

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/772

- Applicant** : Yuen Cheong Timber Limited represented by Metro Planning & Development Company Limited
- Site** : Various Lots in D.D. 118, Yuen Long
- Site Area** : 1,007 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Warehouse for Storage of Metal and Timber 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 temporary warehouse for storage of metal and timber with ancillary facilities and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years and filling of land within the “AGR” zone requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and occupied by a temporary structure for the applied use (**Plan A-4**).
- 1.2 The Site is accessible from Tai Shu Ha Road East via a local track with an ingress/egress point at the southeast (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal consists of a single-storey structure of not more than 1,007m² (not more than 8m in height) for storage of metal and timber with ancillary site office, toilet and fire safety pump room. One parking space for private car (5m x 2.5m), one loading/unloading space for medium goods vehicle (11m x 3.5m) and manoeuvring space are also provided within the structure. No workshop activities would be carried out on the Site. The operation hours are from 9:00am to 6:00pm from Mondays to Saturdays, with no operation on Sundays and public holidays. The applicant also proposes to regularise the land filling with concrete in depth of about 0.2m of the entire Site which has already been undertaken. Plans showing the vehicular access, site layout, land filling area and

drainage proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site was involved in two previous applications (**Plan A-1**), with one application for temporary warehouse use with associated filling of land approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2022 (details at paragraph 5 below). However, the planning permission was revoked due to non-compliance with time-limited approval conditions. As compared with the last approved application (No. A/YL-TT/575)¹, the current application is submitted by the same applicant for the same use with similar layout and development parameters, except for a minor increase in site area (i.e. +7m²).
- 1.4 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) Supplementary Information (SI) received on 4.3.2026 (**Appendix Ia**)
 - (c) Further Information (FI) received on 15.6.2026* (**Appendix Ib**)
 - (d) FI received on 18.8.2026* (**Appendix Ic**)
*[*accepted and exempted from publication and recounting requirements]*
- 1.5 On 17.4.2026 and 14.8.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application for two months each.

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 FIs at **Appendices I to Ic**. They can be summarised as follows:

- (a) the applicant is a supplier of metal materials and operated a storage yard in Ma Tso Lung, which was resumed by the Government to facilitate the implementation of KTN NDA. The Site was approved for the relocation under the previous planning permission A/YL-TT/575;
- (b) the approval condition for the submission and implementation of drainage proposal and implementation of fire service installations (FSIs) proposal under application No. A/YL-TT/575 were not complied with due to the long lead time required for the application for short term waiver and the footprint of the warehouse did not tally with the site boundary. Hence, a fresh planning application with revised site boundary is submitted under the current application to rectify the discrepancy. A drainage proposal is also submitted to support the current application;

¹ The approved application was to facilitate the relocation of business based in Ma Tso Lung, Kwu Tung North (KTN) which had been resumed by the Government for implementation of the KTN New Development Area (NDA).

- (c) the applied use is not incompatible with the surrounding areas. No adverse traffic, drainage, environmental and visual impacts are anticipated;
- (d) the application is temporary in nature and approval of the application would not frustrate the long-term planning intention of the “AGR” zone;
- (e) the Site is unsuitable for agricultural rehabilitation. The proposal would put scarce land resources into better use; and
- (f) the applicant will follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise environmental impact and nuisance to the surrounding areas.

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 obtaining consent of the “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The storage use on the Site would be subject to planning enforcement action.

5. Previous Applications

- 5.1 The Site was involved in two previous applications (No. A/YL-TT/562 and 575) covering different extents of the Site. Details of the applications are summarised at **Appendix II** and the boundaries of the sites are shown on **Plan A-1**.
- 5.2 Application No. A/YL-TT/562 covering the western part of the Site for proposed temporary animal boarding establishment use for a period of three years was approved by the Committee in September 2022. The considerations of this application are not relevant to the current application which involves a different use.
- 5.3 Application No. A/YL-TT/575 for proposed temporary warehouse for storage of metal and timber for a period of three years and filling of land was approved by the Committee in December 2022 mainly on the considerations of having policy support from the Secretary for Development; not frustrating the long-term planning intention of the “AGR” zone; and not being incompatible with the surrounding areas. However, the planning permission was revoked in 2024 due to non-compliance with time-limited approval conditions related to submission and implementation of drainage proposal and implementation of FSIs proposal.

