

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/549

- Applicant** : Honest Board Development Limited represented by R-riches Property Consultants Limited
- Site** : Various Lots in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 4,534m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Residential (Group E)” (“R(E)”)
[Restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m) including car park]
- Application** : Proposed Temporary Logistics Centre with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary logistics centre with ancillary facilities for a period of three years at the application site (the Site) zoned “R(E)” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently partly vacant and partly used for logistic centre with a major portion covered by planning permission under application No. A/YL-LFS/521 which is valid until 23.7.2027 (**Plans A-1b to A-4b**).
- 1.2 The Site is accessible from Lau Fau Shan Road via a local access road (**Plans A-2 and A-3**), with the ingress/egress located at the southwest. As shown on the layout plan at **Drawing A-2**, the proposed use involves two structures of one to two storeys (about 7m to 13m in height) with a total floor area of about 5,806m² for logistics centre, office and rain shelters for loading/unloading (L/UL) of goods. Four parking spaces for private cars and four L/UL spaces for container vehicles are provided.
- 1.3 According to the applicant, the operation hours are between 8 a.m. and 8 p.m. from Mondays to Saturdays. There is no operation on Sundays and public holidays. No vehicle repairing, dismantling, assembling, other workshop activities and storage of recyclable materials will be carried out at the Site. The location plan, layout plan, swept path analysis plan submitted by the applicant are at **Drawings A-1 to A-3**

respectively.

- 1.4 The Site was involved in 15 previous applications, including four (No. A/YL-LFS/290, 334, 397 and 521) for temporary logistic centre approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2016 and 2024 (details at paragraph 6 below). Compared with the latest approved application No. A/YL-LFS/521, the current application is submitted by a different applicant with a substantially smaller site area with a different layout and development parameters. Details of the previous applications are at paragraph 6 below.
- 1.5 In support of the application, the applicant has submitted an Application Form with attachments which were received on 4.2.2025 (**Appendix I**).

2. Justifications from the Applicant

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

- (a) the Site falls within Category 2 areas under the Town Planning Board Guidelines No. 13G. Approval of the application on a temporary basis will not jeopardise the long term planning intention of the “R(E)” zone;
- (b) the proposed use is not incompatible with the surrounding land uses which are predominated by logistics centres and open storage yards;
- (c) the Site is the subject of several previous applications for temporary logistics centre use. Also, similar applications were approved in the vicinity of the Site. Approval of the current application is in line with the Board’s previous decisions;
- (d) the applicant has obtained consent from the applicant of the planning application No. A/YL-LFS/521. Upon planning approval of the current application has been granted by the Board, the Site will be utilised by the applicant for the proposed use;
- (e) sufficient manoeuvring space is provided within the Site such that no vehicle will turn back onto the local access road. Adverse traffic impact to the surrounding road network is not anticipated; and
- (f) the applicant will follow relevant practice notes or guidelines issued by the Environmental Protection Department to minimise possible environmental impacts.

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 Ordinance (TPB PG-No. 31B) by publishing notices in local newspapers and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

Town Planning Board Guidelines No. 13G for 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance' (TPB PG-No. 13G) promulgated by the Board on 14.4.2023 are relevant to the application. The Site falls within the Category 2 areas under the TPB PG-No. 13G. The relevant extract of the Guidelines is attached at **Appendix II**.

5. Background

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

6. Previous Applications

- 6.1 The Site was, in part or in whole, involved in 15 previous applications for temporary open storage and temporary logistics centre uses. 14 of them were approved whilst one was rejected by the Board on review. Details of these previous applications are summarised in **Appendix III** and the locations of the sites are shown on **Plan A-1b**.

Approved Applications

- 6.2 Nine applications (No. A/YL-LFS/35, 47, 61, 126, 138, 171, 188, 196 and 265) for various temporary open storages uses were approved by the Committee between 1998 and 2014. The considerations of these previous applications are not relevant to the current application which involves a different use.
- 6.3 Application No. A/YL-LFS/276 for proposed temporary logistics centre and open storage of construction machinery and material, brand-new trailer with ancillary canteen and trailer park for a period of three years was approved by the Committee in 2015 mainly on considerations that temporary development could be tolerated in the interim; the applied use was not incompatible with the general character of the area; the applied use was generally in line with the prevailing TPB PG-No. 13 in that there was generally no adverse comments from concerned government departments, or the technical concerns could be addressed by imposing approval conditions.
- 6.4 Four applications (No. A/YL-LFS/290, 334, 397 and 521) for temporary logistics centre for a period of three years were approved by the Committee between 2016 and 2024 mainly on similar considerations as summarised in paragraph 6.3 above. For the last previous application No. A/YL-LFS/521, the permission is valid until 23.7.2027. Compared with the latest approved application No. A/YL-LFS/521, the current application is submitted by a different applicant with a substantially smaller site area with a different layout and development parameters.

