

Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years & Filling of Land

at

Lot 2230 RP (Part) in D.D. 118 & Adjoining Government Land, Yuen Long, New Territories

Section 1 Background

1.1 Introduction

- 1.1.1 This planning application is submitted by Mr. Cheung Ming Fat who is the occupier of the Lot 2230 RP (Part) in D.D. 118, Yuen Long, New Territories. The applicant seeks planning permission for proposed temporary warehouse for storage of construction materials for a period of 3 years at Lot 2230 RP (Part) in D.D. 118 & adjoining Government land, 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 open storage business from Shan Ha 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 1440 S.A & 1441 RP in D.D.119) will be 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. 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 Tai Shu Ha Road East.

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 Six prospective sites in Yuen Long and North districts has been reviewed and were found to be unsuitable due to various shortcomings such as too large for the relocation, high acquisition costs, 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 1618RP in D.D.125 (**Figure 6**) – This site is an ideal site for the relocation of applicant's business because it has been approved for vehicle repair workshop on 9.12.2022 by Town Planning Board (TPB Ref.: A/HSK/418). However, this site will be resumed by Government shortly too so that it cannot guarantee the continuous operation of the applicant's business in the future. Another relocation may be necessary in the near future so that it would frustrate the potential of this site and extra money is required for the relocation of which the applicant cannot afford. Further, the acquisition cost of this site is not affordable by the applicant. Also, the site is adjacent to 'Village Type Development' ("V") zone and the vehicular access falls within the 'Village Type Development' zone which is incompatible to the adjacent uses.
- 2.1.4 Alternative Site 2 – Lot 502 RP in D.D.83 (**Figure 7**) – Although the site is zoned "OS" according to Approved Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/14, the site is about 1,800m² which is too large for the applicant. The said site is also unaffordable by the applicant because the seller sells it at \$2,500 per feet. The site is also not directly accessible to the main road. The access leading to the site would encroach onto private lot of which the right-of-way is not ascertain.
- 2.1.5 Alternative Site 3 – Lot 175 in D.D.84 (**Figure 8**) – Although the site is zoned "Category 2" area according to Town Planning Board Guidelines for "Application for Open Storage and Port Back-up Uses" (TPB PG-No. 13G), the site is about 1850m² which is too large for the applicant. The price of the land is \$20 million of which the applicant cannot afford the cost. The site is also not directly accessible to the main road. The access leading to the site would encroach onto private lot of which the right-of-way is not ascertain.
- 2.1.6 Alternative Site 4 – Lot 1463 RP in D.D.118 (**Figure 9**) – The site is zoned "AGR" and "CA" according to the Approved Tai Tong Outline Zoning Plan No. S/YL-TT/18 of which the proposed development may not be compatible with the surrounding environment. The site is zoned 'CA' which is environmental sensitive when comparing to the current application site.
- 2.1.7 Alternative Site 5 – Taxlord Lot 464 S.A RP in D.D.83 (**Figure 10**) – Although the site is zoned "OS" according to Approved Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/14, the site is about 3,300m² which is too large for the applicant. The said site is also unaffordable by the applicant because the seller sells it at \$2,600 per feet. The site is also covered with extensive structures of

which site clearance cost is too expensive for the applicant together with the land cost.

- 2.1.8 Alternative Site 6 – Lot 1282 in D.D.124 (**Figure 11**) – The size of the site is about 370m² only so that it would be too small for the relocation of applicant's business. The said site would not be adequate for the smooth manoeuvring of medium goods vehicle within the site after storage of construction materials which may generate adverse traffic impact to the nearby pedestrian and vehicle. The site will be resumed by Government shortly too so that it cannot guarantee the continuous operation of the applicant's business in the future. Another relocation may be necessary in the near future so that it would frustrate the potential of this site and extra money is required for the relocation of which the applicant cannot afford.
- 2.1.9 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. 1,450m²) is the most closely to the area of the original site at Shan Ha Tsuen (i.e. 1,050m²).

2.2 The Site is Unsuitable for Agricultural Rehabilitation

- 2.2.1 The application site has been occupied by a warehouse for a long period of time and it has not been rehabilitated for agricultural activities because the application site has been hard paved for a long time. The proposal, which is not incompatible with the surrounding uses at Lot 2224 (Part) in D.D. 118, Yuen Long, New Territories which has been approved for warehouse use, would put scarce land resources into a better use.

2.3 Importance to Local Construction Industry

- 2.3.1 The applicant has reached an agreement with a 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 goods vehicle not exceeding 24 tonnes 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 6:00p.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. No visitors will be allowed to visit the site. The proposed

warehouse is not significant in size and it is only 1,300m² in size including the area for loading/unloading space and manoeuvring of vehicle within the site. 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 6:00p.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 1,300m² 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 and manoeuvring of vehicle will also be housed 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 The Proposed Development is Compatible with the Surrounding Environment

2.7.1 The application site is abutting a vehicular track leading from Tai Shu Ha Road East. Some warehouses approved by Town Planning Board such as A/YL-TT/575 & A/YL-TT/608 were found to the west and south so that the proposed development is not the first of its kind in the area. In particular, a warehouse has been approved at Lot 2224 (Part) in D.D. 118, Yuen Long, New Territories due to the relocation of applicant’s business from Yuen Long South New Development Area.

2.7.2 The proposed development would be fully covered and all activities (storage, loading/unloading and manoeuvring of vehicle) will be carried out within a

warehouse. Thus, the impact to the nearby residents is minimal.

2.8 No Undesirable Precedent

- 2.8.1 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 metal 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.