

2022年 2月 1 日
此文件在 收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

Appendix I of RNTPC
Paper No. A/YL-KTN/824

This document is received on 11 FEB 2022
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP.131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal
of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年
的臨時用途/發展或該等臨時用途/發展的許可續期的建議***

*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.

*其他土地上及/或建築物內的臨時用途/發展(例如位於市區內的臨時用途或發展)及有關該等臨時用途/發展的許可續期,應使用表格第S16-I號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知:
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made

「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/YL-KTN/824.
	Date Received 收到日期	11 FEB 2022

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

SHEEN POWER CAPITAL INVESTMENT LIMITED

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

DeSPACE (International) Limited

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lots no. 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 2,057.92 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 909.15 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有) sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9
(e) Land use zone(s) involved 涉及的土地用途地帶	Agriculture
(f) Current use(s) 現時用途	Vacant (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☒ is the sole "current land owner"^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。
- ☐ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。
- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)^{#&}
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)把通知寄往相關的業主立案法團／業主委員會／互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) and Filling of Land (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	1,148.77sq.m <input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	909.15sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	1
Proposed domestic floor area 擬議住用樓面面積	Not Applicablesq.m <input type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	909.15sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	909.15sq.m <input checked="" type="checkbox"/> About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明) Structure A: Warehouse; 1 storey (not exceeding 5m)	
Proposed number of car parking spaces by types 不同種類停車位的擬議數目 Private Car Parking Spaces 私家車車位 1 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明)	
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 1 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明)	

Proposed operating hours 擬議營運時間 ■ 9:00 am to 7:00 pm from Mondays to Saturdays ■ No operation on Sundays and public holiday			
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/ 有關建築物?	Yes 是	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) Mei Fung Road <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度) <input type="checkbox"/>	
	No 否		
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情 No 否 <input checked="" type="checkbox"/>	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是	<input checked="" type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線，以及河道改道、填塘、填土及/或挖土的細節及/或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Filling of land 填土 Area of filling 填土面積 2057.92 sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of filling 填土厚度 Not more than 0.2 m 米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約 No 否 <input type="checkbox"/>	
	No 否		
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	On environment 對環境 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明)		Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/>

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas**位於鄉郊地區臨時用途/發展的許可續期**

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署



LAM KWOK CHUN

Name in Block Letters
姓名（請以正楷填寫）

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Director

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☒ Member 會員 / ☐ Fellow of 資深會員

☒ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☒ RPP 註冊專業規劃師 No. 267
Others 其他

on behalf of
代表

DeSPACE (International) Limited

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

26/01/2022

..... (DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in an application to the Board and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

(a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and

處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.

方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第1段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第486章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道333號北角政府合署15樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)	
Location/address 位置/地址	Lots no. 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long	
Site area 地盤面積	2,057.92 (includes Government land of 包括政府土地	sq. m 平方米 <input checked="" type="checkbox"/> About 約 sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9	
Zoning 地帶	Agriculture	
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____	
Applied use/ development 申請用途/發展	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) and Filling of Land	

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	909.15 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	0.45 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	1	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	5 m 米 <input checked="" type="checkbox"/> (Not more than 不多於)	
		1 Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	45 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		1
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		1
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數		1
	Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		1

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location Plan		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



SUPPLEMENTARY PLANNING STATEMENT

Jan 2022

APPLICATION FOR PERMISSION UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE (CAP. 131)

Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long

The Applicant

SHEEN POWER CAPITAL INVESTMENT LIMITED

Town Planning Consultant & Submitting Agent

DeSPACE (International) Limited

Design Consultant

SOLAR-LIL DESIGN CONSULTING LIMITED



DeSPACE (International) Limited



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Executive Summary

The Applicant, the "current land owner" of Lots 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, now seeks town planning permission from the Town Planning Board ("the Board") for a proposed Temporary Warehouse (excluding Dangerous Goods Godown) on a temporary basis of 3 years and filling of land at the aforementioned site.

According to the Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9 (the OZP), the proposed "Warehouse (other than Dangerous Goods Godown)" is neither a Column 1 nor Column 2 use under the "Agriculture" ("AGR") zone. According to the covering Notes of the OZP, temporary use not exceeding a period of 3 years requires planning permission from the Town Planning Board (the Board). Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission. There is no development restriction on the proposed development.

Please also note that any new filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), on land falling within the "AGR" zone on the Kam Tin North OZP requires permission from the TPB under section 16 of the Town Planning Ordinance.

Given the latest correspondence from the Lands Department, the Applicant intends to regularize unauthorized structure(s) erected on the Application Site. Upon this planning permission, the Applicant would apply to the Lands Department for a temporary waiver to permit the applied structures.

The proposed development with a single storey warehouse on a temporary basis is at a compatible development scale to its nearby rural developments predominated by active agricultural land, hobby farm, residential structures/dwellings, open storage/storage yards, parking of vehicles and vacant/unused land. Also, the proposed development would not cause any adverse impacts to the surroundings.

The Proposed Development is fully justified in terms of planning considerations with various planning and design merits. Given the aforementioned justifications, the Applicant respectfully requests the TPB to approve the subject Application.

行政摘要

(聲明：此中文譯本僅供參考，如中文譯本和英文原文有差異時，應以英文原文為準。)

申請人為元朗錦田逢吉鄉丈量約份第 107 約地段第 956 號及第 959 號餘段的「現行土地擁有人」，現尋求城市規劃委員會（下稱城規會）的批准，擬議於上述地點申請三年臨時許可作臨時貨倉(危險品倉庫除外)及填土工程。

根據錦田北分區計劃大綱核准圖編號 S/YL-KTN/9（下稱大綱核准圖），申請地點劃作「農業」地帶。擬議的「貨倉(危險品倉庫除外)」既不是第一欄用途或第二欄用途。根據大綱核准圖的註釋，任何土地或建築物的臨時用途或發展，如為期不超過三年，須向城市規劃委員會申請規劃許可。對於有關用途或發展，即使圖則沒有作出規定，城市規劃委員會仍可批給或拒絕批給許可，規劃許可的有效期最長為三年；若城市規劃委員會批給許可，可能附加或不附加條件。擬議的「貨倉(危險品倉庫除外)」用途均無發展限制。

此外，所有在「農業」地帶內的土地進行新的填土工程，包括為改作上文第一欄和第二欄所列的任何用途，或《註釋》說明頁所經常准許的用途或發展（由政府統籌或落實的公共工程，以及保養、修葺或翻建工程除外），須向城市規劃委員會申請規劃許可。

鑑於地政總署的最新函件，申請人擬在申請地點正規化現有違例構築物。獲得此規劃許可後，申請人將向地政總署申請臨時豁免書，以允許擬議的構築物。

擬議的臨時單層貨倉發展與附近的農村發展，主要為農地、休閒農場、住宅、露天貯物場／貯物場、停車場和空置土地，具有相稱的發展規模。此外，擬議發展不會對周邊環境造成任何不利影響。

申請人清楚地得悉，如果獲得規劃許可，則必須向地政總署申請臨時豁免書，以實現擬議的發展和通行權。

在各種規劃和設計優點的考慮而言，本發展計劃有充份理據獲得支持。鑑於上述理由，申請人謹請城規會批准本主題申請。

1. Introduction

1.1 Project Background

DeSPACE(International) Limited acts on behalf of the Applicant, SHEEN POWER CAPITAL INVESTMENT LIMITED to prepare and submit this Section 16 Town Planning Application to the Town Planning Board (TPB) to seek planning permission for a proposed Temporary Warehouse (excluding Dangerous Goods Godown) on a temporary basis of 3 years and Filling of Land on a site currently zoned as "Agriculture" within the Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9 (the OZP). **(Figure 1 – Location Plan and the Outline Zoning Plan)**

According to the OZP, the proposed "Warehouse (other than Dangerous Goods Godown) is neither a Column 1 nor Column 2 use under the "Agriculture" ("AGR") zone. According to the covering Notes of the OZP, temporary use not exceeding a period of 3 years requires planning permission from the Town Planning Board (the Board). Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission. There is no development restriction on the proposed development.

The Applicant is the registered land owner of Lots no. 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long (The Application Site). The subject lots are currently hard-paved, vacant with a few vacant structures. The proposed filling of land could regularize the unauthorized development of paved area within the Application Site. In addition, the Applicant also intends to regularize unauthorized structure(s) erected on the Application Site with reference to the latest correspondence from the Lands Department. Upon this planning permission, the Applicant would apply to the Lands Department for a temporary waiver to permit the applied structures.

According to the RNTPC Paper No. A/YL-KTN/690, the Site was subject to a planning enforcement action (No. E/YL-KTN/498) against an unauthorized development (UD) involving storage use. An Enforcement Notice was issued on 20th June 2019 to the concerned party requiring discontinuation of the UD. As a matter of fact, the UD has been discontinued and a Compliance Notice under Section 23(4A) of the Town Planning Ordinance has been issued by the Planning Authority dated 23rd January 2020.

The proposed development with a single storey warehouse on a temporary basis is at a compatible development scale to its nearby rural developments predominated by active agricultural land, hobby farm, residential structures/dwellings, open storage/storage yards, parking of vehicles and vacant/unused land. Also, the proposed development would not cause any adverse impacts to the surroundings.

1.2 Structure of Report

Following this section, Section 2 gives a brief overview of the site context and history. Section 3 presents the planning context to the Application Site. Section 4 contains a full description of the Proposed Development Scheme. Planning and technical justifications for the scheme are elaborated in Section 5. Section 6 presents the concluding remarks and summarizes the grounds for approval of the Application.

2. Site Context

2.1 Site Context and Surrounding Land uses

The Application Site is currently hard-paved, vacant with a few vacant structures. The proposed filling of land could regularize the unauthorized development of paved area within the Application Site. It is accessible from Fung Kat Heung Road via Mei Fung Road (i.e., a local track). The site has a site area of about 2,057.92 square metres.

The surrounding areas are rural in character predominated by active agricultural land, hobby farm, residential structures/dwellings, open storage/storage yards, parking of vehicles and vacant/unused land (**Figure 1**). According to the RNTPC Paper No. A/YL-KTN/690, the nearby open storage/storage yards and parking of vehicles are suspected UD subject to enforcement action by the Planning Authority: -

- to its immediate north are two sites for temporary hobby farm use with valid planning permission (Applications No. A/YL-KTN/665 and 670) and a site for temporary animal boarding establishment use with valid planning permission (Application No. A/YLKTN/ 651);
- to its immediate south is a site subject to previous planning permission for temporary hobby farm (Application No. A/YL-KTN/513) but the planning permission was revoked due to non-compliance with approval conditions (Plan A-1);
- to its east and further north and south are active agricultural land, scattered residential structures/dwellings and vacant/unused land zoned "Agriculture" ("AGR") and "Industrial (Group D)" ("I(D));
- to its west and northwest across a local track are open storage/storage yard, parking of vehicles, hobby farm, scattered residential structures/dwellings and vacant land.

