

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PS/718

- Applicant** : RAAW Limited represented by DeSPACE (International) Limited
- Site** : Lots 979, 980, 981, 1037 and Adjoining Government Land (GL) in D.D.123, Ping Shan, Yuen Long
- Site Area** : 2,252 m² (about) (including GL of about 126 m² (about 5.6%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/20
- Zoning** : “Residential (Group A) 5” (“R(A)5”)
[Restricted to a maximum plot ratio of 6.5 and a maximum building height of 135mPD]
- Application** : Proposed Temporary Warehouse (for Storage of Timber Materials), Rural Workshop and Vehicle Repair Workshop for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (for storage of timber materials), rural workshop and vehicle repair workshop for a period of three years at the application site (the Site). The Site falls within an area zoned “R(A)5” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and occupied with temporary structures for storage and workshop uses (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Fuk Hi Street via a local track (**Plans A-2 and A-3**). The current proposal involves five temporary structures including one existing 2-storey structure for warehouse (for storage of timber materials) and rural workshop, one existing 1-storey structure for vehicle repair workshop and washroom, an additional floor to the existing 1-storey laser makers’ room for ancillary canteen, and two 1-storey proposed structures for equipment shelter and E&M facilities. The outdoor area will be used for sorting and sawmill works area, loading/unloading, parking and vehicle maneuvering (**Drawing A-2 and A-3**). The vehicular access plan, proposed layout plan and comparison plan to the existing structures submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The major development parameters of the current application are summarised as follows:

Major Development Parameters	Application No. A/YL-PS/718
Proposed Use(s)	Proposed Temporary Warehouse (for Storage of Timber Materials), Rural Workshop and Vehicle Repair Workshop for a Period of 3 Years
Site Area	About 2,252 m ²
Total Floor Area (Non-domestic)	About 1,500 m ²
No. and Height of Structures	5 <ul style="list-style-type: none">• 3 for timber storage and workshop, ancillary exhibition room, showroom, carpenters room, visitor's room and staff room, makers' room with staff canteen, and equipment shelter (5.5 – 7.4m, 1-2 storeys)• 1 for vehicle repair workshop and washroom (6.4m, 1 storey)• 1 for E&M facilities (7m)
No. of Parking Space(s)	2 (5m x 2.5m)
No. of Loading/ Unloading Space(s)	1 (for Medium / Heavy Goods Vehicles) (11m x 3.5m)
Operation Hours	8:00 am to 10:00 pm (Mondays to Saturdays) 8:00 am to 8:00 pm on Sundays

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

- (a) Application Form with attachments received on 14.5.2024 (**Appendix I**)
- (b) Supplementary Information (SI) received on 23.5.2024 (**Appendix Ia**)
- (c) Further Information (FI) received on 24.6.2024* (**Appendix Ib**)
- (d) FI received on 27.6.2024* (**Appendix Ic**)
**exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the SI and FI at **Appendices Ia and Ic**. They can be summarised as follows:

- (a) The proposed uses are mainly for upcycling local fallen trees into new wood products and conducting workshops on designing timber products, which would contribute to environmental protection and sustainable development by reducing timber waste, consuming natural resources and promoting public awareness on local sustainable timber industry.
- (b) The proposed uses are on a temporary basis and would not jeopardise the long-term development of the Site. The applicant will ensure that the proposed uses will not affect the implementation of the public housing development at Wang Chau.
- (c) The applicant will apply to the Fire Services Department for Timber Store License in order to comply with the statutory requirements.
- (d) The proposed uses are not incompatible with the surrounding area which is predominantly occupied by brownfield uses.
- (e) Similar applications have been approved within “R(A)” zones in other areas.
- (f) Insignificant adverse visual, landscape, traffic, geotechnical, air, noise, sewerage and drainage impacts are anticipated.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by obtaining the consent of every ‘current land owner’ of the application site in writing. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Background

4.1 The Site was zoned “Open Storage” (“OS”)¹ on the draft Ping Shan OZP No. S/YL-PS/1 gazetted on 14.6.1996 to cater for the continuing demand for open storage and to regularize the already haphazard proliferation of open storage use within the area. The Site was rezoned to “R(A)5” on the approved Ping Shan OZP No. S/YL-PS/20² gazetted on 23.9.2022 to facilitate the Wang Chau Remaining Phases public housing development.