6. Similar Applications

- 6.1 There are 16 similar applications for temporary warehouse with/without associated filling of land within the same “AGR” zone in the past five years. All the applications were approved by the Committee between 2022 and 2026 mainly on considerations that the temporary use would not jeopardise the long-term planning intention of the “AGR” zone; being not incompatible with the surrounding uses; having policy support from the Secretary for Development (SDEV) (for applications No. A/YL-TT/575, 608, 651, 755, 757, 758, 759 and 790) and the departmental comments could be addressed by implementation of approval conditions. Details of these similar applications are summarised in **Appendix II** and the locations of the sites are shown on **Plan A-1**.
- 6.2 For Members’ information, planning application No. A/YL-TT/807 for warehouse use within the subject “AGR” zone will be considered at this meeting (**Plan A-1**).

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

- 7.1 The Site is:
- (a) currently hard-paved and occupied by a temporary structure for the applied use; and
 - (b) accessible from Tai Shu Ha Road East via a local track.
- 7.2 The surrounding areas are predominantly rural in character comprising warehouses, open storage/storage yards, parking of vehicles, workshop and training centre intermixed with scattered residential dwellings, grave, farmland, and vacant/unused land.

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, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the subject “AGR” zone.

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 are provided in **Appendices III** and **IV** respectively.

9.2 The following government departments do not support the application:

Agriculture and Nature Conservation

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

- (a) the Site falls within the “AGR” zone and is generally occupied by a structure. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are available in the area. The Site can be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the applied use is not supported from agricultural perspective; and
- (b) there is a watercourse at the northwest to the site. Should the application be approved, the applicant should take appropriate measure to minimise causing disturbances and pollution to the watercourse.

Environment

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

- (a) he does not support the application as the applied use will involve heavy vehicles and there are residential uses in the vicinity (**Plan A-2**) and environmental nuisance is expected;
- (b) there was no environmental complaint concerning the Site received in the past three years;
- (c) no adverse comment on the filling of land from environmental perspective; and
- (d) should the application be approved, the applicant should note his advisory comments in **Appendix IV**.

10. Public Comment Received During the Statutory Publication Period

On 10.3.2026, the application was published for public inspection. During the statutory publication period, a public comment was received from an individual (**Appendix V**) providing views that the previous approval conditions have not been fulfilled; there is no justification to approve the current application and the applied use may cause contamination to the nearby.

11. Planning Considerations and Assessments

11.1 The application is for temporary warehouse for storage of metal and timber with ancillary facilities and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP. The applied use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective as the Site possesses potential for agricultural

rehabilitation. Nevertheless, taking into account the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of three years.

- 11.2 The application involves regularisation of filling of land already undertaken at the entire Site by concrete with a depth of 0.2m for the erection of warehouse. Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) has no objection to the application from public drainage and DEP has no adverse comment on the filling of land from environmental 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 applied use is considered not incompatible with the surrounding areas which are predominantly rural in character comprising warehouses, open storage/storage yards, parking of vehicles, workshop and training centre intermixed with scattered residential dwellings, grave, farmland, and vacant/unused land (**Plan A-2**).
- 11.4 While DEP does not support the application as there are residential use in the vicinity (with the nearest one located to its immediate southeast) and the applied use will generate traffic of heavy vehicles therefore environmental nuisance is expected, no environmental complaint concerning the Site was received in the past three years. Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application from traffic and fire safety aspects respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments, and the applicant will also be advised to follow the latest “CoP” to minimise potential environmental nuisances on the surrounding areas.
- 11.5 The Site was involved in an approved previous application (No. A/YL-TT/575) for the same use submitted by the same applicant of the current application with similar layout and development parameters as detailed in paragraph 5 above. However, the planning permission was revoked in 2024 due to non-compliance with the time-limited approval conditions. Nevertheless, the applicant has justified that the non-compliance of the respective approval conditions of the previous application (No. A/YL-TT/575) is mainly due to the long lead time required for the application for short term waiver and the footprint of the warehouse does not tally with the site boundary. In support of current application, the applicant has submitted a drainage proposal (**Drawing A-4**) and CE/MN, DSD has no objection to the application. In view of the above, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.
- 11.6 There has been no major change in the planning circumstances since the approval of the previous application for the same use as detailed in paragraph 5 above. In addition, there are 16 approved similar applications within the same “AGR” zone

between 2022 and 2026 as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.

- 11.7 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.6 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department 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 9.10.2029. 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 9.4.2027;
- (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 9.7.2027;
- (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 9.4.2027;
- (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 9.7.2027;
- (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 application site, including the removal of fill materials and hard paving and grassing of the application 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 applied use with associated filling of land is not in line with the planning intention of the "Agriculture" 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. No strong planning justification has been given 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 3.3.2026
Appendix Ia	SI received on 4.3.2026
Appendix Ib	FI received on 15.6.2026
Appendix Ic	FI received on 18.8.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Land Filling Plan
Drawing A-4	Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2026**