

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1369

<u>Applicant</u>	:	Forest Development & Construction Company Limited represented by Metro Planning & Development Company Limited
<u>Site</u>	:	Various Lots in D.D. 119, Pak Sha Tsuen, Yuen Long
<u>Site Area</u>	:	2,400 m ² (about)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Tong Yan San Tsuen (TYST) Outline Zoning Plan (OZP) No. S/YL-TYST/14
<u>Zoning</u>	:	“Undetermined” (“U”)
<u>Application</u>	:	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) for a period of three years at the application site (the Site) falling within an area zoned “U” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, all uses or developments within the “U” zone except those specified in the Notes require planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced-off and partly occupied by vacant structures (**Plans A-2 to A-4b**).
- 1.2 The Site with ingress/egress at the northern part is accessible from Kung Um Road via a local track (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, six single-storey structures (not exceeding 3m to 8.5m in height) with a total floor area of not more than 1,170m² are erected for warehouses for storage of exhibition materials, construction materials, vehicle parts and audio systems and a toilet. Two loading/unloading (L/UL) spaces for light goods vehicle (LGV) will be provided. No workshop activity will be carried out at the Site. No medium and heavy goods vehicles, including container tractors/trailers, as defined in the Road Traffic Ordinance will be allowed to access the Site. Plans showing the vehicular access leading to the Site and the site layout submitted by the applicant are at **Drawings A-1 and A-2** respectively.

1.3 The major development parameters of the application are summarised as follows:

Site Area	About 2,400 m ²
Total Floor Area (Non-domestic)	About 1,170 m ²
No. and Height of Structures	6 • for warehouse and toilet (3m to 8.5m, 1 storey)
No. of Parking Space	Nil
No. of L/UL Spaces	2 (for LGV) (7m x 3.5m)
Operation Hours	9:00 a.m. to 5:00 p.m., with no operation on Sundays and Public Holidays

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

- (a) Application Form with attachments received on 30.7.2026 (**Appendix I**)
- (b) Further Information (FI) received on 2.9.2026 (**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 and FI (**Appendices I and Ia**). They can be summarised as follows:

- (a) the proposed development is in line with the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13G). The proposed use is compatible with the surrounding environment;
- (b) an adjoining site was granted with planning permission for warehouse use. The planning circumstances of the Site are similar to those sites with planning applications recently approved for open storage and warehouse uses in its vicinity. Besides, there is a shortage of land for storage use in TYST; and
- (c) there will be minimal traffic and environmental impacts arising from the applied use.

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 notice to the Shap Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is currently not subject to planning enforcement action.

5. **Previous Applications**

The western part of the Site was involved in nine previous applications (No. A/YL-TYST/233, 279, 314, 420, 581, 631, 777, 944 and 1144) for temporary open storage use and their considerations are not relevant to the current application which involves a different use. Details of these previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.

6. **Similar Applications**

- 6.1 A total of 80 similar planning applications for various temporary warehouse uses with/without other uses within/straddling the subject “U” zone had been considered by the Rural and New Town Planning Committee (the Committee) of the Board in the past five years. Details of these similar applications are summarised in **Appendix III** and the locations of the sites are shown on **Plan A-1a**.
- 6.2 Out of the 80 similar applications, 79 were approved by the Committee between 2021 and 2026 mainly on the considerations that the applied/proposed use was not incompatible with the surrounding areas; approval of the application on a temporary basis would not frustrate the long-term development of the area; and departmental concerns could be addressed by implementation of approval conditions.
- 6.3 The remaining application was rejected by the Committee in 2021 on the grounds that approval of the application with repeated non-compliances with approval conditions would set an undesirable precedent for other similar planning applications for temporary uses, thus nullifying the statutory planning control system.

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

- 7.1 The Site is:
 - (a) accessible from Kung Um Road via a local track (**Plans A-2 and A-3**); and
 - (b) currently paved, fenced off and partly occupied by vacant structures (**Plans A-2 to A-4b**).
- 7.2 The surrounding areas comprise predominantly warehouses and open storage/storage yards with scattered residential structures, vehicle repair workshops and vacant land/structures (**Plans A-2 and A-3**).

8. Planning Intention

- 8.1 The planning intention of the “U” zone is to cater for the continuing demand for open storage which cannot be accommodated in conventional godown premises. Any proposed developments within the zone should demonstrate that they will not have significant traffic, drainage and environmental impacts on the area.
- 8.2 According to the Explanatory Statement of the OZP, under the “Planning and Engineering Study for Housing Sites in Yuen Long South (YLS) – Investigation”, this area falls within the remaining stages of the YLS Development and the existing operations would be gradually phased out in stages.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices IV** and **V** respectively.
- 9.2 The following government department objects to the application:

Land Administration

- 9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
- (a) he objects to the application;
 - (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government; and
 - (c) the Site has been affected by the “YLS Development – Third Phase Development”. As the project pre-clearance survey has been conducted for the Site, his office will not process either regularisation or new applications for short term waiver (STW) for this application.

10. Public Comment Received During the Statutory Publication Period

On 7.8.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse (excluding dangerous goods godown) for a period of three years at the Site which is zoned “U” on the OZP. The proposed use is generally not in conflict with the planning intention of the “U” zone. The

area is designated as “U” zone mainly due to concerns of the capacity of Kung Um Road. In this regard, the Commissioner for Transport (C for T) has no adverse comment on the application. Under the Revised Recommended Outline Development Plan of YLS New Development Area, the Site falls partly within an area zoned “Residential – Zone 2” and partly within an area shown as ‘Road’ under the Third Phase of YLS New Development Area. In this regard, the Chief Engineer/Cross-Boundary Infrastructure and Development of Planning Department (PlanD) and Project Manager (West) of Civil Engineering and Development Department have no objection to/no adverse comment on the application. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area.

- 11.2 The surrounding areas comprise predominantly warehouses and open storage/storage yards with scattered residential structures, vehicle repair workshops and vacant land/structures (**Plans A-2 and A-3**). The proposed use is considered not incompatible with the surrounding areas.
- 11.3 Other relevant government departments consulted including the Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, fire safety and drainage perspectives respectively. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the planning application be approved, the applicant will be advised to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise possible environmental nuisance on the surrounding areas. As for DLO/YL, LandsD’s concern on the processing of STW, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.4 There are 79 approved similar applications within/straddling the subject “U” zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11, 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 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**.

12.3 There is no strong reason to recommend rejection of the application.

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 30.7.2026
Appendix Ia	FI received on 2.9.2026
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments

Appendix V	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**