



SUPPLEMENTARY PLANNING STATEMENT

September 2024

Section 16 Town Planning Application

Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 years and Associated Filling of Land in Lot Nos. 956 and 959 RP in D.D. 107, Fung Kat Heung Road, Kam Tin, Yuen Long, New Territories

The Applicant:

Sheen Power Capital Investment Limited

Consultant:

DeSPACE (International) Limited

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Executive Summary

This Planning Statement is submitted in support of proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a period of 3 years and associated filling of land in Lot Nos. 956 and 959 RP in D.D. 107, Fung Kat Heung Road, Kam Tin, Yuen Long, New Territories (“the Application Site”), to seek the approval from the Town Planning Board (“TPB”) under Section 16 of the Town Planning Ordinance. The Application Site falls within an area zoned “Agricultural” (“AGR”) on the approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/11. According to the Notes of the OZP, the proposed “Warehouse (other than Dangerous Goods Godown)” is neither a Column 1 nor Column 2 use under (“AGR”). According to the covering Notes of the OZP, temporary use not exceeding a period of 3 years requires planning permission from TPB, notwithstanding that the use or development is not provided for in terms of the Plan.

Please also note that any new 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), on land falling within the “AGR” zone on the Kam Tin North OZP requires permission from the TPB under section 16 of the Town Planning Ordinance.

The proposal is justified mainly for the following reasons:

- The proposed development is not incompatible with the surrounding areas;
- The proposed development would not jeopardize the long-term planning intention of the “AGR” zone;
- Similar approved applications in the vicinity;
- Previously approved planning application for the same use and associated filling of land on the site; and
- No adverse traffic, visual and environmental impacts.

In view of the planning and justifications put forth in the Supplementary Planning Statement, the Town Planning Board is kindly invited to give favorable consideration to this application.

行政摘要

(內容如與英文版本有任何差異，應以英文版本為準)

此規劃綱領是為一宗位處新界元朗錦田逢吉鄉路丈量約份第 107 約地段第 956 號及第 959 號餘段(「申請地盤」)用作擬議三年臨時許可作臨時貨倉(危險品倉庫除外)及相關填土工程，並根據《城市規劃條例》第 16 條希望得到城市規劃委員會的申請規劃許可。申請處所位於錦田北分區計劃大綱核准圖編號 S/YL-KTN/9(「該大綱核准圖」)的「農業」地帶。根據該大綱核准圖的《註釋》所述，擬議的「貨倉(危險品倉庫除外)」既不是第一欄用途或第二欄用途。根據大綱核准圖的註釋，任何土地或建築物的臨時用途或發展，如為期不超過三年，須向城市規劃委員會申請規劃許可，即使圖則沒有作出規定。

此外，所有在「農業」地帶內的土地進行新的填土工程，包括為改作上文第一欄和第二欄所列的任何用途，或《註釋》說明頁所經常准許的用途或發展(由政府統籌或落實的公共工程，以及保養、修葺或翻建工程除外)，須向城市規劃委員會申請規劃許可。

該規劃申請的規劃理據主要基於以下原因：

- 擬議發展與毗鄰的土地用途相容;
- 擬議發展不會阻礙「農業」地帶的長遠發展;
- 擬議發展附近有類似的項目獲批准;
- 申請人已符合於地盤先前規劃申請作同一用途及相關填土工程的大部分許可附帶條件;及
- 申請處所在交通、消防安全和噪音方面都不會對周圍環境造成不良影響。

基於規劃綱領中的規劃及技術理據，懇請城規會支持是項規劃申請。

Section One – Introduction

1.1 Project Background

- 1.1.1 DeSPACE (International) Limited acts on behalf of the Applicant, namely, the Sheen Power Capital Investment Limited, the registered land owner of Lot Nos. 956 and 959 RP in D.D. 107, to submit this section 16 town planning application to the Town Planning Board (TPB) for using the Application Site for a proposed Temporary Warehouse (excluding Dangerous Goods Godown) for period of 3 years and associated filling of land in “Agriculture” (“AGR”) zone under the approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/11 (the OZP). The location of the Application Site is shown in **Drawing A-1**.
- 1.1.2 According to the OZP, the proposed “Warehouse (other than Dangerous Goods Godown)” is neither a Column 1 nor Column 2 use under the “AGR” zone. According to the covering Notes of the OZP, temporary use not exceeding a period of 3 years requires planning permission from TPB. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission. Associated filling of land is also required permission from TPB.
- 1.1.3 The proposed warehouse is compatible with the nearby miscellaneous character of rural developments intermixed with hobby farm, dog kennel, open storage/storage yards, parking of vehicles and vacant/unused land. Also, the proposed development would not cause any adverse impacts to the surroundings.

