

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM-SKW/138

<u>Applicant</u>	: Mr. Wu Wing Yee (胡永誼) represented by Grandmax Surveyors Limited
<u>Site</u>	: Lots 194 (Part), 195, 196, 197, 198 and 209 (Part) in D.D. 385, Tai Lam Chung, Tuen Mun, New Territories
<u>Site Area</u>	: About 3,073m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved So Kwun Wat Outline Zoning Plan (OZP) No. S/TM-SKW/15
<u>Zoning</u>	: “Village Type Development” (“V”) [Restricted to a maximum building height of 3 storeys (8.23m), except for those developments / uses specified in the Notes]
<u>Application</u>	: Proposed Temporary Private Vehicle Park for Private Cars and Light Goods Vehicles (LGVs) (Excluding Container Vehicles) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary private vehicle park for private cars and LGVs (excluding container vehicles) for a period of three years at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is paved and largely vacant with the northwestern part of the Site used for storage of pipes without valid planning permission (**Plans A-4a and A-4b**).
- 1.2 The Site is accessible via a local track leading from Tai Lam Chung Road with an ingress/egress point at its south (**Plan A-2**). According to the applicant, the proposed private vehicle park will provide 62 parking spaces (54 for private cars and 8 for LGVs) serving the villagers only. No structure will be erected and no vehicle storage, inspection, maintenance, repairing or washing activities will be carried out at the Site. The private vehicle park will be opened 24 hours daily. The site layout plan submitted by the applicant is at **Drawing A-1**.

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

- (a) Application Form received on 16.9.2025 (Appendix I)
- (b) Further Information (FI) received on 24.10.2025* (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 at **Appendix I**. They can be summarised as follows:

- (a) the proposed vehicle park will serve local villagers and address the parking needs of Tai Lam Chung Tsuen, which will reduce illegal roadside parking; and
- (b) no adverse visual, noise, traffic, drainage and fire safety impacts are anticipated.

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 obtaining the consent of some current land owners and notified the remaining current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

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

5. **Previous Application**

There is no previous application concerning the Site.

6. **Similar Applications**

There are three similar applications (No. A/TM-SKW/118, 125 and 136) for temporary private or public vehicle park within the same “V” zone in the past five years. They were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “V” zone; being not incompatible with the surrounding land uses; and relevant government departments had no objection to/no adverse comment on the applications. Details of the applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible via a local track leading from Tai Lam Chung Road; and
- (b) paved and largely vacant with the northwestern part of the Site used for storage of pipes.

7.2 The surrounding areas are rural in character predominated by village houses intermixed with parking of vehicles and storage/open storage uses.

8. Planning Intention

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 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.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government department as set out in paragraph 9.2 below, other bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments 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 point of view; and
- (b) advisory comments as detailed in **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 23.9.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix V**) from a Tuen Mun District Council member indicating that no local comment has been received on the application and a member of the public commenting that the Site has been paved, the need for additional parking is questionable and no electric vehicle charging facilities will be provided.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary private vehicle park for private cars and LGVs (excluding container vehicles) for a period of three years at the Site zoned “V” on the OZP. Although the proposed use is not entirely in line with the planning intention of the “V” zone, it could help meet the parking demand of the villagers in the locality. In this regard, C for T supports the application from traffic engineering point of view. According to DLO/TM, LandsD, there is currently no Small House application approved/under processing at the Site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone.
- 11.2 The proposed use is generally not incompatible with the surrounding areas which are rural in character predominated by village houses intermixed with parking of vehicles and storage/open storage uses.
- 11.3 Other concerned government departments consulted, including the Director of Environmental Protection and Chief Engineer/Mainland North of Drainage Services Department, have no objection to/no adverse comment on the application. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government department. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise potential environmental nuisances on the surrounding areas.
- 11.4 There are three similar applications within the same “V” zone approved by the Committee in the past five years as mentioned in paragraph 6 above. Approval of the application is in line with the previous decisions of the Committee.
- 11.5 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taking into account the public comments detailed 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 three years until 7.11.2028. 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 planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 7.5.2026;
- (b) in relation to (a) above, the implementation of the 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 7.8.2026;

- (c) in related to (b) above, the implemented drainage facilities on the site 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 proposed use is not in line with the planning intention of the "Village Type Development" zone which is primarily for development of Small House by indigenous villagers. No strong planning justification has been given 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 16.9.2025
Appendix Ia	FI received on 24.10.2025
Appendix II	Similar Applications
Appendix III	Government Bureau/Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Site Layout Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**