

APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KTS/564

<u>Applicant</u>	:	Lucky Sky Creation Limited represented by Fotton ELA Architects Ltd.
<u>Site</u>	:	Lots 344A RP (Part) and 402 S.B RP (Part) in D.D 94, Hang Tau Tai Po, Sheung Shui, New Territories
<u>Site Area</u>	:	About 2,974m ²
<u>Lease</u>	:	<u>Block Government Lease (demised for agricultural use)</u> Lot 402 S.B RP in D.D. 94 <u>New Grant agricultural lot</u> Lot 344A RP in D.D. 94
<u>Plan</u>	:	Approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/22
<u>Zoning</u>	:	“Residential (Group D)” (“R(D)”) <i>[Maximum plot ratio (PR) of 0.4 and maximum building height (BH) of 3 storeys (9m)]</i>
<u>Application</u>	:	Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars Only) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning permission for temporary public vehicle park (private cars only) for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “R(D)” 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 occupied by the applied use with valid planning permission under application No. A/NE-KTS/516 until 25.11.2025 (**Plans A-1 to A-4**).
- 1.2 The Site is accessible from Hang Tau Road via local tracks (**Plans A-2 and A-3**), with an ingress/egress at the northeast. According to the applicant, the applied use provides a total of 54 parking spaces for private cars. Only vehicles with valid licences and not exceeding 5.5 tones are permitted to park at the Site, and no workshop activities will be carried out at the Site at all times. The applied use will continue to operate without on-site personnel and each renter will be provided with

a remote control device to access the carpark via the entrance gate at the eastern boundary of the Site. The operation hours are 24 hours daily. The northern part of Site is landscaped. The site layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Site is the subject of two previous applications submitted by the same applicant as the current application for proposed residential development with minor relaxation of PR and BH restrictions and temporary public vehicle park respectively (**Plan A-1**) (details at paragraph 6 below). The last application No. A/NE-KTS/516 for the same use with the same layout and development parameters as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 25.11.2022. All time-limited approval conditions have been complied with.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with Supplementary Information (**Appendix I**) received on 4.9.2025, 9.9.2025 and 11.9.2025
 - (b) Further Information (FI) received on 13.10.2025* (**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 to allow sufficient time for nearby parking space renters to secure alternative arrangements prior to the redevelopment of the Site for residential development under approved application No. A/NE-KTS/466. As the redevelopment is still in the preparatory phase, the applicant wishes to continue operating the applied use to accommodate the needs of existing renters;
- (b) The speed limit at the applied use, i.e. a maximum of 10 km/h to ensure pedestrian safety, will be clearly posted within the Site; and
- (c) In support of the application, the applicant has submitted information on the implemented fire service installation and drainage facilities implemented under the previous application No. A/NE-KTS/516.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

The applicant is the sole ‘current land owner’ of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34D) is relevant to the application and the relevant extract of which is attached at **Appendix II**.

5. Background

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

6. Previous Applications

- 6.1 The Site is the subject of two previous applications (No. A/NE-KTS/466 and 516) submitted by the same applicant as the current application. Details of the applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.
- 6.2 Application No. A/NE-KTS/466 with a larger site area for proposed residential development with minor relaxation of PR and BH restrictions¹ was approved with conditions by the Committee on 13.12.2019 with valid planning permission extended until 13.12.2027. The considerations of this previous application are not relevant to the current application due to different use involved. According to the Lands Department and Buildings Department, while a land exchange application has been approved, no general building plans submission have been received/approved for the proposed residential development. According to the recent site visit, the construction works for the approved residential development are yet to commence.
- 6.3 The last application (No. A/NE-KTS/516) for temporary public vehicle park with the same layout and development parameters as the current application was approved with conditions by the Committee on 25.11.2022 mainly on the considerations that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “R(D)” zone; the proposed use was not incompatible with the surrounding areas; and relevant government departments consulted in general had no adverse comment and/or their concerns could be addressed by approval conditions. All time-limited approval conditions have been complied with and the planning permission is valid until 25.11.2025.

7. Similar Application

There is no similar application within the same “R(D)” zone on the OZP in the past five years.

¹ The proposed residential development with a site area of 5,627m² is subject to a maximum domestic plot ratio of 0.48 and a maximum BH of 3 storeys (10.5m), providing 19 houses.

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

8.1 The Site is:

- (a) accessible from Hang Tau Road via a local track; and
- (b) currently occupied by the applied use with valid planning permission until 25.11.2025 and the northern part of it is landscaped.

8.2 The surrounding areas comprise mainly vacant land, village settlements of Hang Tau within the “Village Type Development” zone and scattered residential dwellings, car park, restaurant, shop and services, storage yard and garden.

9. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

10. Comments from Relevant Government Departments

All government 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 IV** and **V** respectively.

11. Public Comment Received During Statutory Publication Period

On 12.9.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from a member of the North District Council indicating no comment on the application (**Appendix VI**).

12. Planning Considerations and Assessments

12.1 The application is for renewal of planning permission for temporary public vehicle park for a period of three years at the Site zoned “R(D)” (**Plan A-1**). The Site is the subject of an approved application (No. A/NE-KTS/466) for proposed residential development with minor relaxation of PR and BH restrictions submitted by the same applicant as the current application. Whilst the applied use is not in line with the planning intention of the “R(D)” zone, the applicant claims that the application is intended to allow sufficient time for nearby parking space renters to secure alternative arrangements prior to the redevelopment of the Site under application No. A/NE-KTS/466, and the Commissioner for Transport has no adverse comments on the application. Besides, while a land exchange application has been approved, no general building plan submissions for the proposed residential development at the Site have been received/approved.

Approving the application on a temporary basis would not affect the implementation of the approved residential development. Taking into account the above and the planning assessments below, there is no objection to the renewal application for a period of three years.

- 12.2 The applied use is considered not incompatible with the surrounding areas which comprise mainly vacant land, village settlements of Hang Tau and scattered residential dwellings, car park, restaurant, shop and services, storage yard and garden (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that no significant landscape impact arising from the applied use is anticipated.
- 12.3 Other concerned government departments consulted including the Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no adverse comment on or no objection to the application. Should the application be approved, the applicant will be advised to follow the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise any potential environmental nuisance caused by the applied use on the surrounding areas.
- 12.4 The application is considered generally in line with TPB PG-No. 34D in that there has been no material change in the planning circumstances since the granting of previous approval under application No. A/NE-KTS/516; no adverse planning implication arising from the renewal is anticipated; all approval conditions under the previous approval have been complied with; and the three-year approval period sought, which is the same as the last approval granted by the Committee, is considered reasonable.
- 12.5 Given the previous approval for the same use with the same layout and development parameters at the Site in 2022 as detailed in paragraph 6 above, approving the current application is in line with the Committee’s previous decision.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above, PlanD has no objection to the application.
- 13.2 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 and be renewed from 26.11.2025 to 25.11.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period; and

- (b) 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.

Advisory Clauses

The recommended advisory clauses are at **Appendix V**.

- 13.3 There is no strong reason to recommend rejection of the renewal application.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form with supplementary information received on 4.9.2025, 9.9.2025 and 11.9.2025
Appendix Ia	FI received on 13.10.2025
Appendix II	Relevant extract of TPB PG-No. 34D
Appendix III	Previous applications
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public comment
Drawing A-1	Site layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
OCTOBER 2025**