proposal. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

7. **Similar Applications**

7.1 There are 13 similar applications (No. A/YL-LFS/451, 479, 493, 504, 505, 555, 560, 568, 570, 583, 594, 596 and 607) within/straddling the subject “REC” zone for various temporary open storage uses in the past five years. All of them were approved by the Committee between 2023 and 2026 mainly on similar

considerations as mentioned in paragraph 6 above. Details of these similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

- 7.2 Another application (No. A/YL-LFS/626) for proposed temporary open storage use within the subject “REC” zone is also scheduled for consideration by the Committee at the same meeting (**Plan A-1**).

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

- 8.1 The Site is:

- (a) accessible from Deep Bay Road via local tracks; and
- (b) hard-paved and currently used for the applied use and open storage of construction machinery and miscellaneous items without valid planning permission.

- 8.2 The surrounding areas are predominated by warehouse and open storage uses, some of which are covered by valid planning permissions. The permitted Burial Ground No. YL/59 is located to the north, south and east mainly within the “Green Belt” zone.

9. Planning Intention

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

10. Comments from Relevant Government Departments

All 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 are provided in **Appendices IV and V** respectively.

11. Public Comments Received During the Statutory Publication Period

On 4.8.2026, the application was published for public inspection. During the statutory public inspection period, three comments from the local villagers and an individual were received (**Appendix VI**). They object to the application mainly on grounds that the development scale of the applied use is excessive; it is not in line with the planning intention of the area; the applied use will generate adverse impacts from environmental, traffic, drainage, fire safety and geotechnical perspectives; it will block villagers’ access to the graves; and approval conditions under the previous applications had not been complied with.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of construction materials for a period of three years at the Site falling within the “REC” zone on the OZP (**Plan A-1**). While the applied use is not in line with the planning intention of the “REC” zone, there is no known development proposal at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “REC” zone. Notwithstanding the above, the Project Manager (West) of Civil Engineering and Development Department (CEDD) advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/ clearance programme is currently being reviewed under the relevant investigation study and subject to change. Should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and be advised not to carry out any substantial works therein.
- 12.2 The Site is located in an area predominated by warehouse and open storage uses, some of which are covered by valid planning permissions. The applied use is considered not incompatible with the surrounding land uses.
- 12.3 According to TPB PG-No. 13G, the Site falls within Category 2 areas. The application is in line with TPB PG-No. 13G in that there are no adverse comments from concerned government departments including the Director of Environmental Protection, Commissioner for Transport, Chief Engineer/ Mainland North of Drainage Services Department (CE/MN, DSD), Director of Fire Services (D of FS) and Head of Geotechnical Engineering Office, CEDD from environmental, traffic, drainage, fire safety and geotechnical perspectives respectively. The technical requirements of CE/MN, DSD and D of FS could be addressed by implementation of approval conditions as recommended in paragraph 13.2 below. To minimise any possible environmental nuisance on the surrounding areas, the applicant will also be advised to adopt the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ should the application be approved.
- 12.4 The Site was partly involved in three previous applications (No. A/YL-LFS/514, 515 and 516) submitted by the same applicant for the same temporary open storage use, which were approved with conditions by the Committee on 19.4.2024 and 10.5.2024. However, the planning permissions were subsequently revoked in 2025 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage proposal. In this regard, the applicant has submitted a drainage proposal in support of the current application, and CE/MN, DSD has no objection to the application. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications.

- 12.5 There are 13 approved similar applications within/straddling the subject “REC” zone between 2023 and 2026 as detailed in paragraph 7 above. Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 Regarding the public comments as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant.

13. **Planning Department’s Views**

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, the Planning Department 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 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 25.3.2027;
- (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 25.6.2027;
- (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 revised 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 revised 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 attached 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 "REC" zone, which is primarily for recreational developments for the use of the general public. 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 planning 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 27.7.2026
Appendix Ia	SI received on 31.7.2026
Appendix Ib	FI received on 16.9.2026
Appendix II	Extract of Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (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	Layout and Vehicular Access Plan
Drawing A-2	Drainage Proposal
Drawing A-3	FSIs Proposal
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
SEPTEMBER 2026**