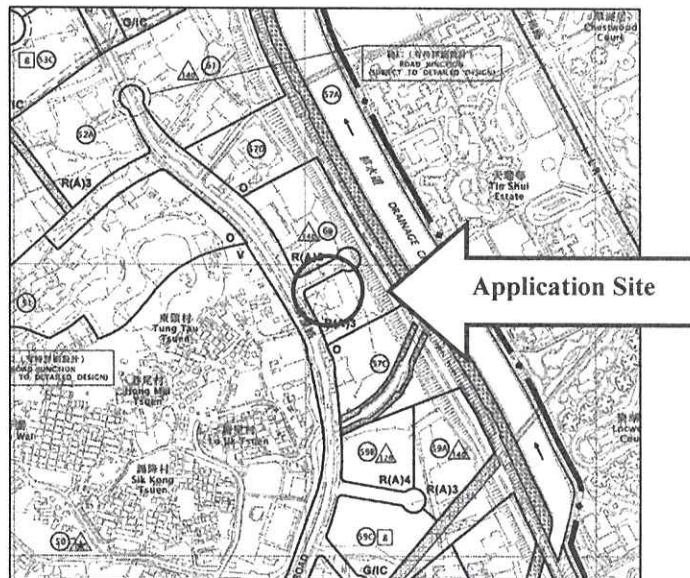


Planning Application
Under Section 16
of the Town Planning Ordinance
(Cap. 131)

**Planning Application for Renewal of Permission for
Temporary Open Storage of Construction Material with Ancillary Office
for a Period of Three Years
Lot 844 RP (Part), 845 (Part) and 850 sB RP (Part) in DD 125
Ha Tsuen, Yuen Long, New Territories**



Prepared by

LANBASE Surveyors Limited

March 2024

EXECUTIVE SUMMARY

The Application Site ('the Site') comprises Lot Nos. 844 RP (Part), 845 (Part) and 850 s.B RP (Part) in DD 125, Ha Tsuen, Yuen Long, New Territories. It is located to west of Tin Shui Wai along Ping Ha Road. With a site area of 1,130m², the Site falls within "Residential (Group A)3" ("R(A)3") and "Road" zone under the Approved Hung Shiu Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/2 gazetted on 26.10.2018. According to the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13G), the Site falls within the Hung Shiu Kiu and Ha Tsuen New Development Area (NDA).

The latest planning approval (A/HSK/310) of the subject site for "Temporary Open Storage of Construction Material with Ancillary Office" was given for a period of 3 years with effect from 25 June 2021. As the planning permission would lapse on 26 June 2024, a planning application for renewal is now submitted for the same use. In addition to the above, the Site is also the subject of 9 previous Planning Applications for similar uses approved from 2000 to 2017.

All the planning conditions of the previous planning approval (A/HSK/310) have been compiled with. Since its operation has been in existence for many years, no additional traffic, drainage and landscape impacts would be generated. Existing landscape works and drainage facilities would be properly maintained.

The subject application is justified on the following grounds: 1) Previous Planning Permissions for Same or Similar Uses; 2) Fully Compliance with Previous Planning Conditions; 3) Recent Permissions for Similar Use Near the Site; 4) In Line with TPB PG No.13G; 5) Compatible with Surrounding Land Uses; and 6) No Additional Drainage, Environmental and Traffic Impacts.

申請摘要

申請場地乃新界元朗廈村丈量約份125約地段第844段餘段(部份)、第845段(部份)及第850段B分段餘段(部份)。申請場地位於天水圍以西屏廈路旁，佔地約1,130平方米。是項申請地段位於洪水橋及廈村分區計劃大綱核准圖編號S/HSK/2(於2018年10月26日公佈)內之「住宅(甲類)3」及「道路」地帶。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」，申請場地為洪水橋及廈村新市鎮。

此申請場地上一次作「臨時露天建築物料貯存連附屬辦公室」的臨時規劃許可(A/HSK/310)於2021年6月25日生效，並為期3年。鑑於上次的臨時規劃許可將於2024年6月26日到期，申請人現提交此臨時規劃許可申請。此外，早前在2000至2017年間，亦有9個規劃申請用途相似的臨時規劃許可申請在此申請場地上獲批。

上一次申請編號A/HSK/310作同一用途的附帶規劃條款已全部履行。基於是項申請地段已營運多年，相信並不會引致新增的交通流量、不良的渠務及景觀影響。場地亦會繼續保持及維修現有的樹木及渠務裝置。

