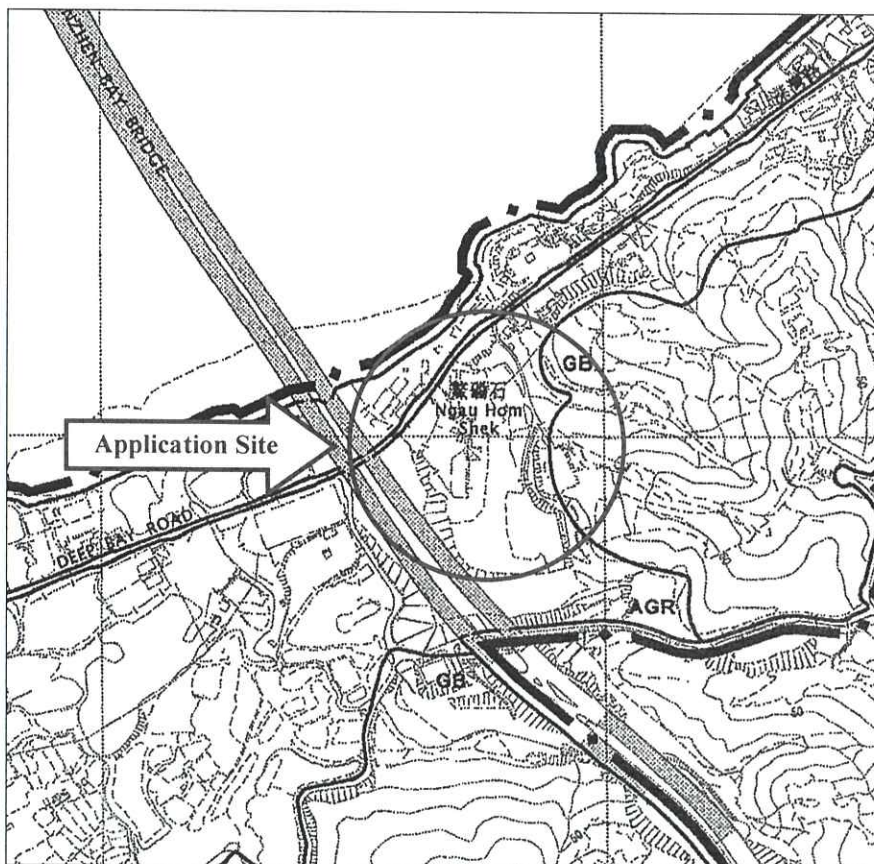


Planning Application
 Under Section 16
 of the Town Planning Ordinance
 (Cap. 131)

**Planning Application for
 A Temporary Open Storage of Construction Materials with Ancillary Site
 Office for a Period of Three Years and Associated Filling of Land
 Lot Nos. 368RP and 375RP in D.D. 128 and Adjoining Government Land
 Ngau Hom Shek, Yuen Long, New Territories**



Prepared by

LANBASE Surveyors Limited

December 2024

EXECUTIVE SUMMARY

The Application Site ('the Site') comprises Lot Nos. 368RP and 375RP in D.D. 128 and adjoining Government Land, Ngau Hom Shek, Yuen Long, New Territories. It is located about 25m to southeast of Deep Bay Road. The Site is applied for "Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land". The Site occupies a site area of about 2,495m², including Government Land of about 574m². In accordance with the Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12 dated 26.10.2018, the Site falls within an area zoned "Agriculture" ("AGR").

A planning permission is sought to use the Site as "Temporary Open Storage of Construction Materials with Ancillary Site Office". Since the Site is small in scale, no adverse traffic, drainage and environmental impacts are anticipated.

The subject application is justified on the following grounds: 1) No Contravention to the Long Term Planning Intention; 2) In Line with TPB PG No. 13G; 3) Compatible with Surrounding Land Uses; 4) No Adverse Drainage and Environmental Impacts; and 5) No Adverse Traffic Impact.

