



**LCH Planning and Development**  
Consultants Limited

**Section 16 Application for Proposed Temporary Public Vehicle  
Park (Private Cars and Light Goods Vehicles Only) and Filling of  
Land at Po Kak Tsai, Fanling, for a period of 3 Years**

**Supporting Planning Statement**

Prepared by  
Planning Consultant : LCH Planning & Development  
Consultants Limited

**August 2023**  
Report : Version 1.0



## **Executive Summary**

*(in case of discrepancy between English and Chinese versions, English version shall prevail)*

This Application is submitted to the Town Planning Board (“**the Board**”) under Section 16 of the Town Planning Ordinance (“**the Ordinance**”) for a proposed temporary “Public Vehicle Park” use for a period of 3 years (“**the Proposed Development**”) at Po Kak Tsai, Fanling (“**the Application Site**”).

The Application Site falls within an area of “Green Belt” (“**GB**”) zone and “Residential (Group A)” (“**R(A)**”) zone on the Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan No. S/NE-LYT/19 (“**the OZP**”). According to the Notes of the OZP for “GB” zone and “R(A)” zone, ‘Public Vehicle Park’ is under Column 2 use which requires planning permission from the Board. Upon completion of the Proposed Development, it comprises 98 parking spaces for private cars (2.5m x 5m each) and 22 light goods vehicles (3.5m x 7m), and a one-storey structure which will be provided as Guard Room. The proposed building height is 3 m and the total floor area is 7 m<sup>2</sup> which conforms to the respective requirement under the OZP.

This Application aims to accommodate the increasing demand of the local villagers and residents of the recently completed public housing development for car parking spaces, and the convenient location of the site is favourable for the operation of a public vehicle park to serve nearby residents.

It is expected that the implementation of the proposed public vehicle park can improve the existing traffic condition by increasing the supply of proper parking spaces which reduces illegal roadside parking. The Proposed Development does not hinder the long-term planning intention of “**GB**” and “**R(A)**” zone. There will be no adverse traffic, visual, landscape, drainage and environmental impacts as well.

In view of the above justifications, we would sincerely seek the favourable consideration of the Board to approve this Application.



## 內容摘要

(如內文與其英文版本有差異，則以英文版本為準)

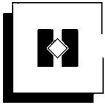
本規劃申請根據《城市規劃條例》第 16 條，就粉嶺布格仔 (下稱「申請地點」) 的用地，向城市規劃委員會 (下稱「城規會」) 申請 (下稱「擬議發展」)，作為臨時「公眾停車場 (只限私家車及輕型貨車)」用途及填土，為期 3 年。

申請地點現時於《龍躍頭及軍地南分區計劃大綱核准圖編號 S/NE-LYT/19》(下稱「核准圖」) 劃作「綠化」及「住宅(甲類)」地帶。根據核准圖有關地帶的註釋，「公眾停車場(貨櫃車除外)」屬於第二欄用途，需要獲得城規會的規劃許可。擬議發展包括 116 個私家車專用停車位 (每個 2.5 米 x 5 米) 及 22 個輕型貨車專用停車位 (每個 3.5 米 x 7 米) 以及一個更亭。擬議構築物位於申請地點的南部，高度為 3 米，總樓面面積為 7 平方米，合乎核准圖的相關要求。

是次規劃申請的目的為滿足當區居民對停車位的需求，其位置上的優勢更有利於公眾停車場的發展及運作，為附近的居民提供方便且合法的停車處。落實擬議臨時停車場能增加合法停車位的數量，紓緩違例泊車的問題，從而改善當區的交通狀況。

擬議發展不會妨礙「綠化」及「住宅(甲類)」地帶的長遠規劃意向。擬議臨時公眾停車場亦不會對交通、視覺、景觀、排水系統和環境造成不利影響。

鑒於以上提出的依據，我們真誠地尋求城規會批准該申請。



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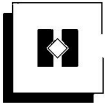
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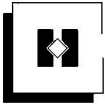


## INTRODUCTION

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### 1.1 The Application

- 1.1.1 We are commissioned by the Applicant to prepare and submit on its behalf this planning application for a proposed temporary 'Public Vehicle Park' use and filling of land for a period of 3 years (hereinafter referred to as the "**Proposed Development**") in Po Kak Tsai, Fanling (**Figure 1**) (hereinafter referred to as the "**Application Site**") to the Town Planning Board ("**the Board**") under Section 16 of the Town Planning Ordinance ("**the Ordinance**").
- 1.1.2 The Application Site falls within an area designated as "Green Belt" ("**GB**") zone and "Residential (Group A)" ("**R(A)**") on the Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan No. S/NE-LYT/19 ("**the OZP**") (**Figure 2**). According to the Notes of the OZP for "GB" zone and "R(A)", 'Public Vehicle Park' (excluding container vehicles)' (not elsewhere specified, only for "R(A)" only) is under a Column 2 use that may be permitted by the Board.
- 1.1.3 According to the Notes of the OZP, 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.