是項申請的理由如下：1)跟以前獲批准的用途相同或相類似； 2)完全履行之前的規劃條款； 3)近期在附近的類似用途申請已獲批准； 4)與城規會指引號碼13G相一致； 5)符合附近的土地用途；及 6)沒有新增的渠務、環境和交通影響。

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APPENDICES

Appendix 1	Extract of Approved Hung Shiu Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/2 gazetted on 26.10.2018 and the Relevant Notes
Appendix 2	Location Plan
Appendix 3	Site Plan (Lot Index Plan)
Appendix 4	Summary of Previous Planning Application Covering the Subject Site
Appendix 5	Proposed Layout Plan
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1. INTRODUCTION

- 1.1 The Application Site (“the Site”), Lot Nos. 844 RP (Part), 845 (Part) and 850 s.B RP (Part) in DD 125, Ha Tsuen, Yuen Long, New Territories is located along Ping Ha Road to the west of Tin Shui Wai. With a site area of 1,130m², the Site falls within “Residential(Group A)3” (“R(A)3”) and “Road” zone under the Approved Hung Shiu Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/2 gazetted on 26.10.2018. Please refer to an extract of the OZPs and the relevant notes at **Appendix 1**, Location Plan at **Appendix 2** and Site Plan at **Appendix 3**.
- 1.2 The Site is applied for the use of “Temporary Open Storage of Construction Material with Ancillary Office” for a period of 3 years. According to the Notes of the OZPs, planning permission is required by the Town Planning Board (the ‘Board’) for the subject temporary use.
- 1.3 The Site has been approved for the applied use for a period of 3 years commencing from 25 June 2021. The subject planning application is submitted for the purpose of renewal of the previously approved planning application. In addition, the Site is the subject of 9 previous Planning Applications for the similar uses of “Temporary Open Storage with Ancillary Office” approved from 2000 to 2017. Please refer to **Appendix 4** for the summary of the previous planning applications.
- 1.4 The Applicant has commissioned Lanbase Surveyors Limited on his behalf to submit a planning application to apply for the use of “Temporary Open Storage of Construction Material with Ancillary Office” for a period of 3 years, or a period as considered appropriate by the Board under Section 16 of the Town Planning Ordinance (Cap. 131).
- 1.5 The Planning Statement serves to describe the existing condition of the Site and its surrounding land uses, to give details of the proposed development, and to provide justifications for the Board’s consideration.

2. SITE CONTEXT

2.1 Application Site

The Application Site (“the Site”) comprises Lot Nos. 844 RP (Part), 845 (Part) and 850 s.B RP (Part) in DD 125, Ha Tsuen, Yuen Long, New Territories. The Site occupies a site area of approximately 1,130m². Please refer to Location Plan at **Appendix 2** and Site Plan at **Appendix 3**.

2.2 Lease Particulars

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

2.3 Surrounding Land Uses

2.3.1 The Site is located at the eastern side of Ping Ha Road. The eastern side along Ping Ha road around the Site is predominantly occupied by port back-up uses including public vehicle parks, container tractor/trailer parks, vehicle repair workshops and open storages.

2.3.2 To its southeast is the use of “Temporary Warehouse for Storage of Construction Machinery and Construction Materials with Ancillary Office and Repairing Workshop for a Period of 3 Years” under Planning Application No. A/HSK/451 renewed on 23.6.2023.

2.3.3 Tung Tau Tsuen and Lo Uk Tsuen are located at 100m to the southwest across Ping Ha Road.

2.4 Accessibility

2.4.1 The Site is accessible from Ping Ha Road.

2.4.2 The subject area is served by various modes of public transport, including buses, minibuses and taxis along the Ping Ha Road.

3. TOWN PLANNING

- 3.1 The Site falls within “Residential (Group A)3” (“R(A)3”) and “Road” zone under the Approved Hung Shiu Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/2 gazetted on 26.10.2018. Extract of the OZPs are attached at **Appendix 1**.
- 3.2 As stipulated in the Notes of the OZPs, a planning permission is required by the Town Planning Board (the “Board”) for the proposed “Temporary Open Storage of Construction Material with Ancillary Office” in the “R(A)3” and “Road” zones.
- 3.3 The Site has been approved for the applied use for a period of 3 years commencing from 25 June 2021. The subject planning application is submitted for the purpose of renewal of the previously approved planning application. In addition, the Site is the subject of 9 previous Planning Applications for the similar uses of “Temporary Open Storage with Ancillary Office” approved from 2000 to 2017. Please refer to **Appendix 4** for the summary of the previous planning applications.
- 3.4 In accordance with the Town Planning Board Guidelines No. 13G (**TPB PG-NO. 13G**) for Application for Open Storage and Port Back-up Uses, the Site falls within the Hung Shiu Kiu and Ha Tsuen New Development Area (NDA), within which for existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with.

