

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1319

- Applicant** : Hung Sing Comprehensive Development Management Co. Limited
represented by Mr. WONG Sun Wo, William
- Site** : Lots 2461 (Part), 2462 RP (Part) and 2464 RP in D.D. 120 and Adjoining
Government Land (GL), Lam Hau Tsuen, Yuen Long
- Site Area** : 4,300 m² (about) (including GL of about 17 m² (about 0.4%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-
TYST/14
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles
with Ancillary Facilities for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park for private cars and light goods vehicles (LGVs) with ancillary facilities for a period of five years at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for “V” zone, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced off and occupied by the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site with the ingress/egress at the southwestern part is accessible from Lam Hi Road via a local track (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, the applied public vehicle park will provide a total of 98 parking spaces including 82 for private cars (5m x 2.5m each) and 16 for LGVs (7m x 3.5m each). Two structures, including a two-storey structure (not exceeding 6m in height) and a single-storey structure (not exceeding 3m in height) with a total floor area of about 124m², will be provided for site office, meter room and toilet uses. No medium or heavy goods vehicles, including container tractors/trailers will be allowed to access/park at the Site and no vehicle without valid licenses issued under Road Traffic Ordinance is permitted to park/store at the Site. The vehicle park will

operate 24 hours daily including Sundays and public holidays. Plans showing the site layout and as-built drainage facilities submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 The Site was involved in two previous applications (No. A/YL-TYST/1018 and 1161) for temporary public vehicle park use approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2020 and 2022 respectively (details at paragraph 5 below). Compared with the last application (No. A/YL-TYST/1161), the current application is submitted by the same applicant for the same use at the same site with the same layout and development parameters. The planning permission of the last application lapsed on 30.7.2025
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 13.6.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 29.7.2025 (**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 and FI (**Appendices I** and **Ia**). They can be summarised as follows:

- (a) the Site is the subject of previous planning permissions for the same use and no complaint has been received during the approval period of the previous application No. A/YL-TYST/1161;
- (b) the applied use mainly provides parking spaces for the nearby villagers and no filling of land will be involved at the Site;
- (c) short term waiver (STW) and short term tenancy (STT) applications will be submitted upon approval of the current planning application; and
- (d) licensed collectors will be arranged to collect the sewage and waste from the Site for disposal.

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 obtaining consents of the “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Background

The parking of vehicle use at the Site is a suspected unauthorized development (UD) which would be subject to planning enforcement action.

5. Previous Applications

5.1 The Site was involved in three previous applications, including two applications (No. A/YL-TYST/1018 and 1161) for temporary public vehicle park use. The remaining application (No. A/YL-TYST/901) was for proposed temporary place of recreation, sports or culture (hobby farm) use and its considerations are not relevant to the current application which involves a different use. Details of these previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1**.

5.2 Applications No. A/YL-TYST/1018 and 1161 were approved with conditions each for a period of three years by the Committee in 2020 and 2022 respectively mainly on the considerations that the proposal was not incompatible with the surrounding areas; approval of the application on a temporary basis would not jeopardise the long-term development of the area; and the concerns of relevant government departments could be addressed by implementation of approval conditions. All time-limited approval condition under the last approved application No. A/YL-TYST/1161 have been complied with and the planning permission lapsed on 30.7.2025.

6. Similar Applications

There are seven similar applications (No. A/YL-TYST/1043, 1222, 1228, 1249, 1271, 1289 and 1307) involving six sites for temporary public vehicle park with/without other uses within the subject “V” zone in the past five years. All seven applications were approved with conditions each for a period of three years by the Committee mainly on similar considerations as those mentioned in paragraph 5.2 above. Details of these similar applications are summarised in **Appendix II** and the locations of the sites are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible from Lam Hi Road via a local track (**Plans A-2 and A-3**); and
- (b) currently paved, fenced off and occupied by the applied use without valid planning permission (**Plans A-2 to A-4**).

7.2 The surrounding areas comprise predominantly residential dwellings and the village settlements of Lam Hau Tsuen intermixed with parking of vehicles, storage yards, a basketball court, sitting-out area, private football court, agricultural land, unused land and vacant land/structures (**Plans A-2 to A-4**).

8. Planning Intention

The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses (SHs) by indigenous villagers. It is also intended to concentrate village type development within the zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. 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 Board.

9. Comments from Relevant Government Departments

9.1 Apart from the government departments as set out in paragraphs 9.2 to 9.4 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices III** and **IV** respectively.

9.2 The following government department supports the application:

Traffic

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

- (a) she supports the application as a temporary public vehicle park could meet the public demand for vehicle parking spaces; and
- (b) the local track and footpath leading to the Site is not under her purview.

9.3 The following government department has adverse comments on the application:

Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) he has adverse comments on the application;
- (b) the Site comprises GL and Old Schedule Agricultural Lots 2461, 2462 RP and 2464 RP all in D.D. 120 held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) no permission is given for occupation of GL (about 17m² as mentioned in the Application Form) included in the Site. Any occupation of GL without Government's prior approval is an offence under Cap.28;
- (d) there is/are unauthorised structure(s) and/or uses on the private lots which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularization on the lease breaches

as demanded by LandsD;

- (e) there is currently no SH application approved or under processing at the Site; and
- (f) the applicant should note his advisory comments at **Appendix IV**.

9.4 The following government department conveyed local views on the application:

District Officer's Comments

Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

His office received a reply from a local on 27.6.2025 who supports the application without any specific ground (**Appendix V**).

10. Public Comment Received During the Statutory Publication Period

On 20.6.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary public vehicle park for private cars and LGVs with ancillary facilities for a period of five years at the Site zoned "V" on the OZP. Whilst the applied use is not entirely in line with the planning intention of the "V" zone, the development could provide private cars and LGVs parking spaces for the nearby villagers to serve any such demand in the area. In this regard, C for T supports the application. According to the DLO/YL, LandsD, there is currently no SH application approved or under processing at the Site. Approval of the application on a temporary basis for a period of five years would not jeopardise the long-term planning intention of the "V" zone.
- 11.2 The surrounding areas comprise predominantly residential dwellings and the village settlements of Lam Hau Tsuen intermixed with parking of vehicles, storage yards, a basketball court, sitting-out area, private football court, agricultural land, unused land and vacant land/structures (**Plans A-2 and A-3**). The applied use is considered not incompatible with the surrounding land uses.
- 11.3 Other concerned 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/no adverse comment on the application from environmental, fire safety and drainage aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the planning application be approved, the applicant will be advised to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimise potential environmental nuisance on the surrounding areas.

- 11.4 As for DLO/YL, LandsD's concerns on the unauthorised occupation of GL and unauthorised structure(s) and/or uses on the Site, the applicant indicates that STW and STT will be applied from DLO/YL, LandsD upon approval of this application. The applicant will also be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 Given that two previous approvals for temporary public vehicle park have been granted to the Site in 2020 and 2022 respectively and seven similar applications within the subject "V" zone have been approved in the past five years, approval of the current application is in line with the previous decisions of the Committee.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the local comment conveyed by DO(YL), HAD as mentioned in paragraph 9.4 above, the Planning Department has no objection to the application.
- 12.2 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 five years until 1.8.2030. 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 planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 1.11.2025;
- (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 at **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied use is not in line with the planning intention of "V" zone which is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development

of Small Houses by indigenous villagers. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

14. Attachments

Appendix I	Application Form with attachments received on 13.6.2025
Appendix Ia	FI received on 29.7.2025
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Local View conveyed by District Officer/Yuen Long
Drawing A-1	Site Layout Plan
Drawing A-2	As-built Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
AUGUST 2025**