## **2 THE APPLICATION SITE AND DEVELOPMENT PROPOSAL**

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### **2.1 Current Condition of the Application Site**

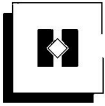
- 2.1.1 The Application Site covers a total of about 4,677 square metres (“sq.m.”), which include about 3,857 sq.m. of private land and about 820 sq.m. of adjoining Government Land. The Application Site is currently vacant.
- 2.1.2 The Application Site is attached to Po Kak Tsai Road that eventually connects to Lau Shui Heung Road. The Site is situated at the southeast of Sha Tau Kok Road – Lung Yuek Tau section which is accessible via Lau Shui Heung Road. Besides, the recently completed public housing development, Shan Lai Court, is located at the immediately northwest of the site, and to the further north is the Queen Hill Estate. Shan Lai Court, Queen Hill Estate and the Application Site is surrounded by the ex-Burma Lines Military site.
- 2.1.3 **Figure 1** illustrates the location of the Application Site and its immediate vicinity, and the existing condition of the Site.
- 2.1.4 The Site is surrounded by ex-Burma Lines Military site and residential estates. The public housing estate, Shan Lai Court is situated to the northwest of the site which is easily accessible via an existing barrier-free pedestrian walkway from the Site. To the immediate west, there are Po Kak Tsai Road Sitting-out Area and Lau Shui Heung Public Toilet.

### **2.2 Site History**

- 2.2.1 The Site was a vacant land and adjacent to the ex-Burma Lines Military site since the exhibition of draft Lung Yeuk Tau and Kwan Tei South Development Permission Area Plan No. DPA/NE-LYT/1 (“DPA”) on 12 July 1991. Subsequently the site has been maintained by the land owners with frequent clearance, paved and for temporary storage purpose from 1990s to 2000s.
- 2.2.2 Since the rezoning exercise for the Queen Hill Estate and Shan Lai Court in 2016, the site has been used as storage site in assisting the construction of Queen Hill Estate and Shan Lai Court. Refer to **Annex 1** for the Aerial Photos of the Application Site and the vicinity.

### **2.3 Land Status**

- 2.3.1 The Application Site falls within the boundary of part of Remaining Portion of Section A of Lot Nos. 608, sub-section 1 of Section B of 608, part of Remaining Portion of Section C of 608, part of Remaining Portion of 614, 615, 617, Remaining Portion of 619 and part of Remaining Portion of 620 in Demarcation District 85 and the adjoining Government Land, Po Kak Tsai (“**the Lots**”) (**Figure 3**).
- 2.3.2 The Lots are subject to a Government Lease. According to the Lease, no structures are allowed to be erected without the prior approval of the Government and the proposed “Public Vehicle Park” use is not permissible

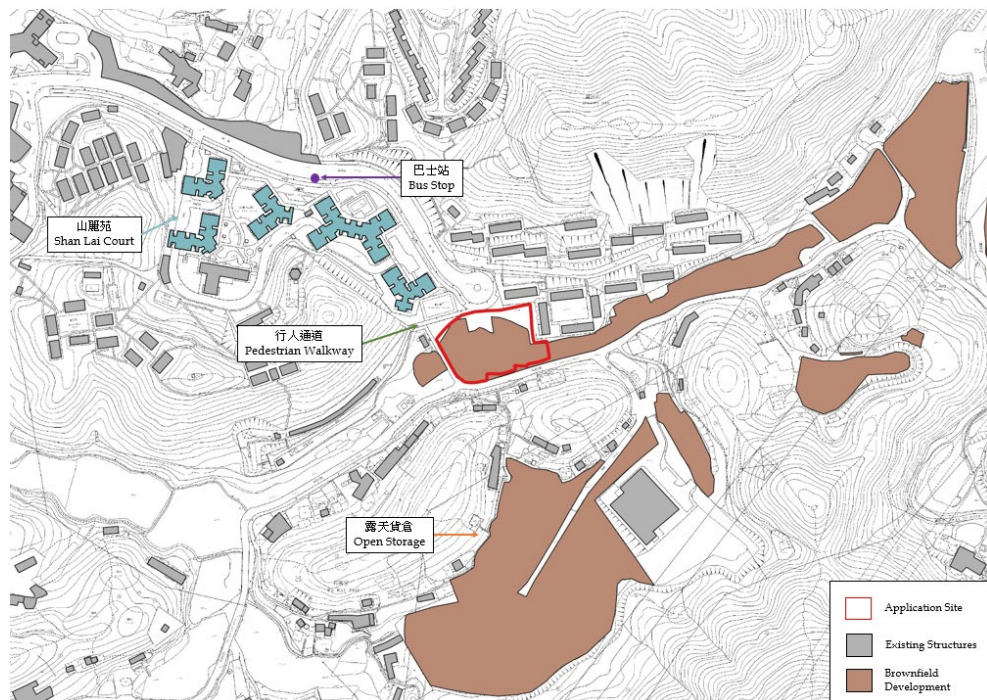
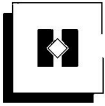