Specific Site Features (Figure 2 – Lot Index Plan)

The Proposed Development pays full attention to the following specific site features along Mei Fung Road and the Application Site: -

- A not exceeding 5m vacant structure is located at the south-eastern of the Application Site and 50.5 m from the Mei Fung Road;
- A tree is found inside the Application Site and next to the said UD; and
- A layby is located at the west of the Application Site along Mei Fung Road

Please be invited to note that, these specific site features will all be respected and retained. A new proposed vehicular access will be adopted as the point of ingress or egress to or from the Site.

2.2 Lease

With reference to preliminary land status check, it reviews the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.

The Applicant is well-noted that in the event that the planning permission is given, it is required to apply to the Lands Department for a temporary waiver to permit the structures to be erected or regularize any irregularities on the application site.

3. Town Planning Context

3.1 Statutory Planning Requirements

The Site is currently zoned "AGR" on the Kam Tin North OZP and the Applicant intends to use the Site for the purpose of Temporary Warehouse (excluding Dangerous Goods Godown) on a temporary basis of 3 years and filling of land. According to the Notes of the OZP with regard to "AGR" zone, 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. In addition, "Warehouse (excluding Dangerous Goods Godown)" use is neither a Column 1 nor Column 2 use under the "AGR" zone. According to the covering Notes of the OZP, temporary use not exceeding a period of 3 years requires planning permission from the Board, notwithstanding that the use or development is not provided for in terms of the OZP.

Please also note that any new filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), on land falling within the "AGR" zone on the Kam Tin North OZP requires permission from the TPB under section 16 of the Town Planning Ordinance.

3.2 Previous Planning Application(s) within the subject Site

The Application Site is subject of 1 previous application (No. A/YL-KTN/690) for a proposed temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years. This application was approved by the RNTPC of the Board dated 17th January 2020. The Planning Department agrees that the approval of that application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the "AGR" zone. In order to minimize any possible environmental nuisance, approval conditions restricting the operation hours and prohibiting the use of public announcement system at the Site are recommended. The approval conditions are summarized below: -

- a) no operation between 5:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used at the site at any time during the planning approval period;
- c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- d) 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 TPB by 17.7.2020;
- e) in relation to (d) 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 TPB by 17.10.2020;
- f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- g) 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 TPB by 17.7.2020;
- h) in relation to (g) 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 TPB by 17.10.2020;
- i) if any of the above planning conditions (a), (b), (c) or (f) 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;
- j) if any of the above planning conditions (d), (e), (g) or (h) 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
- k) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB."

3.3 Similar Planning Application(s)

As shown in Table 1, there are 7 similar approved planning applications on a temporary basis within the same Approved OZP. These cases are all approved with conditions on a temporary basis.

Table 1: Similar Approved Planning Applications in "Agriculture" within the same OZP

	Case No.	Applied Use – Shop and Services	Planning Justification
1	A/YL-KTN/320 (17/4/2009) (Approved with condition(s) on a	Temporary Warehouse for Musical Instruments and Posters of Concerts for a Period of 3 Years at Lots 812 (Part) and 813 (Part) in D.D. 107, Kam Tin, Yuen Long, New Territories	The application site was <u>small in size</u> and was not incompatible with the surrounding areas. Planning permission on a <u>temporary basis for three years</u> would not frustrate the long-term

	temporary basis)		<u>planning intention</u> of the "Agriculture" zone. To avoid potential environmental impacts, relevant approval conditions had been recommended.
2	A/YL-KTN/379 (18/5/2012) (Approved with condition(s) on a temporary basis)	Temporary Warehouse for Musical Instruments and Posters of Concerts for a Period of 3 Years at Lots 812 S.A (Part) and 813 S.A (Part) in D.D. 107, Kam Tin, Yuen Long, New Territories	PlanD considered that the temporary use could be tolerated for a period of three years for the reason that it <u>would not frustrate the long-term planning intention</u> of the "Agriculture" zone.
3	A/YL-KTN/398 (1/3/2013) (Approved with condition(s) on a temporary basis)	Temporary Warehouse for Musical Instruments and Posters of Concerts for a Period of 3 Years at Lots 812 S.A (Part) and 813 S.A (Part) in D.D. 107, Kam Tin, Yuen Long, New Territories	PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments that <u>long-term planning intention of the "Agriculture" zone would not be frustrated.</u>
4	A/YL-KTN/509 (18/3/2016) (Approved with condition(s) on a temporary basis)	Temporary Warehouse for Musical Instruments, Posters and Documents for a Period of 3 Years at Lots 812 S.A (Part) and 813 S.A (Part) in D.D.107, Kam Tin, Yuen Long	In view of the <u>small scale and temporary nature of the development within an entirely enclosed structure</u> , it would not have significant impact on the rural character of the area.
5	A/YL-KTN/565 (14/7/2017) (Approved with condition(s) on a temporary basis)	Temporary Warehouse for Musical Instruments, Posters, Documents and ancillary caretaker's office for a Period of 3 Years at Lots 812 S.A (Part) and 813 S.A (Part) in D.D.107, Kam Tin, Yuen Long	Although the applied use was not in line with the planning intention of the "Agriculture" ("AGR") zone, it was considered not incompatible with the surrounding areas and DAFC had no strong view on the development from the agricultural point of view. Temporary approval of the application <u>would not jeopardize the long-term planning intention of the "AGR" zone.</u>
6	A/YL-KTN/709 (12/6/2020) (Approved with condition(s) on a temporary basis)	Renewal of Planning Approval for Temporary Warehouse for Musical Instruments, Posters, Documents and Ancillary Caretaker's Office for a Period of 3 Years at Lots 812 S.A (Part) and 813 S.A (Part) in D.D.107, Kam Tin, Yuen Long	The applied use was considered <u>not incompatible with the surrounding areas which were predominated by cultivated/fallow agricultural land, scattered residential dwellings/structures, open storage/storage yards, parking of vehicles and vacant/unused land.</u>

7	A/YL-KTN/786 (15/10/2021) (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse for Storage of Tail Lift for a Period of 3 Years at various lots in D.D. 107, Fung Kat Heung, Yuen Long, N.T.	It is considered that approval of the application on a temporary basis of 3 years would not frustrate the long-term planning intention of the "AGR" zone. The applied use is considered <u>not incompatible with the surrounding area which is rural in character intermixed with warehouses, open storage yards, site office, parking of vehicles, and unused land.</u>
---	--	--	--

As a comparison between these 7 quoted approved cases and the subject site, the current application is small in size and is considered not incompatible with the surrounding area which is rural in character intermixed with temporary open storage yards, parking of vehicles and unused land. Mostly important, the current application is temporary in nature and it would not jeopardize the long-term planning intention of the "AGR" zone.

In particular, the recent application for a temporary Warehouse (i.e., A/YL-KTN/786) in the same "AGR" zone has been approved with conditions by the Board on 15th October 2021. For your easy reference, the Gist and the Approval Conditions are summarized below: -

Table 2: Gist of Development Parameters of Application No. A/YL-KTN/786

Application No.	A/YL-KTN/786
Location	Lots 470 (Part), 471, 472 (Part), 473 (Part), 474 (Part), 475 (Part), 483 (Part), 1643 (Part), 1644 (Part), 1645 RP (Part) and 1646 (Part) in D.D. 107, Fung Kat Heung, Yuen Long, N.T.
Site area	About 2,280 square metres
Plan	Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9
Applied use	Proposed Temporary Warehouse for Storage of Tail Lift for a Period of 3 Years
Gross Floor Area	Not more than 1,770.5 sqm
Maximum Plot Ratio	0.78
No. of block (Non-domestic)	3
Building height (Non-domestic)	Not more than 8.5m
No. of storey (Non-domestic)	Not more than 2 storey(s)
Site coverage	63%
No. of parking spaces and loading/ unloading spaces	2 private car parking spaces (5m x 2.5m) 3 LGV L/UL (7m x 3.5m)

Approval conditions of Application No. A/YL-KTN/786

- a) no operation between 7:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- c) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out on the site at any time during the planning approval period;
- d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- f) 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 TPB by 15.7.2022;
- g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- h) 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 TPB by 15.4.2022;
- i) in relation to (h) 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 TPB by 15.7.2022;
- j) if any of the above planning condition (a), (b), (c), (d), (e) or (g) 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;m
- k) if any of the above planning condition (f), (h) or (i) 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
- l) upon expiry of the planning permission, the reinstatement of the "Agriculture" portion of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB."

4. Proposed Development

4.1 Development Objective

The Applicant pays particular attention to the said planning enforcement action (No. E/YL-KTN/498) against an unauthorized development (UD) involving storage use in the Application Site with the aim of ensuring the UD would be discontinued. As a matter of fact, a Compliance Notice under Section 23(4A) of the Town Planning Ordinance has been issued by the Planning Authority dated 23rd January 2020.

According to the latest correspondence from the Lands Department, there is / are structure(s) erected on the Lots 956 and 959 RP in D.D. 107 (i.e., the Application Site)

without an approval from the Lands Department. It constitutes a breach of the conditions in the Government lease. The Lands Department requires the registered owner of the Lots (i.e., the Applicant) to purge the said breach by demolishing or removing the unauthorized structure(s).

Nonetheless, the Applicant has a good intention to regularize both the unauthorized structure and the paved area (i.e., the said irregularities), erected on the Application Site. Upon the planning permission, the Applicant would apply to the Lands Department for a temporary waiver to permit the applied warehouse structures.

4.2 Development Proposal

As aforementioned in Section 2, the surrounding areas are rural in character predominated by active agricultural land, hobby farm, residential structures/dwellings, open storage/storage yards, parking of vehicles and vacant/unused land. With the intention to better utilize the vacant land, the single-storey vacant structure with a gross floor area of about 909.15 sq.m. will be converted to a Warehouse (other than Dangerous Goods Godown). No additional structures would therefore be required. Its operation hours would be 9:00 am to 7:00 pm from Mondays to Saturdays and No operation on Sundays and public holiday.

The proposed development will be served by a proposed 6m new run-in/out as vehicular access at Mei Fung Road (i.e., a local track). With the operational needs of a sufficient carpark provision, only one (1) private car parking space will be provided within the Site for the exclusive use of the operator of the proposed development. It will be designated for accessible parking space with a dimension of 3.5m in width and 5.0m in length.

With the operational needs of a sufficient carpark provision, only one (1) private car parking space will be provided within the Site for the use of the occupiers of the buildings and their bona fide guests, visitors and invitees. It will be designated for accessible parking spaces. The position and level are considered of good convenience to the disabled user(s). The space is 3.5m in width and 5.0m in length with a minimum headroom of 2.4m.

On top of that, one space for loading and unloading of light goods vehicles (LGV L/UL) will be provided within the Site to satisfy the operational needs of the proposed development. It is considered sufficient to minimize the possible blocking of traffic along Mei Fung Road.

The applied filling of land with not more than 0.2m of concrete is solely to regularize the unauthorized paved area within the Application Site for the purposes of the filling of land is for site formation work, the construction of the proposed warehouse and the circulation space. Please refer to the **Figure 5 – Land Filling Ratio**.

