

## **S.16 Planning Application**

Proposed Temporary Warehouse (excluding Dangerous Goods Godown) and Open Storage of Building Materials and Construction Machinery with Ancillary Workshop Activities for a Period of 3 Years at Various Lots in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long, N.T.

Prepared by: Ever United Planning and Development Limited

September 2024

## Executive Summary

The application site is situated at Lots 369RP (Part), 370RP (Part), 371S.A, 371 S.B (Part), 381RP (Part), 382RP, 383RP, 384, 385, 386, 387, 388, 389RP, 390RP, 391RP (Part), 439RP (Part), 440 (Part), 444 (Part), 445 (Part), 446, 447, 448, 449, 450S.A, 450S.B, 450S.C, 451, 452, 453, 454, 455, 456, 457 (Part), 458 (Part), 459 (Part), 473 (Part), 474, 475S.A (Part), 475S.Ass.1 (Part) and 475S.B (Part) in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long, N.T. The size of the application site is about 22,530m<sup>2</sup>.

This planning application under S. 16 of the Town Planning Ordinance intended to apply the application site for the use of proposed temporary warehouse (excluding dangerous goods godown) and open storage of building materials and construction machinery with ancillary workshop activities for a period of 3 years.

According to the Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14, the application site is currently zoned 'Undetermined' ("U"). The proposed use matches with the planning intention of the "U" zone which is to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises. Besides, the application site is subject to eighteen planning permissions for open storage and temporary warehouse for storage purposes since 1998. It is not a new development on green site. The applicant will be due diligence in complying the approval conditions as before.

The application site is subject to two latest planning permissions for temporary warehouse for storage of electronic goods and open storage of building materials and construction machinery with ancillary workshop activities (TPB Ref.: A/YL-TYST/1105) and for temporary warehouse for storage of electronic goods, furniture and construction materials (TPB Ref.: A/YL-TYST/1173). With the similarity of the uses, the applicant would like to combine two sites and a fresh application is hereby submitted. The proposed use of current application is almost the same as that of the previous planning permissions.

According to the *"Town Planning Board Guidelines for application of open storage and port back-up uses under Section 16 of Town Planning Ordinance (TPB PG-NO. 13G)"*, the application site is located on "Category 1 Areas" which are considered suitable for open storage and port back-up uses.

Having considered the environment of the area, the adjoining land lots are almost wholly occupied for open storage yards and temporary warehouses for storage purposes and most of these sites are granted with planning permissions by the Town Planning Board on temporary basis. Therefore, the proposed development is not incompatible with the surrounding environment.

The operation hour of the proposed development is 8:00 a.m. to 9:00 p.m. from Mondays to Saturdays. No operation on Sundays and public holidays is proposed. Furthermore, a number of mitigation measures including peripheral planting and drainage facilities have been provided at the application site. The proposed development would not generate significant impact to the surrounding environment.

The applicant hereby sincerely submits this planning application to sought the approval by the Town Planning Board for the use of the application site for proposed temporary warehouse (excluding dangerous goods godown) and open storage of building materials and construction machinery with ancillary workshop activities for a period of 3 years.

## 行政摘要

申請地點位於新界元朗唐人新村丈量約份第 119 約地段第 369 號餘段(部份)，第 370 號餘段(部份)，第 371 號 A 分段，第 371 號 B 分段(部份)，第 381 號餘段(部份)，第 382 號餘段，第 383 號餘段，第 384 號，第 385 號，第 386 號，第 387 號，第 388 號，第 389 號餘段，第 390 號餘段，第 391 號餘段(部份)，第 439 號餘段(部份)，第 440 號(部份)，第 444 號(部份)，第 445 號(部份)，第 446 號，第 447 號，第 448 號，第 449 號，第 450 號 A 分段，第 450 號 B 分段，第 450 號 C 分段，第 451 號，第 452 號，第 453 號，第 454 號，第 455 號，第 456 號，第 457 號(部份)，第 458 號(部份)，第 459 號(部份)，第 473 號(部份)，第 474 號，第 475 號 A 分段(部份)，第 475 號 A 分段第 1 小分段(部份)及第 475 號 B 分段(部份)和毗連政府土地。申請地點的面積約為 22,530 平方米。

