

Proposed Temporary Cold Storage for a Period of Three years

SUPPORTING PLANNING STATEMENT

December 2022

Applicant:
Land Jumbo Development Limited

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EXECUTIVE SUMMARY

This application is to seek planning permission from the Town Planning Board (“TPB”) to extend the previously approval for the temporary cold storage development (TPB/A/YL-ST/573 on 10 July 2020) for a period of 3 years at Lots No. 16 S.B ss2(part), 16S.B ss3(part), 19RP, 19SC, 21RP(part), 21SA(part), 23SA, 24RP(part), 25SA(part), 26RP(part), 42RP(part) and 44SA(part) in D.D. 105 and their adjoining Government land, south of Castle Peak Road – San Tin Section, Mai Po Lung, San Tin, Yuen Long.

The discharge of approval conditions of the proposed development under the previous approved planning application (TPB/A/YL-ST/573) has been seriously delayed due to Government land process. Recently it has been resolved but the approval will be lapsed on 10 July 2023 although a number of ‘Extension of Time’ applications have been approved up to now. The current proposal will have no material change to the previously approved layout and development parameters. The Applicant is still preparing to proceed with the project for another 3 years so a fresh application is required. Favourable consideration by the Town Planning Board for this planning application is highly appreciated.

內容摘要

懇請城市規劃委員會（下稱“城規會”）以將先前批准(TPB/A/YL-ST/573於2020年7月10日)的臨時冷藏庫用途繼續3年。申請地段位於新界元朗新田青山公路—新田段以南丈量約份第105內第16號B分段第2小分段(部分)、第16號B分段第3小分段(部分)、第19號餘段、第19號C分段、第21號餘段(部分)、第21號A分段(部分)、第23號A分段、第24號餘段(部分)、第25號A分段(部分)、第26號餘段(部分)、第42號餘段(部分)及第44號A分段(部分)地段和毗鄰政府土地。

由於政府土地程序延遲，先前批准的規劃申請(TPB/A/YL-ST/573)下擬建發展項目嚴重延誤。最近土地程序已經解決，雖然先前已批准了一些“延期”申請，但批准的規劃申請將於2023年7月10日失效。目前的提案不會對先前批准的設計圖和開發參數有任何實質性改變。申請人仍在準備進行該項目再繼續3年，因此需要重新申請。懇請城規會批准是次規劃申請，我們深表謝意。

1 THE APPLICATION

We, Land Jumbo Development Limited (the “**Applicant**”), are the current registered owner of Lot Nos. 16 S.B ss2(part), 16 S.B ss3(part), 19RP, 19SC, 21RP(part), 21SA(part), 23SA, 24RP(part), 25SA(part), 26RP(part), 42RP(part) and 44SA(part) in D.D.105 and adjoining Government land (hereunder collectively called the “**Subject Site**”), submitting an application for a temporary cold storage for a period of 3 years under the s16 of the Town Planning Ordinance.

2 PREVIOUS APPROVED APPLICATION

2.1 On 10.7.2020, the planning application (**TPB/A/YL-ST/573**) was approved with conditions until 10.7.2023. The comparison of the previous approved and current proposed development parameters is summarized in **Table 1**:

Table 1 Comparison of Development Parameters

Major Development Parameters	Previous Approved Application No. TPB/A/YL-ST/573	Current Proposal	Change
<i>Site Area</i>	About 3,550m ² (including about 455m ² of GL)	About 3,620m ² (including about 500m ² of GL)	+70m ² (boundary adjustment)
<i>No. of Structure(s)</i>	5 (cold store with ancillary office, ancillary E&M building and 3 portable toilets)	5 (cold store with ancillary office, ancillary E&M building and 3 portable toilets)	No change
<i>Total floor area</i>	About 1,208m ²	About 1,208m ²	No change
<i>Height of structures</i>	Not more than 4.9m for cold storage building Not more than 4m for ancillary E&M building	Not more than 4.9m for cold storage building Not more than 4m for ancillary E&M building	No change
<i>No. of Parking Spaces</i>	2 (including 1 disable CP)	2 (including 1 disable CP)	No change
<i>No. of Loading/Unloading Bays</i>	6 for LGV	6 for LGV	No change
<i>No. of Motorcycle Parking Space</i>	1	1	No change
<i>Operation Hours</i>	9:00 a.m. to 9:00 p.m. (Monday to Sunday) (7 days a week and on year-round basis)	9:00 a.m. to 9:00 p.m. (Monday to Sunday) (7 days a week and on year-round basis)	No change

2.2 However, some approval conditions have not been discharged due to the delay in the Government land transaction for the approval for Short Term Tenancy/Wavier (**STT/STW**). The progress of the discharge of approval conditions are in **Table 2** below.