under the Lease. Upon permission with or without conditions of this planning application, the Applicant shall apply for a short-term waiver from the Lands Department for the respective lots, in order to temporarily relax user restriction of the Government Lease of the Subject Lots for the erection of temporary structure. The Proposed Use shall only be conducted during the term of the effective waivers.

- 2.3.3 The Application Site involves adjoining Government Land (about 820 sq.m.) and would apply to Lands Department for a short term tenancy for the proposed development.

## **2.4 Surrounding Context**

- 2.4.1 Po Kak Tsai is a sub-urban area located at the southern area of Kwan Tei/Queen's Hill in Fanling of New Territories. The area is comprised of several villages and residential estates such as Shan Lai Court and Queen's Hill Estate. The major uses of land are residential purposes, storage, temporary structures, and vacant land. There is a major road (Sha Tau Kok Road - Lung Yeuk Tau section) in Kwan Tei which connects connecting Kwan Tei to Fanling MTR station.
- 2.4.2 The Application Site is located on Po Kak Tsai Road, with residential housing and temporary structures surrounding the site. The run-in and out is located at the southern boundary of the Applications Site, and the site is accessible from Lau Shui Heung Road via Po Kak Tsai Road.
- 2.4.3 The residential estate locates at the northwest of the Application Site. Shan Lai Court is the most recent public housing development in the vicinity which was completed in 2021. It comprises six residential buildings and provides a total of 3,222 housing units which accommodate a large number of residents.
- 2.4.4 The surrounding sites along Po Kak Tsai are currently being utilized for open storage purposes, which are used to store construction materials, good and equipment. These uses are mostly associated with commercial and industrial activities instead of preservation of natural environment and landscape. The presence of open storage use indicates that there is a gradual transition in land use pattern in the area.



**Diagram 1** Surrounding Context (Source: HK GEODATA STORE and Planning Department, HKSAR Government)

## 2.5 Temporary Public Vehicle Park for Private Car and Light Goods Vehicle

2.5.1 The Proposed Development will provide a total of 138 parking spaces, which includes 116 parking spaces for private cars (about 2.5m x 5m each) and 22 parking spaces for light goods vehicles (about 3.5m x 7m each) within the Application Site. There will be a one-storey structure as a Guard Room at the southern part of the Application Site near to the ingress/egress, with a total floor area of 7 sq.m. and a height of about 3 meters. The gate of ingress/egress will be 7.3 meters wide. The indicative layout plan of the Proposed Development is shown in **Annex 2**.

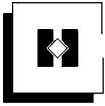
2.5.2 Car park area of the is to be hard paved for approximately 4,036 sq.m. with about 0.3m depth of concrete. Refer **Annex 5** for the land filling.

## 2.6 Operation Arrangement

2.6.1 The car park will operate 24 hours a day on a monthly rental basis for local residents. Enter and exit of the car park will be through the gate opening along Po Kak Tsai Road with a width of at least 7.3m. The following traffic management measures are proposed to follow:

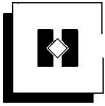
- No vehicle without valid licence issued under the Road Traffic Ordinance will be allowed to be parked/stored on or enter/exit the Site;
- Only private car and light goods vehicles as defined in the Road Traffic Ordinance will be allowed to be parked/stored on or enter/exit the Site;
- No medium or heavy goods vehicle exceeding 5.5 tonnes, including





container tractor/ trailer will be permitted to park at the Site;

- Manoeuvring spaces for vehicles are sufficient within the site;
- A notice should be posted at the ingress/ egress point of the site to indicate that no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container trailers/tractors, as defined in the Road Traffic Ordinance, will be allowed to be parked/stored on the Site; and
- No car washing, vehicle repair or other workshop activities will be allowed on the Site.