此申請根據城市規劃條例第 16 條作出規劃許可申請，把申請地點作為期三年的臨時倉庫(危險品倉庫除外)及露天存放建築材料和建築機器連附屬工場用途。

根據唐人新村分區計劃大綱核准圖編號 S/YL-TYST/14 中所示，申請地點現時被規劃作「未決定用途」。「未決定用途」地帶旨在應付不斷增加的露天貯物用地需求，貯存不能存於普通倉庫的貨物。因此，擬議用途符合「未決定用途」地帶的規劃意向。此外，申請地點自 1998 年起已十八度獲得規劃許可作露天存放及貨倉用途，擬議用途並不是在綠地上發展。申請人將如以往一樣盡職盡責地履行規劃許可之批准條件。

申請地點上之最近期的兩個規劃許可，分別為臨時貨倉存放電子產品及露天存放建築材料和建築機器連附屬工場用途(TPB Ref.: A/YL-TYST/1105)和臨時貨倉存放電子產品、傢俱及建築材料用途(TPB Ref.: A/YL-TYST/1173)。由於許可用途相似，申請人希望合併兩個地點，特此提交新的規劃申請。本申請的擬議用途與先前獲批的規劃許可的擬議用途幾乎相同。

根據城市規劃委員會規劃指引編號 13G (擬作露天貯物及港口後勤用途而按照城市規劃條例第 16 條提出的規劃申請)中所述，申請地點位於「第一類地區」。該類用地泛指當局認為適合作露天貯物及港口後勤用途的地區。

考慮到地區環境，申請地點附近的地段現時大多用作露天存放及臨時貨倉作貯物用途。幾乎所有於申請地點附近的露天存放場地及港口後勤用途都已取得城市規劃委員會的臨時規劃許可。因此本申請用途與周遭環境並非不協調。

擬議用途的營業時間為星期一至星期六上午八時至下午九時，星期日及公眾假期全日休業。此外，多項緩解措施，包括於申請地點邊緣種植樹木及提供排水設施，已提供於申請地點內。申請用途不會為周圍的環境帶來重大的影響。

申請人特此誠意提交此規劃申請，以徵求城市規劃委員會批准把申請地點作為期三年的臨時倉庫(危險品倉庫除外)及露天存放建築材料和建築機器連附屬工場用途。

**Supplementary Planning Statement for Proposed Temporary Warehouse  
(excluding Dangerous Goods Godown) and Open Storage of Building Materials and  
Construction Machinery with Ancillary Workshop Activities for a Period of 3 Years  
at Various Lots in D.D. 119 and Adjoining Government Land,  
Tong Yan San Tsuen, Yuen Long, N.T.**

**Section 1 – Background of the Application Site**

**1.1 Introduction**

- 1.1.1 This planning application is submitted by Ever United Planning and Development Limited (恒滙規劃發展有限公司) on behalf of Mr. TSUI Yat Wah (徐日華), the occupier of Lots 369RP (Part), 370RP (Part), 371S.A, 371 S.B (Part), 381RP (Part), 382RP, 383RP, 384, 385, 386, 387, 388, 389RP, 390RP, 391RP (Part), 439RP (Part), 440 (Part), 444 (Part), 445 (Part), 446, 447, 448, 449, 450S.A, 450S.B, 450S.C, 451, 452, 453, 454, 455, 456, 457 (Part), 458 (Part), 459 (Part), 473 (Part), 474, 475S.A (Part), 475S.Ass.1 (Part) and 475S.B (Part) in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long, N.T. **(Figure 1)**. The applicant would like to solicit the Board’s sympathetic consideration for approving the application site for temporary warehouse (excluding dangerous goods godown) and open storage of building materials and construction machinery with ancillary workshop activities for a period of 3 years.
- 1.1.2 The application site is subject to the latest planning permissions No. A/YL-TYST/1105 (for the use of temporary warehouse for storage of electronic goods and open storage of building materials and construction machinery with ancillary workshop activities) and No. A/YL-TYST/1173 (for the use of temporary warehouse for storage of electronic goods, furniture and construction materials). The proposed use of this application is very similar to the latest planning permissions except the southwest corner of application site, which originally dedicated for open storage use, is now partially changed for temporary warehouse for storage purposes. Due to the changes in use and layout of temporary structures in the application site, a fresh planning application is hereby submitted for the consideration by the Town Planning Board.
- 1.1.3 The applicant intends to demonstrate to the Town Planning Board that the proposed development would not generate undesirable impacts to the vicinity by this planning application. Besides, the applicant is willing to provide a number of mitigation measures as explained in the following paragraphs to ensure that the proposed use would generate no adverse nuisance. The applicant wishes that Town Planning Board could give favourable consideration to this planning application.