申請摘要

申請場地乃新界元朗鰲磡石丈量約份第128約地段第368號餘段及第375號餘段，及毗鄰政府土地。申請場地位於深灣路東南面約25米。現申請三年臨時規劃許可作「臨時建築物料露天貯存連附屬地盤辦公室」用途及相關的填土工程。申請地段佔地約2,495平方米，包括約574平方米政府土地。是項申請地段位於廈村邊緣分區計劃大綱核准圖編號S/YL-HTF/12(發表於2018年10月26日)內之「農業」地帶。

是項臨時許可申請把場地申請用作「臨時建築物料露天貯存連附屬地盤辦公室」。由於場地規模細小，相信並不會引致不良的交通、渠務及環境影響。

是項申請的理由如下：1)沒有違反長遠之規劃意向； 2)符合城市規劃指引13G；3)與附近的土地用途相融； 4)沒有不良的渠務及環境影響；及5)沒有不良的交通影響。

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1. INTRODUCTION

- 1.1 The Application Site (“the Site”) comprises Lot Nos. 368RP and 375RP in D.D. 128, and adjoining Government Land, Ngau Hom Shek, Yuen Long, New Territories. It is located about 25m to southeast of Deep Bay Road. According to the Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12 dated 26.10.2018, the Site falls within an area zoned “Agriculture” (“AGR”). Please refer to an extract of the OZP and its relevant notes at **Appendix 1**, Location Plan at **Appendix 2** and Site Plan at **Appendix 3**.
- 1.2 The current application is applied for the use of “Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land”.
- 1.3 The Applicant has commissioned Lanbase Surveyors Limited on his behalf to submit a planning application for “Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land” under Section 16 of the Town Planning Ordinance (Cap. 131).
- 1.4 The Planning Statement serves to describe the existing condition of the Site and its surrounding land uses, to give details of the proposed development, and to provide justifications for the Board’s consideration.

2. SITE CONTEXT

2.1 Application Site

2.1.1 The Site comprises Lot Nos. 368RP and 375RP in D.D. 128, and adjoining Government Land, Man Uk Pin, New Territories. It occupies a site area of about 2,495m², including Government Land of about 574m². Please refer to Location Plan at **Appendix 3** and Site Plan at **Appendix 4**.

2.1.2 The Site is now paved with some temporary structures and open storages.

2.2 Lease Particulars

The subject lots are held under Block Crown Lease and demised as agricultural land. The lease is virtually unrestricted, apart from offensive trade clause and will expire on 30th June 2047.

2.3 Surrounding Land Uses

2.3.1 The Site is located about 25m to southeast of Deep Bay Road.

2.3.2 To its immediate is workshop, vacant land, shrubland and graves.

2.3.3 To its south and southeast is an open storage yard of vehicles.

2.3.4 To its southwest and west is the Shenzhen Bay Bridge.

2.3.5 To its immediate north is an open storage yard of construction material and a residential dwelling (about 12m away). To its further north across Deep Bay Road is the coastal area of Deep Bay.

2.4 Accessibility

2.4.1 The Site is accessible from a local track connecting to Deep Bay Road.

2.4.2 The subject area is served by various modes of public transport including minibuses and taxis along Deep Bay Road.

3. TOWN PLANNING

- 3.1 The Site falls within an area zoned “Agriculture” (“AGR”) on the Approved Ha Tsuen Fringe Outline Zoning Plan No. S/YL-HTF/12 dated 26.10.2018. Extract of the OZP are attached at **Appendix 1**.
- 3.2 As stipulated in the Notes of the OZP, a planning permission is required by the Town Planning Board (the “Board”) for the proposed temporary use in the “AGR” zone.
- 3.3 In accordance with the Town Planning Board Guidelines No. 13G (**TPB PG-NO. 13G**) for Application for Open Storage and Port Back-up Uses, the Site is classified as “Category 2” area, which could be granted on a temporary basis up to a maximum period of 3 years subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions.
- 3.4 The Site is the subject of previous planning application No. A/YL-HTF/1128 approved on 18.2.2022 for “A Temporary Animal Boarding Establishment (Dog Kennel)” for a Period of 3 Years.

4. PROPOSED DEVELOPMENT

4.1 Applied Use

It is proposed to apply for the use of “Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land”.

4.2 Site Area

The Site has an area of about 2,495m², including Government Land of about 574m².

4.3 Operation Hours

The proposed “Temporary Open Storage of Construction Materials with Ancillary Site Office” would be operated 24 hours a day and 7 days a week, but loading/unloading activities would only be carried out from 7:00am to 11:00pm (e.g. no night-time operation between 11:00pm and 7:00am) from Monday to Saturday during the planning approval period. There will be no loading/unloading activities on Sundays and public holidays on site.

