

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/577

- Applicant** : Mr TANG Kam Chak represented by Goldrich Planners and Surveyors Limited
- Site** : Lots 136 RP (Part) and 137 RP (Part) in D.D. 127 and Adjoining Government Land (GL), Yuen Long, New Territories
- Site Area** : About 1,850m² (including GL of about 51m² or 2.7%)
- 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 Vehicles) with Ancillary Electric Vehicle Charging Facility 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 vehicles) with ancillary electric vehicle (EV) charging facility and associated filling of land 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, ‘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 currently paved and used for the applied use without valid planning permission.
- 1.2 The Site is accessible from Kiu Hung Road with the ingress/egress point at the eastern part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, a total of 51 parking spaces (including five parking spaces with EV charging facilities) for private cars (5m x 2.5m each) are provided. Three single-storey temporary structures (not more than 4.5m in height) with a total floor area of about 138m² are used for ancillary office and storeroom with meter box and covered parking space 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 (about 712m² or about 38.5%) of the Site with concrete of about 0.1m or 1.5m in

depth for erection of structures and manoeuvring of vehicles (**Drawing A-3**)¹. 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 four previous applications for temporary public vehicle park approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2018 and 2023 (details at paragraph 5 below) (**Plan A-1**).
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 30.7.2025 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 6.8.2025 (**Appendix Ia**)
 - (c) Further Information (FI) received on 11.9.2025* (**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 and SI 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. There were previous applications approved mainly on considerations that temporary nature of the applications would 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, traffic, drainage, fire safety and environmental impacts are not anticipated; and
- (d) the eastern portion 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 to provide a solid ground for erection of structures and vehicle manoeuvring.

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. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owner’s Consent/Notification”

¹ 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 exhibited on 26.5.2017.

Requirements are not applicable.

4. Background

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

5. Previous Applications

- 5.1 The Site was partly involved in four previous applications (No. A/HSK/36, 194, 352 and 404) for temporary public vehicle park use. All the applications were approved with conditions by the Committee between 2018 to 2023 mainly on the considerations that the applied use would not jeopardise the long-term planning intention of the zoned use; being not incompatible with the surrounding areas; and no major adverse comments from concerned government departments. Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.
- 5.2 The current application covers two sites involved in two previous applications, No. A/HSK/352 (western portion of the Site) and No. A/HSK/404 (eastern portion of the Site), which were submitted by the same applicant for the same use as the current application. For application No. A/HSK/352, all the approval conditions had been complied with and the planning permission lapsed on 22.4.2025, while the planning permission for application No. A/HSK/404 was revoked on 3.11.2024 due to non-compliance with the time-limited approval condition regarding the implementation of the run-in/out proposal.

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-1 to A-4b)

- 7.1 The Site is:
- (a) paved and currently used for the applied use without planning permission; and
 - (b) accessible from Kiu Hung Road (**Plans A-2 and A-3**).
- 7.2 The surrounding areas are predominantly occupied by residential dwellings and parking of vehicles intermixed with agricultural land, unused land, a pond, a playground, car service establishment, a retail store and a pumping station.

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 House (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. 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 Bureau/Departments

- 9.1 Apart from the government bureau/departments 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 department has 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 (OSALs) and GL. The OSALs are 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. No permission is given for the occupation of the GL (about 51m² subject to verification) included in the Site. Any occupation of GL without Government’s prior approval is an offence under Cap. 28;
- (b) according to the established practice, application of Short Term Tenancy (STT) for the purpose of access road on GL will not be normally entertained, even if the planning application is approved by the Board. If an Emergency Vehicle Access on GL is requested by other government departments and the application is approved by the Board, a non-exclusive right of way (ROW) clause over GL in the Short Term Waiver (STW) application may be considered by his office;

- (c) there is no SH application approved or under processing at the Site;
and
- (d) his advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 8.8.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix V**) expressing concerns that the approval condition of the previous application had not yet been complied with and whether this issue had been addressed.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary public vehicle park (excluding container vehicles) with ancillary EV charging facility and associated filling of land 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 temporary public vehicle park can help meet the parking demand in the area. C for T supports the application from traffic engineering perspective to meet the public demand for parking spaces. DLO/YL, LandsD advises that no SH application has been approved or is under processing at the Site. 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 filling of land with concrete with a depth of 0.1 m or 1.5m (about 712m² or about 38.5%) at the western portion of the Site for erection of structures and 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 and Director of Environmental Protection have no in-principle objection to the application from drainage and environmental planning perspectives respectively.
- 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 agricultural land, unused land, a pond, a playground, car service establishment, a retail store and a pumping station (**Plan A-2**).
- 11.4 The current application is the subject of two previously approved applications No. A/HSK/352 and 404 submitted by the same applicant for the same use as the current application covering the western and eastern portions of the Site respectively. While approval conditions under application No. A/HSK/352 had been complied with and its planning permission lapsed on 22.4.2025, the planning permission granted under application No. A/HSK/404 in 2022 was revoked due to non-compliance with the time-limited approval condition regarding the implementation of the run-in/out proposal. For the current application, the applicant has submitted a run-in/out proposal (**Appendix Ib**) and the Chief Highway Engineer/New Territories West, Highways Department has no objection to the application. In this regard, sympathetic consideration may be given to the application. The applicant will be advised that should it fail to comply with any of the approval conditions resulting in revocation of planning permission, sympathetic consideration may not be given to

any further applications.

- 11.5 Other relevant government departments consulted including the Director of Fire Services and Director of Electrical and Mechanical Services 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 12.2 below. 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. Regarding DLO/YL, LandsD’s comments regarding access road on GL, the applicant will be advised to liaise with LandsD on the land administrative matters should the Committee approve the application.
- 11.6 Four previous applications for temporary public vehicle park use at the Site had been approved by the Committee as detailed in paragraph 5 above. Approval of the current application is generally in line with the previous decisions of the Committee.
- 11.7 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.6 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment 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 **19.9.2030**. 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 **19.3.2026**;
- (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 **19.6.2026**;
- (c) in relation to (b) above, the implemented drainage facilities 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 **19.3.2026**;
- (e) in relation to (d) above, the implementation of the fire service installations proposal 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 **19.6.2026**;

- (f) the submission of a revised run-in/out proposal within **6** months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by **19.3.2026**;
- (g) in relation to (f) above, the implementation of the revised run-in/out proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by **19.6.2026**;
- (h) 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
- (i) if any of the above planning condition (a), (b), (d), (e), (f) or (g) 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

Appendix I	Application Form with Attachments received on 30.7.2025
Appendix Ia	SI received on 6.8.2025
Appendix Ib	FI received on 11.9.2025
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Proposed Layout Plan

Drawing A-3	Filling of Land Area Plan
Plan A-1	Location Plan with Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**