**1.2 Site Particulars**

- 1.2.1 The application site is irregular in shape and possesses an area of about 22,530m<sup>2</sup>.

- 1.2.2 The application site is accessible by a vehicular track leading from Kung Um Road (**Figure 2**). The ingress/egress is situated at the eastern part of the application site. Temporary open storage activities have been operated on the application site with planning permissions since 1998.
- 1.2.3 The entire site boundary has been erected with site fencing. The surface of the application site is hard paved for the proposed use.
- 1.2.4 The application site is generally surrounded by open storage yards and temporary warehouses for storage purposes. It is noteworthy that these activities are either 'existing use' or temporarily permitted land use which is conformed to the prevailing Town Planning Ordinance. Details are further discussed in Section 3.3 and 3.4 below.

### **1.3 Lease Conditions**

- 1.3.1 The application site is located on Old Schedule agriculture lots held under Block Government Lease. The lease was issued in 1906 to be executed from 1898 with a term of 75 years which was renewable for another term of 24 years less three days. The first term of the lease expired in 1973 and was then statutorily renewed. With reference to the New Territories Lease (Extension) Ordinance 1988, the lease would be further renewed to 2047.
- 1.3.2 The Government land in the application site is covered by Short Term Tenancy ("STT") while the private lots in the application site is covered by a number of Short Term Waiver ("STW") in order to comply with the land grant conditions. It shows that the applicant is sincere and due diligence in complying Government's regulations. The applicant will approach to the Lands Department to apply for modification of STT and STW conditions to regularize the use and temporary structures at the application site upon planning approval as well.

### **1.4 Planning Context**

- 1.4.1 The application site is zoned 'Undetermined' ("U") according to the Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14 (**Figure 2**). Referring to the OZP, the "U" is intended to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises. The proposed use matches with the planning intention of "U" zone.
- 1.4.2 According to the Notes of the aforesaid Outline Zoning Plan, temporary use not exceeding a period of 3 years may be regularized through the application of planning permission from the Town Planning Board. As such, it is the applicant's intention to submit this application to request the Board's favour to this proposed use with the provision of the following justifications.

1.4.3 “Town Planning Board Guidelines for application of open storage and port back-up uses under Section 16 of Town Planning Ordinance (TPB PG-NO. 13G)” is applicable when considering the current planning application. In accordance with the Guideline, the application site is located on “Category 1 Areas” which open storage and port back-up uses are permitted as of right under such zone.

## 1.5 Previous Planning Permissions

1.5.1 The application site is subject to eighteen previous planning permissions for open storage use and warehouse for storage purpose since 1998. The information of previous planning permissions are summarized as below:

Permission No.	Decision Date	Applied Use
A/YL-TYST/27	6.3.1998	Temporary open storage of construction materials for a period of 2 years
A/YL-TYST/153	21.12.2001	Temporary open storage of construction machinery and materials for a period of 3 years
A/YL-TYST/194	21.3.2003	Temporary open storage of building/recycling materials and construction machinery for a period of 3 years
A/YL-TYST/265	17.12.2004	Temporary open storage of construction machinery and materials and recycling materials for a period of 3 years
A/YL-TYST/370	14.12.2007	
A/YL-TYST/309	7.4.2006	Temporary open storage of building/recycling materials and construction machinery with ancillary packaging activities for a period of 3 years
A/YL-TYST/427	8.5.2009	
A/YL-TYST/519	18.2.2011	Temporary open storage of construction machinery and materials, recycling materials and used electrical appliances with ancillary workshop for a period of 3 years
A/YL-TYST/665	7.2.2014	
A/YL-TYST/827	17.2.2017	
A/YL-TYST/1003	26.5.2020	
A/YL-TYST/587	4.5.2012	Temporary open storage of building/recycling materials, construction machinery, used electrical/electronic appliances and parts with ancillary packaging activities for a period of 3 years
A/YL-TYST/726	8.5.2015	
A/YL-TYST/896	15.6.2018	
A/YL-TYST/1024	10.7.2020	Temporary logistics centre and open storage of building/recycling materials, construction machinery, used

		electrical/electronic appliances and parts with ancillary workshop activities for a period of 3 years
A/YL-TYST/1059	18.12.2020	Temporary warehouse for storage of electronic goods and open storage of building/recycling materials, construction machinery, used electrical/electronic appliances and parts with ancillary workshop activities for a period of 3 years
A/YL-TYST/1105	10.9.2021	Temporary warehouse for storage of electronic goods and open storage of building materials and construction machinery with ancillary workshop activities for a period of 3 years
A/YL-TYST/1173	9.9.2022	Temporary warehouse for storage of electronic goods, furniture and construction materials for a period of 3 years

