

Proposed Temporary Warehouse for Storage of Construction Materials (Excluding Dangerous Goods) for a Period of 3 Years and Filling of Land

at

Lots 992 and 998 S.B ss.1 in D.D. 106, Kam Tin, Yuen Long, New Territories

Section 1 Background

1.1 Introduction

- 1.1.1 This planning application is submitted by Hop Fung Iron Works Limited who is the occupier of the Lots 992 and 998 S.B ss.1 in D.D. 106, Kam Tin, Yuen Long, New Territories. The applicant seeks planning permission for proposed temporary warehouse for storage of construction materials for a period of 3 years Lots 992 and 998 S.B ss.1 in D.D. 106, Kam Tin, Yuen Long, New Territories (**Figure 1**) Although the proposed use is neither a Column 1 nor 2 use in the “AGR” zone, the covering Notes of the OZP stipulate that temporary use or development of any land or buildings not exceeding a period of 3 years within the zone requires planning permission from Town Planning Board notwithstanding that the use or development is not provided for under the Notes of the OZP. The Site is currently vacant.
- 1.1.2 The current application is to facilitate relocation of their construction materials trading business from Tong Yan San Tsuen, Yuen Long South New Development Area. The previous occupation falls within the Yuen Long South New Development Area (YLS NDA) and the concerned lot (i.e. Lots 1211 RP, 1212 RP, 1213 S.A and 1213 RP in D.D.121) (**Figure 5**) had already been resumed by the Government. Thus, there is an imminent need for the applicant to secure a relocation site to continue the affected business operation.
- 1.1.3 The representative of the applicant of this planning application has approached Development Bureau for seeking the advice for the relocation of his business to a suitable location. As shown in the attachment, Development Bureau agreed that the application site may be a suitable location for the relocation of applicant’s business subject to the provision of appropriate technical proposals.
- 1.1.4 The application site is abutting a vehicular track leading from Shek Kong Airfield Road.

Section 2 Planning Justifications

2.1 Thorough Site Selection Process

- 2.1.1 The applicant had undergone a thorough site selection process in identifying a

suitable relocation site for their affected operation. The process had been difficult as land within Categories 1 and 2 areas of the Town Planning Board Guidelines for “Application for Open Storage and Port Back-up Uses” (TPB PG-No. 13G) were either unaffordable or have been occupied by other operators.

- 2.1.2 Seven prospective sites in Yuen Long, Tai Po and North districts has been reviewed and were found to be unsuitable due to various shortcomings such as too large for the relocation, incompatible with other adjoining uses, traffic concerns and etc. The details of alternative sites for relocation of applicant’s business and why they are not feasible is shown in the following:
- 2.1.3 Alternative Site 1 – Lot 1671 in D.D.129, Lau Fau Shan - There is longstanding concern on heavy vehicle traffic generated from any new developments on Deep Bay Road from traffic engineering and road safety perspectives. Unless the traffic issue could be overcome or satisfactorily resolved, we foresee there would be considerable technical difficulty to further pursue your proposal at the subject site.
- 2.1.4 Alternative Site 2 - Lots 645 RP and 647 in D.D. 76, Hok Tau - The site is not involved in any previous planning approval for similar use. It is situated in an area of rural landscape character and surrounded predominately by active and fallow agricultural land with a "Green Belt" ("GB") zone located immediately to its west and Pak Sin Leng Country Park to its further northwest across Hok Tau Wai village. The site forms part of a large tract of dense and undisturbed woodland, unpolluted lowland river (e.g. Tan Shan River) and areas of high scenic value. No similar planning application has been approved in the same "AGR" zone.
- 2.1.5 Alternative Site 3 - Lot 604 S.B in D.D. 109, Kam Tin North - This site was feasible as commented by Mr. Steven Siu of Planning Department on 7 Apr. However, The applicant have received some strong opposing opinions from the villagers in May 2023, as they are planning to build residential villas in the Village Zone in front of the proposed sites. They are afraid that the proposed operation may affect the scenic view of their future residential villas.
- 2.1.6 Alternative Site 4 - Lots 788, 792 and 796 RP in D.D. 82, Kan Tau Wai - It is noted that the long-term planning of the area is currently under investigation by the “Planning and Engineering Study for New Territories North New Town and Man Kam To – Investigation” and subject to further study under the Northern Metropolis Development Strategy mentioned in Policy Address 2021.
- 2.1.7 Alternative Site 5 - Lot 859 S.B RP in D.D. 96, Ma Tso Lung San Tsuen, Sheung Shui - The subject site appears to be under active cultivation and is being categorised as 'Cluster A' under the ‘Consultancy Study on the Designation of Agricultural Priority Areas’ where active farmland is found within/near the site. Clearance of active farmland at the subject site would likely attract objection from the Agriculture, Fisheries and Conservation Department. To the immediate north across the stream is Ma Tso Lung San Tsuen, where strong local concerns on the proposed use are also anticipated. It is also noted that the northern and western

