

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/574**

- Applicant** : Mr LAM Kam Pang represented by Goldrich Planners and Surveyors Limited
- Site** : Various Lots in D.D. 124, Yuen Long, New Territories
- Site Area** : About 5,399m<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** : “Village Type Development” (“V”)  
*[Restricted to a maximum building height of 3 storeys (8.23m)]*
- Application** : Temporary Public Vehicle Park (Excluding Container Vehicle) and Associated Filling of Land for a Period of 5 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of five years at the application site (the Site) zoned “V” on the OZP (**Plan A-1a**). According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is paved and currently used for the applied use without planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Shek Po East Road via a local track with the ingress/egress point at the southern part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, a total of 120 parking spaces including 103 parking spaces for private cars (5m x 2.5m each), 6 parking spaces for light goods vehicles (LGVs) (7m x 3.5m each), 7 parking spaces for medium goods vehicles (MGVs) (11m x 3.5m each) and 4 parking spaces for coaches (12m x 3.5m each) are provided. Seven single-storey temporary structures (not more than 4m in height) with a total floor area of about 750m<sup>2</sup> are used for guard room and open shed purposes (**Drawing A-2**). Only licenced vehicles would be parked at the Site. No container vehicles will be allowed to park at the Site. No car beauty services, vehicle repairing, dismantling or other workshop activities will be allowed at the Site. The operation hours are 24 hours daily including Sunday and public holidays. The applicant also applies for regularisation of filling of land for the western portion of the Site (about 1,082m<sup>2</sup>, or about 20%) of not more than 0.2m in depth by concrete for manoeuvring of vehicles

**(Drawing A-3)**<sup>1</sup>. Plans showing the access leading to the Site, site layout and filling of land area submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was partly involved in three previous applications including two applications (No. A/YL-HT/149 and A/HSK/64) which were for temporary public vehicle park approved with conditions by the Rural and New Town Planning Committee (the Committee) in 2000 and 2018 respectively (details at paragraph 5 below) (**Plan A-1b**).
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 30.6.2025 (**Appendix I**)
  - (b) Further Information (FI) received on 1.8.2025\* (**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 at **Appendices I and Ia**. They can be summarised as follows:

- (a) the applied use is intended to provide parking spaces to meet the parking demand of nearby residents and operators. The temporary nature of the application will not frustrate the long-term intention of the “V” zone;
- (b) the applied use is not incompatible with the surrounding areas. Similar planning applications for public vehicle park use have been approved by the Committee in the adjoining areas;
- (c) sufficient maneuvering spaces will be provided. Adverse visual, landscape, drainage, traffic and environmental impacts are not anticipated;
- (d) part of the Site had been paved before incorporation of land filling restriction in 2017 while the applicant proposes to regularise the filling of land at the western portion of the Site for the provision of solid ground for vehicle manoeuvring; and
- (e) the applicant undertakes to cease the applied use if Small House (SH) applications are approved by the Lands Department.

## **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 publishing notice in local newspapers and sending notice to Ping Shan Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

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<sup>1</sup> The remaining portion of the Site had already been hard paved before the incorporation of land filling restriction to the “V” zone on the draft HSK and HT OZP No. S/HSK/1 on 26.5.2017.

#### **4. Background**

The Site is subject to active planning enforcement action against unauthorized development (UD) involving parking of vehicles (No. E/YL-HSK/130) (**Plan A-2**). Enforcement Notice (EN) was issued on 15.4.2025 requiring discontinuation of the UD. Site inspection conducted on 11.7.2025 revealed that the UD still continued upon expiry of the EN, and prosecution action is being considered.

#### **5. Previous Applications**

- 5.1 The Site was partly involved in three previous applications (No. A/YL-HT/120, A/YL-HT/149 and A/HSK/64) for temporary open storage or public vehicle park uses. Two of these applications for temporary public vehicle park were approved with conditions by the Committee in 2000 and 2018 respectively while the remaining one for temporary open storage was rejected by the Board on review in 2000. Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.
- 5.2 Application (No. A/YL-HT/120) for temporary open storage of lorries, trailers and tractors was rejected by the Board upon review in 2000. The considerations for this application are not relevant to the current application which is for a different use.
- 5.3 Two applications (No. A/YL-HT/149 and A/HSK/64) for temporary public car park use were approved with conditions by the Committee in 2000 and 2018 on the considerations that the applied use on temporary basis would not frustrate the planning intention of “V” zone; the applied 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/64, all time-limited approval conditions have been complied with and the planning permission lapsed on 18.5.2021.

#### **6. Similar Application**

There is no similar application within the subject “V” zone in the past five years.