4.4 Site Layout

There will be open storage area and temporary structures provided at Site. Two private car parking space and a loading / unloading area will also be provided. The proposed Layout Plan is provided at **Appendix 5**.

4.5 Traffic

Due to small scale of the Site and provision of loading / unloading area, no heavy traffic flow would be generated.

4.6 Drainage

The Applicant will provide proper drainage facilities at the Site. Approval condition for provision of drainage facilities is acceptable.

4.7 Landscape

As there is no existing tree and no additional open area for tree planting, no tree

preservation and planting is required.

4.8 Fire Precaution Measures

The Applicant will provide proper fire service installations at the Site. Approval condition for provision of the fire service installations is acceptable.

5. JUSTIFICATIONS

5.1 No Contravention to the Long Term Planning Intention

The planning intention of the subject “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. Basically, approval of the proposed use on a temporary basis that will not prejudice the future long term planning of the area. Therefore, the proposed development is considered not contravene to the long-term planning intention.

5.2 In Line with TPB PG No. 13G

With reference to the TPB PG No. 13G – Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses, the Site falls within Category 2 area, which could be granted on a temporary basis up to a maximum period of 3 years subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions.

5.3 Compatible with Surrounding Land Uses

In fact, the locality of the Site has been generally occupied by open storages and workshops. The proposed “Temporary Open Storage of Construction Materials with Ancillary Site Office” is considered compatible with the surrounding uses in the area.

5.4 No Adverse Drainage and Environmental Impacts

The proposed “Temporary Open Storage of Construction Materials with Ancillary Site Office” is only a small-scaled operation. In this respect, no adverse drainage and environmental impacts are anticipated.

5.5 No Adverse Traffic Impact

- 5.5.1 The current application is only for the small-scaled “Temporary Open Storage of Construction Materials with Ancillary Site Office” with low traffic demand. There would be no containers / heavy goods vehicles entering into the Site.
- 5.5.2 The proposed 2 private car parking spaces are for the staff use that would generate or attract 6 trips a day during the morning peak hours, lunch time and evening peak hours respectively. There are also only 2 LGV trips per day for conducting loading/unloading activities in the morning and the afternoon time respectively.
- 5.5.3 The proposed temporary use is mainly for the storage use. In addition, the provision of private car parking spaces is for the staff use only and there are only 2 times loading/unloading activities per day. Therefore, the proposed 2 private car parking spaces and 1 LGV loading/unloading space are adequate for the site.
- 5.5.4 The width of the vehicular access leading to the site is 4.5m at minimum, as shown on the Proposed Layout Plan at **Appendix 4**.
- 5.5.5 There is satisfactory maneuvering of the goods vehicles entering and exiting the subject site, maneuvering within the subject site and into/out of the parking and loading/unloading spaces.
- 5.5.6 There are only 2 times loading/unloading activities per day. Therefore, no queuing issue is anticipated. Nevertheless, as shown on the Proposed Layout Plan at **Appendix 4**, there is enough vacant area being a waiting area for avoiding queuing up on the public road.
- 5.5.8 Therefore, no adverse traffic impact is anticipated.

6. CONCLUSION

6.1 The Applicant seeks the Board's permission to approve this planning application for providing "Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land" on the Site under S.16 of the Town Planning Ordinance.