### 3 PLANNING ASSESSMENT

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#### 3.1 Statutory Planning Context

- 3.1.1 The Application Site falls within an area designated as “GB” zone, which comprises about 4,654 sq.m (around 99.5%) of the Application Site, and “R(A)” zone, which comprises about 23 sq.m (around 0.5%) of the Application Site, on the Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan No. S/NE-LYT/19 (**Figure 2**) (also known as the “OZP”). The planning intention of “GB” zone is *“intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets”* and the planning intention of the “R(A)” zone is *“intended primarily for high-density residential developments.”*
- 3.1.2 According to Notes of “GB” zone and “R(A)” zone of OZP, ‘Public Vehicle Park’ is under Column 2 use under both “GB” zone and “R(A)” zone. According to the Notes of the OZP, temporary use not exceeding a period of three years within “GB” zone and “R(A)” zone requires planning permission from the Town Planning Board notwithstanding that the use is not provided for in terms of the Plan.
- 3.1.3 Approval of this application on a temporary basis for a period of 3 years would not jeopardize the long-term planning intention of the “GB” zone and “R(A)” zone.

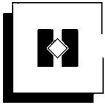


RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot	Commercial Bathhouse/ Massage Establishment
Flat	Eating Place
Government Use (not elsewhere specified)	Educational Institution
House	Exhibition or Convention Hall
Library	Government Refuse Collection Point
Market	Hospital
Place of Recreation, Sports or Culture	Hotel
Public Clinic	Institutional Use (not elsewhere specified)
Public Transport Terminus or Station (excluding open-air terminus or station)	Office
Public Vehicle Park (excluding container vehicle) (on land designated "R(A)1" only)	Petrol Filling Station
Residential Institution	Place of Entertainment
School (in free-standing purpose-designed building only)	Private Club
Social Welfare Facility	Public Convenience
Utility Installation for Private Project	Public Transport Terminus or Station (not elsewhere specified)
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle) (not elsewhere specified)
	Religious Institution
	School (not elsewhere specified)
	Shop and Services (not elsewhere specified)
	Training Centre

(Please see next page)

(Source: Town Planning Board)

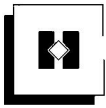


GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Burial Ground Cable Car Route and Terminal Building Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Flat Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Petrol Filling Station Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution Rural Committee/Village Office School Service Reservoir Social Welfare Facility Utility Installation for Private Project

(Please see next page)

(Source: Town Planning Board)



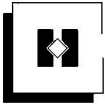
### 3.2 Previous Application

- 3.2.1 The Application Site comprises most of the previous application (No. A/NE-LYT/788) for the same use. It was rejected by Board on 23.6.2023 on the ground that the application is not in line with the planning intention of “GB” zone and it does not comply with Town Planning Board Guidelines No. 10.
- 3.2.2 Having said that, the Transport Department (“TD”) has no comments on the application from traffic engineering point of view, and the Drainage Services Department (“DSD”) and Environment Protection Department (“EPD”) have no objection to the drainage proposal. Agriculture, Fisheries and Conservation Department (“AFCD”) has no strong view on the application from nature conservation perspective.

### 3.3 High Demand for Private Car Parking Spaces in the Vicinity

- 3.3.1 There are no public transport services providing direct connection to Po Kak Tsai Road. The nearest bus stop in the vicinity locates at Shan Lai Court. Existing public transport services to Shan Lai Court (**Diagram 1**) connecting Fanling and Sheung Shui MTR Station as well as the urban area are shown below:

Mode	Route No.	Origin -- Destination	Frequency
Franchised Bus	78A	Fanling Station (Circular)	10 -- 20 minutes
	278A	Fanling (Queen’s Hill) - Tsuen Wan (Nina Tower)	30 minutes
	78C	Fanling (Queen’s Hill) - Kai Tak	60 minutes, operated at weekends
	78X	Fanling (Queen’s Hill)- Kai Tak	30 - 60 minutes, operated on weekdays
	79P	Fanling (Queen’s Hill) - West Kowloon	07:05, 07:35, 18:00, 18:25 on weekdays
	79X	Fanling (Queen’s Hill) - Cheung Sha Wan	30 minutes
	679	Fanling (Queen’s Hill) - Hong Kong Station	07:00, 07:30, 19:15 on weekdays
	979	Fanling (Queen’s Hill) - Hong Kong Station	07:15, 18:10 on weekdays
Green Minibus	503	Sheung Shui Station - Fanling (Queen’s Hill)	8-15 minutes
	503K	Queen’s Hill - North District Hospital	15-20 minutes



3.3.2 Although several franchised bus and green minibus routes are provided, there are only four routes (78A, 278A, 503, 503K) which have stops at Fanling MTR Station and Sheung Shui MTR Station, and none of them provide direct access to Po Kak Tsai Road. Also, most of the franchised bus routes connecting other districts are either low-frequency routes or operated on weekdays during busy hours only, it indicates that public transport services are insufficient during non-busy hours on weekdays and weekends.

