

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/811

- Applicant** : Kwok Wai Shing represented by Metro Planning & Development Company Limited
- Site** : Various Lots in D.D. 118, Yuen Long
- Site Area** : 827m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) *[Restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m)]*
- Application** : Temporary Open Storage and Warehouse for Storage of Vehicles and Vehicle Parts for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage and warehouse for storage of vehicles and vehicle parts for a period of three years at the application site (the Site) falling within an area zoned “OU(RU)” on the OZP (**Plan A-1a**). 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 currently hard paved, fenced off and occupied by a temporary structure for applied uses without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Tai Shu Ha Road East via a local track with an ingress/egress at the north (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal consists of a single-storey structure (not more than 6m in height) with a floor area of not more than 228m² for warehouse storing vehicle parts and an uncovered area (about 320m² or 38.7% of the Site) for open storage of vehicles and vehicle parts (with a stacking height of not more than 2.5m from ground level). The remaining area will be used for manoeuvring space. No more than 12 second-hand private cars will be stored within the Site. No repairing, dismantling, cleaning or other workshop activities and no car beauty and selling of

vehicles would be carried out at the Site. Two parking spaces for private cars (5m x 2.5m each) and one loading/unloading space for light goods vehicle (7m x 3.5m) are also provided within the Site. The operation hours are from 9:00am to 9:00pm from Mondays to Sundays including public holidays. According to the landscape and tree preservation proposal submitted by the applicant, the 32 existing trees within the Site would be preserved and no tree felling would be carried out. Plans showing the vehicular access, site layout, landscape and tree preservation proposal, as-built drainage proposal and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-5** respectively.

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

- (a) Application Form with attachments received on 1.9.2026 **(Appendix I)**
- (b) Supplementary Information (SI) received on 4.9.2026 **(Appendix Ia)**

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) the applied uses are temporary in nature and would not jeopardise the long-term planning intention of the “OU(RU)” zone;
- (b) similar applications were approved within the “OU(RU)” zone. The planning circumstances pertaining to the Site are similar to those approved open storage yards. Similar considerations should be given to the Site;
- (c) minimal traffic impact is anticipated. No medium or heavy goods vehicles will access to the Site. The provision of sufficient manoeuvring space within the Site would not result in queuing of traffic outside the Site;
- (d) the applied uses are not incompatible with the surrounding areas. No adverse environmental and drainage impacts are anticipated; and
- (e) the applied development conforms to the Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13G) as the Site falls within ‘Category 2’ 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/783) against unauthorized developments (UD) involving storage use (including deposit of containers) (**Plan A-2**). Enforcement Notice (EN) was issued on 23.7.2026 requiring discontinuation of the UD. If the EN is not complied with, prosecution action would be considered.

5. **Town Planning Board Guidelines**

- 5.1 The Town Planning Board Guidelines for ‘Designation of “Other Specified Uses” Annotated “Rural Use” (“OU(RU)”) Zone and Application for Development within “OU(RU)” Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 38) are relevant to this application. The relevant extract of the Guidelines is attached at **Appendix II**.
- 5.2 The TPB PG-No. 13G is relevant to the application. The Site falls within Category 2 areas under TPB PG-No. 13G. Relevant extract of the Guidelines is at **Appendix III**.

6. **Previous Applications**

The Site was involved in two previous applications (No. A/YL-TT/414 and 507) submitted by the same applicant for temporary shop and services for a period of three years. Both applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2017 and 2020 respectively. The two planning permissions were revoked in 2019 and 2022 respectively due to non-compliance with time-limited approval conditions on the landscape and drainage proposals. Considerations of these applications are not relevant to the current application which involves different uses. Details of the applications are summarised at **Appendix IV** and the boundaries of the sites are shown on **Plan A-1b**.