4. PROPOSED DEVELOPMENT

4.1 Applied Use

The subject application is to apply for the use of “Temporary Open Storage of Construction Material with Ancillary Office”. The proposed layout plan is at **Appendix 5**.

4.2 Site Area

The Site has an area of about 1,130m².

4.3 Operation Hours

Identical to previous Planning Application No. A/HSK/310, the proposed “Temporary Open Storage of Construction Material with Ancillary Office” would be operated from 9:00am to 6:00pm (e.g. no night-time operation between 6:00pm and 9:00am) from Monday to Saturday during the planning approval period. There will be no operation on Sundays and public holidays on site.

4.4 Drainage

There are existing drainage facilities provided on the Site. Similar to the previous planning approval condition regarding drainage on the subject site (i.e. the existing drainage facilities on site shall be maintained at all times during the planning approval period), the Applicant will continue to provide proper maintenance on the existing drainage facilities.

4.5 Traffic

The Site has come into existence for many years since the same or similar uses were permitted under previous planning applications. The Site would also provide loading /unloading area. The Site therefore, will not generate additional number of vehicles under the current application. Identical to the previous Planning Application No. A/HSK/310, it is estimated that 30 trips of heavy goods vehicle per day would be generated.

4.6 Fire Precaution Measures

The existing fire service installations were approved and implemented under previous Planning Application No. A/HSK/310. The fire precaution measures will be continuously provided on the Site.

4.7 Landscape

Landscape and tree plantings have been provided on site under the previous Planning Application No. A/HSK/310. The Applicant would continue to properly maintain the existing landscape and tree plantings.

5. JUSTIFICATIONS

5.1 Previous Planning Permissions for Same or Similar Uses

The Site was granted planning permissions for the similar use of “Temporary Open Storage with Ancillary Office” under 9 Planning Applications from 2000 to 2017. Please refer to **Appendix 4** for the summary of the 9 previous Planning Applications. In addition, the last planning approval for the same use was granted with effect from 25 June 2021. As the site condition remains unchanged, the subject application should be allowed.

5.2 Full Compliance with Planning Conditions

All the approval conditions imposed on the previous Planning Application No. A/HSK/310 have been satisfactorily complied with. Genuine efforts to comply with the approval conditions in the previous planning application was demonstrated. As such, favourable consideration should be given to the application.

5.3 Recent Planning Permissions for Similar Uses Near the Site

5.3.1 There are planning applications for similar temporary port back-up uses approved in the surroundings in recent years as follows.

Application No.	Proposed Use/Development	Decision of Town Planning Board (Date)
A/HSK/496	Temporary Open Storage of Containers with Ancillary Logistics Uses, Vehicle Repair Workshop, Container Repair Workshop and Parking of Tractors for a Period of 3 Years	Approved with conditions on a temporary basis for a period of 3 years (22.12.2023)
A/HSK/487	Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Construction Equipment for a Period of 3 Years	Approved with conditions on a temporary basis for a period of 3 years (27.10.2023)

A/HSK/485	Temporary Open Storage of Construction Machinery, Construction Material and Ancillary Site Office for a Period of 3 Years	Approved with conditions on a temporary basis for a period of 3 years (27.10.2023)
A/HSK/483	Renewal of Planning Approval for Temporary Warehouse and Open Storage of New Vehicles (Private Cars, Taxis, Light Goods Vehicles and Light Buses) for a Period of 3 Years	Approved with conditions on a temporary basis for a period of 3 years (22.09.2023)
A/HSK/481	Temporary Logistics Centre and Warehouse for a Period of 3 Years	Approved with conditions on a temporary basis for a period of 3 years (24.11.2023)
A/HSK/472	Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years	Approved with conditions on a temporary basis for a period of 3 years (25.08.2023)

5.3.2 Given that the similar planning applications were approved in the surrounding area, the proposed temporary use should not be unsuitable on the Site.

5.4 In Line with TPB PG No.13G

In accordance with the TPB PG No. 13G – Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses, , the Site falls within the Hung Shiu Kiu and Ha Tsuen New Development Area (NDA), within which for existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. As the Site is not required for implementation of NDA development at this stage, the proposed temporary use could be allowed.

