



Section 16 Planning Application for the Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land at Lot 757 (Part) in D.D. 9, Tai Wo Village, Tai Po, New Territories

Planning Statement

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EXECUTIVE SUMMARY

(In case of discrepancy between English and Chinese versions, English shall prevail)

This Planning Statement is submitted to the Town Planning Board (“**the Board**”) in support of a Section 16 planning application for the Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land (“**the Proposed Development**”) at Lot 757 (Part) in D.D. 9, Tai Wo Village, Tai Po, New Territories (“**the Application Site**”).

The Application Site falls within the “Agriculture” (“**AGR**”) zone on the Approved Kau Lung Hang Outline Zoning Plan No. S/NE-KLH/11 (“**the OZP**”). According to the Notes of the OZP, ‘Animal Boarding Establishment’ is a Column 2 use, which requires planning permission from the Board. Filling of land to effect a change of use also requires planning permission from the Board. A planning application under section 16 of the Town Planning Ordinance is therefore submitted for the Proposed Development on a temporary basis of maximum 5 years.

The Application Site has a total site area of about 3,198m². It can be accessed via Tai Wo Service Road East through a local track. The Proposed Development has a maximum building height of not more than 5.5m, a total Gross Floor Area (“**GFA**”) of not more than 1,030 m², plot ratio about 0.32 and a total of 8 structures, including 2 animal boarding facilities with ancillary offices, storage and recreational facilities that do not exceed 5.5m in height. A total of 2 private car parking spaces and 1 loading/unloading spaces for light good vehicle are provided.

The Proposed Development is fully supported by the planning justifications below:

- The Proposed Development is not in conflict with the long-term planning intention of “AGR” zone;
- The Proposed Area for Land Filling is not excessive and can be Justified;
- The Proposed Development is not Incompatible with the Surrounding Land Use and Environment; and
- The Proposed Development would not result in any adverse impacts.

Based on the above justifications, we sincerely hope that the Board can give sympathetic consideration to this Application.

內容摘要

(如內文與其英文版本有差異，則以英文版本為準)

本規劃申請謹代表申請人，根據《城市規劃條例》第 16 條，懇請城市規劃委員會（下稱「城規會」）批准位於新界大埔大窩村丈量約份第 9 約地段第 757 號（部分）作擬議動物寄養所（為期五年）及進行填土工程（下稱「擬議發展」）。

申請地點位於《九龍坑分區計劃大綱核准圖編號 S/NE-KLH/11》（下稱「核准圖」）的「農業」地帶之內。根據核准圖有關「農業」地帶的土地用途表，「動物寄養所」屬第二欄用途，故需向城市規劃委員會申請規劃許可。而填土工程亦需向城規會取得許可。申請人遂根據城市規劃條例第 16 條向城規會遞交是次規劃申請。

申請地點地盤面積約 3,198 平方米，可經一條區內通道通往大窩東支路。擬議發展將設置八個構築物，總樓面面積不多於 1,030 平方米，其地積比率約為 0.32。擬議的建築物包括 2 個動物寄居場所，附屬的辦公室、倉庫和娛樂設施，高度均不超過 5.5 米。擬議發展將提供兩個停車位及一個輕型貨車上落客車位。

擬議發展有充分的理據支持，包括以下規劃考量因素：

- 擬議發展項目不會妨礙「農業」地帶的長遠規劃意向；
- 擬議填土的範圍合理；
- 先前已批准的同類型申請不會造成不良的先例；以及
- 擬議發展不會帶來負面影響。

鑑於擬議發展符合上述的規劃考量因素，申請人懇請城規會委員給予考慮並批准是次規劃申請。

TABLE OF CONTENTS

1.	INTRODUCTION	1
1.1	Background & Purpose.....	1
1.2	Structure of the Planning Statement.....	1
2.	THE APPLICATION SITE AND ITS SURROUNDINGS.....	2
2.1	Current Condition of the Application Site.....	2
2.2	Surrounding Context.....	2
3.	PLANNING AND LAND CONTEXTS.....	3
3.1	Statutory Planning Context.....	3
3.2	Similar Approved Applications	3
3.3	Land Status	4
4.	THE DEVELOPMENT PROPOSAL.....	5
4.1	Development Scheme	5
4.2	Operation Arrangement	5
4.3	Traffic Arrangement	5
4.4	Landscape Arrangement	6
5.	PLANNING JUSTIFICATIONS	7
5.1	The Proposed Development is Not in Conflict with the Long-term Planning Intention of “AGR” Zone.....	7
5.2	The Proposed Area for Land Filling is not Excessive and can be Justified	7
5.3	The Proposed Development is not Incompatible with the Surrounding Land Use and Environment	7
5.4	The Proposed Development will not Result in Any Adverse Impacts	7
6.	CONCLUSION	8