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

¹ According to the Notes of the “OS” zone, ‘Warehouse (excluding Dangerous Goods Godown)’, ‘Rural Workshop’ and ‘Vehicle Repair Workshop’ are always permitted.

² According to the covering Notes of the OZP, a use or development of any land or building permitted under an earlier draft or approved plan for the area and effected or undertaken during the effective period of that plan is always permitted under the OZP. Any material change of such use or any other development must be always permitted in terms of the OZP or in accordance with a permission granted by the Board.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no application for similar use(s) within the same “R(A)5” zone on the OZP.

7. Planning Intention

7.1 The planning intention of the “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

7.2 According to the Explanatory Statement of the OZP, the area zoned “R(A)5” is intended for public housing development.

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

8.1 The Site is:

- (a) accessible from Fuk Hi Street via a local track (**Plans A-2 and A-3**);
- (b) hard-paved and occupied by temporary structures for storage and workshop uses (**Plans A-2 to A-4b**).

8.2 The surrounding areas have the following characteristics (**Plans A-2 and A-3**):

- (a) comprise predominantly warehouses, open storage yards, workshops, car park and containers tractors and trailers park intermixed with unused land and fallow agricultural land. Some of the uses are suspected unauthorized developments subject to planning enforcement action.

9. Comments from Relevant Government Departments

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices II** and **III** respectively.

10. Public Comment Received During the Statutory Publication Period

On 24.5.2024, the application was published for public inspection. During the statutory public inspection period, a total of 32 public comments, all from individuals, were received supporting the application (**Appendix IV**). The major supporting grounds are summarised as follows:

- (a) The proposed uses aid promoting recycling/upcycling of resources and reduce waste generation;
- (b) The proposed uses are compatible with surrounding uses; and
- (c) The proposed uses could utilise the Site before the implementation/land resumption for the planned public housing development.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse (for storage of timber materials), rural workshop and vehicle repair workshop for a period of three years at the Site zoned “R(A)5” on the OZP. Although the proposed uses are not entirely in line with the planning intention of the “R(A)5” zone, the site has been used for open storage use and occupied by temporary structures when the Site was previously zoned “OS” (**Drawing A-3**). Moreover, the Site falls within the development site of the Wang Chau Remaining Phases public housing development with a tentative programme for population intake in 2033. In this regard, the Chief Engineer/Housing Projects 3, Civil Engineering Office, Civil Engineering and Development Department has no adverse comment on the application. Should the application be approved, it is suggested to include an advisory clause to remind the applicant that the Site may be resumed by the Government at any time during the planning approval period and not to carry out any substantial works in view of the proposed public housing development. As such, approval of the application on a temporary basis of three years would not jeopardise the long-term development of the area.
- 11.2 The surrounding area comprises predominantly brownfield uses including warehouses, open storage yards, workshops and parking of vehicles (**Plan A-2**). The proposed uses are generally not incompatible with the surrounding uses.
- 11.3 Relevant government departments, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services and Chief Town Planner/Urban Design and Landscape of Planning Department have no objection to or adverse comment on the application from traffic, environmental, drainage, fire safety and landscape perspectives respectively. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the possible environmental nuisance on the surrounding area.
- 11.4 There are 32 supporting comments from individuals received during the statutory publication period as summarised in paragraphs 10 above.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department

considers that the temporary warehouse (for storage of timber materials), rural workshop and vehicle repair workshop could be tolerated for a period of three years.

- 12.2 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 5.7.2027. 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 5.1.2025;
- (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 5.4.2025;
- (c) in relation to (b) above, the implemented drainage facilities 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 5.1.2025;
- (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 5.4.2025;
- (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 at **Appendix III**.

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

the proposed uses are not in line with the planning intention of the "R(A)5" zone which is primarily for high-density residential developments. No strong planning justification has been given in the submission to justify for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

14. Attachments

Appendix I	Application Form with attachments received on 14.5.2024
Appendix Ia	SI received on 23.5.2024
Appendix Ib	FI received on 24.6.2024
Appendix Ic	FI received on 27.6.2024
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Comparison Plan between current proposal and existing structures
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a to A-3b	Aerial Photos
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
JULY 2024**