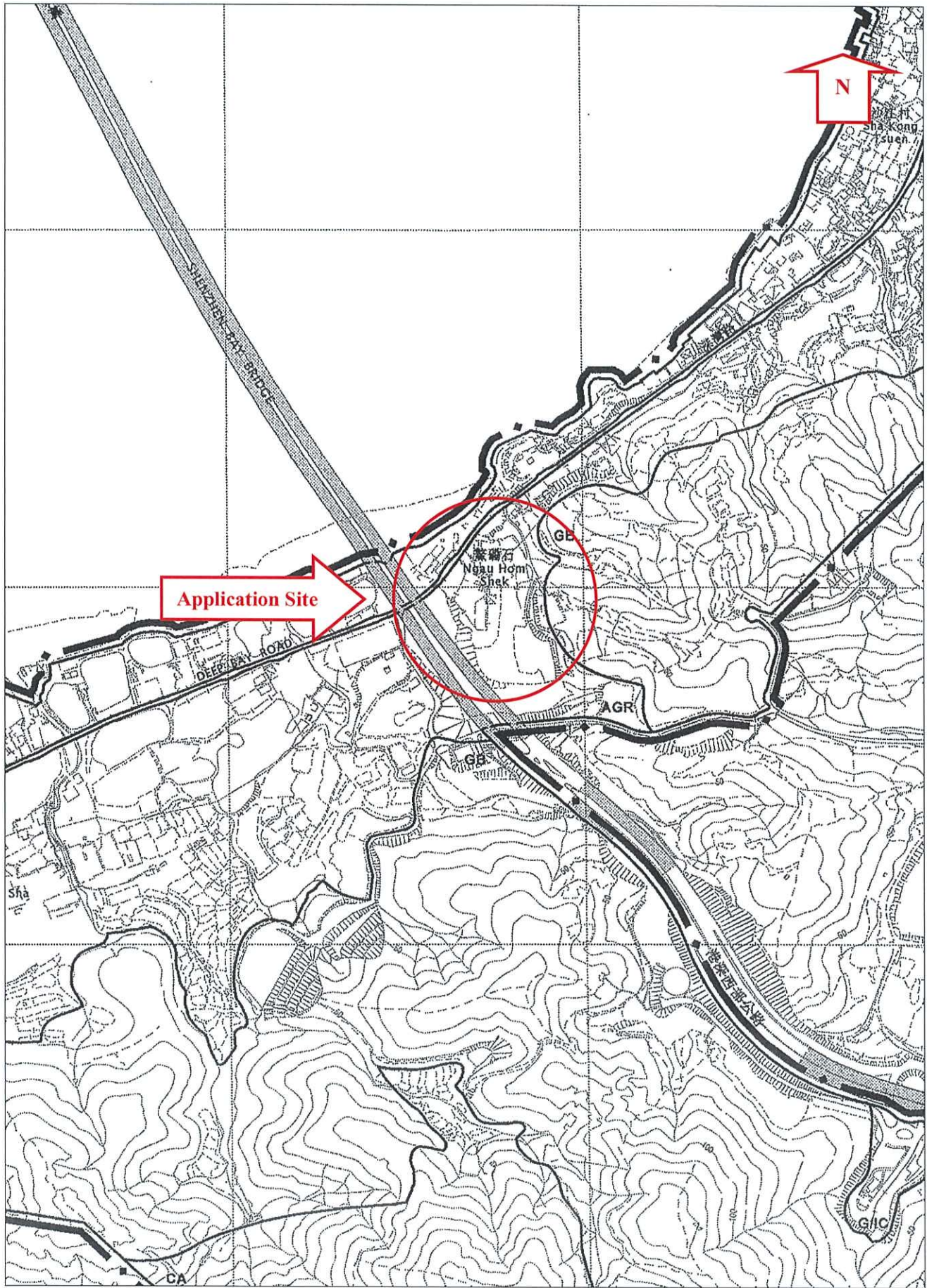
6.2 With regard to the followings:

- no contravention to the long term planning intention;
- in line with TPB PG No. 13G;
- compatible with surrounding land uses;
- no adverse drainage and environmental impacts; and
- no adverse traffic impact,

the Board is recommended to approve the planning application for the use of "Temporary Open Storage of Construction Materials with Ancillary Site Office or a Period of 3 Years and Associated Filling of Land" on the Site.

APPENDIX 1

**Extract of Approved Ha Tsuen Fringe Outline Zoning Plan
No. S/YL-HTF/12 dated 26.10.2018 and its Relevant Notes**



For Identification Only

AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/ Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

This zone is intended 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.

Remarks

- (a) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the Ha Tsuen Interim Development Permission Area Plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

(Please see next page)