1.2 Structure of Report

- 1.2.1 Section 2 gives a brief overview of the site context and history. Section 3 presents the planning context of the Site. Section 4 contains a full description of the proposed development scheme. Planning and technical justifications for the proposed development are elaborated in Section 5. Section 6 draws the concluding remarks and summarises the planning grounds for approval of the application.

Section Two - Site Context and History

2.1 Site Context and Surrounding Land Uses

- 2.1.1 The Application Site is accessible from Fung Kat Heung Road via Mei Fung Road (i.e., a local track). The site has a site area of about 2,055.6 sq. m.
- 2.1.2 The surrounding areas are miscellaneous in character predominated by hobby farm, dog kennel, open storage/storage yards, parking of vehicles and vacant/unused land. (as shown in **Drawing A-1**) A number of previously approved temporary uses include:
- a. Two revoked planning applications for temporary eating place (restaurant and outside seating accommodation) (No. A/YL-KTN/876) and temporary hobby farm use (No. A/YL-KTN/850) are located to the north;
 - b. A revoked planning application for temporary holiday camp and barbecue site with ancillary eating place and facilities (No. A/YL-KTN/859) is located to the northeast;
 - c. A revoked planning application for temporary warehouse (excluding dangerous goods godown) (No. A/YL-KTN/852) is located to the south;
 - d. An approved planning application for temporary animal boarding establishment (No. A/YL-KTN/807) is located further southwest; and
 - e. An approved planning application for temporary warehouse (excluding dangerous goods godown) (No. A/YL-KTN/890) is located to the northwest;

2.2 Land Status

- 2.2.1 The Applicant is the registered land owner of Lot Nos. 956 and 959 Rp in D.D. 107 (**Drawing A-2**). With reference to the latest land registry status, the lots are the Old Schedule padi lots as per the Block Government Lease of D.D. 107.

2.3 Accessibility

- 2.3.1 The Application Site is accessible from Fung Kat Heung Road via Mei Fung Road (i.e., a local track). There are sufficient public transport services including minibus and bus near the Application Site. These stops and stations are within easy walking distance of about 10 to 15 minutes. Please refer to the **Drawing A-3** for the Public Transport Services Plan.

Section Three - Planning Context

3.1 Statutory Planning Context

- 3.1.1 The Application Site is currently zoned “AGR” on the Kam Tin North OZP and the Applicant intends to use the Site for the purpose of Temporary Warehouse (excluding Dangerous Goods Godown) for a period of 3 years and associated filling of land. According to the Notes of the OZP with regard to “AGR” zone, the planning intention of “AGR” 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. In addition, the proposed “Warehouse (other than Dangerous Goods Godown)” is neither a Column 1 nor Column 2 use under the “AGR” zone. According to the covering Notes of the OZP, temporary use not exceeding a period of 3 years requires planning permission from TPB. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.
- 3.1.2 It is also noted that 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 interim development permission area plan without the permission from the TPB under section 16 of the Town Planning Ordinance.

3.2 Previous Planning Application(s) within the Subject Site

- 3.2.1 The Application Site is the subject of 2 previously approved applications. The Application No. A/KTN/690 was submitted by a different applicant for a proposed temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years. This application was approved by TPB on 6th January 2020 and revoked on 17th July 2021.
- 3.2.2 The Application No. A/YL-KLN/824 same as the subject application was submitted by the same Applicant for a proposed temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years and Filling of Land. This application was approved by TPB on 6th May 2022. The approval was granted based on the consideration that the proposal would not frustrate the long-term planning intention of the “AGR” zone and is not incompatible with the surrounding area. This application was revoked on 6th February 2024 due to non-compliance with part of the approval conditions within the specified time limit. The Applicant would like to re-submit this application with a view to extend the time limit for further discharging the outstanding approval conditions.

