



# SECTION 16 TOWN PLANNING APPLICATION

## Supplementary Planning Statement

**PROPOSED TEMPORARY PRIVATE VEHICLE PARK (EXCLUDING CONTAINER VEHICLES) AND ASSOCIATED FILLING OF LAND FOR A PERIOD OF 3 YEARS IN "VILLAGE TYPE DEVELOPMENT" AND "GREEN BELT" ZONES AT LOTS 3335 S.U SS. 1 AND 3335 S.T SS. 1 IN D.D. 91, LIN TONG MEI, NEW TERRITORIES**

*The Applicant:*

KING UNION INTERNATIONAL INVESTMENTS LIMITED

*Town Planning Consultant:*

DeSPACE (International) Limited



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## Contents

<b>Executive Summary</b> .....	3
<b>[1] Introduction</b> .....	5
<b>[2] Site Context</b> .....	6
2.1. Site Context and Surrounding Land Uses.....	6
2.2. Lease .....	6
<b>[3] Town Planning Context</b> .....	6
3.1. Statutory Planning Requirements .....	6
3.2. Planning History of the Application Site .....	7
3.3. Similar Planning Application(s).....	7
<b>[4] Proposed Development</b> .....	9
4.1. Existing Use .....	9
<b>[5] Planning and Development Justifications</b> .....	11
5.1. The Proposed Development would not jeopardize the long-term planning development of the Application Site.....	11
5.2. Similar Approved Applications.....	11
5.3. The Use has been in place for over 3 decades.....	11
5.4. No Insurmountable Traffic Impacts .....	11
5.5. No Insurmountable Environmental Impacts .....	12
5.6. No Insurmountable Drainage Impacts.....	12
<b>[6] Conclusion</b> .....	13

## Figures

Figure 1	Site Plan
Figure 2	Existing Access Route to the Site
Figure 3	Outline Zoning Plan
Figure 4	Site Layout Plan
Figure 5	Filling of Land Plan

## Appendix

Appendix 1	Swept Path Analysis
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## **Executive Summary**

The Applicant as the “current land owner” of Lots 3335 S.U ss. 1 and 3335 S.T ss. 1 in D.D. 91, Lin Tong Mei, New Territories (“the Site”), now seeks town planning permission from the Town Planning Board (the TPB) for a proposed Temporary Private Vehicle Park (excluding container vehicles) and associated filling of land for a period of 3 Years at the aforementioned site. The Application Site has a total area of about 1,206m<sup>2</sup>. This Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the TPB.

The Site has been in use by the Applicant for over the past 35 years since the Applicant rented the Application Site for its operation in 1989, before the first publication in the Gazette of the notice of the Kwu Tung South Interim Development Permission Area Plan (DPA) No. IDPA/NE-KTS/1 on 17th August 1990. Its current use of the site is parking of private vehicles.

The Site is situated within “Village Type Development” (“V”) and “Green Belt (GB)” zones on the Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/22 (the OZP). According to the OZP, parking of private vehicles is not specified under Column 1 nor Column 2 uses of both the “V” and “GB” zones. According to the Covering Notes of the OZP, except as otherwise provided in paragraph (10)(a), temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

The proposed parking of construction vehicles on a temporary basis is compatible with the surrounding contexts and no insurmountable impacts will be caused to the surrounding environment. The Town Planning Board is sincerely invited to favorably consider this planning application.

## 行政摘要

(聲明：此中文譯本僅供參考，如中文譯本和英文原文有差異時，應以英文原文為準。)

申請人為現時新界蓮塘尾丈量約份第 91 約地段第 3335 號 U 分段第 1 小分段和第 3335 號 T 分段第 1 小分段之土地擁有人，現向城市規劃委員會（下稱城規會）申請於上述地點作為臨時私人停車場（貨櫃車除外）及附帶填土工程，為期三年。申請地點總面積約 1,206 平方米。本規劃陳述書旨提供背景資料及規劃理由，以支持擬議用途，從而促進城規會之審議。

申請人自 1989 年租用該申請地點以作停泊私人車輛，該用途早於 1990 年 8 月 17 日《古河南中期發展審批地區圖編號 IDPA/NE-KTS/1》的憲報公布前已存在。