List of Figures

Figure 1	Location Plan
Figure 2	Extract of the OZP
Figure 3	Application Site on Lot Index Plan
Figure 4	Nearby Public Transit

List of Tables

Table 1	Similar Planning Applications
Table 2	Major Development Parameters
Table 3	Estimated Traffic Generation and Attraction for the Proposed Development

List of Annexes

Annex 1	Layout Plan
Annex 2	Proposed Land Filling Area

1. INTRODUCTION

1.1 Background & Purpose

1.1.1 We have been commissioned by the Project Proponent (**"the Applicant"**) to prepare and submit, on their behalf, this planning application for the Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land (**"the Proposed Development"**) at Lot 757 (Part) in D.D.9, Tai Wo Village, Tai Po, New Territories (**"the Application Site"**) under Section 16 of the Town Planning Ordinance (**"the Ordinance"**).

1.1.2 The Application Site falls within an area zoned as "Agriculture" (**"AGR"**) under the Approved Kau Lung Hang Outline Zoning Plan No. S/NE-KLH/11 (**"the OZP"**). According to the Notes of the OZP for the "AGR" zone, 'Animal Boarding Establishment' is a Column 2 use, which requires planning permission from the Town Planning Board (**"the Board"**). Filling of land to effect a change of use also requires planning permission from the Board. This planning application is therefore submitted.

1.1.3 The purpose of this planning application is to seek approval from the Board on behalf of the Applicant for the establishment of a Proposed Development for a Period of 5 Years at the Application Site.

1.2 Structure of the Planning Statement

1.2.1 In support of this planning application, this Planning Statement is divided into six chapters for the consideration of the Board members.

1.2.2 **Chapter 1** is the above introduction outlining the purpose of the current application. **Chapter 2** gives the background details of the Application Site in terms of the current land-use characteristics and the surrounding developments. **Chapter 3** provides an overview of the planning context of the Application Site. **Chapter 4** explains the development proposal. Justifications for approval of the application are provided in **Chapter 5**, and the planning submission is summarised in **Chapter 6**.

2. THE APPLICATION SITE AND ITS SURROUNDINGS

2.1 Current Condition of the Application Site

2.1.1 The Application Site covers a total land area of about 3,198m². It is accessible from Tai Wo Village Service Road East via a local track. The Application Site is currently non-paved and fenced off and is currently being left idle. There are adequate public transport services connecting to the Application Site within walkable distances, including franchised bus and green minibus routes (**Figure 1** and **Figure 4** refers). The Application Site on Lot Index Plan is also provided in **Annex 1**.

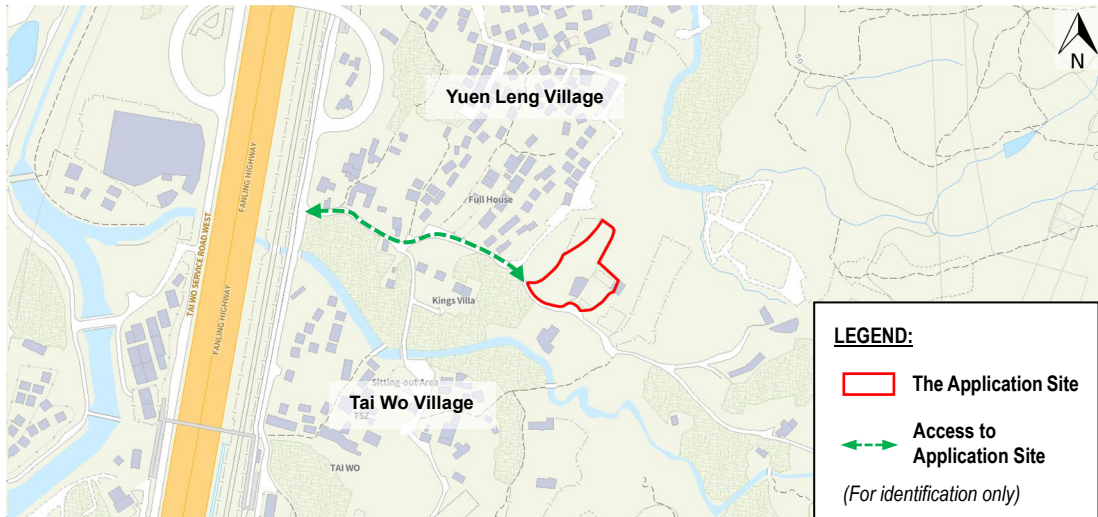


Figure 1 Location Plan (for indicative purposes only)