3.3 Similar Planning Application

3.3.1 As shown in **Tables 1 and 2**, there are Two (2) approved planning cases in the vicinity and Eleven (11) approved planning cases in “AGR” zone within the same OZP in 2024. These applications share similarities in terms of temporary warehouse use. The circumstances surrounding these similar applications are largely applicable to the current application.

Table 1 – Approved Planning Application for Temporary Warehouse in “AGR” in the Vicinity

Application No.	Applied Use / Address	Gross Floor Area	Plot Ratio	Date of Approval
A/YL-KTN/890 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years and Filling of Land / Lots 913 RP (Part) and 914 in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories	398 sq. m.	0.78	31/3/2023
A/YL-KTN/852 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) for a Period of 3 Years and Filling of Land / Lots 960 RP (Part) and 961 RP (Part) in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long	996 sq. m.	0.53	23/9/2022

Table 2 – Approved Planning Application for Temporary Warehouse in “AGR” within the Same OZP in 2024

Application No.	Applied Use / Address	Gross Floor Area	Plot Ratio	Date of Approval
A/YL-KTN/1000 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years and Associated Filling of Land / Lot 27 RP in D.D. 110 and Adjoining Government Land, Tai Kong Po, Kam Tin,	1,205 sq. m.	0.36	5/7/2024

	Yuen Long, New Territories				
A/YL-KTN/979 (Approved with condition(s) on a temporary basis)	Proposed Warehouse with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land and Pond / Lot 1434 (Part) in D.D. 107, Kam Tin, Yuen Long, New Territories	Temporary (excluding Dangerous Goods Godown)	379 sq. m.	0.76	5/7/2024
A/YL-KTN/996 (Approved with condition(s) on a temporary basis)	Proposed Warehouse with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land / Lots 1225 S.C, 1226 S.E and 1230 S.B in D.D.107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories	Temporary (excluding Dangerous Goods Godown)	328 sq. m.	0.58	19.4.2024
A/YL-KTN/970 (Approved with condition(s) on a temporary basis)	Proposed Warehouse with Ancillary Facilities for a Period of 3 Years and Filling of Land / Lot 1061 RP (Part) in D.D. 109, Kam Tin North, Yuen Long, New Territories	Temporary (excluding Dangerous Goods Godown)	680 sq. m.	0.42	19.4.2024
A/YL-KTN/995 (Approved with condition(s) on a temporary basis)	Proposed Warehouse with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land / Lot 1452 (Part) in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Kam Tin, Yuen Long, New Territories	Temporary (excluding Dangerous Goods Godown)	446 sq. m.	0.64	5.4.2024
A/YL-KTN/993 (Approved with	Proposed Warehouse	Temporary (excluding	646 sq. m.	0.51	5.4.2024

condition(s) on a temporary basis)	Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land / Lots 1226 S.C, 1227 S.B, 1227 S.C and 1230 S.A in D.D. 107, Fung Kat Heung, Kam Tin, Yuen Long, New Territories			
A/YL-KTN/992 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Filling of Land / Lots 1244 (Part), 1245 (Part), 1246 (Part) and 1247 (Part) in D.D. 107, Kam Tin, Yuen Long, New Territories	210 sq. m.	0.27	5.4.2024
A/YL-KTN/988 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years and Filling of Land / Lot 71 RP in D.D. 110, Kam Tin, Yuen Long, New Territories	887 sq. m.	1	5.4.2024
A/YL-KTN/976 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office for a Period of 3 Years and Filling of Land / Lot 1371 in D.D. 109, Kam Tin North, Yuen Long	432 sq. m.	0.28	19.4.2024
A/YL-KTN/978 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land /	1,196 sq. m.	1.66	1.3.2024

	Lots 422 S.B ss.1 (Part) and 422 S.B RP in D.D. 110, Kam Tin, Yuen Long, New Territories			
A/YL-KTN/975 (Approved with condition(s) on a temporary basis)	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Filling of Land / Lots 1400 (Part) and 1401 (Part) in D.D. 107, Kam Tin North, Yuen Long, N.T.	420 sq. m.	0.19	26.1.2024

3.2.3 In summary of the above-mentioned planning applications, temporary warehouse use for a period of three years would not frustrate the long-term planning intention and is considered not incompatible with the surrounding land uses which are mainly intermixed with storage uses, holiday camp, vacant land, woodland, plant nursery, animal boarding establishment and residential structures/dwellings. These justifications support the purpose of the proposed development.

