

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

APPLICATION NO. A/HSK/562

- Applicant** : Mr Wong Tak Hong represented by Metro Planning and Development Company Limited
- Site** : Lots 826 S.A (Part), 828, 839 (Part) and 840 (Part) in D.D.125 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 5,190m² (including GL of about 1,080m² or 20.8%)
- 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
- Zonings** : (i) “Residential (Group A) 3” (“R(A)3”) (about 77%); and
[Restricted to a maximum plot ratio of 5.5 and a maximum building height of 140mPD]

(ii) “Open Space” (“O”) (about 23%)
- Application** : Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles, Heavy Goods Vehicles and Container Trailers for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary public vehicle park for private cars, light goods vehicles, heavy goods vehicles and container trailers for a period of three years at the application site (the Site) zoned “R(A)3” and “O” 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 use with valid planning permission under application No. A/HSK/371 until 5.7.2025 (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Ping Ha Road via a local track and the two ingress/egress points are located at the northeastern and eastern parts of the Site (**Drawing A-2 and Plan A-2**). According to the applicant, 68 parking spaces for private cars, six parking spaces for light goods vehicles (7m x 3.5m each), 35 parking spaces for heavy goods vehicles (11m x 3.5m each) and six parking spaces for container trailers (16m x 3.5m each) are provided while four temporary structures (not more than 2 storeys and 5.5m high) with a total floor area of about 134m² are used for storage, site office and

guardrooms (**Drawing A-2**). The operation hours are from 7:00 a.m. to 11:00 p.m. from Mondays to Sundays including public holidays. Plans showing the access leading to the Site, site layout, as-built drainage facilities and fire service installations (FSIs) submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site was involved in ten previous applications for temporary public vehicle park use, including eight applications which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2002 and 2022 (details at paragraph 6 below). Compared with the last application No. A/HSK/371 approved by the Committee on 24.6.2022, 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 16.4.2025 (Appendix I)
 - (b) Further Information (FI) received on 28.4.2025* (Appendix Ia)
 - (c) FI received on 28.5.2025* (Appendix Ib)

**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) eight previous applications for the same use had been approved by the Committee at the Site. The current application is to seek renewal of planning approval under the last application No. A/HSK/371. All approval conditions of the previous application No. A/HSK/371 have been complied with;
- (b) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones. The current application is to allow the continuation of the applied use during the interim period before the Site is resumed for the implementation of Hung Shui Kiu/Ha Tsuen New Development Area;
- (c) the applied use is not incompatible with the surrounding areas. Similar planning applications have been approved by the Committee in the adjoining areas; and
- (d) the applied use will have insignificant traffic, drainage and 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 Ha Tsuen Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements are not applicable to the GL portion.

4. Town Planning Board Guidelines

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 II**.

5. Background

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

6. Previous Applications

- 6.1 The Site was involved in ten previous applications (No. A/YL-HT/168, 220, 247, 333, 476, 661, 847, 1024 and No. A/HSK/154 and 371) for temporary public vehicle park use. Eight of these applications (No. A/YL-HT/247, 333, 476, 661, 847, 1024 and No. A/HSK/154 and 371) were approved with conditions by the Committee between 2002 and 2022 mainly on the considerations that the temporary use was not incompatible with the surrounding areas; and no major adverse comments from concerned government departments. As for the last application No. A/HSK/371, all the approval conditions have been complied with and the planning permission is valid until 5.7.2025. Details of these applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.
- 6.2 The earlier two applications (No. A/YL-HT/168 and 220) for various temporary open storage were rejected between 2000 and 2001 respectively on the grounds that there was insufficient information to demonstrate that the proposed development would not have noise nuisances or adverse environmental and drainage impacts on the surrounding areas and/or a proper vehicular access for the Site would be provided.

7. Similar Application

There is no similar application within the same “R(A)3” and “O” zones on the OZP over the past five years.

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 use with valid planning permission under application No. A/HSK/371.
- 8.2 The surrounding areas are predominantly occupied by parking of vehicles, vehicle repair workshop, car servicing, logistics use and open storage yard intermixed with unused land, some of which are covered by valid planning permissions while some uses are suspected unauthorized developments subject to planning enforcement action.

9. Planning Intentions

- 9.1 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.
- 9.2 The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government department 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 IV and V** respectively.
- 10.2 The following government department supports 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 V**.

11. Public Comment Received During Statutory Publication Period

On 25.4.2025, 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 cars, light goods vehicles, heavy goods vehicles and container trailers for a period of three years at the Site zoned “R(A)3” and “O” on the OZP. Whilst the applied use is not in line with the planning intentions of the “R(A)” and “O” zones, 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 use is considered not incompatible with the surrounding areas which are predominantly parking of vehicles, vehicle repair workshop, car servicing, logistics use and open storage yard intermixed with unused land, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 12.3 The application 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/371; all approval conditions under the previous approval have been complied with; 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.
- 12.4 Other relevant government departments consulted including the Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, fire safety and drainage perspectives respectively. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisance on the surrounding areas.
- 12.5 The Committee has approved eight previous applications for temporary public vehicle park at the Site between 2002 and 2022. Approval of the current application is generally 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 6.7.2025 to 5.7.2028**. 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 **6.10.2025**;
- (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 V**.

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

Appendix I	Application Form received on 16.4.2025
Appendix Ia	FI received on 28.4.2025
Appendix Ib	FI received on 28.5.2025
Appendix II	Relevant Extracts of TPB PG-No. 34D
Appendix III	Previous Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	As-built Drainage Plan
Drawing A-4	FSIs Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JUNE 2025**