7. **Similar Applications**

There are three similar applications (No. A/YL-TT/615, 619 and 668) for temporary warehouse use and/or open storage for a period of three years involving the same “OU(RU)” zone in the past five years, which were approved with conditions by the Committee in 2024 mainly on the considerations that the proposed use would not frustrate the long-term planning intention of the “OU(RU)” zone; being not incompatible with the surrounding uses; and the concerns of relevant government departments could be addressed by implementation of approval conditions. Details of the applications are summarised in **Appendix IV** and the locations of the sites are shown on **Plan A-1a**.

8. **Planning Intention**

The planning intention of the “OU(RU)” zone is primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on

application to the Board, with a view to upgrading or improving the area or providing support to the local communities.

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

9.1 The Site is:

- (a) currently paved, fenced off and occupied by temporary structure for the applied uses without valid planning permission; and
- (b) accessible from Tai Shu Ha Road East via a local track.

9.2 The surrounding areas are predominantly rural in character comprising mainly open storage/storage yards, warehouses, workshops, parking of vehicles and plant nursery, intermixed with residential dwelling and vacant/unused land.

10. Comments from Relevant Government Departments

All government 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 V and VI** respectively.

11. Public Comment Received During the Statutory Publication Period

On 8.9.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix VII**) objecting to the application on the grounds that the previous permission was revoked due to non-compliance with time-limited approval conditions but the applicant has been engaged in unapproved operations.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage and warehouse for storage of vehicles and vehicle parts for a period of three years at the Site zoned “OU(RU)” on the OZP. Although the applied use is not in line with the planning intention of the “OU(RU)” zone, there is no known development proposal at the Site. Approval of the application on a temporary basis for three years would not frustrate the long-term planning intention of the “OU(RU)” zone.

12.2 The applied uses are considered not incompatible with the surrounding areas which are predominantly rural in character comprising mainly open storage/storage yards, warehouses, workshops, parking of vehicles and plant nursery intermixed with residential dwellings and vacant/unused land (**Plan A-2**).

12.3 The Site falls within Category 2 areas under TPB PG-No. 13G. The application is considered generally in line with TPB PG-No. 13G in that, concerned government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services, Chief Engineer/Mainland

North of Drainage Services Department and Chief Town Planner/Urban Design and Landscape of PlanD have no objection to or no adverse comment on the application from environmental, traffic, fire safety, drainage and landscape planning aspects respectively.

- 12.4 In light of the above, and considering that the proposal comprises a single-storey structure with all existing trees reserved, the application is considered generally in line with TPB PG-No. 38 in that the proposal would not adversely affect the rural environment, the conservation of the rural landscape and the maintenance of the rural character of the area and its surroundings, and would not overstrain the capacity of existing and planned infrastructure. Relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of the concerned government departments. Should the application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise potential environmental nuisance on the surrounding areas.
- 12.5 Three similar applications within the same “OU(RU)” zone were approved by the Committee in the past five years as mentioned in paragraph 7 above. Approval of the current application is generally in line with the Committee’s previous decisions.
- 12.6 Regarding the public comment as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant. As the previous applications are for a different use, considerations of these applications are not relevant to the current application.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment detailed in paragraph 11 above, PlanD 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 23.10.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the implementation of the accepted 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 23.7.2027;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) 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 23.4.2027;

- (d) in relation to (c) 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 23.7.2027;
- (e) if the above planning condition (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
- (f) if any of the above planning condition (a), (c) or (d) 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 VI**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Member's reference:

the applied uses are not in line with the planning intention of the "Other Specified Uses" annotated "Rural Use" zone which is primarily for the preservation of the character of the rural area. No strong planning justification has been given 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 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 1.9.2026
Appendix Ia	SI received on 4.9.2026
Appendix II	Relevant Extract of TPB PG-No. 38
Appendix III	Relevant Extract of TPB PG-No. 13G
Appendix IV	Previous and Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan

Drawing A-3	Landscape and Tree Preservation Plan
Drawing A-4	As-built Drainage Plan
Drawing A-5	FSIs Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2026**