3.3.3 As the public transport service to the surrounding area is limited, private car is the major transportation mode. This results in a relatively high car ownership rate in the vicinity, creating high demand for private car parking spaces. There is shortage of proper car parking spaces which leads to illegal roadside parking especially during the night time.

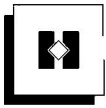
### 3.4 Significant Changes in Surrounding Planning Context

3.4.1 As demonstrated in the previous Aerial Photos in **Annex 1**, the Site has been formed and occupied for temporary storage purpose. The vicinity was an active area for military site (as demonstrated in 1992 aerial photo). Moving out of the military force and left the Queen Hill area vacant.

3.4.2 With further amendment of OZP in 2015 for construction of Queen’s Hill Estate and Shan Lai Court, the planning context encountered significant changes. Influx of residents creates demand for parking spaces. While land adjacent to Po Kak Tsai Road remains for brownfield development and occupied by temporary structures.



Diagram 2: Change in Planning Context from 1990s to 2020s  
(Based on Aerial Photo No E125429C taken on 14.1.2021 and Aerial Photo No. CN02883 taken on 29.1.1992 by Lands Department)



3.4.3 The Application Site situated at the outskirts of “R(A)” and “Government, Institution or Community” zones has been in active use since 1990s. The phenomenon of urban sprawl and population growth implies that there is a genuine need for infrastructures in the surrounding developed area. While it is essential to minimize urban sprawl and preserve the natural environment, the rising demand for proper car parking space cannot be neglected. It is crucial to strike a balance between addressing communal needs and minimizing the impacts of urban sprawl on the undeveloped green area.

### 3.5 Drainage Consideration

3.5.1 A Drainage Proposal has been prepared in **Annex 3**. It is proposed that the Application Site will be served by 375mm UC running along the site boundary to collect surface run-off and discharge the flow of the subject site directly into the existing earth channel at the east of the Application Site. Besides, the proposed drainage system would divert the flow away from the adjacent lot. Thus, the Proposed Development will not cause any adverse drainage impact onto the area.

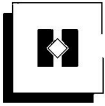
3.5.2 The proposed drainage connection is adequate in respect of the requirements under “Technical Note to prepare a Drainage Submission” as published by Drainage Services Department.

3.5.3 The drainage proposal is the same as previously submitted, which DSD and EPD had no objection on technical perspective. Given that there is only minor change in the proposed development, no adverse drainage impact is anticipated.

### 3.6 Traffic Consideration

3.6.1 The proposed temporary public vehicle park will not incur adverse traffic impact as it provided proper vehicle parking spaces for the nearby residents. Among the 138 vehicle parking spaces, it is estimated that 50 vehicles will only leave the car park on holidays and occasionally on weekdays. 50 vehicles will leave and arrive at the car park during peak hour (07:00-09:00 and 18:00-20:00) for working and returning respectively. The remaining 38 vehicles will park is accessible via the ingress of the Application Site on Po Kak Tsai Road and the estimated trip generation and trip attraction of the site on weekdays are stated in the table below:

Period	Trip Generation		Trip Attraction	
	Private Cars	Light Goods Vehicles	Private Cars	Light Goods Vehicles
21:00-07:00	0	0	0	0
07:00-08:00	18	2	0	0
08:00-09:00	17	4	0	0
09:00-10:00	10	2	0	0

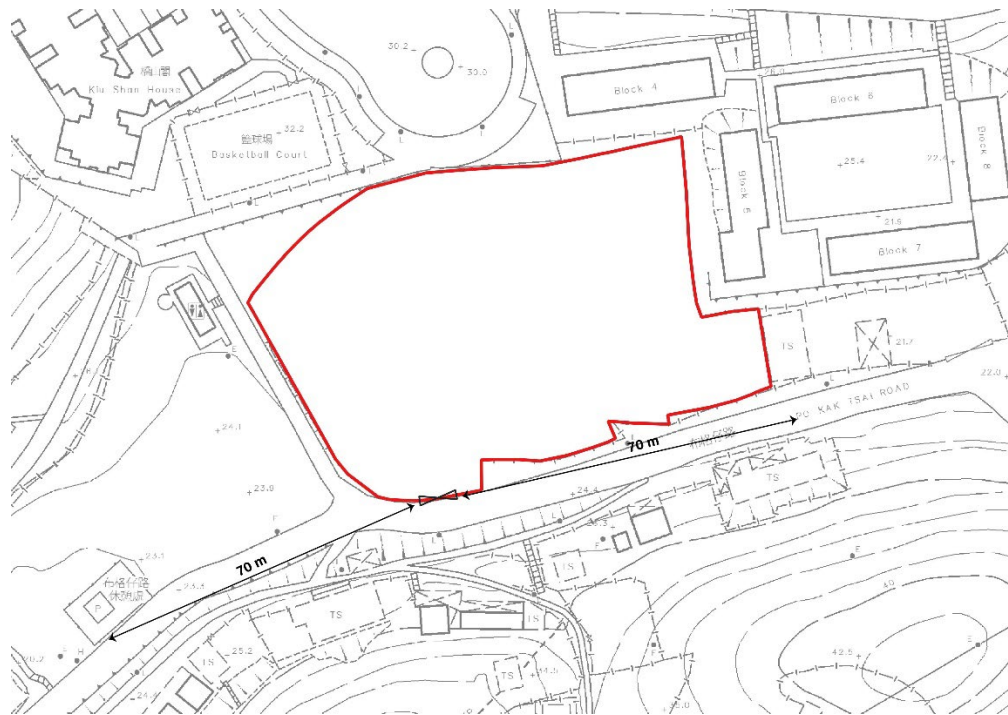
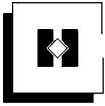


