

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL  
FOR TEMPORARY USE  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/558**

- Applicant** : 鄧鎮鵬先生 represented by 海願規劃發展公司
- Site** : Lot 3323 S.B ss.1 in D.D. 129, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 2,830m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Residential (Group A) 3” (“R(A)3”)  
*[Restricted to a maximum plot ratio of 5.5 and a maximum building height of 140mPD]*
- Application** : Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Goods Vehicle not exceeding 24 tonnes and Open Storage of Export Vehicle and Vehicle Parts for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of renewal of planning approval for temporary public vehicle park for private car and goods vehicle not exceeding 24 tonnes and open storage of export vehicle and vehicle parts for a period of three years at the application site (the Site) zoned “R(A)3” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years within the zone requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied uses with valid planning permission under application No. A/HSK/362 until 1.6.2025 (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Ping Ha Road via a local track and the ingress/egress point is located at the southern part of the Site (**Plans A-2 and A-3**). According to the applicant, eight parking spaces for medium goods vehicles (11m x 3.5m each) and 26 parking spaces for private cars (5m x 2.5m each) are provided. An area of about 280 m<sup>2</sup> is used for open storage of export vehicle and vehicle parts. Three temporary structures (one to two storeys, not more than 6.5m high) with a floor area of about 434m<sup>2</sup> are used for storage and site offices (**Drawing A-1**). The operation hours are from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the site layout with access leading to the Site, as-built drainage facilities and fire service installations (FSIs) submitted

by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in six previous applications for temporary public vehicle park and/or open storage approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2008 and 2022 (details at paragraph 6.1 below). Compared with the last application No. A/HSK/362 approved by the Committee on 1.6.2022, the current application is submitted by the same applicant for the same use with the same layout and development parameters at the same site.
- 1.4 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with attachments received on 11.3.2025 (Appendix I)
  - (b) Further Information (FI) received on 19.3.2025 (Appendix Ia)

*[accepted and exempted from publication and recounting requirements]*

## **2. Justifications from the Applicant**

The justifications put forth by the Applicant in support of the application are detailed in the Application Form with attachments at **Appendix I**. They can be summarised as follows:

- (a) the current application is to seek renewal of planning approval under the last application No. A/HSK/362. All approval conditions of the previous application No. A/HSK/362 have been complied with;
- (b) the applied uses are to serve the nearby villagers which is not incompatible with the surrounding environment;
- (c) the applied uses are temporary in nature and would not jeopardise the long-term planning intention of the concerned zone;
- (d) the applied uses will have insignificant traffic impact. Sufficient maneuvering spaces will be provided within the Site; and
- (e) the applied uses will not generate significant environmental impact to the surrounding areas as adequate mitigation measures will be provided. The applicant pledges to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise the possible environmental impacts.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner's Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notice and sending notice to Ping Shan Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

#### **4. Town Planning Board Guidelines**

- 4.1 The Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13G) promulgated on 14.4.2023 is relevant to the application. The Site falls within the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extract of the Guidelines is attached at **Appendix II**.
- 4.2 The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) is relevant to the application. The relevant assessment criteria are at **Appendix III**.

#### **5. Background**

The Site is currently not subject to any planning enforcement action.

#### **6. Previous Applications**

- 6.1 The Site, in part or in whole, was involved in seven previous applications (No. A/YL-HT/541, 591, 726, 870 and 985 and A/HSK/48 and 362) for temporary public vehicle park and/or warehouse or open storage. Six of these applications (No. A/YL-HT/541, 591, 726 and 870 and A/HSK/48 and 362) for temporary public vehicle park and/or open storage were approved with conditions by the Committee between 2008 and 2022 mainly on the considerations that the temporary uses were not incompatible with the surrounding areas; being generally in line with the relevant TPB PG-No.13; and no major adverse comments from concerned government departments. However, two of the planning permissions (No. A/YL-HT/541 and 591) were subsequently revoked due to non-compliance with the time-limited approval conditions. As for the last application No. A/HSK/362, all the approval conditions have been complied with and the planning permission is valid until 1.6.2025. Details of these applications are summarised at **Appendix IV** and their boundaries are shown on **Plan A-1b**.
- 6.2 The remaining application (No. A/YL-HT/985) for temporary warehouse for a period of three years was approved by the Committee in 2015. The considerations for this application are not relevant to the current application which is for a different use.

#### **7. Similar Applications**

There are seven similar applications involving temporary public vehicle park or open storage uses within/straddling the same “R(A)3” zone in the past five years. All of them were approved with conditions by the Committee between 2020 and 2024 based on similar considerations as mentioned in paragraph 6.1 above. Details of these applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1a**.