2.2 Surrounding Context

2.2.1 To the west and northwest of the Application Site are villages clusters, namely Tai Wo Village and Yuen Leng Village. To the immediate south, there is the local track connecting to the Application Site from Tai Wo Service Road East. Further south, on the other side of the local track are agricultural farms. To the immediate east, there is a warehouse and open storage facility. To the west, southwest and northeast are vacant sites.

3. PLANNING AND LAND CONTEXTS

3.1 Statutory Planning Context

3.1.1 The Application Site falls entirely within the “AGR” zone under the OZP (**Figure 2** refers). According to the Notes of the OZP for the “AGR” zone, ‘Animal Boarding Establishment’ is a Column 2 use, which requires permission from the Board. Filling of land to effect a change of use also requires planning permission from the Board.

3.1.2 The “AGR” zone is intended primarily “to retain and safeguard good quality agricultural land/farm/fishponds for agricultural purposes”, as well as to retain “fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes”. The Proposed Development is not in line with the planning intention of the “AGR” zone. However, since the Proposed Development is temporary in nature, approval of this planning application would not jeopardise the long-term planning intention of the “AGR” zone.

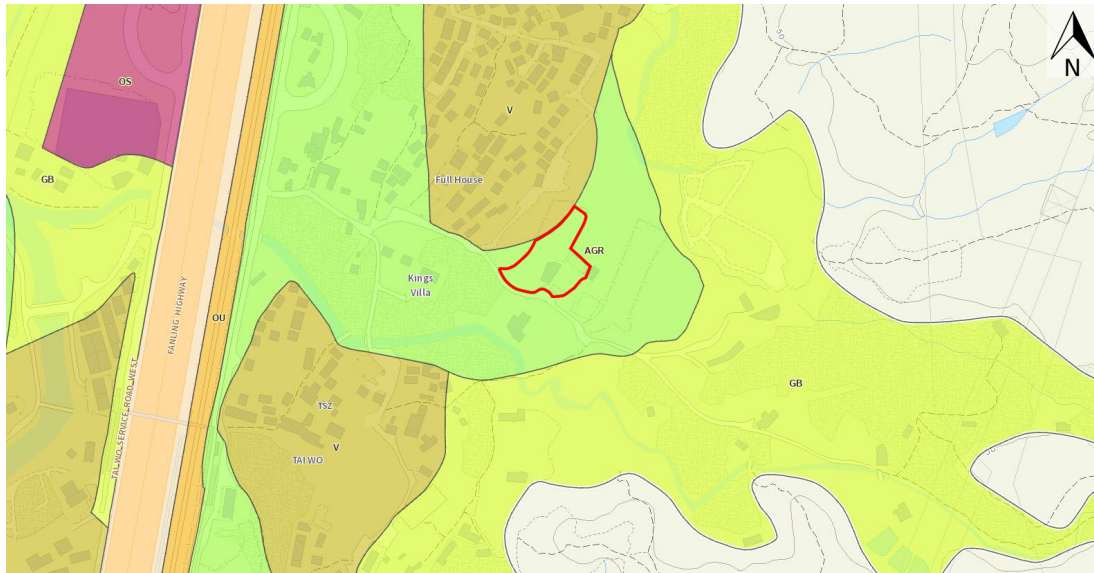


Figure 2 Extract of the OZP (Source: Statutory Planning Portal)

3.2 Similar Approved Applications

While there is no existing approved application for Animal Boarding Establishment in the same OZP, there have been 8 similar applications within the “AGR” zone in the past 5 years (with 5 selected cases). District Planning Office (Sha Tin, Tai Po and North) of Planning Department has not raised any objections to these applications, considering that the Proposed Developments are temporary in nature and would not frustrate the long-term planning intention of the “AGR” zone.