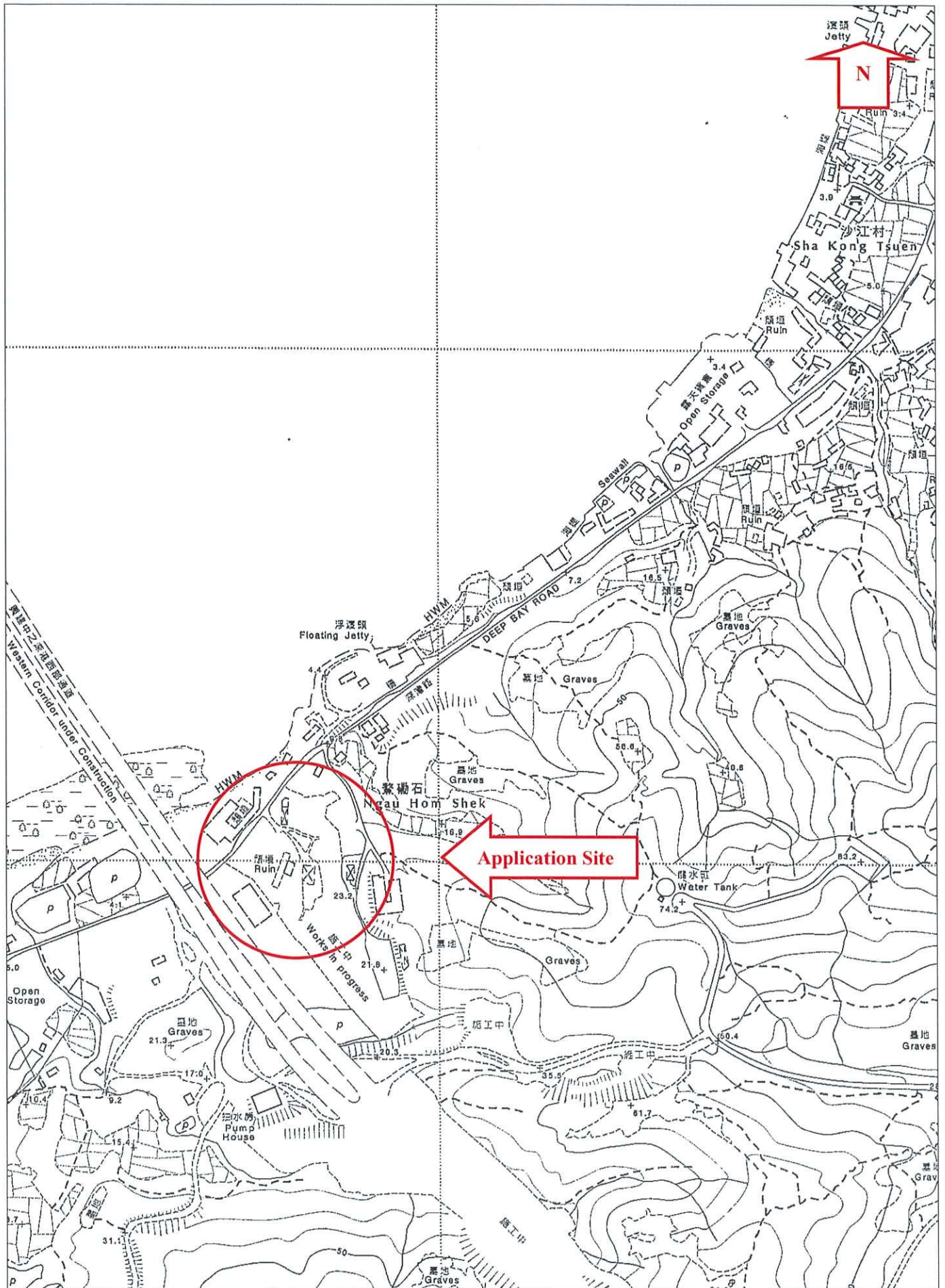
AGRICULTURE (Cont'd)

Remarks (Cont'd)

- (b) Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Ha Tsuen Outline Zoning Plan No. S/YL-HT/6 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:
- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
 - (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

APPENDIX 2

Location Plan



For Identification Only

APPENDIX 3

Site Plan (Lot Index Plan)

