

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL**  
**FOR TEMPORARY USE**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/528**

- Applicant** : Mr. Law Chuk Ho represented by Metro Planning & Development Company Limited
- Site** : Lots 2949 (Part), 2950 RP (Part) and 2956 (Part) in D.D. 129, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 500m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Government, Institution or Community” (“G/IC”)  
*[restricted to a maximum building height of 8 storeys]*
- Application** : Renewal of Planning Approval for Temporary Warehouse for Storage of Vehicle Parts for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval to continue using the application site (the Site) for temporary warehouse for storage of vehicle parts for a further period of three years (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use with valid planning permission under application No. A/HSK/327 until 10.9.2024.
- (a) The Site is accessible from Lau Fau Shan Road via a local track and the ingress/egress point is at the northern part of the Site (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, no change to the development parameters/structures at the Site is proposed in this renewal application. To recapitulate, three two-storey (not more than 7m high) temporary structures with a total floor area of not exceeding 660m<sup>2</sup> are used for warehouse for storage of vehicle parts, site office and toilet purposes. One loading/unloading space for light goods vehicles (7.5m x 3.5m) is provided (**Drawing A-2**). The operation hours are from 9:00 a.m. to 6:00 p.m. from Mondays to Saturdays and there would be no operation on Sundays and public holidays. No open storage or workshop activities will be carried out at the Site. Plans showing the access leading to the Site, site layout, as-built drainage facilities and fire service installations (FSIs) submitted by the applicant

are at **Drawings A-1 to A-4** respectively.

- 1.2 The Site is involved in seven previous applications, including two applications for temporary warehouse for storage of vehicle parts that were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2018 and 2021 (details at paragraph 6 below) (**Plan A-1b**). Compared with the last application No. A/HSK/327 approved with conditions on 10.9.2021, the current application is submitted by a different applicant for the same use with the same layout at the same site.
- 1.3 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 17.6.2024 (Appendix I)
  - (b) Further Information (FI) received on 4.7.2024 (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 at **Appendices I and Ia**. They can be summarised as follows:

- (b) Seven previous applications at the Site have been approved by the Board since 2003. The current application is to seek renewal of planning approval under the last approved application No. A/HSK/327. All time-limited approval conditions of the previous application have been fulfilled.
- (c) The applied use is not incompatible with the surrounding environment. Similar planning applications for open storage and port back-up uses have been approved by the Board in the adjoining areas.
- (d) The applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zone.
- (e) The impacts in terms of environment, traffic and drainage aspects are expected to be insignificant.
- (f) No open storage or workshop activities will be carried out at the Site.

## **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 Ha Tsuen Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

#### **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) are relevant to the application. The relevant assessment criteria are at **Appendix II**.

#### **5. Background**

The Site is currently not subject to any planning enforcement action.

#### **6. Previous Applications**

- 6.1 The Site is involved in seven previous applications. Amongst them, two applications (No. A/HSK/104 and 327) for temporary warehouse for storage of vehicle parts were approved by the Committee in 2018 and 2021 mainly on the considerations that the applied uses were not incompatible with the surrounding areas and no major adverse comments from concerned government departments. Details of these applications are summarised at **Appendix III** and their site boundaries are shown on **Plan A-1b**.
- 6.2 The other five applications (No. A/YL-HT/320, 467, 654, 816 and 979) for various temporary open storage uses were approved by the Committee between 2003 and 2015. The considerations for these applications are not relevant to the current application which is for a different use.
- 6.3 The last application No. A/HSK/327 was approved with conditions by the Committee on 10.9.2021 for a period of three years with validity up to 10.9.2024. All time-limited approval conditions have been complied with.

#### **7. Similar Application**

There is no similar application within the same “G/IC” zone on the OZP.

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

- 8.1 The Site is:
  - (a) accessible from Lau Fau Shan Road via a local track; and
  - (b) currently used for the applied use with valid planning permission.
- 8.2 The surrounding areas are predominantly occupied by logistics centres, open storage yards, warehouse and vehicle repair workshops intermixed with residential dwellings to the east and west of Lau Fau Shan Road. Some of these uses are covered by valid planning permissions, whilst some are suspected unauthorized developments subject to planning enforcement action.

#### **9. Planning Intention**

The planning intention of the “G/IC” zone is primarily for the provision of Government,

institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory.

## **10. Comments from Relevant Government Departments**

All 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 IV and V** respectively.

## **11. Public Comment Received During Statutory Publication Period**

On 25.6.2024, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VI**) objecting to the application mainly on the grounds that the approval conditions under the previous application have not yet been complied with.

## **12. Planning Considerations and Assessments**

- 12.1 The application is for renewal of planning approval for temporary warehouse for storage of vehicle parts for a period of three years at the Site zoned “G/IC” on the OZP. Whilst the applied use is not in line with the planning intention of the “G/IC” zone, the Project Manager (West), Civil Engineering and Development Department has no adverse comment on the renewal application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Notwithstanding this, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for the implementation of government projects.
- 12.2 The current proposal is the same as the last approved scheme under application No. A/HSK/327 in terms of applied use, layout and development parameters. The applied use is considered not incompatible with the surrounding land uses which are predominantly occupied by logistics centres, open storage yards, warehouse and vehicle repair workshops intermixed with residential dwellings, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 12.3 There is no adverse comment from the concerned government departments including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department on the application from environmental, traffic, fire safety and drainage aspects. To address the technical requirements of the concerned departments, relevant approval conditions have been recommended in paragraph 13.2 below.
- 12.4 The application is considered generally in line with TPB PG-No. 34D in that there is no major change in planning circumstances; all approval conditions under the previous approval have been complied with; there is no adverse departmental comment on the renewal application, and the three-year approval period sought which is the same as the last approval granted by the Committee is not unreasonable.
- 12.5 Two previous applications for the applied use were granted for the Site in 2018 and 2021. Approval of the current application is in line with the Committee’s previous

decisions.

- 12.6 A public comment objecting to the application as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant.

### **13. Planning Department's Views**

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11, the Planning Department considers that the temporary warehouse for storage of vehicle parts could be tolerated for a further period of three years.
- 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, and be renewed from 11.9.2024 to 10.9.2027. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (c) the submission of a 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 11.12.2024;
- (d) 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
- (e) if the above planning condition (c) 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 attached at **Appendix V**.

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

### **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**

<b>Appendix I</b>	Application Form received on 17.6.2024
<b>Appendix Ia</b>	FI received on 4.7.2024
<b>Appendix II</b>	Relevant Extracts of TPB PG-No. 34D
<b>Appendix III</b>	Previous Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	Public Comment
<b>Drawing A-1</b>	Location Plan with Vehicular Access
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	As-built Drainage Plan
<b>Drawing A-4</b>	FSIs Plan
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
AUGUST 2024**