The key development parameters of the proposed development are summarized in Table below:

Table 3: - Major Development Parameters

Development Parameters Table	
Proposed Warehouse	
Site area	About 2,057.92 square metres
Gross Floor Area	About 909.15 square metres
Maximum Plot Ratio	Not More than 0.45
No. of block (Non-domestic)	1
Building height (Non-domestic)	5m
No. of storey (Non-domestic)	1
No. of parking spaces and loading/ unloading spaces	<ul style="list-style-type: none"> ▪ 1 disabled car parking space (5m x 3.5m) ▪ 1 LGV L/UL (7m x 3.5m)
Operation Hours	<ul style="list-style-type: none"> ▪ 9:00 am to 7:00 pm from Mondays to Saturdays ▪ No operation on Sundays and public holiday
Filling of Land	
Land Filling Area	2,057.92 sqm. (about)
Existing Site Level	8.5mPD (about)
Proposed Site Level	8.7mPD (about)
Depth of Filling	Not more than 0.2m
Material of Filling	Concrete

5. Planning and Development Justifications

5.1 Regularization of Irregularities

As aforementioned in Section 4.1, the Applicant pays particular attention to planning enforcement actions against any unauthorized development (UD) and has a good intention to regularize any irregularities erected on the Application Site.

Despite the Applicant has ensured that the UD has been discontinued, further regularization of the same structure will also be proposed to reflect changes of land use so as to address the concern of Lands Department about the breach of the conditions in the Government lease. Upon the planning permission, the Applicant would apply to the Lands Department for a temporary waiver to permit the applied structures.

The Applicant is also intended to regularize the status of the paved area within the Application Site. As per the topographic map published by the Lands Department, the existing site level is about 8.5mPD. The Applicant will ensure that a not more than 0.2m of concrete will be filled and placed on the grounded surface. The proposed site level will be about 8.7mPD. Purposes of the filling of land is for site formation work, the

construction of the proposed warehouse and the circulation space. The proposed land filling area will be about 2,057.92 sqm. which would reflect the existing condition of the Application Site.

5.2 The Proposed Development would not jeopardize the long-term planning intention of the "AGR" zone

As aforementioned, 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.

However, it is considered that approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the "AGR" zone. The proposed development will not cause permanent or irreversible influence on the land. The proposed development on a temporary basis which generates no significant nuisance should be encouraged in the interim to make economic use and better utilization of scarce land resources.

5.3 Compliance with Surrounding Land Uses

As aforementioned in Section 2, the surrounding areas are rural in character predominated by active agricultural land, hobby farm, residential structures/dwellings, open storage/storage yards, parking of vehicles and vacant/unused land. Given that, the proposed development is considered not incompatible with the surrounding land uses.

It is emphasized that a notable amount of open storage yards and port back-up activities, temporary warehouses for storage purposes and rural industrial workshops were found in the same "AGR" zone and the "I(D)" zone on the northern side of the Application Site.

5.4 No Insurmountable Traffic Impacts & Proposed Vehicular Access Arrangement

As stipulated in **Figure 3**, the following transport facilities will be provided within the Site: -

- 1 no. of LGV/ L/UL; and
- 1 no. of disabled car parking space.

The purpose of the proposed development is to provide warehouse/storage activities on a temporary basis. Hence, the proposed warehouse, on a limited scale, only requires one (1) disabled car parking space and one (1) light goods vehicles loading and unloading bay to meet its operational needs.

The Application site is accessible from Fung Kat Heung Road via Mei Fung Road (i.e., a local track). Site run-in/out is arranged at the northwestern side of the application site. Private car and light goods vehicle will access the application site.

The proposed development is intended for temporary warehouse for storage purpose only. Hence, no significant traffic generation will be expected from the limited traffic

generation rate and attraction rate. The estimated average traffic generation and traffic generation rate at peak hours are as follows:

Table 4: Estimation of Hourly Trip Generation and Trip Attraction

Type of Vehicle	Average Traffic Generation Rate (pcu/hr)	Average Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at Peak Hours (pcu/hr)	Traffic Attraction Rate at Peak Hours (pcu/hr)
Private car	0.1	0.1	1	1
Light goods vehicle	1	1	2.5	2.5
Total	1.1	1.1	3.5	3.5

The peak hours are assumed as 7:00 am to 9:00 am in the morning and 5:00 pm to 7:00 pm in the afternoon. The traffic generation rate and traffic attraction rate at peak hours are expected to be equivalent to or not more than the current parking capacity in the proposed development.

As shown in above estimation, the proposed development in a small scale shall not result in a significant traffic generation and attraction in both peak hours and in average. Hence, the hourly trip generation and trip attraction of the proposed development shall be tolerated by Fung Kat Heung Road and the local track (i.e., Mei Fung Road).

Adequate space for maneuvering of vehicle would be provided within the application site and no queuing up of vehicle would be expected along Mei Fung Road. The negligible increase in traffic would not aggravate the traffic condition of Mei Fung Road and its nearby road networks.

5.5 No Insurmountable Visual Impacts

The subject proposed development intends to convert the existing not exceeding 5m vacant structure into a warehouse. With the overall visual context of low-rise developments including active agricultural land, hobby farm, residential structures/dwellings, open storage/storage yards and so on, the existing 5m structure is considered to be compliable without leading to adverse visual impact on visual penetration of an open sky view, light penetration into surrounding environment and visual openness.

In consideration of the sensitive viewers in direct sight of the proposed development, the proposed development shall not induce adverse visual impact and concerns to viewers such as pedestrians and drivers on Mei Fung Road and local residents of the nearby residential developments.

While the existing vacant structure (i.e., the proposed development) locates at the south-eastern of the Application Site and 50.5 m from the Mei Fung Road, the proposed development shall not create any visual impacts to all the key sensitive viewers in the surrounding areas.

5.6 No Insurmountable Landscape Impacts

As per the departmental comments from the Urban Design & Landscape Section of the Planning Department in RNTPC Paper No. A/YL-KTN/690, the Site was hard paved

and fenced off. Two existing trees of common species were found along the north-eastern and north-western boundary of the Site, according to the site visit conducted by UD&L on 4th December 2019.

After reviewing tree locations and the site boundary of this application, only one existing tree of common species is found near the existing vacant structure (i.e., the proposed warehouse).

In addition, please be noted that the proposed warehouse and the proposed vehicular access arrangement, including the maneuvering of vehicle and the proposed run-in/out, would not impact on any trees. Hence, further significant adverse landscape impact arising from the development is not anticipated.

5.7 No Insurmountable Environmental Impacts

While the nature of the proposed warehouse on a temporary basis is static, it would not generate significant environment and noise disturbances to the environment in the local community.

Related sound generation activities such as loading and unloading of goods and associated traffic are infrequent and minimal. Given the estimation of traffic generation/attraction in Table 4, the limited traffic flow should generate no traffic noise and have no adverse impact to the surrounding road network. No workshop and industrial activities will be carried out within the application site and no effluent and dust emission will be expected.

Furthermore, users and operators of the proposed development should exercise care, as far as possible, making excessive noise causing nuisance to the surrounding. The following mitigation measures will be adopted to avoid degradation of the surroundings:-

- (i) No operation between sensitive hours from 7:00 pm to 9:00 am in the next morning;
- (ii) No operation on Sundays and public holidays; and
- (iii) No repairing, dismantling, assembling or other workshop activity are proposed.

The applicant will also follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" (the COP).

6. Conclusion



This section 16 planning application is submitted to seek planning permission for a proposed Temporary Warehouse (excluding Dangerous Goods Godown) on a temporary basis of 3 years and filling of land at Lots 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long.

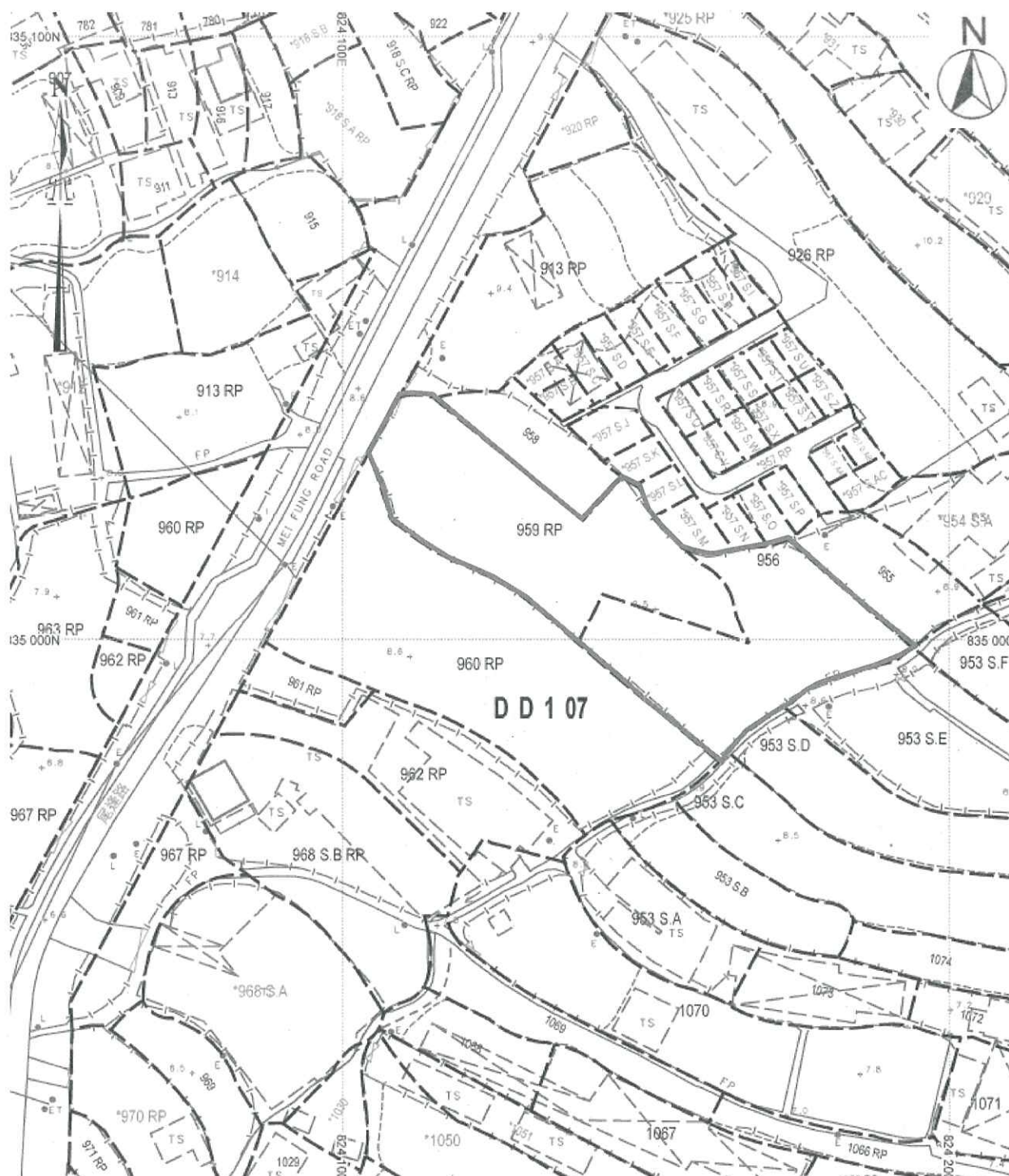
This planning statement has demonstrated that the implementation of the Proposed Development on a temporary basis could better utilize the vacant land and create more employment opportunities in the local sector. The Proposed Development is fully justified on the following grounds: -

- A good intention to regularize any irregularities (e.g., structures and paved area) erected on the Application Site
- A planning merit to better utilize the vacant land on a temporary basis and create employment opportunities;
- Not incompatible land use nature, development scale and intensity;
- No adverse landscape, visual, traffic and environmental impacts; and
- The proposed development on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the subject "AGR" zone.