該地盤位於古河南分區計劃大綱核准圖編號 S/NE-KTS/22（大綱圖）內的「鄉村式發展」及「綠化地帶」地帶內。根據大綱圖，私人停車場不屬於第一欄或第二欄用途，需經城市規劃委員會批准。根據大綱圖，除第 (10)(a) 段另有規定外，任何土地或建築物的臨時用途或發展，如為期不超過三年，須向城市規劃委員會申請規劃許可。對於有關用途或發展，即使圖則沒有作出規定，城市規劃委員會仍可批給或拒絕批給許可，規劃許可的有效期限最長為三年；若城市規劃委員會批給許可，可能附加或不附加條件。

擬議發展屬臨時性質，與鄰近發展相容，不會對周邊環境造成不利影響，懇請城市規劃委員會批准本次申請。

## **[1] Introduction**

### **1.1. Project Background**

DeSPACE (International) Limited acts on behalf of the Applicant, namely KING UNION INTERNATIONAL INVESTMENTS LIMITED, to prepare and submit this Section 16 Town Planning Application to the Town Planning Board (TPB) to seek planning permission for a Proposed Temporary Private Vehicle Park (excluding container vehicles) and associated filling of land for a period of 3 Years at Lots 3335 S.U ss. 1 and 3335 S.T ss. 1 in D.D. 91, Lin Tong Mei, New Territories (the Site) (See **Figure 1**). The Applicant is the registered land owner of the Site.

The Site has an area of about 1,206 m<sup>2</sup> and falls within the area zoned as “Village Type Development” (“V”) and “Green Belt” (“GB”) on the Approved Kwu Tung South Outline Zoning Plan No. S/NE- KTS/22 (the OZP). According to the OZP, parking of private vehicles is not specified under Column 1 nor Column 2 uses of both the “V” and “GB” zones which requires planning permission from the Town Planning Board (the TPB).

The Application Site is flat and hard-paved. The Applicant operates a construction company. The Site has been in use by the Applicant for over the past 35 years since the Applicant rented the Application Site for parking its construction vehicles in 1989, before the first publication in the Gazette of the notice of the Kwu Tung South Interim Development Permission Area Plan (DPA) No. IDPA/NE-KTS/1 on 17th August 1990. The Applicant then subsequently became the land owner in 2005. The Site has continuously been used for parking private vehicles of the construction company up to the present day.

The proposed development with a private vehicle park on a temporary basis is at a compatible development scale with its nearby rural developments predominantly rural in nature mainly with village houses, fallow agricultural land and open storages. The proposed use is compatible with the surrounding area and there would be no adverse impacts to the surroundings in terms of drainage and traffic issues.

This Planning Statement is written to provide the project information and justifications of the captioned planning application in order to seek favorable consideration by the TPB.

## **[2] Site Context**

### **2.1. Site Context and Surrounding Land Uses**

The Application Site is flat and hard-paved. It is accessible by a track road of about 130m long connected to Fan Kam Road to the east of the Site (See **Figure 2**). It is situated at the fringe of “V” and “GB” zones under the OZP (**Figure 3**).

The surrounding area has a mixed setting comprising village houses, fallow agricultural land, and open storage spaces. To the north, there are open storage, village houses, domestic structures, and unused land. To the south and southwest, across a local track, there is a plant nursery and fallow agricultural land. To the west and northwest, there are village houses, domestic structures, open storage, a warehouse, car parking, and further unused land.

### **2.2. Lease**

The Application Site comprises an Old Schedule Agricultural Lot held under the Block Government Lease.

## **[3] Town Planning Context**

### **3.1. Statutory Planning Requirements**

The Application Site is currently zoned “V” and “GB” on the OZP and the Applicant intends to use the Application Site for the purpose of a Temporary Private Vehicle Park (excluding container vehicles) and associated filling of land for a period of 3 years. According to the Notes of the OZP with regard to “V” zone, the planning intention is primarily to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board. According to the notes of the OZP with regard to “GB” Zone, it is generally separating the developed urban areas and sub-urban areas to contain urban sprawl and provide passive recreational outlets. Further development within this zone is restricted while the site has been in operation since 1989.