地段索引圖 LOT INDEX PLAN

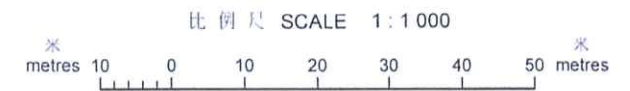
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Explanatory notes: This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the backdrop. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that: (1) the information shown on this plan is subject to update without prior notification; (2) there may be time lag between an update and the related changes taken place; and (3) the graphical boundaries as shown are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor.
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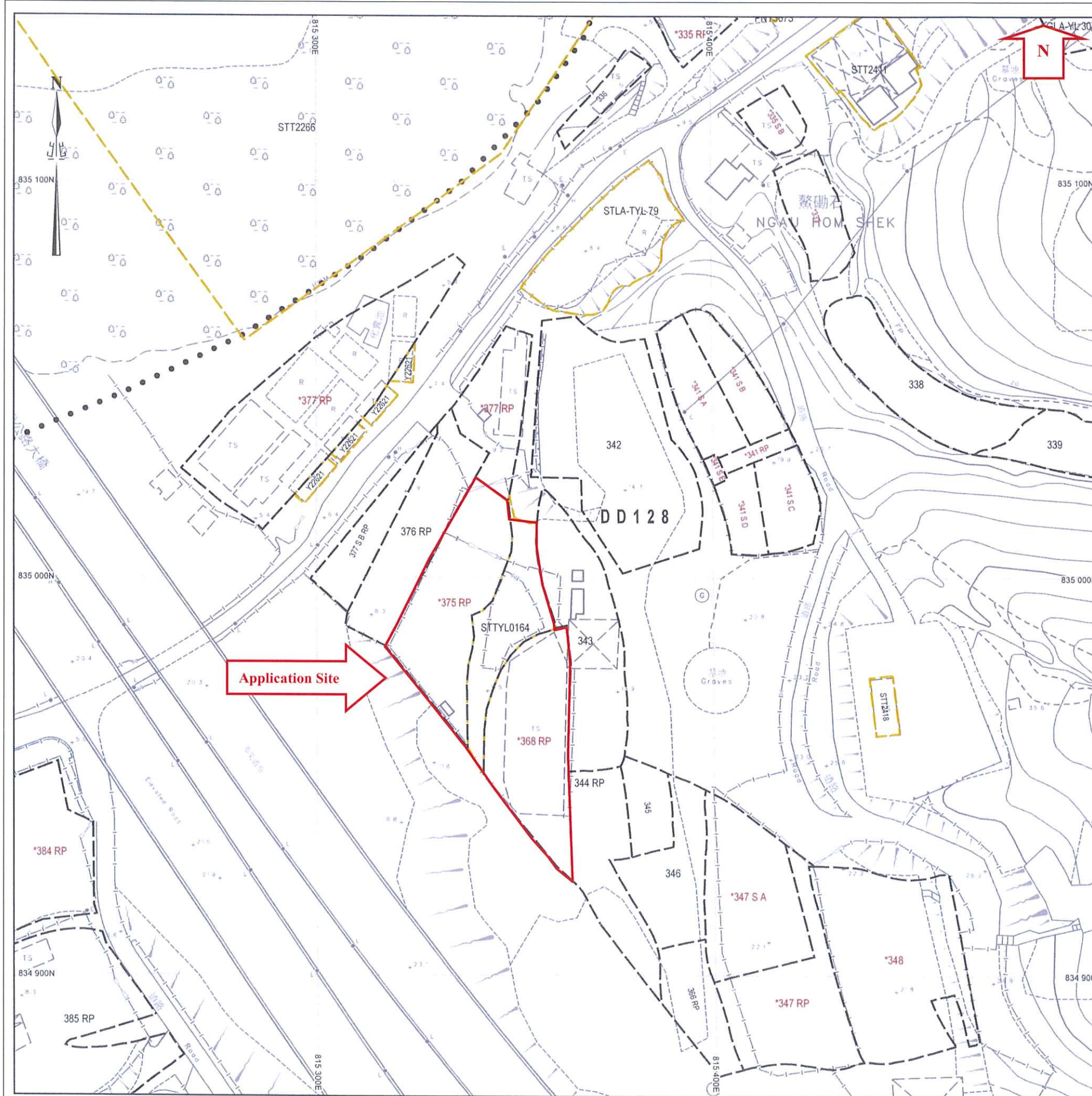


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Locality :
Lot Index Plan No. : ags_S00000135397_0001
District Survey Office : Lands Information Center
Date : 15-Nov-2024
Reference No. : 6-NW-1C



