

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-TT/683**

- Applicant** : Forest Tai Tong Limited represented by R-Riches Property Consultants Limited
- Site** : Various Lots in D.D. 117 and Adjoining Government Land (GL), Tai Tong, Yuen Long, New Territories
- Site Area** : 10,313 m<sup>2</sup> (about) (including GL of about 1,794m<sup>2</sup> or 17%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zonings** (i) “Open Storage” (“OS”) (about 9,083m<sup>2</sup> or 88%); and  
(ii) “Recreation” (“REC”) (about 1,230m<sup>2</sup> or 12%)
- Application** : Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years at the application site (the Site) mainly zoned “OS” (about 9,083m<sup>2</sup> or 88%) and partly zoned “REC” (about 1,230m<sup>2</sup> or 12%) on the OZP (**Plan A-1a**). According to the Notes of the OZP for the “OS” zone, ‘Warehouse (excluding dangerous goods godown)’ is always permitted while it is neither Column 1 nor Column 2 use for the “REC” zone. According to the 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 whole Site is hard paved, currently occupied by the applied use and without valid planning permission for the southern part of the Site zoned “REC” (**Plans A-2 to A-4**).
- 1.2 The Site is accessible via a local track from Tai Tong Shan Road with an ingress/egress point in the north. The applied use involves a two-storey warehouse structure (about 13m in height) and seven 1 to 2-storey ancillary structures (about 3m to 7m in height) with a total floor area of about 15,211m<sup>2</sup> for storage of miscellaneous goods, including but not limited to packaged food, apparel, footwear,

electronic goods and furniture, etc., and other related uses including covered loading/unloading area, site offices, meter room, guardroom, etc. No dangerous goods and workshop activities will be carried out thereat. Drawings showing the vehicular access, site layout, swept path analysis and fire service installations (FSIs) and drainage proposals submitted by the applicant are at **Drawings A-1 to A-6** respectively.

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

<b>Site Area</b>	10,313 m <sup>2</sup> (about)
<b>Total Floor Area (Non-domestic)</b>	Not more than 15,211 m <sup>2</sup>
<b>No. of Structures</b>	8 - 1 for warehouse - 2 for covered loading/unloading area - 2 for site offices, store room and washroom - 1 for covered parking spaces - 1 for meter room - 1 for guardroom
<b>Height of Structures</b>	1-2 storeys (about 3m - 13 m)
<b>No. of Parking Spaces</b>	4 for private cars (2.5m x 5m)
<b>No. of Loading/Unloading Spaces</b>	7 - 3 for Light Goods Vehicle (LGV) (3.5m x 7m) - 3 for Medium Goods Vehicle (MGV) (3.5m x 11m) - 1 for Container Vehicle (CV) (3.5m x 16m)
<b>Operation Hours</b>	9:00 a.m. to 7:00 p.m. Mondays to Saturdays (no operation on Sundays and public holidays)

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

- (a) Application Form with supplementary statement received on 3.12.2024 **(Appendix I)**
- (b) Further Information (FI) received on 13.1.2025 **(Appendix Ia)**  
*[accepted and 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 Application Form and FI at **Appendices I and Ia**. They can be summarised as follows:

- (a) the applied use could alleviate the pressing demand for warehouse and storage space in recent years;
- (b) the Site is surrounded by open storage yards and occupied by temporary structures for warehouse, workshop and other port back-up uses. It is considered not incompatible with the surrounding area; and
- (c) there is no known implementation programme of the “REC” zone. Approval of the current application on a temporary basis would not frustrate the long-term planning intention of the “REC” zone.

### **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 posting site notice and sending the notice to the Shap Pat Heung Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in the TPB PG-No. 31B are not applicable.

### **4. Background**

The Site is currently not subject to planning enforcement action.

### **5. Previous Applications**

The Site was involved in four previous applications (No. A/YL-TT/34, 35, 449 and 536) submitted by different applicants covering different extents of the Site for various temporary open storage/wholesale trade with ancillary office for a period of 12 months or three years which were approved with conditions by the Rural and New Town Planning Committee (the Committee) between 1998 and 2022. Considerations of these applications are not relevant to the current application which involves a different use. The planning permission of the last application No. A/YL-TT/536 for proposed temporary wholesale trade with ancillary office was subsequently revoked on 1.10.2023 due to non-compliance with the time-limited approval conditions. Details of these previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.

### **6. Similar Application**

There is no similar application within the same “REC” zone on the OZP.