portions of the subject site encroach onto a natural stream, which should be excluded from the development site. The subject site is located in an area of rural landscape character dominated by village houses of Ma Tso Lung San Tsuen and active/fallow agricultural land. The subject site is not involved in any previous application for similar use, and no similar application has been approved by the TPB in the same “AGR” zone. The proposed use is considered not compatible with the surrounding environment/ land uses. The subject site falls within Zone 1 of the Study Area under the ‘Ma Tso Lung Area and Other Sites in Kwu Tung North New Development Area (KTN NDA) and North District - Feasibility Study’. The study is expected to commence in November 2022 for completion in 24 months. According to the Northern Metropolis Development Strategy (NMDS), Ma Tso Lung and its surrounding areas can serve as an intersection linking the Hong Kong-Shenzhen Innovation and Technology Park and the KTN NDA, providing information and technology enterprises with convenient community services and daily life support. While detailed land use proposals of the Ma Tso Lung area have yet to be formulated under the study, the proposed use appears not in line with the NMDS for the area.

- 2.1.8 Alternative Site 6 - Lots 2464, 2465 and 2466 in D.D. 39, Shek Chung Au, Luk Keng - The site is located in an area of rural landscape character and close to some "Coastal Protection Area" to its south and east in Yim Tso Ha and Wu Shek Kok facing Starling Inlet (i.e. Sha Tau Kok Hoi) and Pat Sin Leng Country Park to its further south in Luk Keng. The surrounding natural landscape, comprising large tracts of dense and undisturbed woodlands, has generally been maintained in good condition. The attractive landscape and unique ecological features in the area, as well as its proximity to the Country Park, is conducive to recreational development with institutional uses oriented towards conservation and ecological interests. Such planning intention is further echoed by the recent opening up of the Sha Tau Kok Public Pier within the Frontier Closed Area for eco-tourism and local culture sharing. The site is also adjacent to Shek Chung Au village settlement within the "V" zone, where local objection/concerns on the proposed operation is envisaged. Moreover, to the immediate northwest of the Site is Law Uk and its Ancillary Block in Shek Chung Au, both Grade 3 historic buildings. Comments from the Antiquities and Monuments Office would be relevant. No damage / disturbance should be caused on the graded buildings in the process of carrying out any works at the site. While the site is currently mostly vacant and hard paved, it is the subject of an active enforcement case for unauthorised storage use in early 2022. Although there are a few existing open storage yards and informal industrial workshops scattered along Sha Tau Kok Road, they are mostly existing uses (i.e. uses established in the distant past and continued to the present) situated within the "Recreation" zone, where the planning intention is to gradually phase out such non-conforming uses for recreation and tourism/eco-tourism uses. While any intensive development in the area may not be sustainable and is subject to technical feasibility being established, the site is currently served by Sha Tau Kok Road with limited capacity. Furthermore, Drainage Services Department has previously advised that some parts of the area, including Yim Tso Ha, fall within the floodplain which is susceptible to overland flow and flooding. As such, development proposals involving extensive earth-filling and paving should

generally be avoided. No similar application for warehouse use has been approved in the Luk Keng area. Approval of the current proposal (and the effect it may have in encouraging other similar applications) may result in a general degradation of the environment of the area. Overall, the suitability of the subject site for re-provisioning the proposed operation would likely be subject to considerable debate by the TPB, rendering the chances of obtaining planning approval uncertain. In view of the above, there is reservation on using the subject site for re-provisioning the proposed operation from district planning point of view.

2.1.9 Alternative Site 7 - Lots 357 S.B, 358, 361, 362 and 366 in D.D. 16, Chuen Pei Lung, Lam Tsuen - A small northwestern portion of the Site encroaches into the riverbank of Lam Tsuen River, and should be excluded from any development proposal. The Site is located in a rural landscape character area dominated by active/fallow agricultural land and tree groups with some warehouses and temporary structures to the west across Lam Tsuen River. It is also located within the upper indirect water gathering ground, to which the Water Supplies Department and Environmental Protection Department may have concern from water quality and environmental aspects. The Site appears to be largely covered with vegetation and clusters of tree groups with some temporary structures. There are also active agricultural activities in the northern portion of the Site. To the east of site across Ngau Kwu Leng Path is the University Farm of the City University of Hong Kong, and to the west of the site across Lam Tsuen River is a large piece of land zoned "Agriculture" which is being categorised as one of the priority areas under the 'Consultancy Study on the Designation of Agricultural Priority Areas' where active farmland is found within/near the Site. The Agriculture, Fisheries and Conservation Department may have reservation on the proposal due to clearance of active farmland. The Site abuts on Ngau Kwu Leng Path and is accessible from Lam Kam Road via Lam Tsuen Heung Kung Sho Road. Proposed vehicular access to the Site as well as its traffic impact to the surrounding areas should be addressed in the proposal for Transport Department's consideration. According to Planning Department's record, similar applications for temporary warehouse uses in the area had received strong local objection from Hang Ha Po Village (to the further southeast of the Site), mainly on the grounds of potential adverse environmental impact and pollution to the adjacent Lam Tsuen River. The project proponent should take cognizance of the local sentiments on the proposal. Though the suitability of using the Site for re-provisioning of brownfield operation would be subject to assessments on technical feasibility, in view of the above considerations, the applicant is informed that the Site is not recommended for the proposed relocation.