To conclude, the Proposed Development is fully justified in terms of planning considerations with various planning and design merits. In view of the above, members of the TPB are respectfully requested to favorably consider the present application in support of the proposed development of Temporary Warehouse (excluding Dangerous Goods Godown) and Filling of Land by the Applicant in Hong Kong.



Legend  Application Site		Location Lots 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long		
Figure No. FIGURE 1	Figure Title Location Plan (Extracted from the Survey Base Map from LandsD)	Date Dec 2021	Scale 1 : 5,000 at A4	Prepared by  DeSPACE (International) Limited



Legend



Application Site

Location

Lots 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long

Figure No.

FIGURE 2

Figure Title

Location Plan

(Extracted from the Lot Index Plan No.:
ags_S00000085675_0001)

Date

Dec 2021

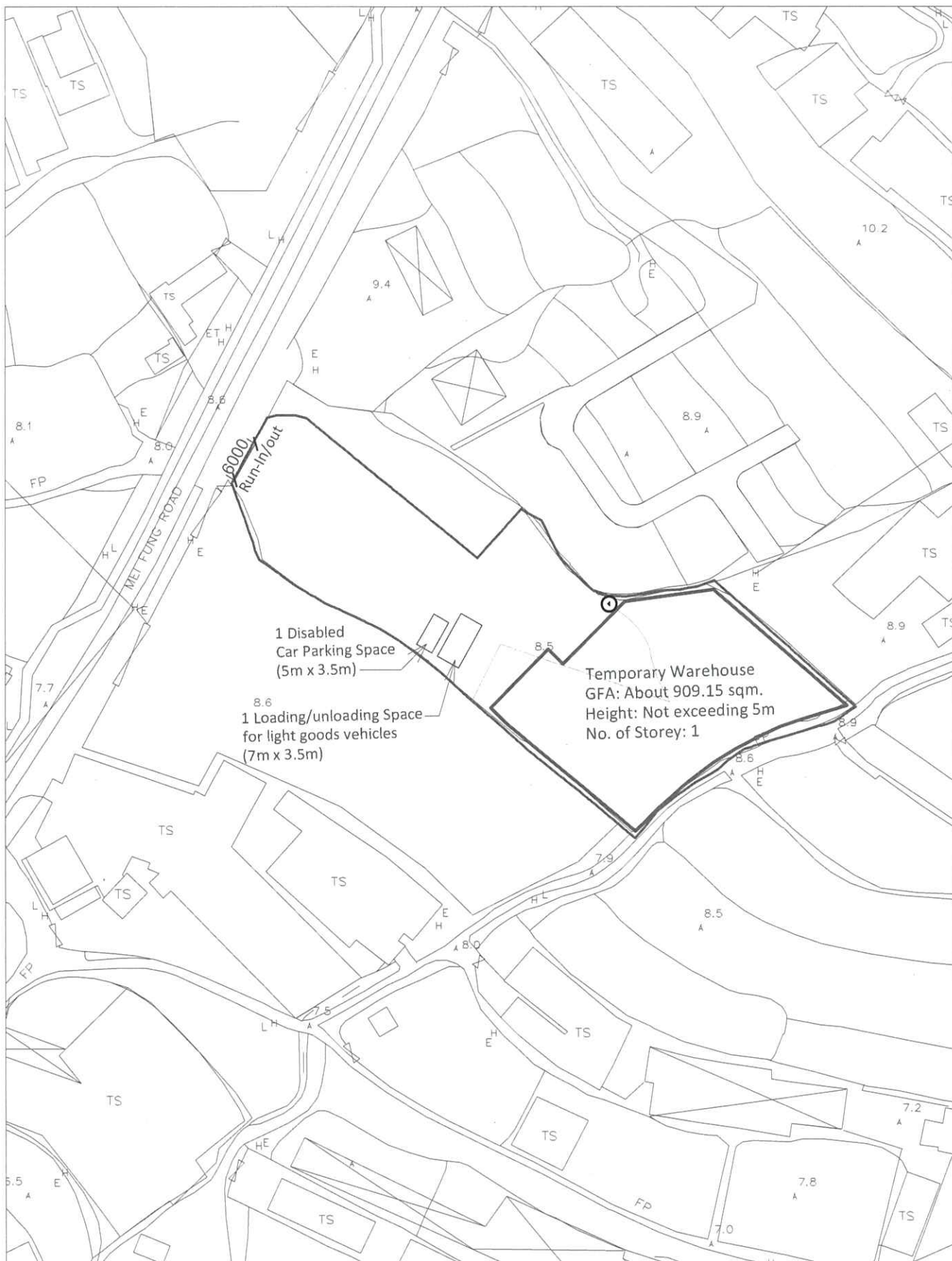
Scale

1 : 1,000
at A4

Prepared by



DeSPACE (International) Limited



BLOCK PLAN
(SCALE 1 : 750)

Existing Tree

APPLICATION SITE

Lot 959 RP & 956
D.D. 107
Yuen Long, N.T.

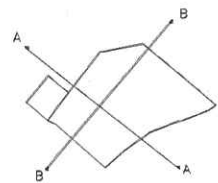
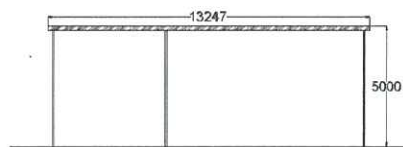
FIGURE 3:

PROPOSED LAYOUT PLAN

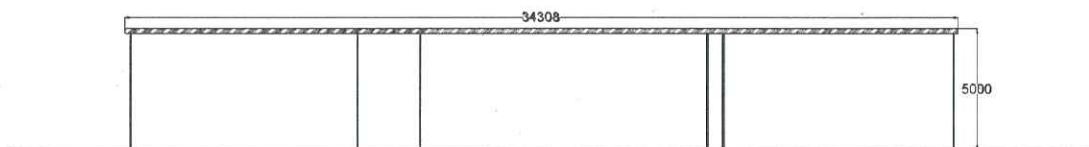
Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long

SECTION AA



SECTION BB



BLOCK PLAN
(SCALE 1 : 300)

APPLICATION SITE

Lot 959 RP & 956
D.D.107
Yuen Long, N.T.

FIGURE 4: PROPOSED SECTION

Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long

Paved Ratio of the Application Site

Application Site Area: 2,057.92 sqm. (about)

Land Filling Area: 2,057.92 sqm. (about)

Existing Site Level: 8.5mPD (about)

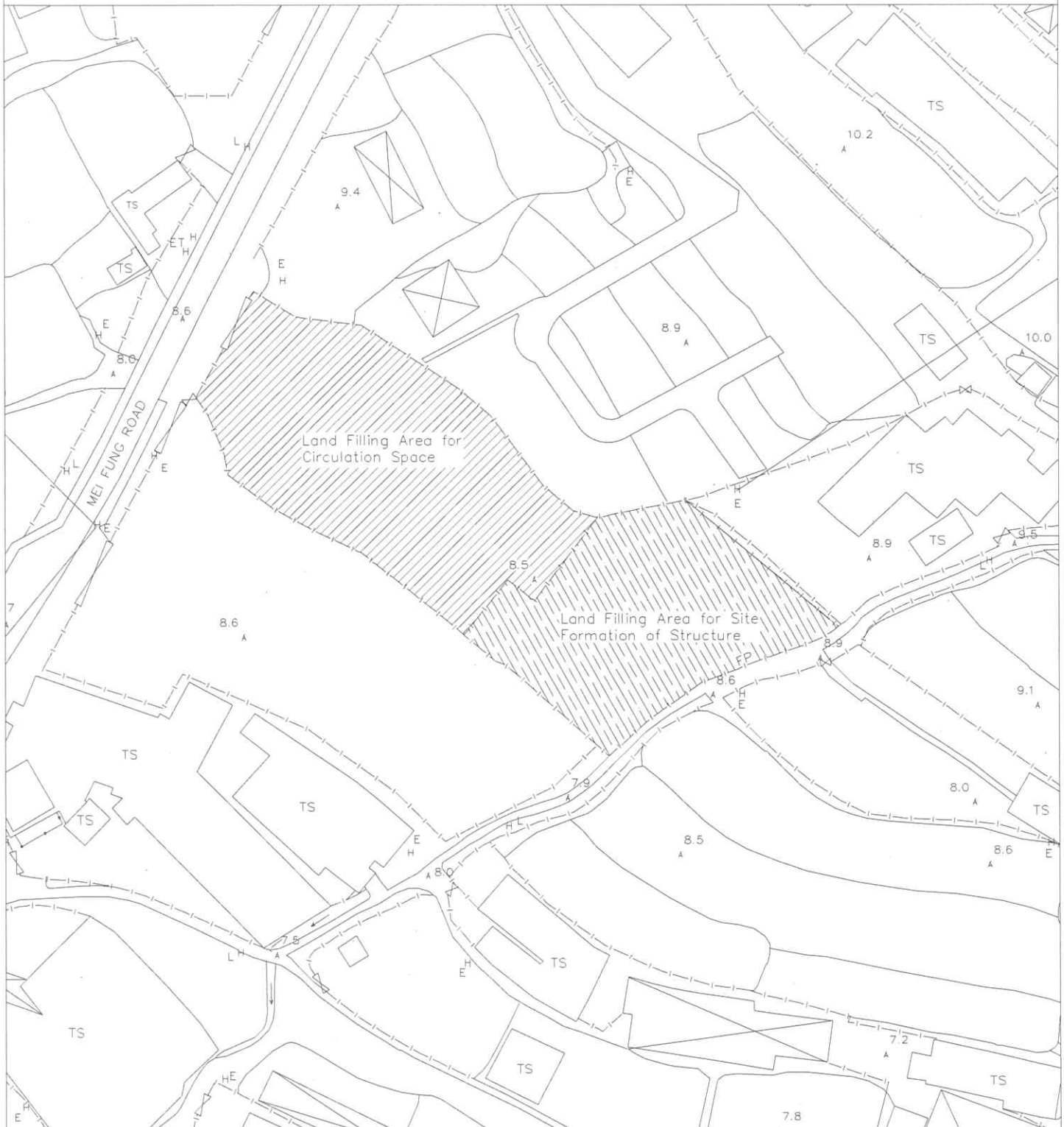
Proposed Site Level: 8.7mPD (about)

Depth of Filling: Not more than 0.2m

Material of Filling: Concrete

Purpose of Land Filling: Site Formation of Structure and Circulation Space

Covered by Structure (i.e., Warehouse): 909.15 sqm. (about)



APPLICATION SITE

Lot 959 RP & 956
D.D.107
Yuen Long, N.T.

