

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/568

- Applicant** : Mr TANG Yu Fung represented by R-riches Planning Limited
- Site** : Lots 78 RP and 80 (Part) in D.D. 124, San Sang Tsuen, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 1,348m²
- 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** : Proposed 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 proposed 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-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 largely vacant and covered with grass (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Tin Ha Road via a local track with the ingress/egress point at the western part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, 28 parking spaces for private cars (5m x 2.5m each) are provided. A single-storey temporary structure (about 2.8m in height) with a floor area of about 15m² is used for site office and guard room (**Drawing A-2**). Only licenced vehicles would be parked at the Site. The operation hours are 24 hours daily including Sunday and public holidays. The applicant also proposes filling of land for the whole Site with concrete of not more than 0.2m in depth for site formation for structure, parking spaces and circulation area (**Drawing A-3**). Plans showing the access leading to the Site, site layout, and proposed filling of land area submitted by the applicant are at **Drawings A-1 to A-3** respectively.

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

- (a) Application Form with attachments received on 13.5.2025 (Appendix I)
- (b) Further Information (FI) received on 20.6.2025 (Appendix Ia)
[accepted but not exempted from publication and recounting requirements]
- (c) FI received on 21.8.2025* (Appendix Ib)
- (d) FI received on 25.9.2025* (Appendix Ic)
**accepted and exempted from publication and recounting requirements*

1.4 On 15.8.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant.

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 proposed use is intended to provide parking spaces to meet the needs of nearby residents and village developments so as to alleviate the illegal parking problem in the vicinity. The proposed use is considered not incompatible with the surroundings;
- (b) only private cars are allowed to enter/exit the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads. Adverse traffic and environmental impacts are not anticipated; and
- (c) the applicant undertakes to cease the proposed use if Small House (SH) application is approved by the Lands Department (LandsD).

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 posting site notice and sending notice to Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Application

There is no previous application covering the Site.

6. Similar Applications

There are two similar applications (No. A/HSK/381 and 498) involving one site for temporary public vehicle park straddling the same “V” zone in the past five years. Both applications were approved with conditions by the Committee in 2022 and 2024 respectively on the considerations that the applied use on a temporary basis would not jeopardise the long-term planning intention of the “V” zone; being not incompatible with the surrounding areas; and no major adverse comment from concerned government departments. Details of these applications are summarised at **Appendix II** and their locations 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) largely vacant and covered with grass; and
- (b) accessible from Tin Ha Road via a local track (**Plans A-2 and A-3**).

7.2 The surrounding areas are predominantly occupied by residential dwellings, vehicle repair workshops and warehouses intermixed with open storage yards, storage use, office, sitting-out area, canteen and unused 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 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 Houses. 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 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 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**.

10. Public Comment Received During Statutory Publication Period

On 20.5.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix V**) objecting to the application mainly on the grounds that the application involves excessive hard-paving with no details on tree felling and no electric vehicle charging facilities will be provided.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of five years at the Site zoned “V” on the OZP. Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, the proposed 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. The District Lands Officer/Yuen Long, Lands Department advises that there is a SH application within the Site. Nevertheless, the applicant has committed to cease operation of the proposed use once the SH application is approved by LandsD. Approval of the application on a temporary basis 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 proposed filling of land with concrete of about 0.2m in depth covering the whole site for site formation for structure, parking spaces and circulation area. 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 proposed use is considered not incompatible with the surrounding areas which are predominantly occupied by residential dwellings, vehicle repair workshops and warehouses intermixed with open storage yards, storage use, office, sitting-out area, canteen and unused land (**Plan A-2**).
- 11.4 Other relevant government departments consulted 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 also 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.
- 11.5 The Committee has approved two similar applications straddling the same “V” zone in the past five years. Approval of the current application is in line with the

Committee's previous decisions.

- 11.6 Regarding the public comment as summarised in paragraph 10 above, the applicant has submitted a landscape proposal (**Appendix Ib**) and the Chief Town Planner/Urban Design and Landscape, Planning Department has no adverse comment on the application. The planning considerations and assessments in paragraph 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 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 **10.10.2030**. 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 **10.4.2026**;
- (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 **10.7.2026**;
- (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 the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **10.4.2026**;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **10.7.2026**;
- (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 IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following

reason for rejection is suggested for Members' reference:

the proposed 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 13.5.2025
Appendix Ia	FI received on 20.6.2025
Appendix Ib	FI received on 21.8.2025
Appendix Ic	FI received on 25.9.2025
Appendix II	Similar 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	Proposed Filling of Land Area Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**