

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/807

- Applicant** : Cheung Kwok Chau Danny represented by R-riches Planning Limited
- Site** : Lot 1940 (Part) in D.D. 118, Tai Tong, Yuen Long
- Site Area** : 357 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** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) 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-1a**). 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 require planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, partly vacant and partly occupied by parking and storage of vehicles without valid planning permission (**Plans A-2 and 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 northeast (**Drawing A-1 and Plan A-2**). According to the applicant, the proposal consists of one single-storey warehouse (about 13m in height) with a floor area of not more than 220m² for storage of miscellaneous goods (including packaged food, apparel, footwear and electronic goods) (**Drawing A-2**). One loading/unloading space for light goods vehicle (7m x 3.5m) will be provided within the proposed warehouse structure. No storage of dangerous goods and no workshop activities will be carried out at the Site. The operation hours are from 9:00am to 7:00pm from Mondays to Saturdays, with no operation on Sundays and public holidays.
- 1.3 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 to facilitate site

formation and circulation (**Drawing A-3**). Plans showing the vehicular access, site layout, land filling area and swept path analysis submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.4 In support of the application, the applicant has submitted an Application Form with attachments received on 11.8.2026 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**. They can be summarised as follows:

- (a) there is a pressing demand for indoor storage space in the New Territories in recent years. The proposal would support the local warehousing and storage industry;
- (b) the proposed use with a low-rise structure is considered not incompatible with the surrounding areas;
- (c) approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone;
- (d) similar applications were approved by the Board within the same “AGR” zone; and
- (e) the applicant will follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) and relevant environmental protection/pollution control ordinances to minimise any potential environmental impacts on 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 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 subject to planning enforcement action (No. E/YL-TT/795) against unauthorized developments (UDs) (involving parking of vehicles and storage use) with Enforcement Notice (EN) issued on 19.8.2026 (**Plan A-2**) requiring discontinuation of the UD. If the EN is not complied with, prosecution action would be considered.

5. Previous Application

The Site is the subject of a previous application (No. A/YL-TT/345) for proposed temporary shop for selling decoration material for a period of three years which was rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2015. Consideration of this previous application is not relevant to the current

application which involves a different use. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1b**

6. Similar Applications

- 6.1 There are 17 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 (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 the applications are summarised in **Appendix II** and the locations of the sites are shown on **Plan A-1a**.
- 6.2 For Members’ information, planning application No. A/YL-TT/772 for warehouse use within the subject “AGR” zone will be considered at this meeting (**Plan A-1a**).

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

- 7.1 The Site is:
- (a) currently hard-paved, partly vacant and partly occupied by parking and storage of vehicles without valid planning permission; and
 - (b) accessible from Tai Shu Ha Road East via a local track.
- 7.2 The surrounding areas are rural in character comprising predominantly open storage/storage yards intermixed with scattered residential dwellings, 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 department 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 department does 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 vacant. 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 proposed development is not supported from agricultural perspective; and
- (b) no adverse comment from nature conservation perspective.

10. Public Comments Received During the Statutory Publication Periods

On 18.8.2026, the application was published for public inspection. During the statutory public inspection period, three public comments from individuals were received objecting to the application mainly on the grounds that the Site has already been filled without planning permission; the genuine need for warehouse use is doubtful; the proposed use is incompatible with the surroundings; potential adverse environmental, drainage and traffic impacts on the surrounding areas; and the cumulative impact of approving such planning applications (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP. While the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 The application involves regularisation of filling of land already undertaken at the entire Site with a depth of 0.2m with concrete for site formation and circulation. 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 and Director of Environmental Protection have no objection to the application from drainage and environmental perspectives respectively. 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 proposed use is considered not incompatible with the surrounding areas comprising predominantly open storage/storage yards intermixed with scattered residential dwellings, farmland, and vacant/unused land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with the landscape character of the area and significant adverse landscape impact arising from the proposed use is not anticipated.
- 11.4 Other concerned 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. Furthermore, the applicant will be advised to follow the latest “CoP” to minimise potential environmental nuisances on the surrounding areas.
- 11.5 There are 17 approved similar applications within the same “AGR” zone between 2022 and 2026 as mentioned in paragraph 6.1 above. Approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 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 comments mentioned in paragraph 10 above, 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 9.10.2029. 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 9.4.2027;
- (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 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 proposed 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 11.8.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses

Appendix V	Public Comments
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Land Filling Plan
Drawing A-4	Swept Path Analysis
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2026**