FIGURE 5:

Land Filling Ratio

Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long

(SCALE 1 : 750)



Date: 28th March 2022

Page(s): 1 + Attachment

BY HAND & BY EMAIL (tpbpd@pland.gov.hk)

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**SECTION 16 APPLICATION
TOWN PLANNING ORDINANCE (CHAPTER 131)**

**APPLICATION FOR THE PROPOSED TEMPORARY WAREHOUSE (EXCLUDING
DANGEROUS GOODS GODOWN) FOR A PERIOD OF 3 YEARS AND FILLING OF
LAND IN "AGRICULTURE" ZONE ON APPROVED KAM TIN NORTH OUTLINE ZONING
PLAN NO. S/YL-KTN/9 AT LOTS 956 AND 959 RP IN D.D. 107, FUNG KAT HEUNG
ROAD, KAM TIN, YUEN LONG, N.T.**

Town Planning Application No. A/YL-KTN/824

Submission of Further Information (1)

Reference is made to the email dated 18th March 2022 from the District Planning Office in relation to departmental comment from the Transport Department.

In order to address the comment above, please find 8 hard copies of the response-to-comment table and the following appendices:

Appendix 1 – Swept Path Analysis

Appendix 2 – Direction of Flow Plan

Appendix 3 - Public Transport Services Plan

Please be noted that the supplementary traffic information serves as a clarification of the background information of the application and a technical clarification/ response to comments of the Transport Department without changing the scheme. The overall proposed development parameters remain unchanged.

Should there be any queries, please do not hesitate to contact our Mr. Aigo Ng at _____ or the undersigned at _____

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED




Greg Lam
c.c. DPO/ YLE (Attn: Ms. DUEN Long Yee, Loree, Email: llyduen@pland.gov.hk)

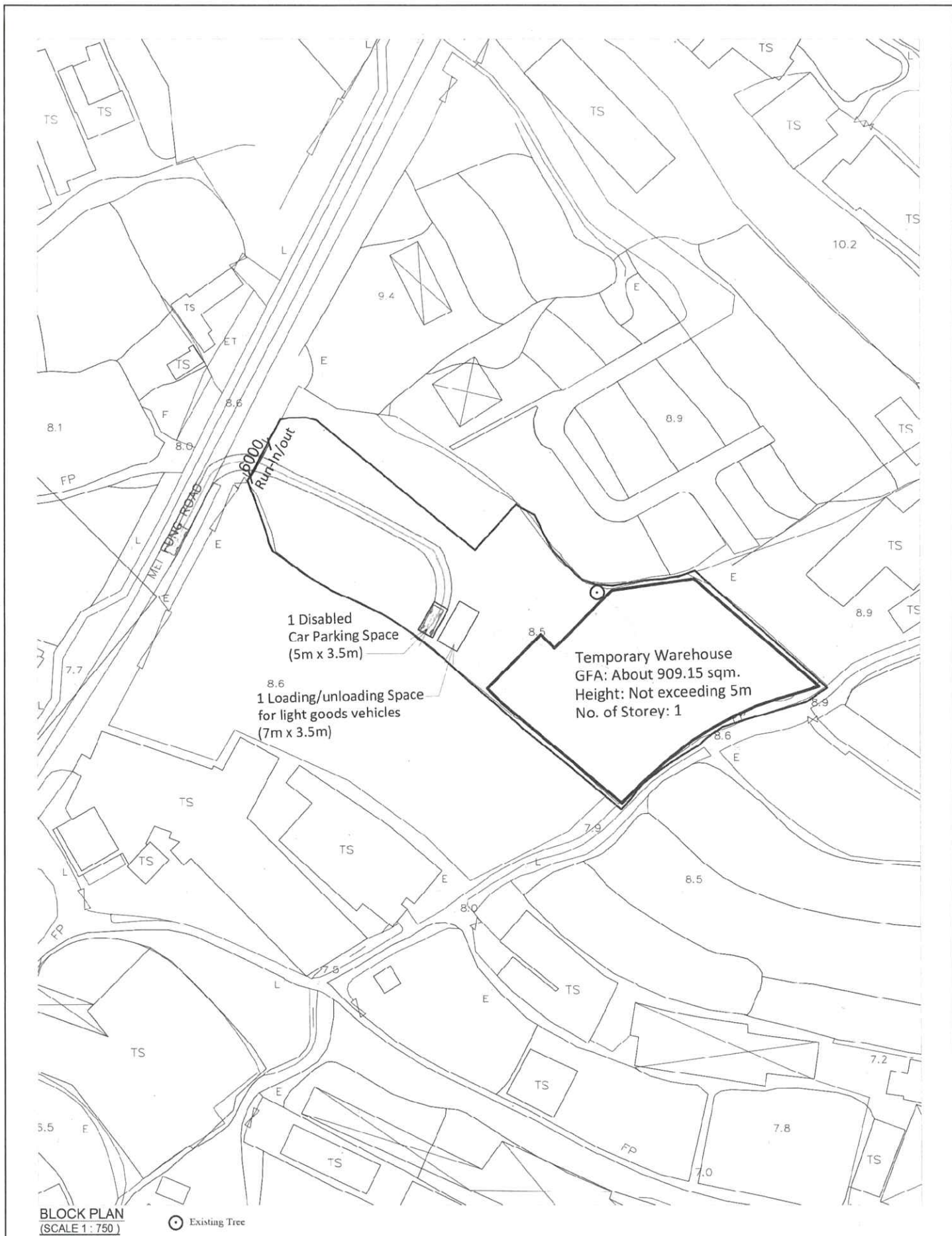
Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years and Filling of Land in "Agriculture" Zone on Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9 at Lots 956 and 959 RP in D.D. 107, Fung Kat Heung Road, Kam Tin, Yuen Long, N.T.
(Application No. A/YL-KTN/824)

Departmental Comments	Response
<p><u>Email dated 18 March 2022 refers:</u> <u>TD:</u></p>	
<p>(a) The applicant should justify the proposed parking and loading / unloading considering the commute of staff / visitors and logistics;</p>	<p>Given the business of the proposed temporary warehouse is designed for long term storage of goods excluding dangerous goods, the actual usage of their light good vehicle (LGV) will be limited and infrequent. The proposed 1 no. of LGV loading and unloading and 1 no. of private vehicle car parking space will therefore be sufficient to cater for the operational need of the proposed warehouse.</p> <p>Due to the said operation model, the number of staff will be limited to 2 to 3. And it is very unlikely that they will work at the application site at the same time. In addition, there are sufficient public transport services including minibuses and bus near the site and within 10 to 15 minutes walking distance. Staff would make good use of the nearby public transport services. Hence, the proposed transport facilities will be sufficient to cater for the operational need.</p>
<p>(b) The applicant should demonstrate the smooth manoeuvring of vehicles to / from Castle Peak Road – Tam Mi / San Tam Road, along the local access and within the site;</p>	<p>Please refer to the Appendix 1 for the Swept Path Analysis. It indicates that there is a smooth manoeuvring of vehicles to / from Castle Peak Road – Tam Mi / San Tam Road, along the local access and within the site.</p>

(c) The applicant should provide the routing between Castle Peak Road – Tam Mi / San Tam Road and the site;	Please refer to the Appendix 2 for the Direction of Flow. It indicates the routing between Castle Peak Road – Tam Mi / San Tam Road and the site.
(d) The applicant should provide nearest public transport services and indicate on the layout plan; and	Please refer to the Appendix 3 for the Public Transport Services Plan. There are sufficient public transport services including minibus and bus near the site. These stops and stations are within easy walking distance of about 10 to 15 minutes.
(e) The applicant should note the local access between Castle Peak Road – Tam Mi / San Tam Road and the site is not managed by this Department.	Noted with thanks.

Appendix 1

Swept Path Analysis



APPLICATION SITE

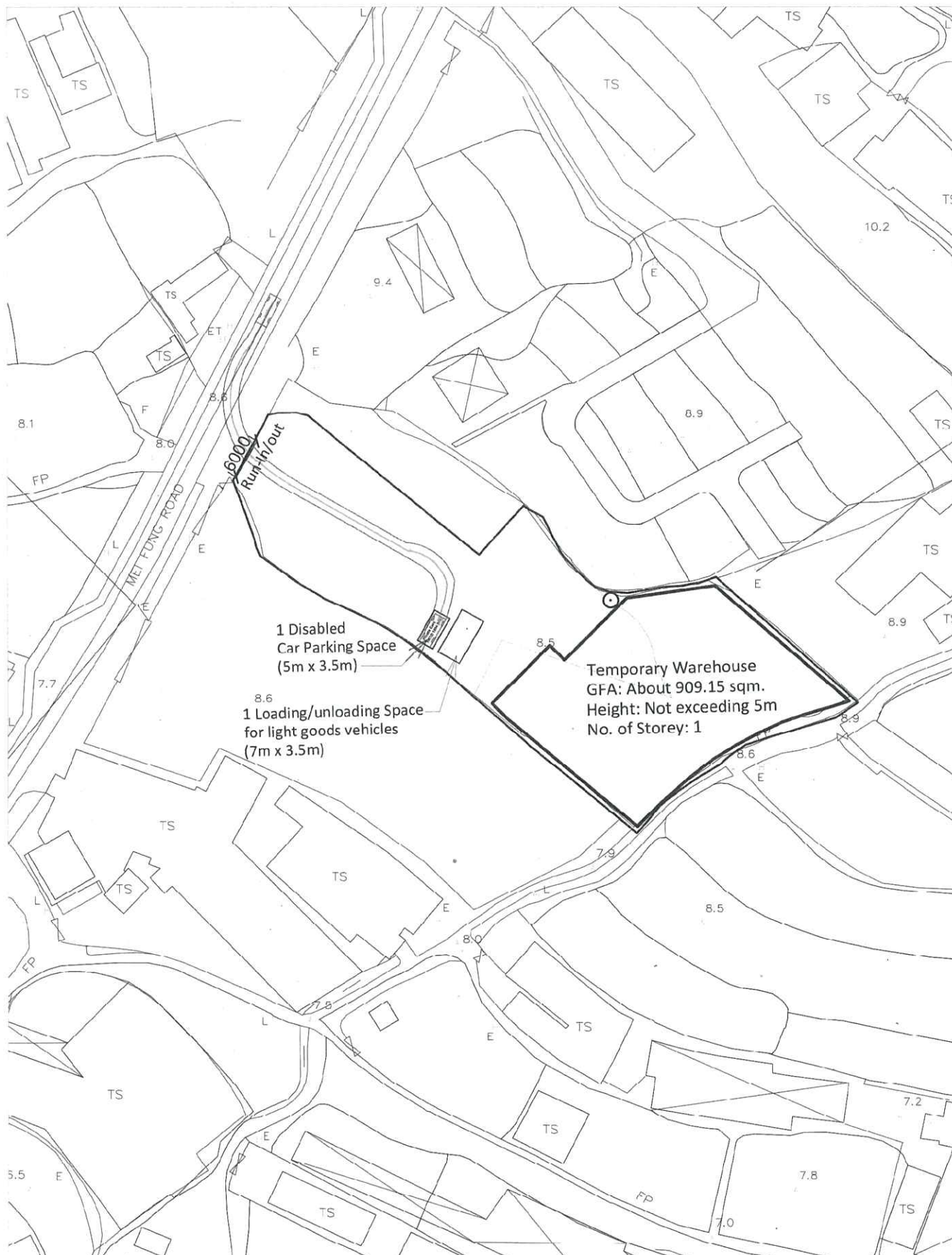
Lot 959 RP & 956
D.D.107
Yuen Long, N.T.