Table 1: Similar Planning Applications

Case No.	Applied Use	Approval Date
A/NE-MUP/187	Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years	22.9.2023
A/NE-MUP/182	Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years	5.5.2023
A/NE-HLH/57	Proposed Temporary Animal Boarding Establishment with Ancillary Facilities for a Period of 5 Years and Filling of Land	26.8.2022

A/NE-TKL-701	Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land	9.9.2022
A/NE-PK/162	Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land	22.1.2021

3.3 Land Status

The Application Site is a portion of Lot 757 in D.D. 9 (**Figure 3** refers) owned and managed by Man Shui (or Sui) Tso Kung as recorded in the Land Registry. The Applicant has duly notified and obtained consent from all managers for this Planning Application.

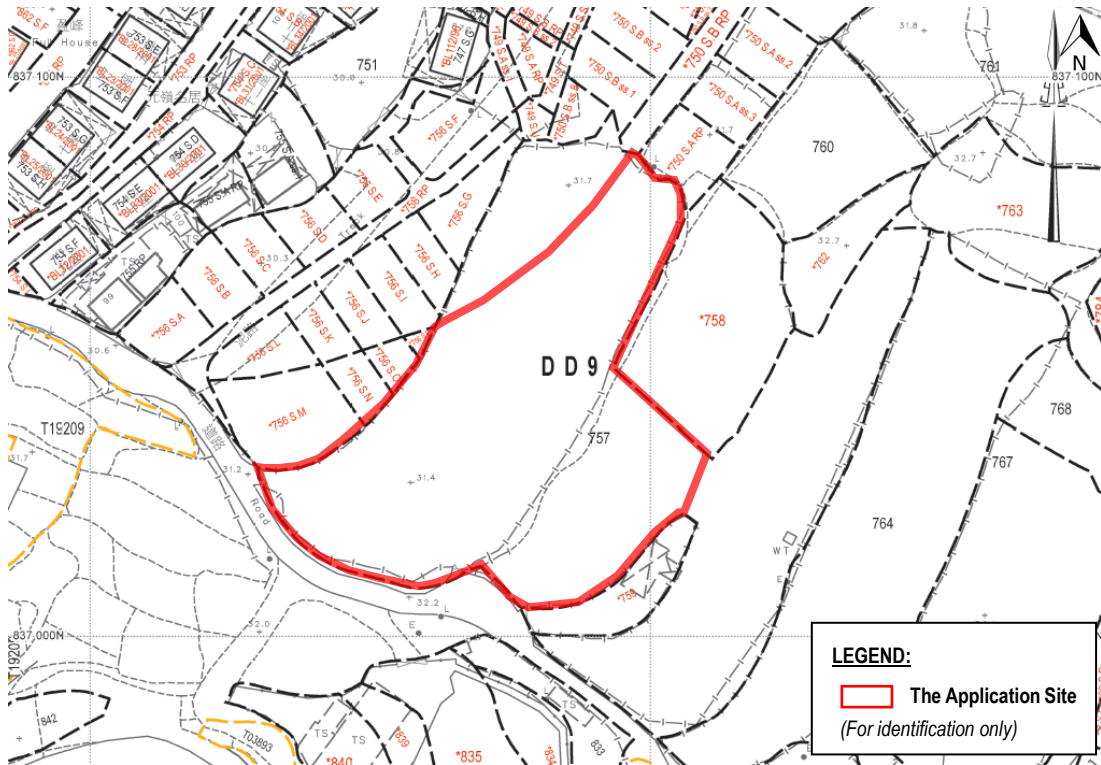


Figure 3 Application Site on Lot Index Plan (Source: Lands Department)

4. THE DEVELOPMENT PROPOSAL

4.1 Development Scheme

- 4.1.1 The Proposed Development, as shown in the Layout Plan in **Annex 2**, comprises a total of 8 structures for cat kennels and other ancillary uses (i.e. office, storage, recreational facilities and toilets). The structures will have a maximum building height of not more than 5.5m. The Proposed Development will provide a total of 3 parking and loading/unloading (“L/UL”) spaces, including 2 covered parking spaces for private cars and 1 L/UL space for light goods vehicle (“LGV”). The proposed land filling covers approximately 16.1% of the Application Site and will not exceed a height of 0.2m. The development parameters of the Proposed Development are summarised in **Table 2** below.