According to the OZP, Private Vehicle Park is not specified under Column 1 nor Column 2 uses of the “V” and “GB” zones. According to the Covering Notes of the OZP, except as otherwise provided in paragraph (10)(a), temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum

period of three years, or refuse to grant permission. Thus, the planning application intends to seek planning permission for Proposed Temporary Private Vehicle Park (excluding container vehicles) and associated filling of land for a Period of 3 Years.

According to the Explanatory Statement of the OZP, the Site has been in use before the gazette of Kwu Tung South Interim Development Permission Area (IDPA) Plan No. IDPA/NE-KTS/1 (the First Plan) under section 5 of the Town Planning Ordinance on 17 August 1990.

### 3.2. Planning History of the Application Site

There is no previous application for the Site.

### 3.3. Similar Planning Application(s)

**Table 1: Similar Approved Planning Application in “V” and “GB” Zones**

Case No.	Date Approved	Application	Planning Justification
A/NE-PK/141	08/01/2021	Proposed Temporary Private Vehicle Park (Private Car and Light Goods Vehicle Only) for a Period of 3 Years	<ul style="list-style-type: none"> <li>• C for T has <b><u>no in-principle objection</u></b> to the application from traffic engineering viewpoint based on the applicants’ submissions.</li> <li>• DSD has <b><u>no objection</u></b> in principle to the application from the public drainage viewpoints.</li> <li>• Approval of the application <b><u>would not frustrate the long-term planning intention</u></b> of the “V” zone.</li> <li>• TPB has <b><u>no significant queries</u></b>.</li> </ul>
A/NE-PK/192	08/12/2023	Proposed Temporary Private Car Park (Private Car and Light Goods Vehicle only) for a Period of 3 Years	<ul style="list-style-type: none"> <li>• Approval of the application would not frustrate the <b><u>long-term planning intention</u></b> of the “V” zone.</li> <li>• Relevant departments have <b><u>no objection</u></b> on the application.</li> <li>• The proposed use is considered <b><u>not incompatible</u></b> with the surrounding uses.</li> <li>• EPD has <b><u>no objection</u></b> to the application from environmental planning perspective and advises that <b><u>no environmental complaint</u></b> in relation to the Site has been received in the past three years.</li> </ul>

A/NE-PK/202	20/09/2024	Proposed Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years	<ul style="list-style-type: none"> <li>• Approval of the application would not frustrate the <b><u>long-term planning intention</u></b> of the “V” zone.</li> <li>• EPD has <b><u>no objection</u></b> to the application from environmental planning perspective and advises that <b><u>no environmental complaint</u></b> in relation to the Site has been received in the past three years.</li> </ul>
A/NE-SSH/163	02/05/2025	Proposed Temporary Car Park (Private Cars Only) for a Period of 3 Years	<ul style="list-style-type: none"> <li>• It should be noted that the <b><u>Site was cleared and hard-paved in 2003</u></b>, i.e. before the date of imposing the land filling clause on “GB” zone on the then OZP No. S/NE-SSH/6 gazetted on 9.1.2004.</li> <li>• Considering that the Site <b><u>has already been paved and no significant landscape resource</u></b> is observed on Site, the Chief Town Planner/Urban Design and Landscape of Planning Department advises that significant adverse landscape impact arising from the application is not anticipated.</li> <li>• C for T also <b><u>supports the application</u></b> in view of parking demand in the vicinity.</li> </ul>
A/NE-PK/213	18/07/2025	Proposed Temporary Private Car Park (Private Car and Light Goods Vehicle) for a Period of 3 Years	<ul style="list-style-type: none"> <li>• C for T has <b><u>no adverse comment</u></b> on the application from the traffic engineering point of view.</li> <li>• The proposed use is considered <b><u>not incompatible</u></b> with the surrounding uses.</li> <li>• EPD has <b><u>no objection</u></b> to the application from the environmental planning perspective and advises that <b><u>no environmental complaint</u></b> in relation to the Site has been received in the past three years.</li> </ul>

As a comparison between the approved cases and the subject site, the current application for a private vehicle park is considered not incompatible with the surrounding area which comprises mainly of village houses, fallow agricultural land, and open storage spaces. Moreover, the application would not frustrate the **long-term planning intention** of the “V” and “GB” zones.