2.1.10 The Site at the application site is deemed suitable for relocation as it is highly accessible and abutting a local vehicular access. The site area of the site at the application site (i.e. 3,880m²) is the most closely to the area of the original site at Shan Ha Tsuen (i.e. approximately 3,000m²).

2.2 The Site is Unsuitable for Agricultural Rehabilitation

- 2.2.1 The application site has been vacant for a long period of time and it has not been rehabilitated for agricultural activities. The proposal, which is which is abutting a vehicular access, would put scarce land resources into a better use.

2.3 Importance to Local Construction Industry

- 2.3.1 The applicant is a major supplier of construction materials in Hong Kong. Successful relocation of the Site would help sustain the operation and help support the upcoming development projects, such as those in Northern Metropolis Development Strategy and Lantau Tomorrow Vision.

2.4 No Adverse Traffic Impacts

- 2.4.1 Only medium/heavy goods vehicle will access to site to deliver the construction materials to and from the application site. Also, the operation hours of the development will be limited to 9:00a.m. to 7:00p.m. from Mondays to Saturdays and no operation will be held on Sundays and public holidays. The operation will only bring negligible amount of traffic to the area. The approval of the current application would bring negligible amount of traffic because the site is intended for long term storage of construction materials.
- 2.4.2 The proposed development is a warehouse for storage of construction materials such as metal products and sanitary ware. No visitors will be allowed to visit the site. The proposed warehouse is not significant in size and it is only 2,465m² in size. As such, the approval of the current application would not bring significant amount of traffic to the area.

2.5 No Adverse Environmental and Visual Impacts

- 2.5.1 The applicant undertakes that the operation hours of the development will be limited to 9:00a.m. to 7:00p.m. from Mondays to Saturdays and no operation will be held on Sundays and public holidays. That is to say no operation will be held during the sensitive hours. Secondly, the proposed development is a warehouse for storage of construction materials. No workshop activities are proposed within the application site. Storage use is inert and static in nature so that it would not affect the nearby residents. More, the applicant proposed to cover the site with a 2,465m² warehouse to store the construction materials within the warehouse. No operation use will be held at the application site which may generate noise or visually eyesore to the nearby residents. The loading and unloading of goods will also be carried out within the proposed warehouse. Lastly, the applicant agreed to undertake the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Use” and the Professional Persons Environmental Consultative Committee Practice Notes No. 5/93 to upkeep the environment of the application site. The applicant is full of confidence that the proposed development would not generate environmental nuisance to the nearby residents.

2.5.2 The applicant will make the warehouse by the material with a density higher than 7kg/m². All the windows will be closed during the operation hours.

2.6 No Adverse Drainage Impacts

2.6.1 The applicant has submitted a drainage proposal in support of the current application and the result of the proposal demonstrated that the drainage impact of the proposed development would be minimal.

2.7 No Undesirable Precedent

2.7.1 The proposed relocation of the applicant's operation to the application site is a direct result of the Government's land resumption of land for the YLS NDA. Successful relocation of the operation would help to maintain a stable supply of construction materials in Hong Kong and should be considered unique from any other temporary development proposals in the subject "AGR" zone. Approval of the application would not create an undesirable precedent.

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Annex 1 Drainage Proposal

1.1 Existing Situation

A. Site particulars

1.1.1 The application site occupies an area of about 3,880m².

1.1.2 The site is serviced by a vehicular access leading from Shek Kong Airfield Road. The area adjacent to the proposed development is mainly rural in nature.

B. Level and gradient of the subject site & proposed surface channel

1.1.3 It has a gradient sloping from south to north from about +15.2mPD to +14.2mPD. (**Figure 4**)

C. Catchment area of the proposed drainage provision at the subject site

1.1.4 The land to the east is found higher in level than the application site. The land to the north of the application site is an open drain. The land to the west and south is lower than the application site. As such, an external catchment has been identified as shown in **Figure 4**.

