

**Application for Renewal of Planning Approval for Temporary Use
Under Section 16 of the Town Planning Ordinance**

Application No. A/YL-PH/1134

1. <u>Proposal</u>	
Applicants	Ms KWOK Hung Kau and Ms LAW Yuk Fong
Site (Plan A-1)	Lots 100 RP, 101 S.A & B RP and 101 S.C RP in D.D. 111, A Kung Tin, Pat Heung, Yuen Long
Site Area	About 2,352m ²
Zonings and Outline Zoning Plan (OZP) No.	“Residential (Group D)” (“R(D)”) zone on the approved Pat Heung OZP No. S/YL-PH/11 <i>[“R(D)” zone restricted to a maximum plot ratio of 0.2 and maximum building height of 2 storeys (6m)]</i>
Application	Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Vehicles for Sale with Ancillary Facilities for a Period of Three Years
Site Context and the Current Proposal	The application site (the Site) is separated into northern and southern portions by a local access in the middle and accessible from Fan Kam Road via a local track (Plan A-1). According to the applicants, the applied use involves six single-storey structures with heights ranging from 2.5m to 5.7m and a total floor area of about 312m ² for office, storerooms, electricity meter room and toilet, two parking spaces for private cars, and five parking-cum-loading/unloading spaces including two for light goods vehicles (LGVs) and three for heavy goods vehicles (HGVs) (Drawings A-1 and A-2). No container vehicle/tractor or vehicle exceeding 24 tonnes will be allowed to enter or to be parked at the Site at all times. No dismantling, maintenance, repairing, cleaning, paint-spraying or other workshop activities will be conducted at the Site at all times. The operation hours are between 8:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plans submitted by the applicants are at Drawings A-1 and A-2 .
Last Previous Relevant Application ¹	Application No. A/YL-PH/965 approved on 22.9.2023 for a period of three years until 14.11.2026, which was submitted by the same

¹ The Site, in whole or in part, is involved in 11 relevant previous applications (**Plan A-1**) submitted by the same applicants for the same applied use as the current application (including three for renewal of planning approval granted)

1. <u>Proposal</u>	
	applicants for the same use at the same site with the same layout and development parameters. (Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_YL-PH_965/A_YL-PH_965_MainPaper.pdf for details of the last previous relevant application)
Justifications from the Applicants (Appendix I)	(a) The Site is the subject of an approved previous application (No. A/YL-PH/965). There is no change to the applied use, site layout and development parameters. The applicants have complied with all the approval conditions under the previous application (No. A/YL-PH/965). (b) The applied use will not cause any adverse drainage, traffic or environmental impacts. The Site has been paved under previous applications and no further filling of land will be undertaken. The existing drainage and fire service installations (FSIs) facilities have been properly maintained. The applicants undertake to comply with the approval conditions and maintain the Site in a good condition if the application is approved. (c) A drainage proposal with the latest condition record of the existing drainage facilities and a FSIs proposal with the latest fire certificates (FS 251) have been submitted in support of the current application.
Compliance with the “Owner’s Consent/Notification” requirements ²	The applicants are the sole ‘current land owners’.

2. <u>Planning Considerations and Assessments</u>				
	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	In line with TPB PG No. 34D³, including: i. no material change in planning circumstances since the previous approval was	✓		Whilst the applied use is not in line with the planning intention of the “R(D)” zone, there is currently no known proposal for long-term development at the Site or in its vicinity within the same “R(D)” zone. Approval of the

which were all approved by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board between 1998 and 2023 (**Plan A-1**).

² As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) and detailed information would be deposited at the meeting for Members’ inspection.

³ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development

2. Planning Considerations and Assessments				
	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
	granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas); ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development); iii. all the time-limited approval conditions under the previous approval have been complied with iv. the 3-year approval period sought does not exceed the duration of the last approval.			application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “R(D)” zone.
(b)	In line with TPB PG-No.13G ⁴	✓		Category 2 areas under TPB PG-No. 13G. Previous planning approval has been granted.
(c)	Any other relevant considerations (e.g. minor change in layout/development parameters)?		✓	Nil.
(d)	Any adverse departmental comments?	✓		Relevant government departments consulted, except for the Director of Environmental Protection (DEP), have no objection to or no adverse comment on the application (Appendix II). <u>Adverse Departmental Comment</u> DEP does not support the application in accordance with the latest ‘Code of Practice on Handling the Environmental Aspect of Temporary Uses and Open Storage Sites’ (‘CoP’) as there are sensitive receivers in the vicinity and the applied use involves

⁴ TPB Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance

2. <u>Planning Considerations and Assessments</u>				
	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
				the use of HGVs which are considered as 'heavy vehicle'. Thus, environmental nuisance is expected. <u>PlanD's Assessments</u> - To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 4 below. - DEP does not support the application as the applied use involves the use of heavy vehicles and environmental nuisance on the sensitive receivers (i.e. residential structures) in the vicinity of the Site is expected. Nonetheless, the Site has been approved for open storage use since 1998 and there was no substantiated environmental complaint concerning the Site in the past three years. Should the Committee decide to approve the application, it is recommended to advise the applicants to follow the latest 'CoP' to minimise the potential environmental nuisance on the surrounding areas.
(e)	Public comment received during statutory publication period		✓	Nil

3. <u>Planning Department's View</u>
<u>No objection</u> to the application.

4. <u>Decision Sought</u>
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, and be renewed from <u>15.11.2026 to 14.11.2029</u>. The following conditions of approval and advisory clauses are suggested for Members' reference: <u>Approval Conditions</u> (a) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;

4. Decision Sought

- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of an updated condition record of the existing drainage facilities on the site within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 15.2.2027;
- (d) the submission of a report on the condition of the existing water mains underneath the ingress and egress of the Site within **6** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 15.5.2027;
- (e) in relation to (d) above, the implementation of mitigation measures for avoiding impact on the existing water mains as identified in the report within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 15.8.2027;
- (f) if any of the above planning condition (a) or (b) 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 (c), (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 III**.

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

Attachments

Appendix I	Application Form with supporting documents received on 17.8.2026 and 24.8.2026
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Recommended Advisory Clauses
Drawings A-1 and A-2	Layout Plans
Plan A-1	Location Plan
Plan A-2	Site Plan

**PLANNING DEPARTMENT
OCTOBER 2026**