FIGURE 1:

**Swept Path
(Private car in)**

Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long



BLOCK PLAN
(SCALE 1 : 750)

Existing Tree

APPLICATION SITE

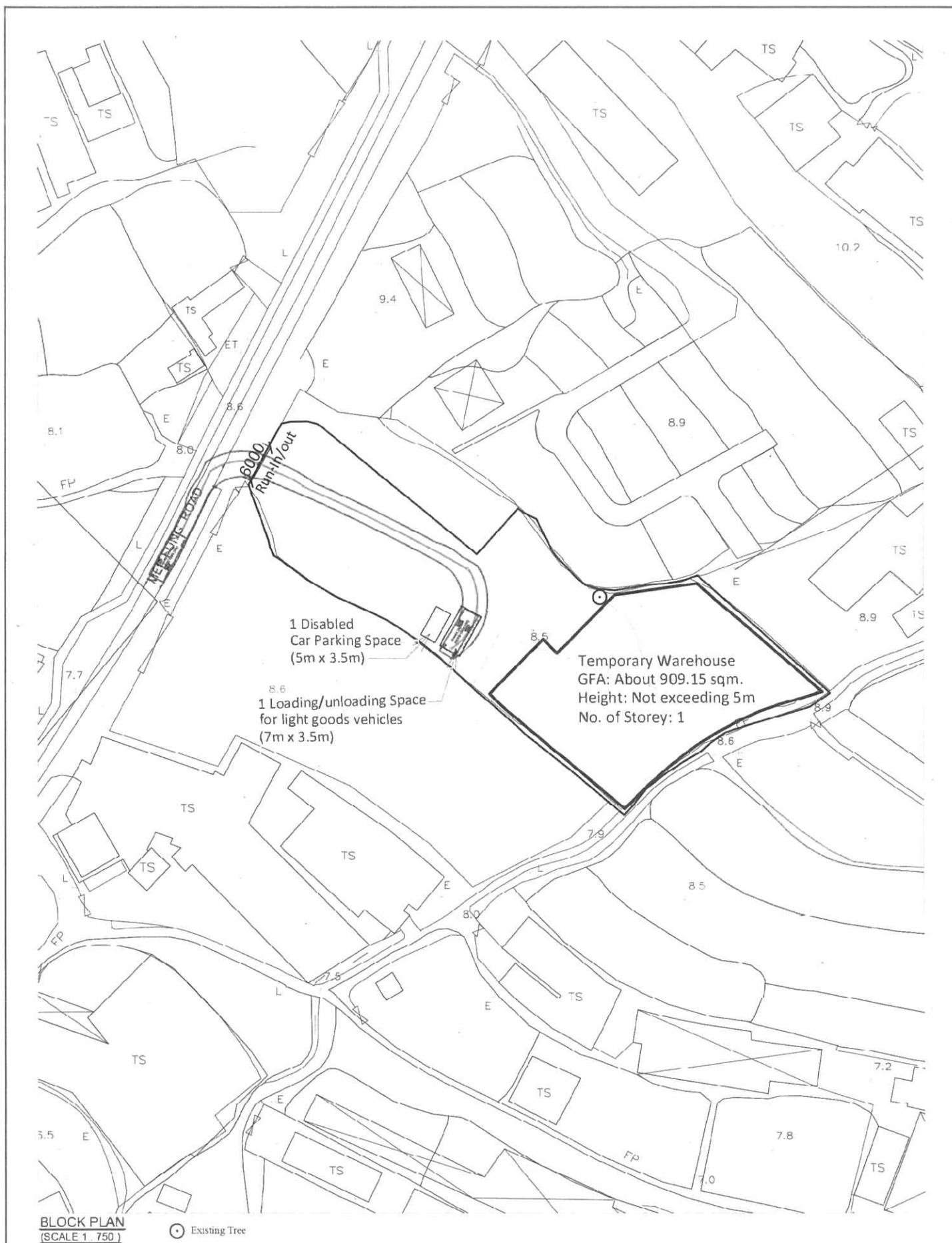
Lot 959 RP & 956
D.D.107
Yuen Long, N.T.

FIGURE 2:

**Swept Path
(Private car out)**

Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long



APPLICATION SITE

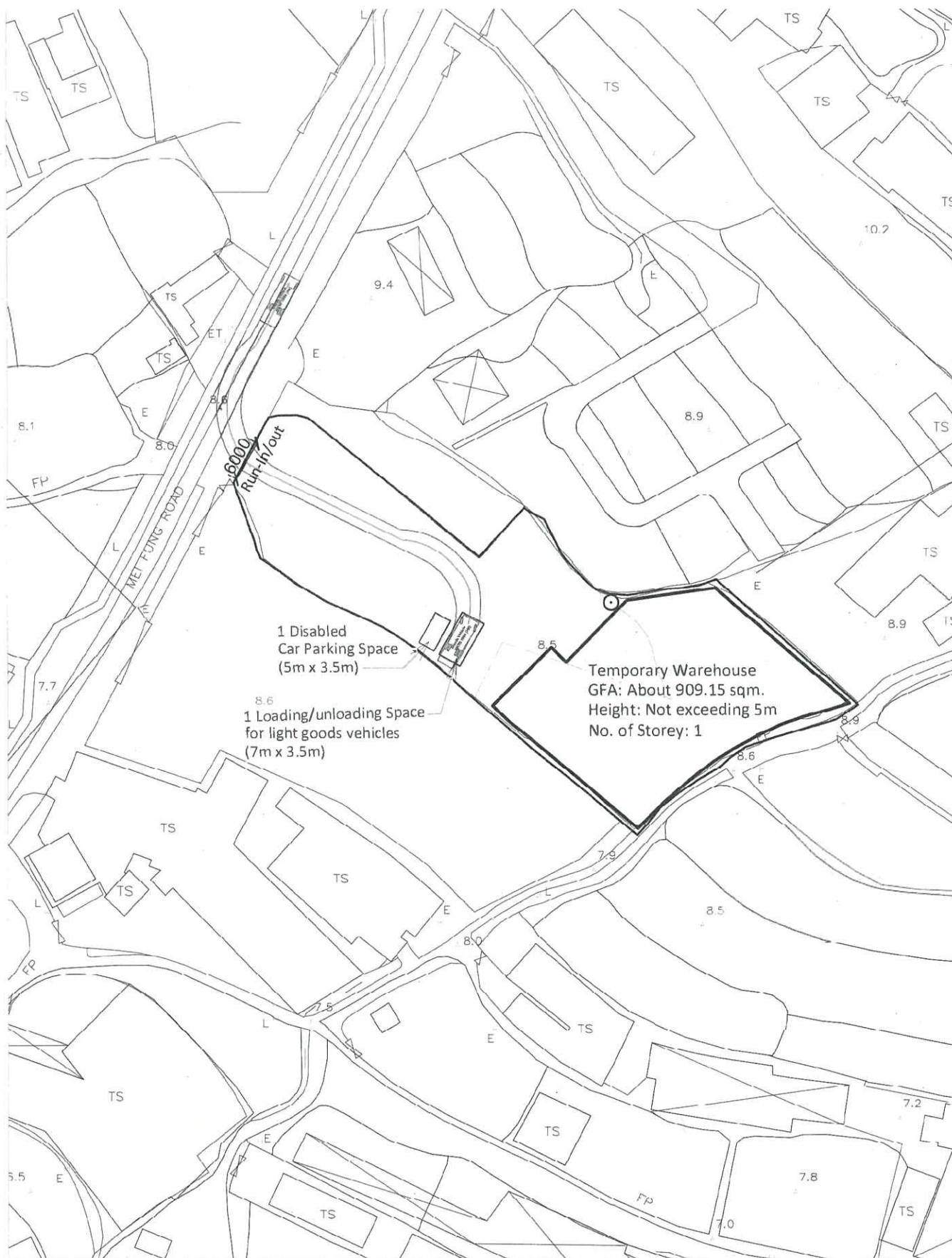
Lot 959 RP & 956
D.D.107
Yuen Long, N.T.

FIGURE 3:

**Swept Path
(Light Goods
Vehicle in)**

Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long



BLOCK PLAN
(SCALE 1:750)

Existing Tree

APPLICATION SITE

Lot 959 RP & 956
D.D.107
Yuen Long, N.T.

FIGURE 4:

**Swept Path
(Light Goods
Vehicle out)**

Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long



Swept Path (Out)
(SCALE 1:200)

Location
Lot 959 RP & 956 in D.D. 107
Yuen Long, N.T.

FIGURE 5
Swept Path Analysis (In)

Application
Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years in
"Agriculture" Zone, Lot 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long



Swept Path (Out)
SCALE 1:1000

Location
Lot 959 RP & 956 in D.D. 107
Yuen Long, N.T.

FIGURE 8
Swept Path Analysis (OUT)

Application
Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years in
"Agriculture" Zone, Lot 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long

Appendix 2

Direction of Flow Plan



Sweep Path (Out)
SCALE 1:4000

Location

Lot 959 RP & 956 in D.D. 107
Yuen Long, N.T.

FIGURE 7

Direction of Flow (IN)

Application

Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years in
"Agriculture" Zone, Lot 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long



Sweep Path (Out)
SCALE 1:4000

Location
Lot 959 RP & 956 in D.D. 107
Yuen Long, N.T.