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

- 7.1 The Site is:
  - (a) paved and currently used for the applied use without planning permission; and
  - (b) accessible from Shek Po East Road via a local track (**Plans A-2 and A-3**).
- 7.2 The surrounding areas are predominantly occupied by residential dwellings and parking of vehicles intermixed with open storage yards, storage use and agricultural land.

#### **8. Planning Intention**

- 8.1 The planning intention of the “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of SHs by indigenous villagers. It is also

intended to concentrate village type development within this 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.

- 8.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the “V” zone.

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

- 9.1 Apart from the government department as set out in paragraphs 9.2 and 9.3 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 III** and **IV** respectively.

- 9.2 The following government department supports the application:

### **Traffic**

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

- (a) she supports the application from traffic engineering perspective to meet the public demand for parking spaces; and
- (b) should the application be approved, the applicant should note her advisory comments at **Appendix IV**.

- 9.3 The following government departments do not support or have reservation on the application:

### **Land Administration**

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

- (a) the Site comprises Old Schedule Agricultural Lots 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;
- (b) he has reservation on the planning application since there are unauthorised structures on the private Lot 343 in D.D. 124 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD;
- (c) there are SH applications within the Site (**Plan A-2**); and
- (d) his advisory comments are at **Appendix IV**.

## **Environment**

### 9.3.2 Comments of the Director of Environmental Protection (DEP):

- (a) while he has no comment on the proposed filling of land from the environmental planning perspective, he does not support the application because there are residential uses in vicinity of the Site (**Plan A-2**) and the applied use involves the use of heavy vehicles, hence environmental nuisance is expected;
- (b) no substantiated 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 IV**.

## **10. Public Comments Received During Statutory Publication Period**

On 8.7.2025, the application was published for public inspection. During the statutory public inspection period, three public comments from individuals were received (**Appendix V**) objecting to the application mainly on the grounds that the Site has been occupied for parking of vehicles without permission from the lot owner and the applied use may cause adverse landscape impact and environmental nuisance to the nearby village and surrounding areas. One individual also opined that charging facilities for electric vehicles should be provided.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of 5 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 temporary public vehicle park can help meet the parking demand in the area. In this regard, C for T supports the application from traffic engineering perspective. DLO/YL, LandsD advises that there are SH applications within the Site (**Plan A-2**). Nevertheless, the applicant has committed to cease operation of the applied use once the SH applications are approved by LandsD. Approval of the application on temporary basis for a period of five years would not jeopardise the long-term planning intention of the “V” zone.
- 11.2 The current application also seeks planning permission for regularisation of the filling of land with concrete with a depth of about 0.2m at the western portion of the Site (about 1,082m<sup>2</sup> or 20%) for manoeuvring of vehicles. Filling of land within “V” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North, Drainage Services Department has no in-principle objection to the application from drainage perspective while DEP has no comment on the proposed filling of land from environmental planning perspective.
- 11.3 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by residential dwellings and parking of vehicles intermixed with open storage yards, storage use and agricultural land (**Plan A-2**). As the applicant clarifies that no tree felling is required for the applied use, significant

landscape impact arising from the applied use is not anticipated. In this regard, Chief Town Planner/Urban Design & Landscape, Planning Department, has no comment on the application from landscape planning perspective.

- 11.4 Other relevant government departments consulted, including the Director of Fire Services, have no objection to or no adverse comment on the application. While DEP does not support the application as the applied use involves 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 substantiated environmental complaint pertaining to the Site received in the past three years. Should the application be approved, the applicant will 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. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below.
- 11.5 Two previous applications for temporary public vehicle park use at the Site had been approved by the Committee as detailed in paragraph 5.3 above. Approval of the current application is generally in line with the previous decisions of the Committee.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the applicant has complied with the requirements as set out in the TPB PG-No. 31B by taking reasonable steps to give notification to land owners as mentioned in paragraph 3 above. The planning considerations and assessments in paragraphs 11.1 to 11.5 above are also relevant.

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

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 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 **15.8.2030**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### **Approval conditions**

- (a) the submission of a drainage proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **15.2.2026**;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **15.5.2026**;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) if the above planning condition (c) 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

- (e) if any of the above planning condition (a) or (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 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 with associated filling of land is not in line with the planning intention of the "V" zone which is primarily to designate both existing recognized villages and areas of land considered suitable for village expansion. There is no strong planning justification 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**

<b>Appendix I</b>	Application Form with Attachments received on 30.6.2025
<b>Appendix Ia</b>	FI received on 1.8.2025
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comments
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Existing Filling of Land Area Plan
<b>Plan A-1a</b>	Location Plan
<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  
AUGUST 2025**