D. Particulars of the existing drainage facilities to accept the surface runoff collected at the application site

1.1.5 As shown in **Figure 4**, an open drain is found to the immediate north of the application site. The stormwater intercepted by the proposed surface channel at the application site will be dissipated to the said open drain.

1.2 Runoff Estimation

1.2.1 Rational method is adopted for estimating the designed run-off

$$Q = k \times i \times A / 3,600$$

Assuming that:

- i. The area of the catchment and external catchment is approximately 6,800m²; (**Figure 4**)
- ii. It is assumed that the value of run-off co-efficient (k) is taken as 1 for conservative reason.

$$\text{Difference in Land Datum} = 15.2\text{m} - 14.2\text{m} = 1\text{m}$$

$$L = 100\text{m}$$

$$\therefore \text{Average fall} = 1\text{m in } 100\text{m}$$

According to the Brandsby-Williams Equation adopted from the “Stormwater Drainage Manual – Planning, Design and Management” published by the Drainage Services Department (DSD),

$$\text{Time of Concentration (t}_c) = 0.14465 [L / (H^{0.2} \times A^{0.1})]$$

$$t_c = 0.14465 [100 / 1^{0.2} \times 6,800^{0.1}]$$

$$t_c = 5.99 \text{ minutes}$$

With reference to the Intensity-Duration-Frequency Curves provided in the abovementioned manual, the mean rainfall intensity (i) for 1 in 50 recurrent flooding period is found to be 260 mm/hr

By Rational Method,

$$Q_1 = 1 \times 260 \times 6,800 / 3,600$$

$$\therefore Q_1 = 491.11 \text{ l/s} = 29,466.67 \text{ l/min} \\ = 0.49\text{m}^3/\text{s}$$

In accordance with the Chart or the Rapid Design of Channels in “Geotechnical Manual for Slopes”, for an approximate gradient of about 1:135 & 1:140 in order to follow the gradient of the application site, 600mm surface U-channel along the site periphery is considered adequate to dissipate all the stormwater accrued by the application site and adjacent land.

1.3 Proposed Drainage Facilities

- 1.3.1 Subject to the calculations in 1.2 above, it is determined that proposed 600mm concrete surface U-channel along the site periphery is adequate to intercept storm water passing through and generated at the application site (**Figure 4**).
- 1.3.2 The collected stormwater will then be discharged directly to the open drain to the immediate north of the application site as shown in **Figure 4** via an underground 600mm diameter pipe.
- 1.3.3 All the proposed drainage facilities will be provided and maintained at the applicant's own expense. Also, sand trap and surface U-channel will be cleaned at regular interval to avoid the accumulation of rubbish/debris which would affect the dissipation of storm water.
- 1.3.4 The provision of the proposed surface channel will follow the gradient of the application site. All the proposed drainage facilities will be constructed and maintained at the expense of the applicant.
- 1.3.5 Prior to the commencement of the drainage works, the applicant will seek consent from District Lands Office/Yuen Long and relevant land owners for the provision of drainage facilities outside the application site.
- 1.3.6 The proposed development would not affect the existing ditches, drains and obstruct the flow of the flow of surface runoff.
- 1.3.7 100mm gap will be provided at the toe of site hoarding to allow unobstructed flow of surface runoff.

Annex 2 Estimated Traffic Generation

- 2.1 The application site is accessible via a vehicular track leading from Tai Shu Shek Kong Airfield Road. It is intended to serve the long term storage of construction materials at the site so that the traffic generated by the proposed development is insignificant.
- 2.2 The proposed loading/unloading space and parking spaces at the application site would only be opened to staff and no visitors is allowed to visit the proposed development.
- 2.3 There will be 3 loading/unloading bay for medium/heavy goods vehicle and 2 parking spaces for staff's private car. No container trailer/tractor will access the site. The estimated traffic generation/attraction rate is shown below:

Type of Vehicle	<u>Average</u> Traffic Generation Rate (pcu/hr)	<u>Average</u> Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at <u>Peak Hours</u> (pcu/hr)	Traffic Attraction Rate at <u>Peak Hours</u> (pcu/hr)
Private car	0.6	0.6	2	0
Medium/ Heavy goods vehicle	0.2	0.2	2	0
Total	0.8	0.8	4	0

Note:

- The operation hours of the proposed development is from 9:00a.m. to 7:00p.m. from Mondays to Saturdays. No operation will be carried out on Sundays and public holidays.
 - The pcu of private car and medium/heavy goods vehicle is taken as 1 and 2 respectively; &
 - Morning peak is defined as 7:00a.m. to 9:00a.m. whereas afternoon peak is defined as 5:00p.m. to 7:00p.m.
- 2.4 In association with the intended purpose, adequate space for manoeuvring would be provided within the application site. Sufficient space within the application site is provided so that no queueing up of vehicle would be occurred outside the application site.