Table 2: Major Development Parameters

Site Area	About 3,198 m ²
No. of Structures	8
Total Gross Floor Area (“GFA”) or Covered Area	Not more than 1,029.88 m ²
Site Coverage (“SC”)	About 32.2%
Maximum Building Height	Not more than 5.5m
No. of Storeys	1
No. of Parking Spaces <i>Private Car (2.5 m x 5.0 m)</i>	2 2
No. of Loading/Unloading Bay for LGV <i>(3.5 m x 7.0 m)</i>	1
Proposed Land Filling Area	About 513.7 m ² (about 16.1% of the Application Site)
Proposed Height for Land Filling	Not more than 0.2m

- 4.1.2 The Application Site is predominately enclosed by 2-metre high metal panels, which will be retained and maintained upon approval of the Proposed Development. The northwestern Application Site boundary is not fenced as it includes land operated by the Applicant but falls outside of the Application Site.

4.2 Operation Arrangement

- 4.2.1 The operation hours for the Proposed Development will be from 9:00 am to 7:00 pm daily, including public holidays. All animal activities will be confined within the animal boarding facilities, which will be equipped with soundproofing materials and provided with 24-hour mechanical ventilation and air-conditioning system. Strict adherence will be maintained to relevant guidelines and statutory requirements such as “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site” (“COP”). During the planning approval period, no public announcement system, whistle blowing, portable loudspeaker, or any form of audio amplification system is permitted at the Application Site. No quarantine station or quarantine lairage for animals will be provided on the Application Site. Visitors, including walk-in visitors, will not be allowed access to the Application Site. The operator will be responsible for pick-up and delivery of animals directly to visitors. Relevant licenses / permits (i.e. under the Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I) will be obtained subject to the approval of this Planning Application.

4.3 Traffic Arrangement

- 4.3.1 The Application Site can be accessed from Tai Wo Service Road East via a local track. 2 covered private car parking spaces and 1 L/UL space are provided at the Application Site for staffs. The ingress/egress with a width of about 5m will be located at the south of the Application Site, adjacent to the local track leads from

Tai Wo Service Road East. Vehicles will access the Application Site via the local track and adjacent village clusters.

4.3.2 The Proposed Development provides 1 L/UL space for LGV, primarily for company vehicles used to support of staff commuting and small-scale operational needs such as transporting pet food and animals. Adequate space for manoeuvring will be provided to ensure smooth vehicle turning as illustrated in **Annex 1**, which ensures no queuing back and reversing of vehicles onto the Tai Wo Service Road East and local access road is anticipated. Additionally, staff will have the option to commute by public transport, as the Application Site is served by numerous franchised bus routes and public minibuses operating within walking distance (**Figure 4** refers).

4.3.3 The estimated traffic attraction and generation from the Proposed Development are minimal and limited to basic operational needs, as outlined in **Table 4** below. As such, no adverse traffic impact on Tai Wo Service Road East and local access road is expected.

Table 3: Estimated Traffic Generation and Attraction

Type of Vehicles	Maximum No. of Vehicles / Day
Nos. of LGV (in)	3
Nos. of LGV (out)	3
Nos. of Private Cars (in)	2
Nos. of Private Cars (out)	2

Note: The number of traffic attraction and generation of the Proposed Development are 9am to 7pm daily.