- 1.5.2 The above information shows that the application site has been occupied for open storage and port back-up uses for about twenty years. The proposed development is not a development on green site.
- 1.5.3 The applied use of current application actually has almost the same nature to the previous planning approvals except part of the application site, which originally used for open storage yard, is now changed to temporary warehouse for storage purposes because of the change of needs of market. As such, the size and location of the structures are redesigned and the fire service installations requirement is different for warehouse and open storage yard.
- 1.5.4 The applicant will due diligence in providing and maintaining good conditions of facilities (i.e. drainage facilities, fire services installations, landscaping, etc.) in the application site.

## **Section 2 – Development Proposal**

### **2.1 Site Planning**

- 2.1.1 The application site occupies an area of about 22,530m<sup>2</sup>. The application site is hard paved for the proposed use.
- 2.1.2 The proposed development is serviced by a vehicular track leading from Kung Um Road. Site ingress/egress is arranged at the eastern part of the site. **(Figure 3)**

2.1.3 Some temporary structures are proposed to serve the proposed use. The proposed layout is indicated are shown in **Figure 3** while the details of these structures are described in the following table:

Structure	No. of Storey	Dimension (L x W x H) (m)	Covered Area (about) (m <sup>2</sup> )	Total Floor Area (about) (m <sup>2</sup> )	Use
1	1	2.5 x 1.6 x 2.5	4	4	Toilet
2	1	6.1 x 2.5 x 2.5	15.25	15.25	Office
3	1	6.1 x 2.5 x 2.5	15.25	15.25	Office
4	1	6.1 x 2.5 x 2.5	15.25	15.25	Office
5	2	6.1 x 2.5 x 2.5	15.25	30.5	Office
6	1	10 x 4 x 4	40	40	F.S. Water Tank
7	1	5 x 2.6 x 3	13	13	F.S. Pump Room
8	1	Irregular shape with 12m (H)	6,348 (Warehouse: 6,064 Rain Shelter: 284)	6,348 (Warehouse: 6,064 Rain Shelter: 284)	Warehouse for Storage
9	2	9 x 7 x 5	35*	98#	Office
10	1	Irregular shape with 12m (H)	2,000	2,000	Warehouse for Storage & ancillary workshop activities
11	2	6.2 x 3.6 x 6	22.32	44.64	Office
12	2	6.2 x 4.1 x 6	25.42	50.84	Office
13	1	6.1 x 3 x 3	18.3	18.3	Office
14	1	11 x 2 x 2.5	22	22	Rain Shelter for Storage
15	1	4 x 2.2 x 2.5	8.8	8.8	Toilet
16	1	6.1 x 2.5 x 2.5	15.25	15.25	Office
17	1	Irregular shape with 12m (H)	1,440 (Warehouse: 1,392 Rain Shelter: 48)	1,440 (Warehouse: 1,392 Rain Shelter: 48)	Warehouse for Storage
18	1	Irregular shape with 12m (H)	1,522 (Warehouse: 1,492 Rain Shelter: 30)	1,522 (Warehouse: 1,492 Rain Shelter: 30)	Warehouse for Storage
19	1	2.5 x 1.6 x 2.5	4	4	Toilet
20	1	6.1 x 2.5 x 2.5	15.25	15.25	Office
Total			11,594.34m <sup>2</sup>	11,720.33m <sup>2</sup>	

- \* ∴ Structure 9 is partially covered by Rain Shelter of Structure 8  
∴ Covered area of Structure 9 = Footprint of S9 (63m<sup>2</sup>) – Area covered by S8 (28m<sup>2</sup>) = 35m<sup>2</sup>
- # ∴ Structure 9 is partially covered by Rain Shelter of Structure 8  
∴ Total Floor Area of Structure 9 = GFA of S9 (126m<sup>2</sup>) – Area covered by S8 (28m<sup>2</sup>) = 98m<sup>2</sup>