FIGURE 8
Direction of Flow (OUT)

Application
Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years in
"Agriculture" Zone, Lot 956 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long

Appendix 3

Public Transport Services Plan

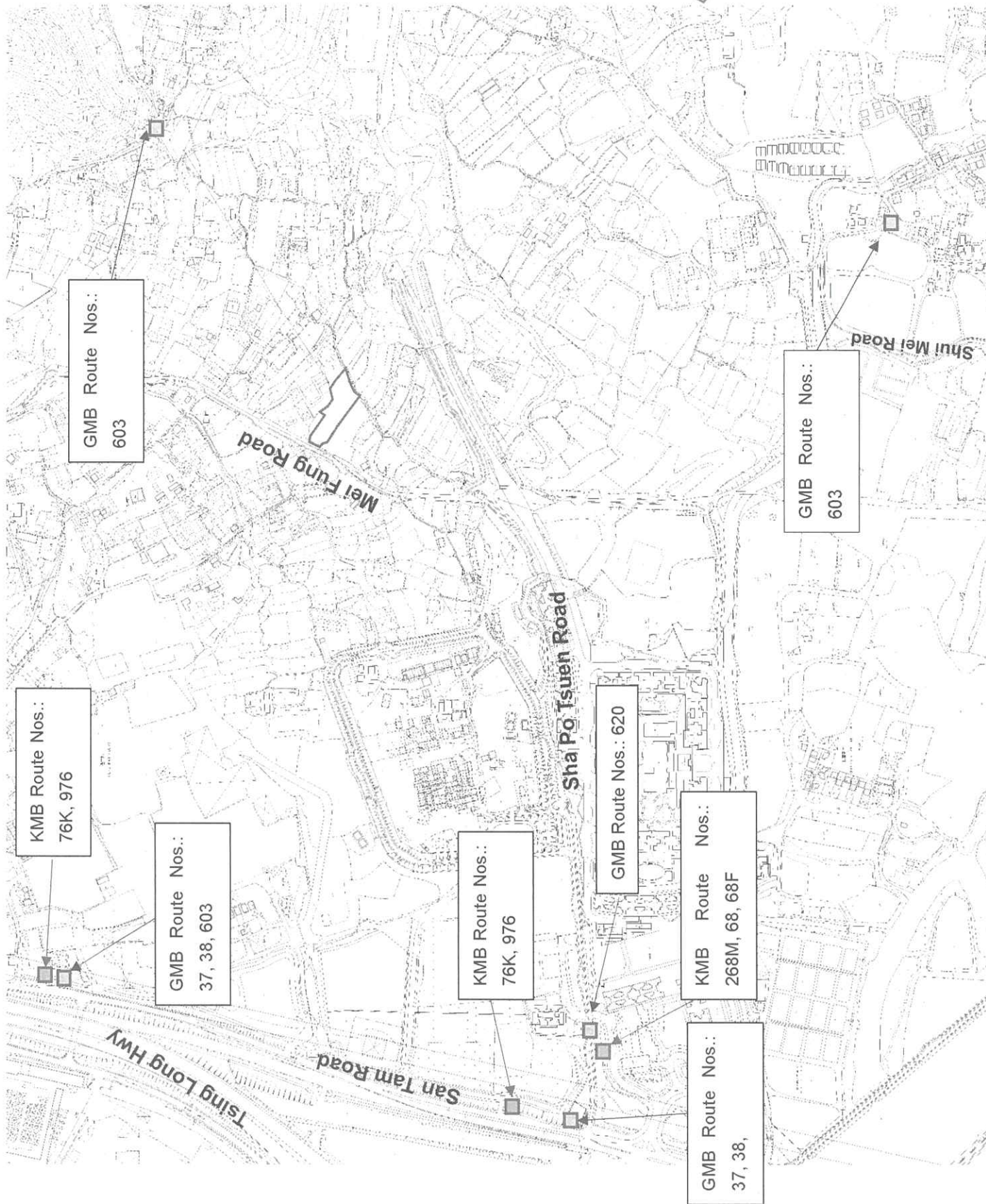


Figure Title

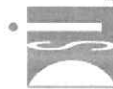
Public Transport Services

Kowloon Motor

Bus Stop

Green Minibus Stop

Application Site



DeSPACE (International) Limited



DeSPACE (International) Limited

Date: 3rd May 2022

Page(s): 1

BY EMAIL (tpbpd@pland.gov.hk)

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**SECTION 16 APPLICATION
TOWN PLANNING ORDINANCE (CHAPTER 131)**

**APPLICATION FOR THE PROPOSED TEMPORARY WAREHOUSE (EXCLUDING
DANGEROUS GOODS GODOWN) FOR A PERIOD OF 3 YEARS AND FILLING OF
LAND IN "AGRICULTURE" ZONE ON APPROVED KAM TIN NORTH OUTLINE ZONING
PLAN NO. S/YL-KTN/9 AT LOTS 956 AND 959 RP IN D.D. 107, FUNG KAT HEUNG
ROAD, KAM TIN, YUEN LONG, N.T.**

Town Planning Application No. A/YL-KTN/824

Submission of Further Information (2)

Reference is made to the email dated 29th March 2022 from the District Planning Office in relation to departmental comment from the Transport Department.

This letter is to clarify that the business of the proposed temporary warehouse is designed for a storage of wooden products such as wooden board. It is intended to store the goods at the site for a longer period, the carriage of goods will be limited to maximum 1 to 2 round-trip(s) per month.

It is also confirmed that all the logistics services will be implemented and handled by the Applicant (i.e., the operator of the proposed temporary warehouse). While the Applicant is meeting their clients by appointment in their office outside the Application Site, no walk-in visitors are supposed to enter the Application Site. Hence, there are no additional parking spaces for visitors.

Please be noted that the supplementary traffic information serves as a clarification of the background information of the application and a response to comments of the Transport Department without changing the scheme, thus should be exempted from recounting requirement. We sincerely request for favorable consideration from the Town Planning Board to approve this Section 16 Planning Application.

Please also find a revised version of our **Figure 5 – Land Filling Ratio** for your reference. It will supersede our previous version attached in our planning statement.

Should there be any queries, please do not hesitate to contact our Mr. Aigo Ng at [redacted] or the undersigned at [redacted]

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED



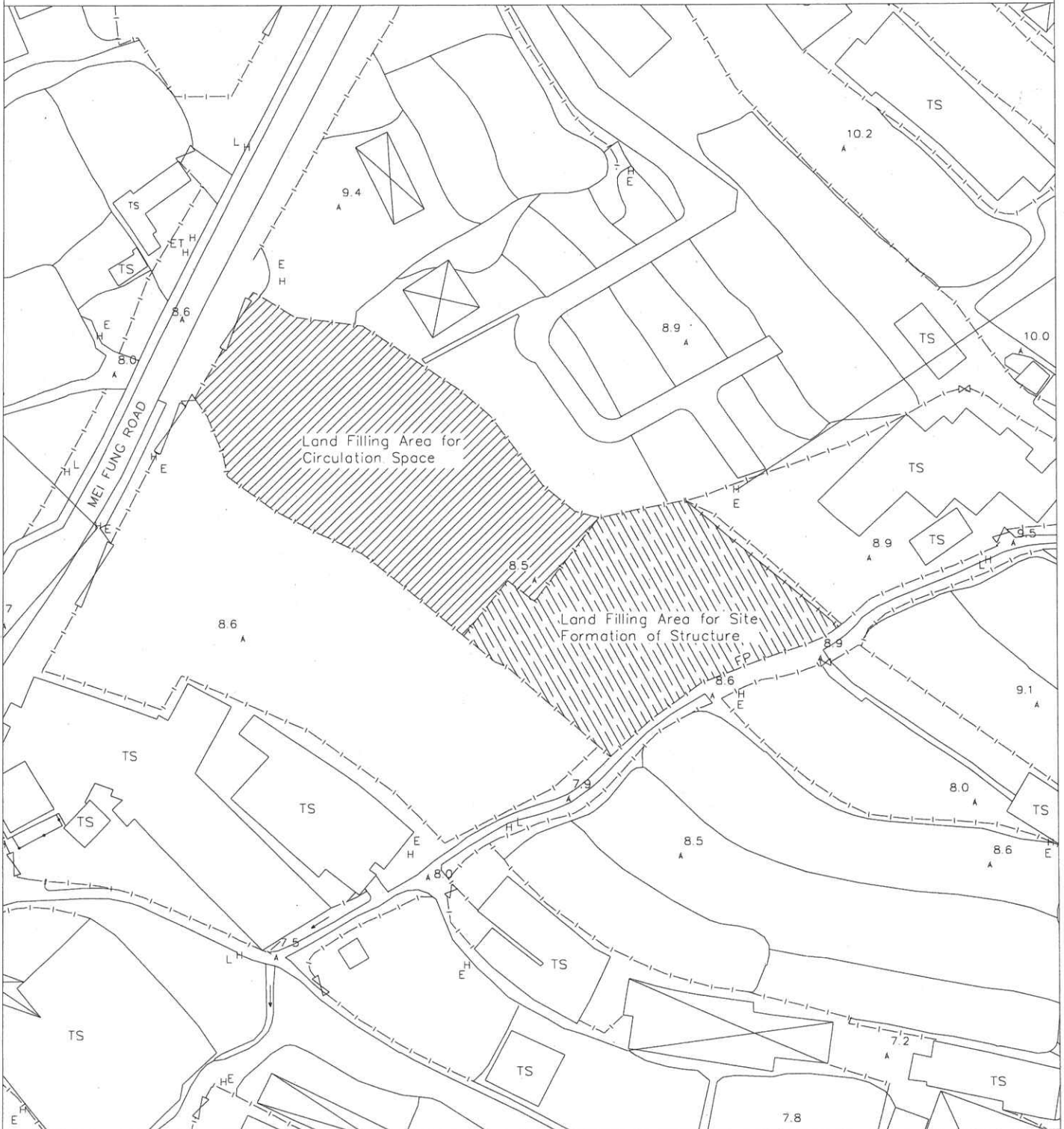
Greg Lam
c.c. DPO/ YLE (Attn: Ms. DUEN Long Yee, Loree, Email: llyduen@pland.gov.hk)

Paved Ratio of the Application Site

Application Site Area: 2,057.92 sqm. (about)
Land Filling Area: 2,057.92 sqm. (about)

Original Site Level: 8.5mPD (about)
Existing Site Level: 8.7mPD (about)
Depth of Filling: Not more than 0.2m
Material of Filling: Concrete

Purpose of Land Filling: Site Formation of Structure and Circulation Space
Covered by Structure (i.e., Warehouse): 909.15 sqm. (about)



APPLICATION SITE

Lot 959 RP & 956
D.D. 107
Yuen Long, N.T.

REVISED FIGURE 5:

Land Filling Ratio

Application:

Proposed Temporary Warehouse
(excluding Dangerous Goods Godown)
for a Period of 3 Years in "Agriculture" Zone,
Lots 956 and 959 RP in D.D. 107,
Fung Kat Heung, Kam Tin, Yuen Long

(SCALE 1 : 750)

Previous s.16 Application covering the Application Site on the Kam Tin North OZP

Approved Application

Application No.	Use / Development	Date of Consideration
A/YL-KTN/690	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years	17.1.2020 [revoked on 17.7.2021]

Similar s.16 Applications in the vicinity of the Site within the same “Agriculture” Zone on the Kam Tin North OZP in the Past Five Years

Approved Applications

Application No.	Use / Development	Date of Consideration
A/YL-KTN/565*	Proposed Warehouse for Musical Instruments, Posters, Documents and Ancillary Caretaker’s Office for a Period of 3 Years	14.7.2017
A/YL-KTN/709*	Renewal of Planning Approval for Temporary Warehouse for Musical Instruments, Posters, Documents and Ancillary Caretaker’s Office for a Period of 3 Years	12.6.2020
A/YL-KTN/786	Proposed Temporary Warehouse for Storage of Tail Lift for a Period of 3 Years	15.10.2021

*Involving the same site.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- no comment on the application.

2. Traffic

Comments of the Commissioner for Transport (C for T):

- no comment on the application.

Comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):

- no comment on the application.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- there were five non-substantial complaints on air, noise, water and waste received concerning the Site in the past three years.

4. Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no objection to the application from the urban design and landscape planning perspective as no significant landscape impact arising from the temporary development is anticipated; and
- should the application be approved, it is considered not necessary to impose any landscape condition in the planning permission.

5. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection in-principle to the application; and

- should the application be approved, approval conditions requiring (i) submission of a drainage proposal demonstrate how the existing flow path as well as the run-off falling onto and passing through the site could be intercepted and disposed of via proper discharge points; and (ii) implementation and maintenance of the drainage proposal for the development to the satisfaction the Director of Drainage Services or of the Town Planning Board should be included in the planning approval.

6. **Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no objection in-principle to the proposal subject to fire service installations being provided to the satisfaction of his department.

7. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no comment on the application.

8. **Electrical and Mechanical Matters**

- no comment on the application.

9. **District Officer's Comments**

Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

- he has not received any comment from the locals upon close of consultation and has no particular comment on the application.

10. **Other Departments**

The following government departments have no adverse comment on / no objection to the application:

- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), Civil Engineering and Development Department; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
- the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
 - should the application be approved, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate. The owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD;
- (b) to note the comments of the Commissioner for Transport (C for T) that:
- the Site is connected to the public road network via a section of a local access road which is not managed by his department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly. Sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto / from public road at any time during the planning approval period;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- Mei Fung Road and Fung Kat Heung Road are not maintained by HyD;
 - his department does not and will not maintain any access connecting the Site and San Tam Road; and
 - adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) to note the comments of the Director of Environmental Protection (DEP) that:
- the applicant is advised to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Open Storage and Temporary Uses” issued by the DEP;
- (e) to note the comments of the Director of Fire Services (FSD) that:
- in consideration of the design/nature of the proposal, fire service installations (FSIs)

are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised on the following:

- (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
- the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- before any new building works (including containers/ open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorised Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the B(P)Rs respectively;
 - if the Site does not abut a specified street of not less than 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)Rs at the building plan submission stage;
 - any temporary shelters or converted containers for storage or other uses are considered as temporary buildings are subject to the control of Part VIII of the Building (Planning) Regulations (B(P)Rs); and
 - detailed comments under the BO will be provided at the building plan submission stage;
- (g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
- the applicant is reminded that approval of Section 16 application under Town Planning Ordinance does not imply approval of tree preservation/removal scheme under the Lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, whereas appropriate; and
- (h) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that:

- in the interest of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing, supervising and conducting any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

220307-120230-15171

提交限期**Deadline for submission:**

18/03/2022

提交日期及時間**Date and time of submission:**

07/03/2022 12:02:30

有關的規劃申請編號**The application no. to which the comment relates:**

A/YL-KTN/824

「提意見人」姓名/名稱**Name of person making this comment:**

先生 Mr. SC WONG

意見詳情**Details of the Comment :**

就申請規劃個案A/YL-KTN/824 本人暫有所保留及有以下意見，申請人並未有提供對附近環境影響的詳細評估，申請中將填土2057.92 SQM會影響區內村民土地，造成排水及環境等問題。另外，申請中未有詳細提及詳細的排污及去水設計。在搭建物方面未有附有詳細圖則，阻擋村民農田種植發展，車輛及交通控制方面亦沒有提供詳細情況，鄉村道路未必可承受。

5-2

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220225-154936-30069

提交限期

Deadline for submission:

18/03/2022

提交日期及時間

Date and time of submission:

25/02/2022 15:49:36

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-KTN/824

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Lam Ka Hing

意見詳情

Details of the Comment :

反對，鄉郊設倉庫及工場必會增加附近車輛出入流量，引至附近交通阻塞、環境污染，增加引發火警危機，影響村民安全及生活質數。

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

220311-144928-69617

提交限期**Deadline for submission:**

18/03/2022

提交日期及時間**Date and time of submission:**

11/03/2022 14:49:28

有關的規劃申請編號**The application no. to which the comment relates:**

A/YL-KTN/824

「提意見人」姓名/名稱**Name of person making this comment:**

先生 Mr. Lam Ka Hing

意見詳情**Details of the Comment :****反對，住屋過於密集地方設危險品倉庫，影響村民生活及生態環境。**

致： 城市規劃委員會

申請編號 A/YL-KTN/824



本人得知，有人向城市規劃委員會
申請在錦田逢吉鄉 DD/07 地段第
956 號及第 959 號餘段臨時貨倉，
(為期 3 年)。

本人反對這項申請，理由：申請
位置在 1898 年之前就是沙埔管
轄範圍，是元朗地政處並沒有諮詢
沙埔村民意見，將大片沙埔範圍
或於逢吉鄉所有，這樣做法，就是
元朗地政處失職。

申請位置實是用沙埔來申請規劃
許可的。

謝謝！

黃軍豪

2022.3.14



長春社

Since 1968

The Conservancy Association

會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port
Road, Kwai Chung, New Territories, H.K.
網址 Website: www.cahk.org.hk

電話 Tel.: (852) 2728 6781 傳真 Fax.: (852) 2728 5538
電子郵件 E-mail: cahk@cahk.org.hk

14th March 2022

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,



Comments on the Section 16 Application No. A/YL-KTN/824

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Agriculture (AGR) zone

According to the approved Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9, the planning intention of AGR zone *“is intended 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”*.

From the application, 100% of the land will be filled for temporary warehouse. We cannot see any details to justify that the plan would fulfill the above planning intention. We do not think such plan is in line with the planning intention.

2. Undesirable precedent of “destroy first, build later”

This site has been subject to land formation and vegetation clearance since 2014, also the containers can be found in the application site already (Figure 1-3). It is suspected that this is a case of “destroy first, build later”.

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter “destroy first, build later” activities in 2011. It stated that “the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in



長春社 Since 1900

The Conservancy Association

官址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室

Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K.

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電子郵件 E-mail: cahk@cahk.org.hk

the hope that the Board would give sympathetic consideration to subsequent development on the site concerned"¹. Therefore, this application should not be given any sympathetic consideration, or it will set an undesirable precedent for similar cases in future.

Yours faithfully,
Chow Oi Chuen
Campaign Officer
The Conservancy Association

¹ TPB Press Release. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>



長春社

Since 1968

The Conservancy Association

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網址 Website: www.cahk.org.hk

Figure 1-3 According to aerial photos (Source: Google Earth) this site (marked in red) has been subject to land formation and vegetation clearance since 2014. It is suspected that this is a case of “destroy first, build late





長春社

Since 1908

The Conservancy Association

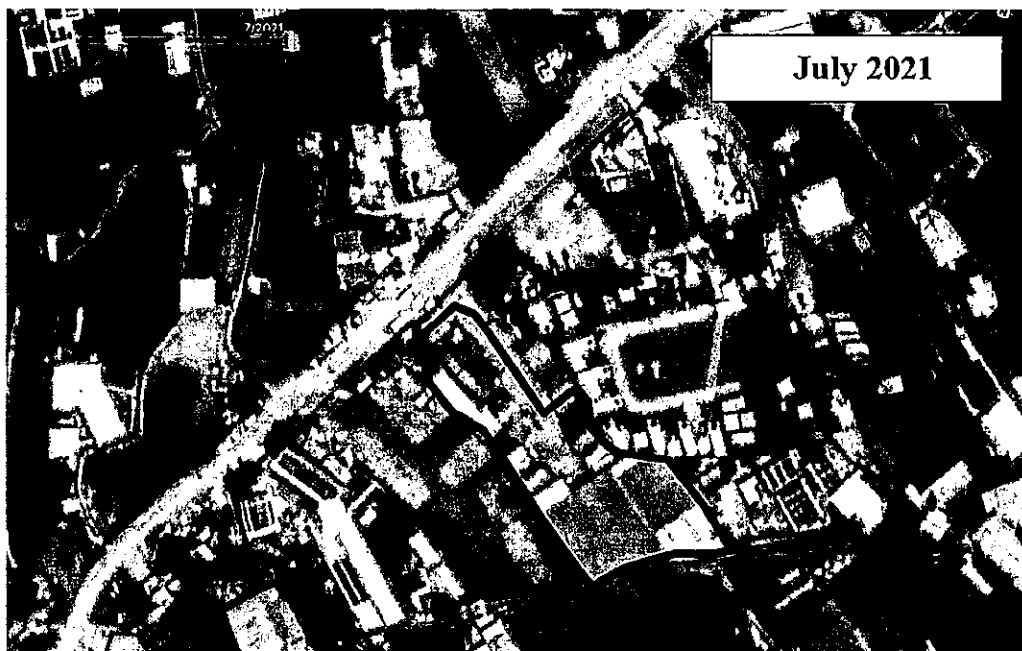
會址：香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一斯十三樓 1305-6 室

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嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

18th March 2022.

By email only

Dear Sir/ Madam,

**Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period
of 3 Years and Filling of Land
(A/YL-KTN/824)**

1. We refer to the captioned.
2. We urge the Board to consider whether the proposed use is in line with the planning intention of Agriculture (AGR) zone. The Board should also consider whether the proposed filling of land would cause significant and/ or irreversible impacts on the site.
3. We also urge the Board to investigate the site status with relevant authorities before making a decision for this application.
4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



tpbpd@pland.gov.hk

寄件者: [REDACTED]
寄件日期: 2022年03月18日星期五 2:37
收件者: tpbpd
主旨: A/YL-KTN/824 DD 107 Fung Kat Heung Road

A/YL-KTN/824

Lots 956 and 959 RP in D.D. 107, Fung Kat Heung Road, Kam Tin

Site area : About 2,057.92sq.m

Zoning : "Agriculture"

Applied use: Warehouse / Filling of Land / 2 Vehicle Parking

Dear TPB Members,

As objectors have pointed out time and again, many Hobby Farm applications are nothing more than a ruse to commence or continue brownfield operations. The history of this site is a classic example:

A/YL-KTN/690 Approved 17 Jan 2020 Revoked 17 July 2021 (Drainage and Fire)

Lots 956, 958 and 959 RP in D.D. 107, Fung Kat Heung, Kam Tin

Site area : About 2,337sq.m

Zoning : "Agriculture"

Applied use : Hobby Farm / 2 Vehicle Parking

About 57% of the site under Application No. A/YL-KTN/690 would be used for farming

*the site under Application No. A/YL-KTN/690 was **involved in an on-going planning enforcement case** against an unauthorized storage use. Enforcement Notice was issued in June 2019 and according to the latest site inspection, the unauthorized storage use had been discontinued.*

*Moreover, some of the approved hobby farms in the vicinity **had not yet operated.***

Clearly there was no intention to develop the hobby farm or to carry out any farming :

The proposed filling of land could regularize the unauthorized development of paved area within the Application Site. In addition, the Applicant also intends to regularize unauthorized structure(s) erected on the Application Site with reference to the latest correspondence from the Lands Department. Upon this planning permission, the Applicant would apply to the Lands Department for a temporary waiver to permit the applied structures. According to the RNTPC Paper No. A/YL-KTN/690, the Site was subject to a planning enforcement action (No. E/YL-KTN/498) against an unauthorized development (UD) involving storage use. An Enforcement Notice was issued on 20th June 2019 to the concerned party requiring discontinuation of the UD. As a matter of fact, the UD has been discontinued and a Compliance Notice under Section 23(4A) of the Town Planning Ordinance has been issued by the Planning Authority dated 23rd January 2020.

Approval of the current application would undermine the purpose of enforcement action and encourage further applications of the same nature on the many approved 'Hobby Farms' that are nothing more than fronts for other activities.

Mary Mulvihill

