

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

**APPLICATION NO. A/YL-PH/1050**

- Applicant** : Karson Corporation Limited
- Site** : Lots 1831 RP, 1832 RP (Part), 1867 (Part), 1868 (Part), 1869 (Part), 1870 (Part), 1871 (Part), 1872 (Part), 1873 (Part), 1874 RP and 1875 RP (Part) in D.D. 111, Pat Heung, Yuen Long
- Site Area** : About 5,232m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Renewal of Planning Approval for Temporary Warehouse and Open Storage of Backdrop Screens, Advertising Aluminium Frames and Construction Materials for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning permission for temporary warehouse and open storage of backdrop screens, advertising aluminium frames and construction materials for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard paved, divided into two parts by a narrow strip of government land in-between, and occupied by the applied uses with valid planning permission under application No. A/YL-PH/914 until 20.5.2025 (**Plan A-4**).
- 1.2 The Site is accessible from Kam Tin Road via a local track (**Plan A-2**). According to the applicant, the applied uses involve nine single-storey structures with a building height of 5m and a total gross floor area of about 1,652m<sup>2</sup> for storage of backdrop screen and advertising aluminium frames, site office and staff resting room uses. An area of about 2,653m<sup>2</sup> (50.7%) of the Site is used for open storage of advertising aluminium frames and construction materials (**Drawing A-2**). The operation hours are between 9:00 a.m. and 6:00 p.m. from Mondays to Saturdays,

with no operation on Sundays and public holidays. Two loading/unloading bays for light goods vehicles are provided within the Site to support the applied uses. No heavy goods vehicles, tractors and vehicles exceeding 5.5 tonnes will be allowed to park within the Site. No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be conducted at the Site. The layout plans submitted by the applicant are at **Drawings A-1 and A-2**.

- 1.3 The Site is the subject of seven planning applications for various temporary open storage uses (details at paragraph 6 below). The last application (No. A/YL-PH/914) submitted by the same applicant at the same site for the same uses was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 20.5.2022. All approval conditions for the last application have been complied with and the planning permission is valid until 20.5.2025.
- 1.4 In support of the application, the applicant has submitted an Application Form with Supplementary Statement which was received on 5.2.2025 (**Appendix I**).

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form with Supplementary Statement at **Appendix I**, and can be summarised as follows:

- (a) The applied uses on a temporary basis will not jeopardise the long-term planning intention of the “AGR” zone and are compatible with the surrounding environment.
- (b) The current application is for renewal of a previously approved application No. A/YL-PH/914 for the same uses. Since the previous planning approval, no complaints related to the Site have been received from the public or government departments, and the Site has been maintained in a good condition.
- (c) The applied uses will not cause any adverse impact on drainage, traffic and environmental aspects. A drainage proposal with photo record of the implemented drainage facilities and a fire service installations (FSIs) proposal with fire certificates have been submitted in support of the current application.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not a “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting notices and sending notice to the Pat Heung Rural Committee by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

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

- 4.1. The Town Planning Board Guidelines for ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34D) are relevant to the application, and the relevant extract of which is at **Appendix II**.
- 4.2. The Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13G) promulgated on 14.4.2023 are relevant to the application. The Site falls within Category 2 areas under the TPB PG-No. 13G, and the relevant extract of which is at **Appendix III**.

#### **5. Background**

The Site is not subject to any active enforcement action.

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

- 6.1 The Site is the subject of seven previous planning applications (No. A/YL-PH/235, 616, 686, 701, 756, 803 and 914) for the temporary open storage or temporary open storage cum warehouse uses. All previous applications, except the last application No. A/YL-PH/914, were submitted by applicants different from that of the current application. Details of these applications are summarised in **Appendix IV** and their locations are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-PH/235 for nine temporary open storage yards of construction materials and covering a larger site area which encroached onto an area zoned “Village Type Development” (“V”) on the OZP was rejected by the Committee in October 1998 mainly for the reasons that the proposed use was not in line with the planning intentions of the “AGR” and “V” zones; the proposed use did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that it was incompatible with the village settlements of Leung Uk Tsuen and the nearby domestic structures; the frequent transportation of construction materials to and from the site would generate adverse noise and traffic impacts on the nearby village settlement; there was insufficient information to demonstrate that the development would not have adverse drainage impact on the surrounding areas; and approval of the application would set an undesirable precedent.
- 6.3 For the other six applications, five was for temporary open storage and one (i.e. the last application) was for the same temporary open storage and warehouse uses as per the current application. These applications, which did not encroach onto any area zoned “V” on the OZP, were approved with conditions by the Committee between January 2011 and May 2022, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “AGR” zone; the proposed/applied use(s) were not incompatible with the surrounding land uses; and the concerned government departments consulted in

general had no adverse comment or their technical concerns could be addressed by relevant approval conditions. The planning permissions under applications No. A/YL-PH/686, 756 and 803 were subsequently revoked between October 2014 and September 2021 due to non-compliance with approval conditions.