Section Four - The Proposed Development Scheme

- 4.1 The proposed temporary warehouse is for storage of wooden products such as wooden boards. It is a single-storey structure with a total floor area of about 930 sq. m. The operation hours of the Application Site would be 9:00 am to 7:00 pm from Mondays to Saturdays and no operation on Sundays and public holidays. It is estimated that the proposed development would be able to accommodate 2 to 3 staffs. Please refer to **Drawings A-4 to A-5** for the proposed layout plan and proposed section.
- 4.2 The proposed development will be served by a proposed 6m run-in/out as vehicular access at Mei Fung Road (i.e., a local track). To meet the operational needs, one (1) private car parking space will be provided within the Site for the exclusive use of the operator of the proposed development and one(1) space for loading and unloading of light goods vehicles (LGV L/UL) will be provided. Sufficient space for manoeuvring and queuing of vehicles are allowed within the Site such that no waiting or queuing of vehicles on the public road will be resulted under any circumstances.
- 4.3 The associated filling of land with not more than 0.2m of concrete is to facilitate the proposed use. Please refer to the **Drawing A-6**.
- 4.4 The key development parameters of the proposed development are summarized in Table 3 below:

Table 3: Development Parameters for the Proposed Development

Proposed Warehouse	
Site Area	About 2,055.6 sq.m.
Total Floor Area	About 930 sq.m.
Plot Ratio	About 0.45
No. of block	1
Building height	5 m
No. of storey	1
No. of parking spaces and loading/unloading spaces	<ul style="list-style-type: none"> ▪ 1 disabled car parking space (5m x 3.5m) ▪ 1 LGV L/UL (7m x 3.5m)
Operation Hours	<ul style="list-style-type: none"> ▪ 9:00 am to 7:00 pm from Mondays to Saturdays ▪ No operation on Sundays and public holiday
Filling of Land	
Land Filling Area	2,055.6 sq. m. (about)
Existing Site Level	8.5mPD (about)
Proposed Site Level	8.7mPD (about)
Depth of Filling	Not more than 0.2m
Material of Filling	Concrete

Section Five - Planning and Technical Justifications

5.1 The Proposed Development is Not Incompatible with the Surrounding Areas

5.1.1 The proposed development with low-rise structure is considered not incompatible with the surrounding areas, which are dominated by a miscellaneous character intermixed with temporary structures for warehouses, holiday camps, animal boarding establishments etc.. Furthermore, similar S.16 planning applications for 'warehouse' use and associated filling of land were approved by TPB within the same "AGR" zone (as shown in Tables 1 and 2 in Section 3.3.1). Therefore, the approval of the current application would not set an undesirable precedent within the "AGR" zone and it is considered in line with TPB's previous decisions.

5.2 The Proposed Development Would Not Jeopardize the Long-term Planning Intention of the "AGR" Zone

5.2.1 Based on the previously approved cases in Table 1 and 2, it is considered that approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the "AGR" zone. The proposed development will not cause permanent or irreversible influence on the land. The proposed development on a temporary basis which generates no significant nuisance should be encouraged in the interim to make economic use and better utilization of scarce land resources.

5.3 Similar Approved Application in the Vicinity

5.3.1 As shown in Section 3.3, there are Two (2) approved planning cases in the vicinity and Eleven (11) approved planning cases in "AGR" zone within the same OZP in 2024. The proposed temporary warehouses were considered not incompatible with the surrounding areas in these by TPB. With a similar development scale, intensity and land use nature, it is expected that the Application Site for the proposed temporary warehouses is compatible and a suitable use in the surrounding.

5.4 Previously Approved Planning Application for the Same Use and Associated Filling of Land on the Site

5.4.1 As forementioned in Section 3.2, the Applicant would like to re-submit the application to extend the time limit for complying with the outstanding approval condition(s) of the previously planning application No. A/YL-KTN/824 as the time limit has expired. As compared with the previous approved application, the proposed development is of the same nature with only slight adjustments in its site area and total floor area. The Applicant has already secured approval on the drainage proposal and fire service installations proposal which are applicable to the subject application. Please find the drainage proposal and fire service installations proposal in **Appendices 1 and 2** respectively.