- 2.1.4 To serve the proposed development, 2 loading/unloading spaces of 7m X 3.5m for light goods vehicle, 2 loading/unloading spaces of 11m X 3.5m for medium/heavy goods vehicle and 10 unloading/unloading spaces of 16.5m X 3.5m for container vehicle are proposed (**Figure 3**).
- 2.1.5 The opening time of the proposed development is 8:00 a.m. to 9:00 p.m. from Mondays to Saturdays. No operation on Sundays and public holidays is proposed.
- 2.1.6 Building materials being open stored is mainly *metal bars*. Besides, examples of construction machinery include *tower crane parts and excavators*.
- 2.1.7 Ancillary workshop activities include *dismantling, sorting, packaging and repairing of building materials and construction machinery*. All ancillary workshop activities are carried out at Structure No. 10 and are under shelters and on concrete-paved area within structures at the application site.
- 2.1.8 It is confirmed that there will be no ancillary workshop activities involving used electrical/electronic appliances and parts. It is also confirmed that no storage/handling (including loading and unloading) of cathode-ray tubes and any other types of electronic waste within the application site.
- 2.1.9 Sufficient manoeuvring space will be provided within the site boundary to allow turning of vehicle within the application site.
- 2.1.10 2.5m high site hoarding has been erected along the site periphery to differentiate the site from adjacent land lots.
- 2.1.11 A few graves located at the southeast of the application site can be access through an existing footpath within the application site. Such existing footpath is open for public access at all times.
- 2.1.12 The proposed layout of the proposed development is illustrated in **Figure 3**.

## **2.2 Vehicular Access Arrangement**

- 2.2.1 As shown in the estimated traffic flow for the applied use at **Section 3.5**, it is remarkably that the proposed development would generate an insignificant increase in traffic flow. Therefore, the proposed development is deemed to have no significant impact on the traffic condition of the vicinity.

## **2.3 Environmental Considerations and Commitments**

- 2.3.1 Being aware of the Government's ambition to upgrade the environmental condition of the area, the applicant would like to propose the following additional ameliorative measures in accordance with the '*Code of Practice on Handling Environmental*

*Aspects of Temporary Uses and Open Storage Sites'* (August 2005) to seek the Environmental Protection Department's consent:

#### Air

The surface of the application site and access road are hard paved to avoid any fugitive dust impact due to vehicle movements.

Storage materials at the application site are clean and tidy which will not generate dust to the environment.

#### Noise

The application site is surrounded by numerous open storage yards and temporary warehouses for storage purposes. No noise sensitive receivers are found in the vicinity.

No operation will be held in-situ during sensitive hours from 9:00 p.m. to 8:00 a.m. next morning. No operation will be held on Sunday and public holidays.

#### Sewage

No effluent and sewage will be generated because of the operation of the proposed development.

## **2.4 Visual Considerations and Commitments**

2.4.1 In brief, the application site is surrounded by considerable amount of open storage yards and port back-up uses in all directions.

2.4.2 The existing 2.5m high periphery fencing has effectively screened the proposed development.

2.4.3 Dense peripheral planting is found along the site periphery for screening purpose. All the existing trees will be preserved.

2.4.4 The following measures will be carried out to maintain the existing trees within the site boundary in good condition:

- (i) No open storage will be carried out within the 1m diameter of all the trees within the site boundary;
- (ii) Remove climbers and weeds regularly;
- (iii) Regular inspection of the trees for pest and disease with remedial actions as necessary;
- (iv) Irrigate the trees at regular interval; &
- (v) Replace dead tree, if any.

2.4.5 The as-planted landscape and tree preservation plan is illustrated in **Figure 4**.

## **2.5 Drainage Considerations and Commitments**

- 2.5.1 The drainage proposal and its implementation are accepted by the Planning Department in the previous planning applications on the subject site. Adequate surface U-channel are found within the subject site. The surface runoff will be intercepted by the drainage facilities connecting to the public drain.
- 2.5.2 The implemented drainage facilities would be maintained and cleaned regularly at the applicant's own expense to ensure no adverse drainage impacts to the surrounding areas.