- 6.4 Compared with the last application No. A/YL-PH/914, the current application is submitted by the same applicant at the same site for the same applied uses with the same layout and development parameters. All approval conditions for the last application have been complied with and the planning permission is valid until 20.5.2025.

## **7. Similar Applications**

There are 11 similar applications, involving seven sites, for various temporary open storage or warehouse uses (including six renewal of planning approvals granted and one with filling of land) within or partially within the same “AGR” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between April 2020 and August 2024 on similar considerations as mentioned in paragraph 6.3 above. The planning permissions under applications No. A/YL-PH/865 and 873 were subsequently revoked in February and March 2023 respectively due to non-compliance with approval conditions. Details of these similar applications are summarised in **Appendix V** and the locations are shown on **Plan A-1a**.

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

- 8.1 The Site is:

- (a) accessible from Kam Tin Road via a local track; and
- (b) hard paved, divided into two parts by a narrow strip of government land in-between, and occupied by the applied uses with valid planning permission under application No. A/YL-PH/914 until 20.5.2025.

- 8.2 The surrounding land uses are predominantly open storage/storage yards (two with valid permissions under applications No. A/YL-PH/941 and 1009) intermixed with a warehouse, and the Shek Kong Stabling Sidings and Emergency Rescue Siding of the Express Rail Link (XRL) is located to the immediate west.

## **9. Planning Intention**

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fishponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

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

Government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided in **Appendices VI and VII** respectively.

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

On 14.2.2025, 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 renewal of planning permission for temporary warehouse and open storage of backdrop screens, advertising aluminium frames and construction materials for a period of three years at the Site zoned “AGR” (**Plan A-1a**). Whilst the applied uses are not in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation has no strong view on the application from agricultural and nature conservation perspectives considering that the previous application for the same uses on the Site was approved. Taking into account the above and the planning assessments below, it is considered that renewal of planning approval for the applied uses on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “AGR” zone.

12.2 The applied uses are considered not incompatible with the surrounding land uses which are predominantly open storage/storage yards intermixed with a warehouse and the Shek Kong Stabling Sidings and Emergency Rescue Siding of XRL is located to the immediate west. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied uses is not anticipated.

12.3 The Site falls within Category 2 areas under TPB PG-No. 13G. The following guidelines are relevant:

Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of three years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas.

12.4 The application is considered generally in line with TPB PG-No. 13G in that the relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department and the Director of Fire Services, who also consider the submitted drainage proposal with photo record of the implemented drainage facilities and FSIs proposal with fire certificates

acceptable, have no adverse comment on and no objection to the application respectively. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. It is recommended to advise the applicant to follow the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise the potential environmental nuisance on the surrounding areas.

- 12.5 The application is also considered generally in line with TPB PG-No. 34D in that there is no material change in the planning circumstances; no adverse planning implication arising from the renewal is anticipated; all approval conditions under the previous approval had been satisfactorily complied with; and the three-year approval period sought which is the same timeframe as the previous approval is reasonable.
- 12.6 There are six approved applications at the Site, and 11 approved similar applications within the same “AGR” zone in the vicinity of the Site in the past five years as detailed in paragraphs 6 and 7 above respectively. Approving the current application is in line with the Committee’s previous decisions.

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

- 13.1 Based on the assessments made in paragraph 12 above, PlanD has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years and be renewed from 21.5.2025 to 20.5.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### **Approval Conditions**

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (c) if the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.

#### **Advisory Clauses**

The recommended advisory clauses are at **Appendix VII**.

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

#### **14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

#### **15. Attachments**

<b>Appendix I</b>	Application Form with Supplementary Statement received on 5.2.2025
<b>Appendix II</b>	Relevant Extract of TPB PG-No. 34D
<b>Appendix III</b>	Relevant Extract of TPB PG-No. 13G
<b>Appendix IV</b>	Previous Applications
<b>Appendix V</b>	Similar Applications
<b>Appendix VI</b>	Government Departments' General Comments
<b>Appendix VII</b>	Recommended Advisory Clauses
<b>Drawings A-1 and A-2</b>	Layout Plans
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Application Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
MARCH 2025**