#### **8. The Site and Its Surrounding Areas (Plans A-1a to A-4b)**

- 8.1 The Site is:

(a) accessible from Ping Ha Road via a local track; and

(b) currently occupied by the applied uses with valid planning permission under application No. A/HSK/362.

8.2 The surrounding areas are predominantly occupied by open storage yards, logistics centres and warehouse intermixed with residential dwellings and unused land, some of which are suspected unauthorized developments subject to planning enforcement action.

## **9. Planning Intention**

The planning intention of the “R(A)” zone is primarily for high-density residential development. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.

## **10. Comments from Relevant Government Departments**

10.1 Apart from the government departments as set out in paragraph 10.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices V and VI** respectively.

10.2 The following government departments support or do not support the application:

### **Traffic**

10.2.1 Comments of the Commissioner for Transport (C for T):

- (a) she supports the application from traffic engineering perspective; and
- (b) should the application be approved, the applicant should note her advisory comments at **Appendix VI**.

### **Environment**

10.2.2 Comments of the Director of Environmental Protection (DEP):

- (a) he does not support the application because there are residential uses in vicinity of the Site (the nearest residential dwelling being about 8.5m away) (**Plan A-2**) and the applied use involves the use of heavy vehicles, hence environmental nuisance is expected;
- (b) no environmental complaints pertaining to the Site was received in the past three years; and
- (c) should the application be approved, the applicant should note his advisory comments at **Appendix VI**.

## **11. Public Comment Received During Statutory Publication Period**

On 18.3.2025, the application was published for public inspection. During the statutory

public inspection period, no public comment was received.

## **12. Planning Considerations and Assessments**

- 12.1 The application is for renewal of planning approval for temporary public vehicle park for private car and goods vehicle not exceeding 24 tonnes and open storage of export vehicle and vehicle parts for a period of three years at the Site zoned “R(A)3” on the OZP. Whilst the applied uses are not in line with the planning intention of the “R(A)” zone, there is no known development proposal at the Site and the temporary public vehicle park can meet the parking demand in the area. C for T supports the application from traffic engineering perspective. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation programme and land resumption/clearance programme are currently being reviewed under the relevant investigation study and subject to change. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Nonetheless, should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.
- 12.2 The applied uses are considered not incompatible with the surrounding areas which are predominantly open storage yards, logistics centres and warehouse, intermixed with residential dwellings and unused land (**Plan A-2**).
- 12.3 The applied uses are generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and was involved in six previous planning applications approved by the Committee between 2008 and 2024 for temporary public vehicle park and/or open storage. For the last approved application No. A/HSK/362, all approval conditions have been complied with. The current application is submitted by the same applicant for the same applied use with the same layout at the same site. In this regard, sympathetic consideration may be given to the application.
- 12.4 The application also complies with TPB PG-No. 34D in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/HSK/362; all approval conditions under the previous approval have been complied with; apart from DEP, there is no adverse departmental comment on the renewal application; and the three-year approval period sought which is the same as the last approval granted by the Committee is considered reasonable.
- 12.5 Other relevant government departments consulted including the Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment from fire safety and drainage perspectives respectively. While DEP does not support the application as the applied uses involve the use of heavy vehicles and environmental nuisance to the sensitive users in the vicinity of the Site (**Plan-A-2**) is expected, there is no environmental complaint pertaining to the Site received in the past three years. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will be advised to follow the latest “CoP” to minimise any potential environmental nuisances on the surrounding areas.

- 12.6 The Committee has approved six previous applications for temporary public vehicle park and/or open storage at the Site between 2008 and 2022 and seven similar applications within/straddling the same “R(A)3” zone in the past five years. Approval of the current application is in line with the Committee’s previous decisions.

### **13. Planning Department’s Views**

- 13.1 Based on the assessments made in paragraph 12 above, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years, and be renewed **from 2.6.2025 to 1.6.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **2.9.2025**;
- (c) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (d) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

#### Advisory clauses

The Recommended Advisory Clauses are attached at **Appendix VI**.

- 13.3 There is no strong reason to recommend rejection of the application.

### **14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**15. Attachments**

<b>Appendix I</b>	Application Form received on 11.3.2025
<b>Appendix Ia</b>	FI received on 19.3.2025
<b>Appendix II</b>	Relevant Extracts of TPB PG-No. 13G
<b>Appendix III</b>	Relevant Extracts of TPB PG-No. 34D
<b>Appendix IV</b>	Previous and Similar Applications
<b>Appendix V</b>	Government Departments' General Comments
<b>Appendix VI</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Proposed Layout Plan
<b>Drawing A-2</b>	As-built Drainage Plan
<b>Drawing A-3</b>	FSIs Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2025**