## [4] Proposed Development

### 4.1. Existing Use

The Applicant operates a construction company. The Site has been used for parking of 4 construction vehicles (11m x 3.5m) and 1 private vehicle (5m x 2.5m) during their non-operating times (see **Figure 4**). As revealed in a tenancy agreement dated 1st November 1989, the use of the construction company for its vehicles was in existence on the subject lots before the gazette of the First Plan. After Publication of the First Plan, such use has continued up to the present day.

The ingress/egress is located on the northeastern part of the site, linking to a local access which further links to Fan Kam Road (**Figure 2**). With regard to the access route to and from the Subject Site connected to Fan Kam Road, the Applicant all along holds agreements with all registered owners of the private lots concerned to allow the Applicant and his staff an uninterrupted non-exclusive right to pass and repass on through the existing access road, with or without vehicles of any description. This arrangement has been in place for over 35 years.

There are two existing structures on the site, which include a sheltered area for construction vehicles composed of corrugated steel sheets and metal structural frames, and a guard room for security purposes composed of steel container structures. Both structures have a height of approximately 6 metres. The sheltered area has only one ingress/egress on the northeastern side facing the site entrance, with the remaining three sides enclosed with corrugated steel sheets. Additionally, corrugated steel sheets are used as fences to enclose the subject site, with the ingress/egress on the northeastern part of the site.

As illustrated in **Figure 4**, THREE (3) construction vehicles are stored within the sheltered area, while ONE (1) construction vehicle and ONE (1) private vehicle are stored in the uncovered area in the northeastern part of the site. Sheltering of construction vehicles has been in place for the necessary protection of the vehicles from adverse weather conditions such as rain and excessive sunlight, thereby preventing rust, corrosion, and deterioration. Such an arrangement also takes operational efficiency into consideration, as having a dedicated covered parking area ensures that vehicles are readily available and protected, facilitating smoother and more efficient construction operations without delays caused by weather-related issues. In addition, as the private vehicle park is operated solely by the Applicant for parking its vehicles, staff arrangements will be implemented so that construction vehicles are first parked in the sheltered area to provide enough space for manoeuvring within the Subject Site (refer to **Appendix 1**). The uncovered parking space will be used only when the spaces within the sheltered area are full.

Additionally, part of the site within the fenced area, with an area of about 1,058 square metres and a thickness of about 0.2 metres, has undergone landfilling for over 35 years since its commencement of operation to provide solid ground to ensure the manoeuvring of

vehicles within the site (refer to **Figure 5**). This application intends to rectify the existing use, and no additional landfilling is required for this application.

The private vehicle park's operation hours would be 24 hours daily. Container tractors are also not allowed at the Application Site. An ingress/egress of the Application Site is located at its northeastern side, which is accessible by a track road connected to Fan Kam Road. The following traffic management measures are proposed:

- No vehicle without valid license issued under the Road Traffic Ordinance is allowed to access the Site at any time during the planning approval period;
- No car washing, vehicle repair or other workshop activities will be allowed on the Application Site.
- No vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period.

The key development parameters of the proposed development are summarized in **Table 2** below:

**Table 2: Major Development Parameters**

<b>Proposed Use</b>	<b>Proposed Temporary Private Vehicle Park</b>
Site Area (Subject to detailed survey)	About 1,206 m <sup>2</sup>
Built-over Area (Sheltered Area for storage of vehicles) (Subject to detailed survey)	About 462 m <sup>2</sup>
Built-over Area (Guard Room) (Subject to detailed survey)	About 21 m <sup>2</sup>
Height of both structures (Subject to detailed survey)	About 6m

## **[5] Planning and Development Justifications**

### **5.1. The Proposed Development would not jeopardize the long-term planning development of the Application Site**

There is no Small House application approved or under processing at the Application Site, as advised by the District Lands Officer/Yuen Long, Lands Department. Approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the “V” and “GB” zones. The proposed development will not cause permanent or irreversible influence on the land. The proposed development on a temporary basis, which generates no significant nuisance should be encouraged in the interim to make economic use and better utilization of scarce land resources.