Rejected application

- 6.5 Application No. A/YL-LFS/108 for temporary open storage and ancillary uses was rejected by the Board on review in 2003. The considerations of this previous application is not relevant to the current application which involves a different use.

7. Similar Applications

Within the same “R(E)” zone, there were three similar applications (No. A/YL-LFS/353, 426 and 519) covering two sites for temporary logistics centre in the past five years. All of them were approved by the Committee between 2020 and 2024 mainly on similar considerations as summarised in paragraph 6.3 above. Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) hard-paved, erected with temporary structures and being partly vacant and partly used for logistic centre with a major portion covered by valid planning permission; and
- (b) accessible from Lau Fau Shan Road via a local access road.

8.2 The surrounding areas are predominated by open storage yards/storage yards, logistics centre (with planning permission under application No. A/YL-LFS/521) and vehicle park. To the immediate south are the residential dwellings in the recognized village of San Hing Tsuen. Other uses such as eating place and vehicle repairing workshop are also found in the vicinity. Some of the uses are suspected unauthorized development subject to planning enforcement action.

9. Planning Intention

The “R(E)” zone is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV and V** respectively.

10.2 The following government department does not support the application.

Environment

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

- (a) he does not support the application as the proposed use involves heavy vehicles (i.e. container vehicles) and there are sensitive receivers in the

vicinity of the Site (i.e. the nearest residential dwelling is adjacent to the southern boundary of the Site) (**Plan A-2**). It is anticipated that the proposed use would cause environmental nuisance to the residential buildings nearby;

- (b) there is no substantiated environmental complaint pertaining to the Site in the past three years; and
- (c) the applicant should note his advisory comments at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 11.2.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary logistics centre with ancillary facilities for a period of three years at the Site zoned “R(E)” on the OZP (**Plan A-1a**). Although the proposed use is not in line with the planning intention of the “R(E)” zone, there is no known development proposal to implement the zoned use at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “R(E)” zone. Notwithstanding the above, Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) advises that the Site falls within the study area of Lau Fau Shan Development under the consultancy Agreement No. CE 5/2024 (CE) “Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai areas – Investigation” and the implementation and land resumption/clearance programme of the Lau Fau Shan Development is currently being reviewed under the Investigation Study and subject to change. The applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.
- 12.2 The Site is located in an area predominated by open storage yards/storage yards, logistics centres and vehicle park/parking of vehicles, some of which are covered by valid planning permission. Although there are residential dwellings in the vicinity of the Site, the proposed use is considered generally not incompatible with the surrounding land uses.
- 12.3 According to TPB PG-No. 13G, the Site falls within Category 2 areas. The application is generally in line with TPB PG-No. 13G in that except DEP, there are generally no adverse comments from concerned government departments including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) and Director of Fire Services (D of FS) from traffic, drainage and fire safety perspectives respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by imposing approval conditions recommended in paragraph 13.2 below.
- 12.4 DEP does not support the application as there are sensitive receivers in the vicinity of the Site (the nearest residential dwelling located adjacent to the southern boundary

of the Site) (**Plan A-2**) and the proposed use involves the use of heavy vehicles (i.e. container vehicles). Nevertheless, it should be noted that the Site is not subject of any substantiated environmental complaint in the last three years. To minimise any possible environmental nuisance, the applicant will be advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' should the application be approved.

- 12.5 The Site is the subject of four approved previous applications for temporary logistic centre use and there are three similar applications within the same "R(E)" zone approved between 2020 and 2024. Approval of the current application is in line with the previous decisions of the Committee.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until **28.3.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a drainage proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **28.9.2025**;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **28.12.2025**;
- (c) in relation to (b) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **28.9.2025**;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **28.12.2025**;
- (f) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix V**.

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

the proposed use is not in line with the planning intention of the "R(E)" zone, which is primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning 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 permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form with attachments received on 4.2.2025
Appendix II	Extract of Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13G)
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Location Plan
Drawing A-2	Layout Plan
Drawing A-3	Swept Path Analysis Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
MARCH 2025**