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

7.1 The Site is:

- (a) hard paved and currently occupied by a two-storey warehouse; and
  - (b) accessible from Tai Tong Shan Road via a local track.
- 7.2 The surrounding areas are mixed in character predominated by open storage/storage yards with scattered parking of vehicles and vacant/unused land. Except for the open storage/storage yards in the subject “OS” zone which are always permitted, the other open storage/storage yards and parking of vehicles in the vicinity of the Site are suspected unauthorized developments subject to planning enforcement action.

## **8. Planning Intentions**

- 8.1 The “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises.
- 8.2 The “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

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

- 9.1 Apart from the government department as set out in paragraph in 9.2 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 III** and **IV** respectively.
- 9.2 The following government department has objection to the application.

### **Land Administration**

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

- (a) the following private lots and portion of GL are currently covered by Short Term Waivers (STWs) and Short Term Tenancy (SST) within the Site:

<b>Lots/ GL in D.D. 117</b>	<b>STW/STT No.</b>	<b>Permitted Use</b>
1483, 1484 S.A, 1484 S.D and 1484 S.E	5474	Temporary Wholesale
1484 S.B and 1484 S.G	5475	

1484 S.C and 1484 S.F	5476	Trade with Ancillary Office
GL in D.D. 117	STTYL0186	

- (b) LandsD has reservation on the application since there are unauthorized structure(s) and/or uses on Lot 1477 S.A ss.1 in D.D. 117 which is subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularization on the lease breaches as demanded by LandsD;
- (c) portion of the GL within the Site has been unlawfully occupied with unauthorized structure(s) without any permission. Any occupation of GL without LandsD's prior approval is an offence under Land (Miscellaneous Provisions) Ordinance (Cap. 28). LandsD objects to the planning application since there is unlawful occupation of GL and regularization would not be considered according to the prevailing land policy. The lot owner(s) should immediately cease the unlawful occupation of GL and remove the unauthorized structure(s) as demanded by LandsD. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice;
- (d) if the planning application is approved, the STWs and STT holder(s) will need to apply to LandsD for modification of the STWs and STT conditions where appropriate and the lot owner(s) shall apply to LandsD for a STW to permit the structure(s) erected within Lots 1477 S.A ss.1, 1481, 1485 and 1486 in D.D. 117. The application(s) for STW and STT will be considered by LandsD in its capacity as a landlord and there is no guarantee that it will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (e) his detailed advisory comments are at **Appendix IV**.

## **10. Public Comment Received During the Statutory Publication Period**

The application was published for public comment on 10.12.2024. During the statutory public inspection period, one public comment (**Appendix V**) was received from an individual objecting to the application mainly on the grounds that the planning permission under previous application No. A/YL-TT/536 was revoked but the Site is still in operation.

## **11. Planning Considerations and Assessments**

11.1 The application is for temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years at the Site which is mainly zoned

“OS” (88%) with a minor portion zoned “REC” (12%) on the OZP. While ‘Warehouse (excluding dangerous goods godown)’ is always permitted within the “OS” zone, planning permission is required for the applied use in the “REC” zone. Although the applied use is not in line with the planning intention “REC” zone, it could meet such demand from the local warehouse and storage industries. Furthermore, there is no known programme for long-term development for the portion of land zoned “REC” at the Site. As such, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “REC” zone.

- 11.2 The applied use is considered not incompatible with the surrounding uses, which comprise predominantly open storage/storage yards with scattered temporary structures and vacant/unused land (**Plan A-2**).
- 11.3 Concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to/adverse comments on the application on traffic, environmental, fire safety and drainage aspects respectively. Furthermore, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Regarding DLO/YL, LandsD’s concern on the unauthorized structure(s) and/or uses and the illegal occupation of GL within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.4 There is one public comment on the application received during the statutory publication period objecting to the application as summarised in paragraph 10 above. The previous application at the Site involved a different use as mentioned in paragraph 5 above and planning considerations and assessments in paragraphs 11.1 to 11.3 above are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department considers that the applied use 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 24.1.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### Approval conditions

- (a) the submission of a revised drainage impact assessment 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 24.7.2025;

- (b) in relation to (a) above, the implementation of the proposed drainage facilities 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 24.10.2025;
- (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 revised 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 24.7.2025;
- (e) in relation to (d) above, the implementation of the revised 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 24.10.2025;
- (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 IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Member's reference:

the applied use is not in line with the planning intention of the "Recreation" zone which is for recreational developments for the use of the general public. No strong planning justification has been given in the submission 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**

<b>Appendix I</b>	Application Form with attachments received on 3.12.2024
<b>Appendix Ia</b>	FI received on 13.1.2025
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Swept Path Analysis
<b>Drawing A-4</b>	FSIs Proposal
<b>Drawings A-5 to A-6</b>	Drainage Proposals
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JANUARY 2025**