APPENDIX 4

Proposed Layout Plan

地段索引圖 LOT INDEX PLAN

摘要說明：本地段索引圖在其背景的地形圖上標示了各種永久和短期持有的土地的圖像界線。這些土地包括私人地段、政府撥地、短期租約批地，以及其他作核准用途的土地。請注意：(1)本索引圖上的資料會被不時更新而不作事先通知；(2)索引圖的更新或會延後於有關資料的實際變更；以及(3)本索引圖中顯示的界線僅供識別之用，資料是否準確可靠，應徵詢專業土地測量師的意見。
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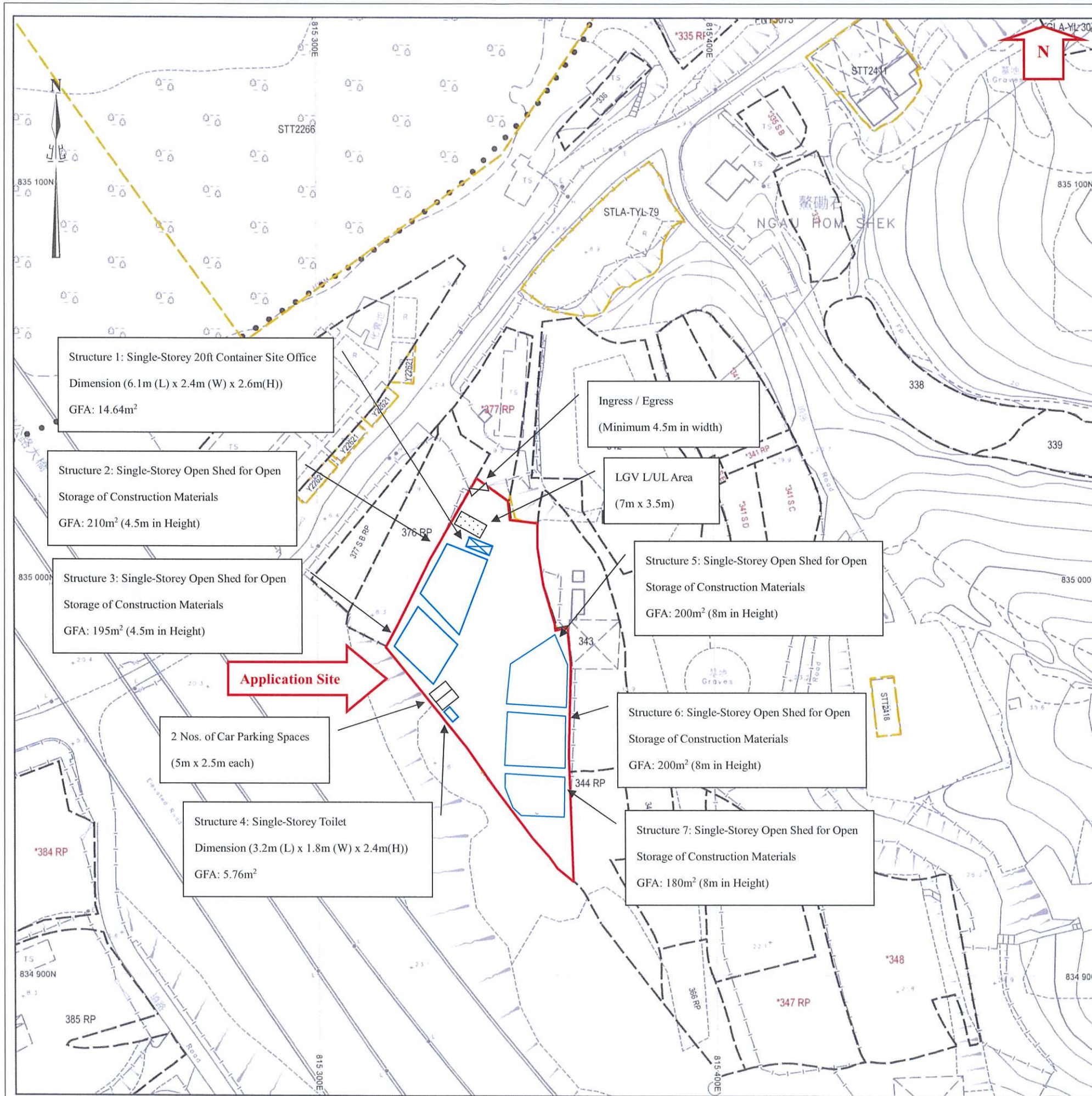


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比例尺 SCALE 1:1 000
metres 10 0 10 20 30 40 50 metres

Locality :
Lot Index Plan No. : ags_S00000135397_0001
District Survey Office : Lands Information Center
Date : 15-Nov-2024
Reference No. : 6-NW-1C



For Identification Only

APPENDIX 5

Site Photo

Site Photo

Application Site