## **Section 3 – Planning Justifications**

### **3.1 Conformity to the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-NO. 13G)**

3.1.1 With reference to the “*Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses*” (TPB PG-NO. 13G)”, the proposed development is conformed to the guidelines to a larger extent as follows:

- (i) The application site is situated within the “Category 1 Areas” in accordance with the plan (Plan 1) attached to the abovementioned guideline. It is stated that Category 1 areas are considered suitable for open storage and port back-up uses. Favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions (Section 2.1 of the Guideline). The application site subject to eight previous planning permissions since 1998 for open storage use.
- (ii) The applicant had provided landscape and tree preservation proposal and drainage proposal at the application site in support of his application. The preliminary traffic generation and environmental mitigation measures are provided to demonstrate that the proposed development would not generate adverse impacts to the surrounding areas (Section 2.1 of Guideline).
- (iii) The proposed development would not generate queueing of traffic outside the ingress/egress and along the routing leading to the site (Section 2.4(d) of the Guideline).
- (iv) No excessive or on-going operative noise will be emitted from proposed development (Section 2.5(d) of the Guideline).

3.1.2 The proposed development has fulfilled the guidelines laid down by the Board for the application of open storage and port back-up uses to a large extent. Besides, the application has committed to provide a series of mitigation measures to maintain

the surrounding environment. The Board could therefore give favourable consideration of the application.

### **3.2 The Proposed Development Fulfills the Planning Intention of “U” Zone**

3.2.1 The application site is zoned ‘Undetermined’ (“U”) according to the Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/ YL-TYST/14. The “U” zone is intended to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises.

3.2.2 The proposed development matches with the planning intention of “U” zone. According to the Notes of the aforesaid OZP, temporary use not exceeding a period of 3 years may be regularized through the application of planning permission from the Town Planning Board.

3.2.3 Furthermore, the proposed development is temporary warehouse for storage purposes and open storage yards which the traffic generation is limited. And the application site has been operated for more than 20 years which demonstrated that the existing vehicular track leading to the proposed development is capable to serve the proposed purpose. Therefore, the proposed development is in line with the planning intention and the approval of the application would ease the mounting demand for land for storage use.

3.2.4 In addition, there is a shortage of and for open storage use in Tong Yan San Tsuen sustained because the “Open Storage” zone in the latest Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/ YL-TYST/14 is almost fully occupied. There is a strong demand for open storage and logistics facilities. In view of the planning intention of “U” zone of Tong Yan San Tsuen where the application site falls within is intended to cater for the continuing demand for open storage which cannot be accommodated in conventional godown premises, it is the applicant’s intention to solicit the Board to sympathetically approved this application on a temporary basis.

### **3.3 The Planning Circumstance Remains Unchanged since the Latest Planning Approval and Planning Applications in Close Proximity to the Application Site were Approved under the Same Planning Circumstance**

3.3.1 According to the *“Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses” (TPB PG-NO. 13G)*, the application site is regarded as “Category 1 Areas” in accordance with the plan (Plan 1) attached to the abovementioned guideline. As such, preferential treatment should be given to the current application.

3.3.2 The application site is subject to two latest planning permissions for temporary warehouse for storage of electronic goods and open storage of building materials

and construction machinery with ancillary workshop activities approved on 10.9.2021 (TPB Ref.: A/YL-TYST/1105) and for temporary warehouse for storage of electronic goods, furniture and construction materials approved on 9.9.2022 (TPB Ref.: A/YL-TYST/1173). With the similarity of the uses, the applicant would like to combine two sites and so a fresh application is hereby submitted. It should be emphasized that the use of current proposed development is almost the same as that of the previous planning permissions.

3.3.2 Besides, the current planning application is not the first of its kind. The vicinity of the application site is currently mainly filled with open storage yards and temporary warehouses for storage purposes. It is noteworthy that significant number of them were granted with temporary planning approval by Town Planning Board such as TPB Ref.: A/YL-TYST/1097, A/YL-TYST/1147, A/YL-TYST/1122, A/YL-TYST/1183, A/YL-TYST/1209, A/YL-TYST/1211, A/YL-TYST/1213, A/YL-TYST/1227, A/YL-TYST/1244, A/YL-TYST/1266 and A/YL-TYST/1268.

3.3.3 On the grounds that no major residential development is found in the vicinity of the application site and the actual impacts of the proposed developments are limited, the proposed development would generate no significant impact to its surrounding.