### **5.2. Similar Approved Applications**

As shown in Section 3.3, there are other approved planning cases highly similar in nature. The proposed temporary private vehicle park use was considered not incompatible with the surrounding areas, and would not frustrate the long-term planning intention of the “V” and “GB” zones. With a similar land use nature, it is expected that the Application Site for the proposed temporary private vehicle park is compatible and a suitable use in the surroundings.

### **5.3. The Use has been in place for over 3 decades**

It is evidenced that the private vehicle park use of the construction company on the Site has existed before the gazettal of the First Plan which has continued since it came into existence. Regardless of whether it would fulfill the criteria as stipulated on the OZP for exempting the requirement for planning permission, a planning application is made to formalize the existing use. Over the 35 years of existence, noticeable adverse impact or nuisance to the surroundings is not witnessed. The applied use is thus proven to be in harmony with the surrounding context.

### **5.4. No Insurmountable Traffic Impacts**

The Application Site is accessible by a track road to the northeast of about 130m long connected to Fan Kam Road to the further east of the Site (See **Figure 2**). The private vehicle park is private use of the Applicant’s construction company with minimal traffic impacts on the surrounding area. Sufficient space has been allowed within the Application Site to facilitate smooth vehicle maneuvering to and from the road, ensuring efficient traffic flow (refer to **Appendix 1**). Over the 35 years of existing use, maneuvering of vehicles in and out the Site has been smooth and the operation will continue to stay the same.

As not all vehicles will be in use simultaneously, the pattern minimizes potential congestion and prevents any undue strain on local traffic flow. Adequate turning areas are also provided within the Application Site, preventing any queuing of vehicles along the access route, and thus will not worsen current traffic conditions on the access road or the adjacent road

networks. As the Proposed Development is operated by the Applicant on a private basis, sheltered parking spaces are prioritized by staff for parking to ensure sufficient manoeuvring space within the Subject Site. The uncovered space for a construction vehicle is used only when the sheltered spaces are fully occupied.

In addition, to ensure the pedestrian safety within the Subject Site, or along the access route to/from the Subject Site, the Applicant will install signage along the access route and at the ingress/egress of the Subject Site to remind pedestrians to pay attention to the vehicles with slogans such as “Beware Of Vehicles” and “Site Access”.

#### **5.5. No Insurmountable Environmental Impacts**

No significant sewage impact will be caused to the surrounding areas. The applicant will strictly follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ issued by the Environmental Protection Department to minimize adverse environmental impacts and nuisance to the surrounding area.

The subject site has been in operation for over three decades, and the applicant has applied land filling to ensure the smooth operation of the private vehicle park. Through this application, the applicant intends to rectify the existing use, with no additional land filling or tree felling required. Therefore, it is not expected to generate any adverse environmental impact.

#### **5.6. No Insurmountable Drainage Impacts**

The implementation and maintenance of the proposed drainage will be at the Applicant’s cost. In view of the change in the surface characteristics being minimal with no significant change in the flow characteristics after development, adverse drainage impact is expected to be negligible.

## **[6] Conclusion**

This section 16 planning application is submitted to seek planning permission for a Proposed Temporary Private Vehicle Park (excluding container vehicles) with associated filling of land for a period of 3 years at Lots 3335 S.U ss. 1 and 3335 S.T ss. 1 in D.D. 91, Lin Tong Mei, New Territories.

The proposal is fully justified on the following grounds:

- a. The applied use is not incompatible with the surrounding areas and would not jeopardize the long-term development of the Application Site;
- b. There are similar approved applications;
- c. The applied use is a use in existing before the gazettal of the First Plan which has continued since it came into existence; and
- d. No adverse traffic, environmental, and drainage impacts are anticipated.

To conclude, the proposed development is fully justified in terms of planning considerations. In view of the above, members of the TPB are respectfully requested to favourably consider the present application in support of the proposed Temporary Private Vehicle Park in Lin Tong Mei, New Territories.