

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/735

- Applicant** : Mr. WU Shing Tak
- Site** : Lot 1999 in D.D. 119, Muk Kiu Tau Tsuen, Kiu Hing Road, Shap Pat Heung, Yuen Long, New Territories
- Site Area** : 805 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m) except for those developments/uses specified in the Notes]
- Application** : Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles (LGVs)) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (private cars and LGVs) for a period of three years at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Public Vehicle Park’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently mostly vacant and paved (**Plan A-4**).
- 1.2 The Site is accessible to/from Kiu Hing Road via a local track with an ingress/egress at the north (**Plan A-2**). According to the applicant, the Site will be used as a public vehicle park to provide 26 parking spaces including 21 for private cars (4m x 2m each) and five for LGVs (6m x 3m each). Only licenced vehicles would be parked at the Site. No medium or heavy goods vehicles, including container tractors/trailers, would be allowed to access/park at the Site. No car beauty services, vehicle repairing, dismantling or other workshop activities would be allowed at the Site. The public vehicle park would operate 24 hours daily. Plan showing the site layout 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 with attachments received on 8.9.2025 (Appendix I)
- (b) Further Information (FI) received on 22.10.2025* (Appendix Ia)
- (c) FI received on 23.10.2025* (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 in **Appendix I**. They can be summarised as follows:

- (a) the proposed public vehicle park would serve the nearby residents; and
- (b) no construction works would be carried out for the proposed public vehicle park.

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 (TPG PG-No. 31B) by obtaining the consents of the “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is subject to planning enforcement action (No. E/YL-TT/758) against unauthorized development (UD) involving use for place for parking of vehicles (**Plan A-2**). Enforcement Notice (EN) was issued on 4.8.2025 requiring discontinuation of the UD. The latest site inspection in September 2025 revealed that the UD still continued upon expiry of the EN, and prosecution action is being considered.

5. **Previous Application**

There is no previous application concerning the Site.

6. **Similar Application**

There is a similar application (No. A/YL-TT/694) for temporary public vehicle park (private cars) in the same “V” zone in the past five years, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board for a period of three years on 14.3.2025 mainly on considerations that the applied

use would not jeopardise the long-term planning intention of the “V” zone; being not incompatible with the surrounding uses; and no major adverse comments from concerned government departments. Details of the application is summarised at **Appendix II** and its location is shown on **Plan A-1**.

7. Planning Intention

The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within the zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within the 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. The Site and Its Surrounding Areas (Plans A-1 to A-4)

8.1 The Site is:

- (a) mostly vacant and paved; and
- (b) accessible to/from Kiu Hing Road via a local track.

8.2 The surrounding areas are rural residential in nature predominantly occupied by village houses/residential dwellings intermixed with parking of vehicles, village office and vacant/unused land.

9. Comments from Relevant Government Departments

9.1 Apart from the government 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 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**.

9.3 The following government department has conveyed local views on the application:

District Officer's Comments

9.3.1 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

his office received a letter from two Village Representatives of Muk Kiu Tau, and seven letters in standard format from villagers of Muk Kiu Tau raising objection to the application mainly on the grounds that the proposed use would bring about adverse traffic and environmental impacts and potential fire hazard to the surrounding areas (**Appendix V**).

10. Public Comments Received During the Statutory Publication Period

On 16.9.2025, the application was published for public inspection. During the statutory public inspection period, 10 public comments were received (**Appendices VIa and VIb**). Among them, nine comments (including two comments from the Shap Pat Heung Rural Committee and the Village Representatives of Muk Kiu Tau Tsuen and seven comments from individuals (**Appendix VIa**))¹, objected to the application on the same grounds mentioned in paragraph 9.3.1 above. The remaining comment was submitted by an individual expressing view that the Site should be provided with electric vehicle charging facilities (**Appendix VIb**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary public vehicle park (private cars and LGVs) 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 serve the local villagers to meet their parking needs. In this regard, C for T supports the application from traffic engineering point of view. According to DLO/YL, LandsD, there is no Small House application approved or under processing at the Site. Approval of the application on a temporary basis of three years would not jeopardise 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 residential in nature predominantly occupied by village houses/residential dwellings intermixed with parking of vehicles, village office and vacant/unused land (**Plan A-2**).
- 11.3 Other concerned government departments consulted, including the Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, fire safety and drainage perspectives respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of the concerned government departments. The applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental

¹ Apart from the comment submitted by the Shap Pat Heung Rural Committee, the other eight objecting comments are identical to those conveyed by DO(YL), HAD (**Appendix V**).

Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisances on the surrounding areas.

- 11.4 The Committee has approved a similar application in the same “V” zone in the past five years. Approval of the current application is in line with the Committee’s previous decision.
- 11.5 Regarding the public comments (eight of them were identical to those conveyed by DO(YL), HAD) as summarised in paragraphs 9.3.1 and 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 taken into account the public comments detailed in paragraphs 9.3.1 and 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 relation to (b) above, the implemented drainage facilities should 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 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 Houses by indigenous villagers. No strong planning justifications have 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 with attachments received on 8.9.2025
Appendix Ia	FI received on 22.10.2025
Appendix Ib	FI received on 23.10.2025
Appendix II	Similar Application
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Local Views Conveyed by DO(YL), HAD
Appendices VIa and VIb	Public Comments
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
NOVEMBER 2025**