3.3.4 The proposed development of current application is similar to those open storage yards and temporary warehouses previously approved by the Town Planning Board. Also, the environment surrounding the application site has no significant change. The various assessments undertaken for the evaluation of the potential impact of the proposed development concluded that it would generate no significant adverse impact to the surroundings. Furthermore, any potential impact could also be mitigated by imposing appropriate planning conditions. Therefore, Town Planning Board is sincerely requested to deliver similar treatment to the current application.

### **3.4 The Proposed Development is Compatible with the Surrounding Environment**

3.4.1 The ‘Undetermined’ (“U”) zone where the application site falls within is currently mainly filled with a good number of open storage yards and temporary warehouses for storage purpose. It is noteworthy that significantly numbers of them are either ‘existing use’ or temporarily permitted uses which are conformed to the prevailing Town Planning Ordinance.

3.4.2 A Town Planning Board’s approved temporary open storage of construction machinery and materials, recycling materials and used electrical appliances with ancillary workshop for a period of 3 years is found to the immediate east of the application site (TPB Ref.: A/YL-TYST/1213). It is also noted that there is a number of planning approvals for temporary warehouse for storage purposes located at the east of the application site (TPB Ref.: A/YL-TYST/1122, A/YL-TYST/1211, A/YL-TYST/1244 & A/YL-TYST/1268).

- 3.4.3 To the immediate southwest of the application site, temporary open storage of building materials, construction machinery, recycling materials (metal, plastic and paper) and used electrical/electronic appliances and parts with ancillary workshop activities (TPB Ref.: A/YL-TYST/1227) is approved by the Board for a period of 3 years. Again, a number of planning approvals for temporary warehouse for storage purposes located at the south and southwest of the application site (TPB Ref.: A/YL-TYST/1097, A/YL-TYST/1183 & A/YL-TYST/1266).
- 3.4.4 It is also found that, to the immediate north of the application site, temporary open storage of construction materials, equipment and machinery (TPB Ref.: A/YL-TYST/1147) is approved by the Board for a period of 3 years. Another planning approvals for open storage purposes located at the north of the application site is also found (TPB Ref.: A/YL-TYST/1209).
- 3.4.5 It shows that the vicinity of application site is fully occupied by a number of sites with almost the same use as the proposed development. As such, the current application is compatible with the surrounding environment.

### **3.5 Insignificant Traffic Impact**

- 3.5.1 The application site is serving by a vehicular track leading from Kung Um Road. Site ingress/egress is arranged at the southeastern part of the application site. The application site is occupied for open storage uses since 1998.
- 3.5.2 The proposed development is intended for temporary warehouse and open storage yard for storage purposes so no significant traffic generation will be involved. The estimated average traffic generation rate at peak hours are as follow:

Type of Vehicle	<u>Average Traffic Generation Rate (pcu/hr)</u>	<u>Average Traffic Attraction Rate (pcu/hr)</u>
Private car/ Light goods vehicle	0.31	0.31
Medium/heavy goods vehicle	1.23	1.23
Container Trailer/Tractor	1.15	1.15

Note 1: The opening hour of the proposed development is restricted to 8:00 a.m. to 9:00 p.m from Mondays to Saturdays. No operation will be held on Sundays and public holidays.

Note 2: The pcu of private car/light goods vehicle, medium/heavy goods vehicle and container trailer/tractor are taken as 1, 2 and 3 respectively.

Note 3: As the traffic generation and attraction of the application site is minimal, no distinction between peak hour and non-peak hours is identified.

- 3.5.3 As shown in above estimation, the average traffic generation and attraction rate are not significant. It would not affect the traffic condition of Kung Um Road.
- 3.5.4 In association with the intended purpose, adequate space for manoeuvring of vehicle would be provided within the application site. Adequate vehicle parking spaces are also provided within the application site as shown in **Figure 3** so that no queueing up of vehicle would be occurred outside the application site.