5.5 Compatible with Surrounding Land Uses

The proposed “Temporary Open Storage of Construction Material with Ancillary Office” is considered compatible with the neighbouring similar uses of open storages and port back-up uses. In fact, the locality of the Site has been generally occupied by public vehicle parks, open storages and other port back-up uses. The applied use is therefore commensurate with the general demand for providing open storages in the area. It is compatible with the surrounding uses in the area.

5.6 No Additional Drainage, Environmental and Traffic Impacts

The Site has been operated as the similar use of “Temporary Open Storage of Construction Materials and Storage with Ancillary Office” under the previous Planning Applications. The previous planning approval conditions imposed on the previous Planning Application No. A/HSK/310 has been complied with and the existing site condition remains unchanged. Therefore, it is considered that the proposed temporary development generally reflects the existing site condition. In this respect, no additional drainage, environmental and traffic impacts are anticipated.

6. CONCLUSION

6.1 The Site has been used as the similar use of “Temporary Open Storage with Ancillary Office” for many years. The Applicant seeks the Board’s permission for the current planning permission under S.16 of the Town Planning Ordinance.

6.2 With regard to the followings:

- previous planning permissions for same or similar uses;
- full compliance with previous approval conditions;
- recent planning permissions for similar use near the Site;
- in line with TPB PG No.13G;
- compatible with surrounding land uses; and
- no additional drainage, environmental and traffic impacts.

the Board is recommended to approve the planning application for the use of “Temporary Open Storage with Ancillary Office” on the Site for 3 years or a period considered appropriate.

Appendix 4

Summary of Previous Planning Application Covering the Subject Site

Previous Planning Application Covering the Subject Site

申請編號 Application No.	擬議用途／發展 Proposed Use/Development	城市規劃委員會的決定(日期) Decision of Town Planning Board (Date)
A/YL-HT/178	<p>臨時露天存放建築材料和建築機器、貨櫃車停車場及附屬維修工場 (為期3年)</p> <p>Temporary Open Storage of Construction Materials, Construction Machinery and Vehicle Park for Container Trailers with Repair Workshop for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (8.12.2000)</p>
A/YL-HT/362	<p>臨時露天存放建築材料和建築機器、貨櫃車停車場連附屬維修工場 (為期3年)</p> <p>Temporary Open Storage of Construction Materials, Construction Machinery, Container Vehicle Park with Ancillary Repair Workshop for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (19.11.2004)</p>
A/YL-HT/514	<p>臨時「露天存放建築材料和建築機器、貨櫃車停車場連附屬維修工場」用途的規劃許可續期(為期3年)</p> <p>Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Construction Machinery, Container Vehicle Park with Ancillary Repair Workshop for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (16.11.2007)</p> <p>(許可於16.2.2009被撤銷) (permission was revoked on 16.2.2009)</p>
A/YL-HT/600	<p>臨時露天存放建築材料、建築機械及五金回收和貨櫃車停車場連附屬維修工場(為期3年)</p> <p>Temporary Open Storage of Construction Materials, Construction Machinery and Scrap Metals and Container Vehicle Park with Ancillary Repair Workshop for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (13.3.2009)</p>

A/YL-HT/738	<p>臨時露天存放建築機械及建築材料和貨櫃車停車場（為期3年）</p> <p>Temporary Open Storage of Construction Machinery and Construction Materials and Container Vehicle Park for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (5.8.2011)</p>
A/YL-HT/879	<p>臨時露天存放建築材料連附屬辦公室（為期3年）</p> <p>Temporary Open Storage of Construction Materials with Ancillary Office for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (17.1.2014)</p>
A/YL-HT/908	<p>臨時露天存放建築機械及建築材料和貨櫃車停車場（為期3年）</p> <p>Temporary Open Storage of Construction Machinery and Construction Materials and Container Vehicle Park for a period of 3 years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (22.8.2014)</p> <p>(許可於 22.5.2015 被撤銷)</p> <p>(permission was revoked on 22.5.2015)</p>
A/YL-HT/936	<p>臨時露天存放建築機械、建築材料、儲存倉庫及貨櫃車停車場（為期3年）</p> <p>Temporary Open Storage of Construction Materials and Construction Machinery, Warehouse and Container Vehicle Park for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (13.3.2015)</p>
A/YL-HT/1068	<p>臨時露天存放建築材料和貯物連附屬辦公室（為期3年）</p> <p>Temporary Open Storage of Construction Materials and Storage with Ancillary Office for a Period of 3 Years</p>	<p>在有附帶條件下批給臨時性質的許可，為期三年</p> <p>Approved with conditions on a temporary basis for a period of 3 years (3.3.2017)</p>