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10:00-11:00	5	0	0	0
11:00-12:00	5	1	2	2
12:00-13:00	4	2	4	2
13:00-14:00	3	1	5	2
14:00-15:00	3	1	4	0
15:00-16:00	1	1	2	1
16:00-17:00	1	0	3	2
17:00-18:00	2	1	15	2
18:00-19:00	4	1	18	4
19:00-20:00	1	1	18	1
20:00-21:00	2	0	5	1
<b>Total</b>	<b>76</b>	<b>17</b>	<b>76</b>	<b>17</b>

- 3.6.2 The current traffic flow on Po Kak Tsai Road is low as the road mostly accommodate drivers going to the various warehouses in the vicinity. There were only a few warehouses located along Po Kak Tsai Road and the related vehicular trips are generated between non-peak hour (09:00-17:00) which does not overlap the vehicular trips generated or attracted from the proposed public vehicular park during peak hour (07:00-09:00 and 18:00-20:00). Therefore, it is anticipated that there will not be adverse traffic impact on Po Kak Tsai Road.
- 3.6.3 There is adequate vehicle passing-bays along Po Kak Tsai Road to the Application Site as shown on **Annex 4**. The width of Po Kak Tsai Road is approximately 6 meters which allows two-way traffic. Although the illegal parking problem exists currently, the sufficient vehicle passing-bays and the possibility of two-way traffic minimize the risk of car accidents. The proposed car park will tackle illegal parking problem which leads to smoother traffic flow and further reduces the risk of car accidents.
- 3.6.4 According to Transport Planning and Design Manual, the desirable minimum sight distance is 70 meters when the design speed is 50 meters (**Diagram 3**). The proposed sight distance of 70 meters at the ingress/egress of the Application Site provide sufficient distance for the driver to stop the car before the obstacle or to avoid it.





**Diagram 3** Site Distance of Vehicles at Ingress/Egress  
(Source: HK GEODATA STORE, HKSAR Government)

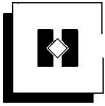
3.6.5 As all the parking spaces are monthly rental parking spaces, there will be a designated space for each vehicle which allows them to enter and leave the car park instantly and avoid queuing outside the Application Site. No queuing of vehicles when entering and leaving the car park is anticipated, thus the vehicles will not tail back to Po Kak Tsai Road.

### 3.7 Safety Consideration

3.7.1 A pedestrian walkway is situated at the northern side of the site, connecting the site to Shan Lai Court within 3-minute walking distance. As the Proposed Use is to accommodate the demand for car parking spaces of the car owners living in the surrounding residential area, the car owners can access directly to Shan Lai Court after parking their cars in the proposed temporary public vehicle park via the pedestrian walkway without passing through the ingress/egress of the Application Site, which minimizes the risks of car accidents. Refer to **Diagram 1** for illustration.

3.7.2 In order to ensure safety of the pedestrian passing by the Application Site, both road bumps and a "Pedestrian accident blackspot ahead" sign will be installed at the ingress/egress of the Application Site which reduces the speed of vehicles and alerts drivers respectively when entering or leaving the proposed public vehicle park.

3.7.3 The traffic and pedestrian management proposal is the same as in the previous application, which TD has no objection to it. Given that there is



minor change in the proposed development and no significant difference in the planning context, no adverse traffic and safety impact is anticipated.

### **3.8 Environmental Consideration**

3.8.1 The Applicant will follow the relevant mitigation measures and requirements in the latest “*Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites*” to minimize any potential environmental impact. No adverse environmental impact is anticipated.