### **3.6 Insignificant Environmental Impact**

- 3.6.1 The proposed development is intended for temporary warehouse (excluding dangerous goods godown) and open storage of building materials and construction machinery with ancillary workshop activities for a period of 3 years. It would generate neither significant environment nor noise disturbance to both the environment and residents in the area. The application site has been approved by Town Planning Board for the open storage use since 1998.
- 3.6.2 The proposed use would not generate excessive noise because the proposed development is a static use. Related noise generation activities such as loading and unloading of non-dangerous goods, building materials, construction machinery and associated traffic are not frequent and they are short-lived. Further, the temporary warehouse and work shelter would shield the noise generated at the application site to a large extent. Similar open storage yards and temporary warehouses for storage purposes were found in the vicinity. The proposed development is not incompatible with the surrounding environment.
- 3.6.3 Further, the applicant proposed a number of preventive and mitigation measures hereunder to avoid degradation of surrounding environment:
- (i) No operation between sensitive hours from 9:00 p.m. to 8:00 a.m. next morning;
  - (ii) No operation on Sundays and public holidays; &
  - (iii) All the ancillary workshop activities are carried out under shelters and on concrete-paved area within structures at the application site. There will be no ancillary workshop activities carried out outside the concrete-paved covered structures on the application site.
- 3.6.4 According to Town Planning Board's planning permission record, the land in close proximity to the application site is almost all being occupied for open storage uses and temporary warehouse for storage purposes. In view of that the application site and the above-mentioned site is basically pertaining to the same environmental setting and they are similar in size, the current application should receive the same sympathetic consideration accordingly.

- 3.6.5 The application site is located on ‘Category 1 Areas’ according to TPB PG-NO. 13G. It is adjacent to a good number of open storage yards and temporary warehouses and almost all of them were approved by Town Planning Board on temporary basis. It is noteworthy that significant numbers of them were granted with temporary planning permission by Town Planning Board such as TPB Ref.: A/YL-TYST/1097, 1147, 1122, 1183, 1209, 1211, 1213, 1227, 1244, 1266 and 1268 which were abutting or in close proximity to the application site.
- 3.6.6 The applicant will comply with the measures laid down in the ‘*Code of Practice of Handling Environmental Aspects of Temporary Uses and Open Storage Sites*’ (August 2005). As such, the applicant’s sincerity and conscientious in maintaining the surrounding environmental condition should be appreciated and taken as a merit in assessing the application.

### **3.7 No Adverse Drainage Impact**

- 3.7.1 Adequate drainage facilities have been provided within the application site and are accepted by the Planning Department in the previous planning applications. With the provision of drainage facilities, all the accrued runoff would be intercepted and transported to the public drain. As such, the proposed development has not generated adverse drainage impact to the surrounding areas.
- 3.7.2 All the drainage facilities will be maintained by the applicant at his own expense. Also, surface channel will be cleaned at regular interval to ensure unhindered flow of surface runoff along the channel.

## **Section 4 – Conclusion**

- 4.1 The application site is subject to eighteen previous planning permissions for open storage use and warehouse for storage purpose since 1998. The proposal use of current application is almost the same to that of the latest planning approvals and it is not a development on green site.
- 4.2 The application site is currently zoned ‘Undetermined’ (“U”) according to the Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14. The proposed development matches with the planning intention of “U” zone which is intended to cater for the continuing demand for open storage, which cannot be accommodated in conventional godown premises.
- 4.3 In accordance with the “*Town Planning Board Guidelines for application of open storage and port back-up uses under Section 16 of Town Planning Ordinance (TPB PG-NO, 13G)*”, the application site falls within “Category 1 Areas” which are considered suitable for open storage and port back-up uses.
- 4.4 The vicinity is almost wholly occupied for open storage yards and temporary



warehouses for storage purposes which make the proposed development compatible with the surrounding landscape.

- 4.5 The planning circumstance pertaining to the application site remain unchanged since the latest planning approval by Town Planning Board.
- 4.6 The applicant hereby sincerely submits this planning application to sought the approval by the Town Planning Board for the use of Lots 369RP (Part), 370RP (Part), 371S.A, 371 S.B (Part), 381RP (Part), 382RP, 383RP, 384, 385, 386, 387, 388, 389RP, 390RP, 391RP (Part), 439RP (Part), 440 (Part), 444 (Part), 445 (Part), 446, 447, 448, 449, 450S.A, 450S.B, 450S.C, 451, 452, 453, 454, 455, 456, 457 (Part), 458 (Part), 459 (Part), 473 (Part), 474, 475S.A (Part), 475S.Ass.1 (Part) and 475S.B (Part) in D.D. 119 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long, N.T. for temporary warehouse (excluding dangerous goods godown) and open storage of building materials and construction machinery with ancillary workshop activities for a period of 3 years.