5.5 No Insurmountable Traffic Impacts

- 5.5.1 The Application site is accessible from Fung Kat Heung Road via Mei Fung Road (i.e., a local track). The proposed use, involving the storage of wooden products and only light goods vehicles will be used, will unlikely result in significant adverse traffic impacts to the surroundings. There is a smooth manoeuvring of vehicles to/from Castle Road – Ta Mi/Sam Tam Road along the local access and within the Application Site. Please refer to **Appendices 3 and 4** for the swept path analysis and direction of flow between Castle Peak Road – Tam Mi/Sam Tam Road and the Application Site.
- 5.5.2 Sufficient space is provided for vehicles to smoothly manoeuvre within the Site to ensure that no waiting or queuing of vehicles on the public road will be resulted under any circumstances (**Appendix 3**). As traffic generated and attracted by the proposed development is minimal (as shown in **Table 4**), adverse traffic impact should not be anticipated.

Table 4: Estimated Trip Generation and Attraction

Type of Vehicle	Average Traffic Generation Rate (pcu/hr)	Average Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at Peak Hours (pcu/hr)	Traffic Attraction Rate at Peak Hours (pcu/hr)
Private car	0.1	0.1	1	1
Light goods vehicle	1	1	2.5	2.5
Total	1.1	1.1	3.5	3.5

Note 1: The peak hours are assumed as 7:00 am to 9:00 am in the morning and 5:00 pm to 7:00 pm in the afternoon.

5.6 No Insurmountable Visual Impacts

- 5.6.1 The proposal involves a 5m structure for a warehouse. With the overall visual context of low-rise developments including active agricultural land, hobby farm, residential structures/dwellings, open storage/storage yards and so on, the existing 5m structure is considered to be compliant without leading to adverse visual impact on visual penetration of an open sky view, light penetration into surrounding environment and visual openness.
- 5.6.2 In consideration of the sensitive viewers in direct sight of the proposed development, the proposed development shall not induce adverse visual impact and concerns to viewers such as pedestrians and drivers on Mei Fung Road and local residents of the nearby residential developments.

5.6.3 While the existing structure (i.e., the proposed development) is hidden at the south-eastern of the Application Site and 50.5m (**Drawing A-4**) from the Mei Fung Road, the proposed development shall not create any visual impacts to all the key sensitive viewers in the surrounding areas.

5.7 No Insurmountable Environmental Impacts

5.7.1 The proposed use, involving the storage of wooden products and only light goods vehicles will be used, will unlikely result in significant adverse environmental impacts to the surroundings. While the nature of the proposed warehouse on a temporary basis is static, it would not generate significant environment and noise disturbances to the environment in the local community.

5.7.2 Given the estimation of traffic generation/attraction in **Table 4**, the limited traffic flow should generate no traffic noise and have no adverse impact to the surrounding road network. No workshop and industrial activities will be carried out within the Application Site and no effluent and dust emission will be expected.

5.7.3 Furthermore, users and operators of the proposed development should exercise care, as far as possible, making excessive noise causing nuisance to the surrounding. The following mitigation measures will be adopted to avoid degradation of the surroundings:

- i. No operation between sensitive hours from 7:00 pm to 9:00 am in the next morning;
- ii. No operation on Sundays and public holidays; and
- iii. No repairing, dismantling, assembling or other workshop activities are proposed.

5.7.4 The applicant will strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Environmental Protection Department to minimize adverse environmental impacts and nuisance to the surrounding area.

Section Six - Conclusion

- 6.1 The section 16 planning application is submitted to seek support from TPB for the proposed Temporary Warehouse (excluding Dangerous Goods Godown) for Period of 3 Years and Associated Filling of Land in Lots 956 and 959 RP in D.D. 107, Fung Kat Heung Road, Kam Tin, Yuen Long, New Territories.
- 6.2 The Application Premises is fully justified on the following grounds:
- a. The proposed development is not incompatible with the surrounding areas;
 - b. The proposed development would not jeopardize the long-term planning intention of the "AGR" zone;
 - c. Similar approved applications in the vicinity;
 - d. Previously approved planning application for the same use and associated filling of land on the site; and
 - e. No adverse traffic, visual and environmental impacts.
- 6.3 To conclude, the Proposed Development is fully justified in terms of planning considerations. In view of the above, members of the TPB are respectfully requested to favourably consider the present application in support of the proposed warehouse in Yuen Long District.