

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NTM/482

- Applicant** : Mr. WAN Ho Yuen represented by Metro Planning & Development Company Limited
- Site** : Lots 1183 RP (Part), 1184 and 1185 RP (Part) in D.D. 104, Ngau Tam Mei, Yuen Long
- Site Area** : About 1,630m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/14
- Zoning** : “Village Type Development” (“V”) (about 99.7%) and
“Residential (Group C)” (“R(C)”) (about 0.3%)
- Application** : Temporary Public Vehicle Park (Private Cars Only) and Associated Filling of Pond and Excavation of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars only) and associated filling of pond and excavation of land for a period of three years at the application site (the Site), which falls largely within an area zoned “V” (about 99.7%) with minor portion zoned “R(C)” (about 0.3%) on the OZP¹ (**Plan A-1**). According to the Notes of the OZP for “V” zone, ‘Public Vehicle Park (excluding container vehicle)’, which is a Column 2 use, and filling of pond and excavation of land require planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and occupied by the applied use without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Ngau Tam Mei Road (**Plan A-2**) with an ingress/egress (about 6m wide) at the southern part of the Site. According to the applicant, the applied use involves 56 private car parking spaces and a single-storey structure of rain shelter for five of the private car parking spaces (with a height not more than 3.5m and a floor area of about 60m²). The applied use operates 24 hours daily from Mondays to Sundays

¹ Minor portion of the Site falls within an area zoned “R(C)” (i.e. 4.89 m² or about 0.3% of the Site) on the OZP which can be regarded as minor boundary adjustment in accordance with the covering Notes of the OZP, and is not included in the planning assessment.

(including public holidays). No vehicle without valid licence issued under the Road Traffic Regulation is permitted to park, and no car washing, vehicle repairing, dismantling, paint spraying or other workshop activity will be carried out at the Site. The applicant also applies for regularisation of filling of pond for the existing concrete paving for the entire Site with a depth of about 0.8m (from a level ranging from about 6.3mPD to a level about 6.9mPD) for site formation and vehicular circulation (**Drawing A-2**). No further filling of pond will be carried out at the Site. Besides, excavation of land is proposed for the provision of surface drainage channel along the periphery of the Site with an area of about 65.25m² and a depth of about 0.375m. The layout plan and the pond filling and land excavation plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 14.7.2025 and **(Appendix I)**
Supplementary Information (SI) received on 17.7.2025
- (b) Further Information (FI) received on 28.8.2025* **(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, SI and FI at **Appendices I and Ia**, and can be summarised as follows:

- (a) The applied use is for parking of private cars only. It is in line with the planning intention of the “V” zone and is compatible with the surrounding environment. Similar public vehicle parks had also been approved in nearby areas and the applied use could meet the parking demand from nearby villagers.
- (b) The pond at the Site was filled in the 1990s and the applicant intends to apply for regularisation of filling of pond and the applied use at the Site and no further filling of pond will be carried out. The associated excavation of land along the periphery of the Site is for the provision of drainage channel.
- (c) The applied use would not cause significant traffic, environmental and drainage impacts to the surrounding areas. A drainage plan has been submitted in support of the application.

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 notices in local newspapers and sending notice to San Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

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

5. Previous Application

There is no previous application covering the Site.

6. Similar Application

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

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

7.1 The Site is:

- (a) currently hard-paved and occupied by the applied use without valid planning permission; and
- (b) accessible from Ngau Tam Mei Road.

7.2 The surrounding areas are rural in character and predominated by low-rise village houses/residential structures, vehicles parks, orchard, storage yard, woodland, grassland, ponds and vacant 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 Small Houses (SH) 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

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

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 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 II** and **III** respectively.

9.2 The following government department supports the application:

Traffic

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

- (a) supports the planning application as it could meet the public demand of vehicle parking spaces; and
- (b) advisory comments are detailed in **Appendix III**.

10. Public Comment Received During Statutory Publication Period

On 22.7.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual raising concern that the applied use should comply with relevant government policy on cleaner energy (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary public vehicle park (private cars only) and associated filling of pond and excavation of land for a period of three years at the Site zoned “V” (**Plan A-1**). Whilst the applied use is not entirely in line with the planning intention of the “V” zone, according to the applicant, the applied use could meet the local parking demand from the nearby villagers and C for T considers that the applied use could meet the public demand of vehicle parking spaces and supports the application from traffic engineering point of view. Besides, the District Lands Officer/Yuen Long of Lands Department advises that there is no SH application approved or under processing at the Site. The applied use of temporary nature would not adversely affect the land availability for NTEH/SH within the “V” zone in the long term. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of three years.
- 11.2 Filling of pond and excavation of land in “V” zone require planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. According to the applicant, the associated filling of pond is for regularisation of the filled area at the Site and no further filling of pond is required, and the associated excavation of land is for the provision of surface drainage channel along the periphery of the Site. In this regard, the Director of Agriculture, Fisheries and Conservation, Chief Engineer/Mainland North, Drainage Services Department and Director of Environmental Protection have no objection to the application from nature conservation, drainage and environmental planning perspectives respectively.
- 11.3 The applied use is considered not incompatible with the surrounding areas which are rural in character and predominated by low-rise village houses/residential structures, vehicles parks, orchard, storage yard, woodland, grassland, ponds and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective as adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, relevant approval conditions

are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” and “Environmental Impact Assessment Ordinance” issued by the Environmental Protection Department to minimise any potential environmental nuisance caused by the applied use on the surrounding areas.

- 11.5 Regarding the public comment as stated in paragraph 10 above, the planning considerations and departmental comments above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10, PlanD 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 three years until 5.9.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a revised drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.3.2026;
- (b) in relation to (a) above, the implementation of the revised drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 5.6.2026;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 5.3.2026;
- (e) in relation to (d) above, the implementation of the fire service installations proposal on the site within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 5.6.2026;
- (f) 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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 III**.

- 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 pond and excavation of land is not in line with the planning intention of the "Village Type Development" zone, which is to provide land primarily for development of Small Houses by indigenous villagers. 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

Appendix I	Application Form received on 14.7.2025 and SI received on 17.7.2025
Appendix Ia	FI received on 28.8.2025
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Pond Filling and Land Excavation Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**