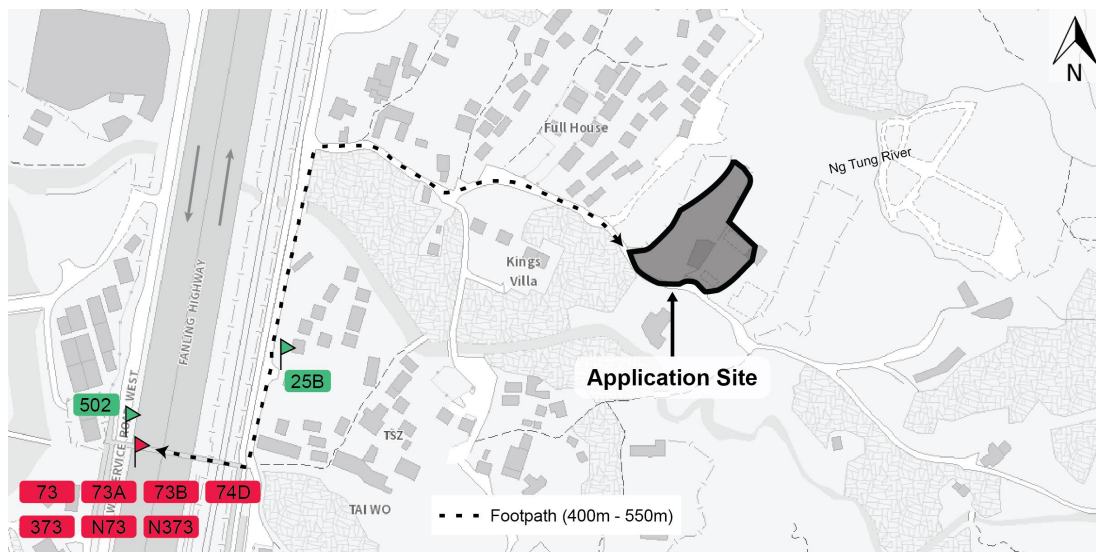


Figure 4 Nearby Public Transit (for indicative purposes only)

4.4 Landscape Arrangement

4.4.1 There is an existing tree within the Application Site, which will be retained and excluded from the proposed land filling area. The proposed land filling, covering about 513.7m² (16.1% of the Application Site) with a height of 0.2m, is intended for vehicle manoeuvring purposes, aiming to stabilise soil ground and prevent erosion from surface run-off. The extent of land filling has been kept minimal to meet basic operational needs (**Annex 2** refers).

5. PLANNING JUSTIFICATIONS

5.1 The Proposed Development is Not in Conflict with the Long-term Planning Intention of “AGR” Zone

5.1.1 The Application Site falls entirely within the “AGR” zone, which is intended primarily to retain and safeguard good quality agricultural land/farm/fishponds for agricultural purposes. ‘Animal Boarding Establishment’ is a Column 2 Use which may be permitted subject to consideration from the Board. Given the temporary nature of the Proposed Development, the approval of this planning application will not jeopardise the long-term planning intention of the “AGR” zone.

5.2 The Proposed Area for Land Filling is not Excessive and can be Justified

5.2.1 The proposed filling of land, with a depth of 0.2m, is intended for vehicle manoeuvring purposes, aiming to stabilise the soil ground and prevent erosion from surface run-off. The ground can be reinforced to withstand the weight of vehicles. The extent of filling of land has been minimised to meet the basic operational needs of the Proposed Development.

5.3 The Proposed Development is not Incompatible with the Surrounding Land Use and Environment

5.3.1 The Proposed Development with a maximum building height of 5.5m (single storey) and a PR of about 0.32 is compatible with the surrounding village dwellings, which have a general building height of 8.23m (3 storeys). Therefore, the Proposed Development is in line with the development intensity of the surrounding area. In terms of land use, the Proposed Development is not incompatible with the predominantly rural character of the surrounding area, which are village dwellings, private farmlands, holiday camps, warehouses and open storage facilities, vacant lands, and scattered tree groups.

5.4 The Proposed Development will not Result in Any Adverse Impacts

5.4.1 The Proposed Development will not result in any traffic, landscape, environmental and drainage impacts. Adequate space for manoeuvring will be provided, ensuring smooth vehicle turning and no queues or vehicle reversals onto the Tai Wo Service Road East and local access road. The estimated traffic attraction and generation are minimal. The existing tree within the Application Site will be retained, and the proposed land filling area has been kept to a minimum to meet basic operational needs.

5.4.2 All animal activities will be confined within the animal boarding facilities, which will be equipped with soundproofing materials and provided with 24-hour mechanical ventilation and air-conditioning system. The requirements specified in the COP and relevant pollution control ordinances will be strictly adhered to. The Applicant will submit a drainage proposal and a fire service installations proposal to ensure compliance with the standards set by the Drainage Services Department and the Fire Services Department, subject to the approval of this Planning Application. After the planning stage, application for Animal Boarding Establishment Licence will also be submitted to the satisfaction of the Agriculture, Fisheries and Conservation Department, ensuring adherence to the statutory requirements.

6. CONCLUSION

6.1.1 This Planning Statement serves to provide information and planning justifications in support of the Proposed Development. As detailed in the previous chapters, the Proposed Development is well justified on the grounds that:

- The Proposed Development is Not in Conflict with the Long-term Planning Intention of “AGR” Zone;
- The Proposed Area for Land Filling is not Excessive and can be Justified;
- The Proposed Development is not Incompatible with the Surrounding Land Use and Environment; and
- The Proposed Development will not Result in Any Adverse Impacts.

6.1.2 To conclude, we sincerely wish that the Board can give sympathetic consideration to this Application.

May 2024
PlanPlus Consultancy Limited