

RNTPC Paper No. A/YL-PS/742
For Consideration by
the Rural and New Town
Planning Committee
on 14.2.2025

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

APPLICATION NO. A/YL-PS/742

<u>Applicant</u>	: Maxhero Limited
<u>Site</u>	: Lots 763 RP, 764, 765, 766, 767, 768, 771 & 772 S.B. in D.D.122, East of Yung Yuen Road, Ping Shan, Yuen Long
<u>Site Area</u>	: About 7,075 m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/20
<u>Zoning</u>	: “Comprehensive Development Area” (“CDA”) <i>[restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park]</i>
<u>Application</u>	: Renewal of Planning Approval for Temporary Warehouse (Storage of Used and New Construction Materials and Equipment) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary warehouse (storage of used and new construction materials and equipment) for a period of three years at the application site (the Site) (**Plan A-1a**) zoned “CDA” on the OZP. 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 occupied by the applied use with valid planning permission under application No. A/YL-PS/650 until 19.2.2025 (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Yung Yuen Road with ingress and egress located at the southern part of the Site (**Drawing A-1, and Plans A-2 and A-3**). According to the applicant, there are six single-storey temporary structures (not exceeding 6m in height) with a total floor area of about 1,235m² including five warehouses for storage of construction materials and equipment, and an ancillary structure for toilet, pump and tank room, fire services control centre and switch room.

Three loading/unloading spaces for light goods vehicles (LGVs) and two private car parking spaces for staff are provided. No open storage will be carried out at the Site. The operation hours are from 9:00 a.m. to 5:00 p.m. from Mondays to Saturdays and there will be no operation on Sundays and public holidays. The layout plan and section drawings submitted by the applicant are at **Drawings A-1** to **A-2** respectively.

- 1.3 The Site was involved in nine previous applications including four applications for warehouse use approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2013 and 2022 (details at paragraph 6 below).
- 1.4 Compared with the last application (No. A/YL-PS/650), the current application is submitted by the same applicant for the same use on the same site with the same development parameters, layout and operation hours.
- 1.5 In support of the application, the applicant has submitted an Application Form with attachments received on 17.12.2024 (**Appendix I**).

2. Justifications from the Applicant

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

- (a) The Site has previously been granted with planning permissions for the same use since 2018 and there has been no major change in planning circumstances and operation mode since the last approvals.
- (b) The temporary warehouse development would provide places for material storage and facilitate the building development in Yuen Long and its surrounding areas.
- (c) The renewal of the planning permission would enable the applicant to provide continual support for construction activities.
- (d) The applied use could fully utilise the Site and it is envisaged that there would be more construction activities in the neighbourhood in the future according to government policies and initiatives.
- (e) The applied use will not generate significant traffic impacts to its surroundings.

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

The applicant is the sole “current land owner”. Detailed information will be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

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) is relevant to this application. The relevant assessment criteria are attached at **Appendix II**.

5. **Background**

The Site is not subject to any planning enforcement action.

6. **Previous Applications**

- 6.1 The Site, in whole or in part, was involved in nine previous applications (No. A/YL-PS/33, 47, 79, 82, 393, 513, 577, 642 and 650) for temporary warehouse, open storage with or without vehicle park and proposed residential development. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.

Approved Applications

- 6.2 Applications No. A/YL-PS/393, 513, 577 and 650 for temporary warehouse for a period of 3 years were approved with conditions by the Committee between 2013 and 2022 on the considerations that the applied use would not frustrate the long-term planning intention of the “CDA” zone; not incompatible with the surrounding land uses; and no adverse environmental, drainage, traffic and landscape impacts on the surrounding areas. However, the planning permission for application No. A/YL-PS/393 was revoked on 15.12.2013 due to non-compliance with approval conditions. As for the last application No. A/YL-PS/650, all the time-limited approval conditions have been complied with and the planning permission is valid until 19.2.2025.

Rejected Applications

- 6.3 Applications No. A/YL-PS/33, 79 and 82 for various open storage uses with or without vehicle park covering various extents of the Site were rejected by the Committee/by the Board upon review between 1998 to 2001 when the Site was zoned “Undetermined” (“U”)¹. The considerations are not relevant to the current application which involves a different use and under a different zoning.
- 6.4 Applications No. A/YL-PS/47 and 642, with larger site areas covering the Site, for proposed residential development were rejected by the Committee/upon review by the Board in 1999 (when the Site was zoned “U”) and 2021 respectively. The considerations are not relevant to the current application which involves a different use.

¹ The Site was previously zoned “U” from 1996 to 2010 before it was rezoned to “CDA” in 2010.

7. Similar Application

There was one similar application (No. A/YL-PS/729) for temporary warehouse for a period of three years within the same “CDA” zone considered by the Committee in the past five years. The application was approved by the Committee on 20.9.2024 on similar considerations as those mentioned in paragraph 6.2 above. Details of the similar application are summarised at **Appendix III** and its location is shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) accessible via Yung Yuen Road (**Plan A-2**); and
- (b) hard-paved, fenced off, and currently occupied by the applied use with valid planning permission under application No. A/YL-PS/650 (**Plans A-2, A-4a and A-4b**).

8.2 The surrounding areas comprise mainly storage/open storage yards, vehicle park, factory and warehouse intermixed with unused land, vacant land, temporary structures and residential dwellings. Some of these uses are suspected unauthorized developments subject to planning enforcement action.

9. Planning Intention

The planning intention of “CDA” zone is for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

10. Comments from Relevant Government Departments

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

11. Public Comment Received During Statutory Publication Period

On 27.12.2024, 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 the planning approval for temporary warehouse (storage of used and new construction materials and equipment) for a period of three years. Although the applied use is not in line with the planning intention of the “CDA” zone, there is no known development proposal at the Site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term development of the area.
- 12.2 The Site is mainly surrounded by storage/open storage yards, vehicle park, factory and warehouse intermixed with unused land, vacant land, temporary structures and residential dwellings (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.
- 12.3 The application complies with TPB PG-No. 34D in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/YL-PS/650; adverse planning implications arising from the renewal of the planning approval are not envisaged; all the time-limited conditions under previous approval have been complied with; and the three-year approval period sought is the same timeframe as the previous approval and is considered reasonable.
- 12.4 Concerned government departments including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection and Director of Fire Services have no objection to/no adverse comment on the application from traffic, drainage, environmental and fire safety impacts perspectives respectively. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of concerned departments. 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 possible environmental nuisance on the surrounding areas.
- 12.5 The Committee has approved four previous applications for the same use at the Site between 2013 and 2022 and one similar application within the same “CDA” zone in the past five years. Approval of the current application is in line with the Committee’s previous decisions.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12, 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 and be renewed from **20.2.2025** to **19.2.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a condition record of the existing drainage facilities within **3** months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **20.5.2025**;
- (b) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the submission of a fire service installations proposal within **6** months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **20.8.2025**;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within **9** months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **20.11.2025**;
- (e) if the above planning condition (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if any of the above planning condition (a), (c) or (d) 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 VI**.

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

14. Decision Sought

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

15. Attachments

Appendix I	Application form received on 17.12.2024
Appendix II	Relevant extract of TPB PG-No. 34D
Appendix III	Previous Applications
Appendix IV	Similar Application
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Section Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2025**