

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

APPLICATION NO. A/YL-PH/1064

- Applicant** : Chief Force Limited
- Site** : Lots 163 (Part), 164 (Part), 165 (Part) and 166 (Part) in D.D. 108, Fan Kam Road, Pat Heung, Yuen Long
- Site Area** : About 834m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Residential (Group D)” (“R(D)”) [restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Renewal of Planning Approval for Temporary Private Vehicle Park (Private Cars Only) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary private vehicle park (private cars only) for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and used for the applied use with valid planning permission under application No. A/YL-PH/922 until 15.7.2025 (**Plan A-4**).
- 1.2 The Site is accessible from Fan Kam Road via a local track (**Plan A-1**). According to the applicant, the applied use provides 11 parking spaces for private cars serving the residents and visitors of the nearby Ta Shek Wu. No structure will be erected on the Site (**Drawing A-1**). The entire Site has been filled with concrete at a depth of about 0.2m, raising the site level to +57.2mPD for site formation for the applied use under the last application No. A/YL-PH/922. The applied use operates 24 hours daily. Only private cars as defined under the Road Traffic Ordinance (Cap. 374) are allowed to enter and be parked at the Site. The layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Site is the subject of two previously approved applications for the same temporary vehicle park (private cars only) (details at paragraph 6 below). The last application (No. A/YL-PH/922) submitted by the same applicant at the same site for the same applied use involving the same layout and development parameters as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 15.7.2022. All approval conditions have been complied with and the planning permission is valid until 15.7.2025.
- 1.4 In support of the application, the applicant has submitted an Application Form with supporting documents which were received on 28.4.2025 and 30.4.2025 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**, and can be summarised as follows:

- (a) The applied use on a temporary basis will not jeopardise the long-term planning intention of the “R(D)” zone.
- (b) The current application is for renewal of a previously approved application No. A/YL-PH/922 for the same use. Since the previous planning approval, no complaints related to the Site have been received from the public or government departments, and the Site has been maintained in good condition.
- (c) The applied use will not cause any adverse impact on drainage, traffic and environmental aspects. A drainage proposal with photo record of the implemented drainage facilities and a fire service installations (FSIs) proposal with fire certificates have been submitted in support of the current application.

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

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

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34D) are relevant to the application, and the relevant extract of which is at **Appendix II**.

5. **Background**

The Site is not subject to any active enforcement action.

6. **Previous Applications**

- 6.1 The Site, in part or in whole, is the subject of three previous applications (No. A/YL-PH/240, 852 and 922). Details of these applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.
- 6.2 Application No. A/YL-PH/240, covering a much larger site, for temporary open storage of construction materials (iron frames) was rejected by the Committee on 13.11.1998. The considerations of this application are not relevant to the current application due to different uses involved.
- 6.3 Two applications (No. A/YL-PH/852 and 922) for the same applied use (including one with filling of land) submitted by the same applicant as the current application were approved with conditions by the Committee on 18.9.2020 and 15.7.2022 respectively, each for a period of three years, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “R(D)” zone; the proposed/applied use was not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no adverse comment or their technical concerns could be addressed by relevant approval conditions. All approval conditions for the last application have been complied with and the planning permission is valid until 15.7.2025. Compared with the last application, the current application is submitted by the same applicant at the same site for the same applied use with the same layout and development parameters.

7. **Similar Applications**

There are four similar applications (No. A/YL-PH/849, 862, 933 and 1056) for various temporary vehicle park uses (including two with filling of land) within the same “R(D)” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between September 2020 and May 2025 on similar considerations as mentioned in paragraph 6.3 above. Details of these similar applications are summarised in **Appendix IV** and the locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) accessible from Fan Kam Road via a lock track; and
- (b) currently hard-paved and used for the applied use with valid planning permission under application No. A/YL-PH/922 until 15.7.2025.

8.2 The surrounding areas are rural in character comprising mainly residential structures of Ta Shek Wu and open storage/storage yards (two with valid planning permissions under applications No. A/YL-PH/957 and 1051) intermixed with vacant land, grassland, woodland and graves.

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

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, if any, are provided in **Appendices V** and **VI** respectively.

10.2 The following government department supports the application:

Traffic

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

- (a) supports the application from traffic engineering perspective to address the local demand; and
- (b) advisory comments are at **Appendix VI**.

11. Public Comment Received During Statutory Publication Period

On 6.5.2025, 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 private vehicle park (private cars only) for a period of three years at the Site zoned “R(D)” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “R(D)” zone, there is currently no known proposal for long-term development at the Site and approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)” zone. C for T supports the application for it would help address the local parking demand. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.

- 12.2 The applied use, which was approved at the Site since 2020, is considered not incompatible with the surrounding land uses which are rural in character comprising mainly residential structures of Ta Shek Wu and open storage/storage yards, with some of these uses covered by valid planning permission, intermixed with vacant land, grassland, woodland and graves. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied use are not anticipated.
- 12.3 Other relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, who also consider the submitted drainage proposal with photo record of the implemented drainage facilities and FSIs proposal with fire certificates acceptable respectively, have no objection to or no adverse comment on the application. 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 revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise the potential environmental nuisance on the surrounding land uses.
- 12.4 The application is considered in line with TPB PG-No. 34D in that there has been no material change in the planning circumstances since the previous approval was granted; no adverse planning implication arising from the renewal application is anticipated; all the approval conditions under the last application had been complied with; and the three-year approval period sought which is the same timeframe as the previous approval granted by the Committee is considered reasonable.
- 12.5 There are two approved previous applications for the same applied use at the Site, and four approved similar applications within the same “R(D)” zone in the vicinity of the Site in the past five years as detailed in paragraphs 6 and 7 above respectively. Approving 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, PlanD 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 16.7.2025 to 15.7.2028. 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 existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period; and
- (c) if any of the above planning condition (a) or (b) 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.

Advisory Clauses

The recommended advisory clauses are at **Appendix VI**.

13.3 There is no strong reason to recommend rejection of the renewal 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 with supporting documents received on 28.4.2025 and 30.4.2025
Appendix II	Relevant Extract of TPB PG-No. 34D
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JUNE 2025**