Table 2 Progress of Discharge of Approval Conditions

Conditions	Discharge/Remark
(a) No Operation between 9:00 pm and 9:00 am, as proposed by application, is allowed on the Site during the planning approval period;	During operation
(b) No medium/heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance or container trailers/tractors are allowed to enter, park or operate on the Site at any time during the planning approval period;	During operation
(c) The provision and maintenance of free pedestrian and vehicular accesses (including EVA) to the surrounding residential dwellings, as proposed by applicant, during the planning approval period;	During operation
(d) The provision of boundary fencing within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB;	Partly installed. Affected by STT.
(e) The submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB;	Plan discharged.
(f) The implementation of fire service installations within 9 month from the date of planning approval to the satisfaction of the Director Fire Services or of the TPB;	Final stage of implementation of proposal
(g) The implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB;	Affected by STT.
(h) The submission of landscape and tree preservation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB; and	No need in current approval.
(i) The implantation of landscape and tree preservation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB;	No need in current approval.

3 THE SUBJECT SITE AND ITS SURROUNDINGS

3.1 The Site is:

- i. accessible at the north through Castle Peak Road-San Tin Section;
- ii. site was mainly occupied by open storage of construction machinery, parking of vehicles and partial vacant land;
- iii. a small strip of land to be shared use at its northern entrance is an open storage of construction machinery approved application no. TPB/A/YL-ST/623 (**Appendix I**) under the same land owner;
- iv. an existing pedestrian access (located east of subject site with 2m in width) and vehicular access to the adjacent dwellings to be kept same function in the proposal (**Figure 3**); and
- v. located outside the Wetland Buffer Area (“**WBA**”) of Deep Bay.

3.2 The surrounding areas are predominated by open storage, rural industrial uses, vehicle parks, residential dwellings, vacant land and vegetated area:

- i. to the immediate west are vacant land and some residential dwellings. To further west is vegetated area zoned “Green Belt” (**Figure 1, Appendix I**);
- ii. to the immediate south is open storage of construction machinery;
- iii. to the immediate east are some residential dwellings, cultivated land, and unused land;
- iv. to the immediate northeast is an open storage of construction machinery approved under Application TPB/A/YL-ST/623 (**Figure 1, Appendix I**); and
- v. to the north across the Castle Peak Road-San Tin are open storage of containers, parking of container vehicles, logistics centre and residential dwellings.

4 NO MATERIAL CHANGE

Same Scheme (Layout) with Same Planning Context

- 4.1 The planning context for the Subject Site along with the proposed layout and development parameters are same as the previous approved scheme (**TPB/A/YL-ST/573**). The same development layout with 5 nos. of structures (the main cold store with ancillary office inside, an ancillary E&M structure and 3 portal toilets) (**Figure 3, Appendix I**) remains unchanged.

Same as Previous Approved Operation

- 4.2 The same previous approved operation will be adopted and operated between 9:00am and 9:00pm on a 7-days-a-week and all year-round basis. Cold Store Licence under the Food and Environmental Hygiene Department will be obtained accordingly. It is no change in internal transport and access arrangement. All business activities are carried out inside the cold storage building so it will be a tidy, clean and quiet operation.

5 PLANNING JUSTIFICATIONS

- 5.1 As it is a temperature control storage by means of air-conditioning container (Modular Integrated Construction, MIC). The previous approved application (**TPB/A/YL-ST/573**) will be lapsed in July 2023 although the discharge of conditions is likely completed by early 2023 as the approval of STT application just granted in November 2022. It is practically to seek approval for such temporary use for another 3 years at this stage.

Land matter resolved and Reasonable Time to discharge Outstanding Conditions

- 5.2 The delay is due to the belated approval of STT/STW which has just been approved in November 2022. It will take at least half a year to finish the previous outstanding approval conditions discharged so as to commence operation. This may end up in mid-June 2023.
- 5.3 The Applicant has discharged those approval conditions not affected by the land grant as per **Table 2** in the above. In fact, some approval conditions have been endorsed by relevant departments, namely the fencing installation (partial) and fire service installations plan.

Same Traffic and Pedestrian Access Arrangements

- 5.4 Traffic Review on trip generation and parking provision have no major change in traffic context and summarized in **Appendix II** as well as the swept path analysis as per **last impact assessments**. The delivery traffic arrangement is to be done by pre-booking system by the operator so that only private cars, motorcycle and light good vehicles will be allowed during the approval period.
- 5.5 Two sets of moveable gates (one for pedestrian and one for emergency vehicles) will be provided at the western and the eastern fences (Figure R1a and R2 in **Appendix II**) and pedestrian/EVA access open all the time (no lock). The provision of 2m wide pedestrian access will be provided along eastern boundary as well as the existing local access along the western boundary remained unchanged.
- 5.6 The northern part of the site is the subject of an approved and valid planning permission under application no. A/YL-ST/623 (**Figure 1**). As it is under the same land owner, sharing access arrangement has been settled and no adverse impact on the adjoining operation.

No Adverse Environmental Impact

- 5.7 The E&M machinery is fully enclosed within the cold store building and we anticipate no noise to be generated during the operation.
- 5.8 Same drainage arrangement under the previous proposed will be provided (**Appendix III**).

6 CONCLUSION

- 6.1 The current proposed temporary cold storage is just like a ‘renewal’ of the last approved application. As the STT/STW approved, full discharge of approval conditions can be completed and the proposed development can proceed.

- 6.2 In view of the above, we respectfully request Members of **TPB** to give favourable consideration to approve this application.