### **3.9 Visual and Landscape Compatibility**

3.9.1 The Application Site is situated in area of rural landscape character which are surrounded by woodlands, temporary structures, open storages, and vacant land. The proposed car park use is compatible with the surrounding use and will not disturb the prevailing rural village landscape character. The proposed one-storey structure with a height of 3 meters is visually compatible with the one-storey temporary structures located along Po Kak Tsai.

3.9.2 Existing cluster of trees along the eastern boundary of the Application Site will be preserved to maintain the landscape environment. The Bombax Ceiba also at the eastern boundary is planted by the Applicant and would be preserved as well. No tree felling and vegetation clearance shall be anticipated. Refer to **Annex 6** for the location of the existing tree clusters and the Bombax Ceiba.

3.9.3 When compared to the Aerial Photo taken on 1991, no tree was found on the site with only small brushes on the eastern boundary. The preservation of the existing cluster of trees will be in line with the DPA plan.

3.9.4 Besides, along the southern boundary and just adjacent to the Po Kak Tsai Road, there will be a small strip of land of about 110 sq.m. to be opened to the villagers and visitors for rest and gathering. This strip of land will be planted with grass. Movable chairs will be provided for the villagers and visitors to sit and relax. Mesh fencing will be provided along this section of boundary to maximum the visual permeability. Small planters will be placed to separate this strip of land from the proposed car park. Maximising the greenery potential and creating the rest place will enhance the visual and landscape compatibility. Refer to **Annex 6** for the proposed resting place.

### **3.10 Town Planning Board Guideline**

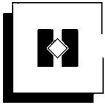
3.10.1 Town Planning Board Guidelines for ‘Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) is relevant. The relevant assessment criteria are as follow:

- a) there is a general presumption against development (other than redevelopment) in a “GB” zone;
- b) an application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed



development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas;

- c) the design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment;
- d) the vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided;
- e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- f) the proposed development must comply with the development controls and
- g) restrictions of areas designated as water gathering grounds;
- h) the proposed development should not overstrain the overall provision of Government, institution and community facilities in the general area; and
- i) the proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution.



## **4 PLANNING MERITS & JUSTIFICATIONS**

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### **4.1 Satisfy the Local Needs by Catering the High Demand of Proper Parking Spaces as a Planning Gain**

4.1.1 The intention of the proposed temporary public vehicle park is to cater the high demand of parking spaces in the residential area of Queen's Hill area. It primarily serves the residents.

4.1.2 Completion of residential development and influx of new residents reshapes the current planning context. The new residential development in the vicinity increases the demand for proper parking spaces. Due to the limited provision of public transport services in the vicinity, it is inconvenient for the residents to transit to other districts and they would consider to own a car which requires proper parking spaces. There have been several complaints about the public transport services in the vicinity which is stated below:

*"Residents in Shan Lai Court rely heavily on bus route 78A to connect to Fanling MTR Station. There are long queues during peak hours every afternoon and the situation has been worsened recently. There are around 300 people queuing up for the bus and some of them waited for an hour to get on the bus."*

*"As there is no parking space for light goods vehicle in Shan Lai Yuen, Mr. Chan, a light goods vehicle owner living in Shan Lai Yuen, has to rent a vehicle parking space in Fanling Town Centre for his light goods vehicle, and take bus route 78A to Fanling Town Centre every day."*

*Extracted from Oriental Daily: <https://bitly.ws/T82s> (4 May 2023)*

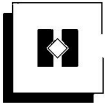
4.1.3 Adequate and affordable parking spaces can enhance community convenience as it increases accessibility and mobility of residents living in Shan Lai Court without having to spend a long time to queue for limited public transport services during busy hours. The Site is also located in a convenient location with barrier-free access to the residential estate. It can be well utilized as a public vehicle park that can ensure suitable parking options are provided to individuals with mobility challenges. Therefore, this is a planning gain by serving the nearby residents.

### **4.2 Improve Traffic Condition by Providing More Proper Parking Spaces**

4.2.1 It is noticeable that proper parking spaces is severely insufficient which caused illegal roadside parking along Po Kak Tsai Road and the surrounding road network. The proposed development will increase the supply of proper parking spaces, which can reduce illegal roadside parking along the road and minimize the chance of traffic congestion and car accidents resulting from improper parking of vehicles on Po Kak Tsai Road.

### **4.3 Situated at a Convenient Location for Public Vehicle Park**

4.3.1 The Application Site is located in a convenient location which is situated within 3-minute walking distance from Shan Lai Court via a ramp which is



barrier-free. Located at a highly accessible area, it is less time-consuming for residents to search for a car parking spaces and it allows residents to park close to their homes within a short walking distance.



