

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

**APPLICATION NO. A/YL-TT/699**

- Applicant** : Mr. TING Wai Keung represented by Metro Planning and Development Company Limited
- Site** : Lot 1938 RP (Part) in D.D. 119, Yuen Long, New Territories
- Site Area** : 730 m<sup>2</sup> (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Animal Boarding Establishment (Cattery) for a Period of 3 Years and Associated Filling of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary animal boarding establishment (cattery) for a period of three years and associated filling of land at the application site (the Site) zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for “AGR” zone, ‘Animal Boarding Establishment’ which is a Column 2 use and filling of land require planning permission from the Town Planning Board (the Board). The Site is paved by soil and currently vacant (**Plan A-4**).
- 1.2 The Site is accessible from Kiu Hing Road via a local track with an ingress/egress point at the east (**Drawing A-1** and **Plan A-2**). According to the applicant, two single-storey structures (not more than 4.5m in height) with a total floor area of not more than 310m<sup>2</sup> are proposed for cattery and site office with toilet uses. One parking space for private car will be provided within the Site. The applicant also proposes to fill the entire site with concrete with a depth of not more than 0.2m for erection of temporary structures and provision of parking space. The animal boarding establishment will accommodate not more than 30 cats. All cats will be kept inside the enclosed structure with soundproofing materials, ventilation system and air-conditioning system. No public announcement system, whistle blowing or portable loudspeaker will be used at the Site. Plans showing the vehicular access, site layout, land filling and drainage proposals submitted by the applicant are at **Drawings A-1** to **A-4** respectively.

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

<b>Site Area</b>	About 730 m <sup>2</sup>
<b>Extent of Filling of Land</b>	730 m <sup>2</sup> (i.e. the entire site, with a depth of not more than 0.2m with concrete)
<b>Total Floor Area (non-domestic)</b>	Not more than 310 m <sup>2</sup>
<b>No. of Structures</b>	2 - 1 for cattery - 1 for site office with toilet
<b>Height of Structures</b>	1 storey (Not exceeding 4.5 m)
<b>No. of Parking Space</b>	1 for private car (5m x 2.5m)
<b>Operation Hours</b>	9:00 a.m. to 6:00 p.m. daily (including Sundays and Public Holidays)

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

- (a) Application Form with attachments received on 22.1.2025 (**Appendix I**)
- (b) Supplementary Information (SI) received on 28.1.2025 (**Appendix Ia**)
- (c) Further Information (FI) received on 28.2.2025 (**Appendix Ib**)  
*[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, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the proposal is temporary in nature and would not jeopardise the long-term planning intention of the “AGR” zone;
- (b) the proposed use is not incompatible with the surrounding areas; and
- (c) insignificant traffic, drainage and environmental 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 consents of the “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection.

**4. Background**

The Site is currently not subject to planning enforcement action.

**5. Previous Application**

There is no previous application concerning the Site.

**6. Similar Application**

There is a similar application (No. A/YL-TT/666) for temporary animal boarding establishment with ancillary facilities for a period of five years and associated filling of land within the same “AGR” zone which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 28.2.2025, mainly on considerations that the proposed use would not jeopardise the planning intention of the “AGR” zone; being not incompatible with the surrounding uses; and the departmental concerns could be addressed by imposing relevant approval conditions. Details of this similar application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

**7. Planning Intention**

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

7.2 According to the Explanatory Statement of the OZP, permission from the Board is required for filling of land within the “AGR” zone as such activity may cause adverse drainage and environmental impacts on the adjacent areas.

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

8.1 The Site is:

- (a) paved by soil and currently vacant; and
- (b) accessible from Kiu Hing Road via a local track.

8.2 The surrounding areas are predominantly rural in character comprising temporary structures/residential dwellings, farmland, open storage/storage yards, vehicle parks and vacant/unused land. The open storage/storage yards and vehicle parks in the vicinity are suspected unauthorized developments (UDs) subject to planning enforcement action.

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

All 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.

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

On 4.2.2025, the application was published for public inspection. During the statutory public inspection period, three public comments were received. The comment from the Chairman of Yuen Long Town Centre and Rural East Area Committee expresses no comment on the application (**Appendix V-a**). Two objections are from an individual and Kadoorie Farm & Botanic Garden Corporation respectively (**Appendix V-b**) objecting to the application mainly on the grounds that there are some active farmlands in Tai Tong, the proposed use is not in line with the planning intention of the “AGR” zone, and the Site is suspected to be used for brownfield operations.

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

- 11.1 The application is for proposed temporary animal boarding establishment (cattery) for a period of three years and associated filling of land at the Site zoned “AGR” on the OZP. While the proposed use is not entirely in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation (DAFC) has no strong view against the application from agricultural perspective. Having taking into account the planning assessments below, there is no objection to the proposed use on a temporary basis of three years.
- 11.2 The application also involves filling of land for the entire site (i.e. 730m<sup>2</sup>) by concrete with a depth of not more than 0.2m. Filling of land within “AGR” zone requires planning permission as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are predominantly rural in character comprising temporary structures/residential dwellings, farmland, vehicle parks, open storage/storage yards and vacant/unused land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department has no comment on the application from landscape planning perspective.
- 11.4 Other concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services and Director of Food and Environmental Hygiene have no objection to/no adverse comments on the application from traffic, fire safety and environmental hygiene aspects respectively. DAFC also has no comment on the application from nature conservation perspective. Should the

application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of the concerned government departments. The applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise potential environmental nuisances on the surrounding areas.

- 11.5 There is a similar application within the same “AGR” zone approved by the Committee in 2025. Approving the current application is in line with the Committee’s previous decision.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant. Regarding the concern on using the Site for brownfield operations, any UD on the Site would be subject to planning enforcement action.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments detailed in paragraph 10 above, the Planning Department has no objection to the application.
- 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 14.3.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### **Approval conditions**

- (a) the submission of a revised 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 14.9.2025;
- (b) in relation to (a) above, the implementation of the revised 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 14.12.2025;
- (c) in relation to (b) above, the implemented drainage facilities at the Site should 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 14.9.2025;
- (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 14.12.2025;

- (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;
- (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; and
- (h) upon expiry of the planning permission, the reinstatement of the application site, including the removal of fill materials and hard paving and grassing of the application site to the satisfaction of the Director of Planning or of the Town Planning Board.

#### 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 Members' reference:

the proposed use with associated filling of land is not in line with the planning intention of the "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such 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 attachment received on 22.1.2025
<b>Appendix Ia</b>	SI received on 28.1.2025
<b>Appendix Ib</b>	FI received on 28.2.2025
<b>Appendix II</b>	Similar Application
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendices V-a and V-b</b>	Public Comments
<b>Drawing A-1</b>	Vehicular Access Plan

<b>Drawing A-2</b>	Layout Plan
<b>Drawing A-3</b>	Land Filling Plan
<b>Drawing A-4</b>	Drainage Proposal
<b>Plan A-1</b>	Location Plan with Similar Application
<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**