**Diagram 4** Barrier-free access to Shan Lai Court

#### **4.4 Would Not Jeopardize the Long-term Planning Intention**

4.4.1 Approval of the application on a temporary basis for a period of 3 years would not jeopardize the long-term planning intention of the “GB” and “R(A)” zones. The proposed temporary use is also a Column 2 uses under both zones.

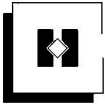
4.4.2 Also, the site is currently vacant which does not require extensive site formation and clearance works. Instead of not fully utilizing the land resources, providing a temporary public vehicle park can further accommodate the demand of the residents for parking spaces which is compatible with the surrounding environment.

#### **4.5 Compatible with the Surrounding Development with No Adverse Visual and Landscape Impact**

4.5.1 The temporary public vehicle park is visually compatible with the surrounding environment, which is mainly composed of temporary structures and open storage. Trees on the Application Site will be preserved without further felling and clearance in order to maintain the natural landscape. Greening potential will be maximized while the mesh fencing will improve the visual permeability. There is no change to the rural landscape character when compared to the site conditions back to 1990s and 2000s. No adverse visual and landscape impact is anticipated.

#### **4.6 Planning Gain by Creating Rest Place**

4.6.1 At reasonable period and at the expense of Applicant, a strip of grass land within the Application Site will be opened to the villagers and carpark visitors for rest and chat. Movable chairs will also be provided to facilitate the gathering purpose. There will be small planters around the strip of grass land to separate it from the proposed car park and maneuvering space. Along the Po Kak Tsai Road and the subsequent Lau Shui Heung Road there is insufficient resting grounds for the villagers when they passed by. This



echoes the needs of the local villagers for a resting place along the Po Kak Tsai Road, who are mainly elderly requiring comfortable walking environment.

#### **4.7 No Adverse Traffic Impact**

4.7.1 The proposed temporary public vehicle park will not incur adverse traffic impact. Most of the vehicles enter and exit the site approximately twice per day only during the peak hour. In addition, sufficient traffic management measures have also been proposed in order to ensure pedestrian safety. Therefore, it is expected that there will not be negative impacts regarding the safety of road users and the traffic network of the area concerned.

#### **4.8 No Adverse Environmental Impact**

4.8.1 The proposed temporary public vehicle park is a monthly rental private car park. Related activities such as car washing, repairing or similar workshop activities would not be permitted on the site. Moreover, the latest "*Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses*" issued by Environmental Protection Department will also be followed. Therefore, there will not be adverse environment impacts including noise and air quality.

#### **4.9 No Adverse Drainage Impact**

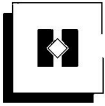
4.9.1 A Drainage Proposal has been prepared. The Application Site is proposed to be served by 375mm UC running along the site boundary. In order to improve the existing drainage condition, it is proposed to discharge the flow of the subject site directly into the existing earth channel on the eastern boundary. Besides, the proposed drainage system would divert the flow away from the adjacent lots. Thus, no adverse drainage impact is anticipated.

#### **4.10 Compliance with Town Planning Board Guideline**

4.10.1 The Proposed Development is well justified with planning grounds to be illustrated in the above. With only a minimal structure for guard house which is in line with the plot ratio, site coverage and building height requirements, the scale and intensity of the proposed development is well compatible with the character of surrounding areas. It will not cause any adverse visual impacts on the surrounding environment.

4.10.2 No extensive clearance of natural vegetation will be carried out when compared to the condition back to 1991, and indeed, the vegetation growth afterward will be preserved as well. The existing greenery and vegetation will be well preserved in order to maintain the natural landscape and the compatibility with the surrounding, which can minimize possible disruption on the natural environment. The carpark layout is modified to preserve the existing trees and vegetation as well.

4.10.3 The parking provision is mainly to accommodate the acute demand generating from the newly public housing estates. Besides, a community rest



place will be opened to the villagers and visitors at reasonable time at the own expense of the Applicant. The proposed car park use is also column 2 uses of both the "R(A)" and "GB" zones. By solving the illegal parking issues in the vicinity, there are strong planning grounds to justify this planning application.

- 4.10.4 The proposed development complies with the development controls and no adverse impacts would be brought. The proposed development would not overstrain the capacity of existing and planned infrastructure.
- 4.10.5 The proposed development will not generate traffic congestion as vehicles can enter and exit the vehicle park instantly with a designated car parking space provided for each car owner residing in nearby estate. Also, the latest *"Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses"* issued by Environmental Protection Department will also be followed. Therefore, no adverse environmental impact will be anticipated.
- 4.10.6 With the above, this planning application passes the assessment criteria under TPB PG-No. 10, and hence, should be considered compliance with the relevant Town Planning Board Guideline.

## **5 CONCLUSION**

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- 5.1.1 In view of the above, we respectfully request the Board Members to give favourable consideration on this planning application.