

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/572

- Applicant** : Brilliant On Development Limited represented by WinLi Group Limited T/A WinLi Consulting Engineers
- Site** : Lots 1210 S.B ss.1, 1210 S.B ss.2, 1210 S.B ss.3, 1210 S.B ss.4, 1210 S.B ss.5, 1210 S.B ss.6, 1210 S.B ss.7 and 1210 S.B RP in D.D. 129 and adjoining Government Land (GL), Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 750 m² (including about 170 m² of GL (about 22.7%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Private Vehicle Park (Private Cars) and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary private vehicle park (private cars) and associated filling of land 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, temporary use or development not exceeding a period of three years and filling of land within “V” zone require planning permission from the Town Planning Board (the Board). The Site is currently hard paved and partly occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via a local track (**Drawing A-2**), with the ingress/egress located at the west of the Site. As shown on the layout plan at **Drawing A-1**, 15 parking spaces for private cars (5m × 2.5m each) are provided. According to the applicant, the temporary private vehicle park would operate 24 hours daily including public holidays.
- 1.3 The applicant also seeks planning permission to regularise the land filling works already undertaken on the Site, i.e. the concrete paving with a depth of about 0.15m covering the entire Site (about 750m²) to facilitate the parking of vehicles. No additional land filling works will be carried out at the Site.

- 1.4 The proposed layout plan, vehicular access plan and drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.
- 1.5 The Site is the subject of a previous application for the same use approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 26.2.2021 (details at paragraph 6 below). Compared with the previous application, the current application is submitted by the same applicant for the same use with fewer car parking spaces. The major development parameters of the current application are as follows:

Site area	about 750m ²
Applied use	Temporary Private Vehicle Park (Private Cars) and Associated Filling of Land for a Period of 3 Years
No. of structures	Nil
No. of parking spaces	private cars: 15
No. of loading/ unloading spaces	Nil
Operation hours	24 hours daily (including Sundays and public holidays)
Land filling area	750m ²

- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 30.9.2025 **(Appendix I)**
 - (b) Supplementary Information (SI) received on 8.10.2025 **(Appendix Ia)**
 - (c) Further Information (FI) received on 12.11.2025 **(Appendix Ib)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) The private vehicle park is intended to serve the local villagers so as to alleviate the problem of insufficient parking spaces in Mong Tseng Wai.
- (b) The GL involved would not be used for car parking and would serve as a footpath.

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

For the private land portion, the applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, 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 Ordinance (TPB PG-No. 31B) are not applicable.

4. Town Planning Board Guidelines

According to Town Planning Board Guidelines for “Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance” (TPB PG-No. 12C), the Site falls within the Wetland Buffer Area (WBA) (**Plan A-1**). The relevant assessment criteria are detailed at **Appendix II**.

5. Background

The Site is currently not subject to any active planning enforcement action. Should there be sufficient evidence to form an opinion that there is unauthorized development at the Site, planning enforcement action would be undertaken.

6. Previous Application

The Site was involved in a previous application (No. A/YL-LFS/367) submitted by the same applicant for the same use with filling of land on a temporary basis for a period of three years. The application was approved with conditions by the Committee on 26.2.2021 mainly on the considerations that temporary use would not jeopardise the long-term planning intention of the “V” zone; the applied use was not incompatible with the surrounding land uses; there were no adverse comments from concerned government departments and the technical concerns could be addressed by implementation of approval conditions. The planning permission lapsed on 27.2.2024. Details of the application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. Similar Application

Within the same “V” zone, there is a similar application (No. A/YL-LFS/534) for proposed temporary public vehicle park (excluding container vehicle) and shop and services with ancillary facilities for a period of five years and associated filling of pond and land in the past five years. The application was approved with conditions by the Committee in 2024 mainly on the similar considerations as mentioned in paragraph 6 above. Details of the similar application are summarised in **Appendix III** and its location is shown on **Plan A-1**.

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

8.1 The Site is:

- (a) currently hard paved and partly used for the applied use without valid planning permission; and
- (b) accessible from Deep Bay Road via a local track.

8.2 The surrounding areas are predominated by village houses, intermixed with unused land, fallow farmland, parking of vehicles, a temple and a shrine.

9. Planning Intention

- 9.1 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 this zone is primarily intended for development of Small Houses 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.
- 9.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the environment, permission from the Board is required for such activities.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government departments as set out in paragraphs 10.2 and 10.3 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 IV and V** respectively.

- 10.2 The following government department supports the application:

Traffic

- 10.2.1 Comments of Commissioner for Transport (C for T):

- (a) She supports the application from traffic engineering perspective to meet the demand for car parking spaces.
- (b) The applicant should note her advisory comments at **Appendix V**.

- 10.3 The following government department has conveyed local objections regarding the application:

District Officer's Comments

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

He has consulted the locals regarding the application. Three local comments from villagers of Mong Tseng Wai were received objecting to the application mainly on the grounds that the applied private vehicle park would obstruct a local track serving as an emergency vehicular access (**Appendix VI**).

11. Public Comments Received During Statutory Publication Period

On 10.10.2025, the application was published for public inspection. During the statutory public inspection period, four public comments from individuals/villagers (**Appendix VII**) were received objecting to the application mainly on grounds that the applied car park would encroach onto the footpath and passing area of a local track within GL causing traffic congestion and safety problems; and the applied private car park could not be used by other villagers.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary private vehicle park (private cars) and associated filling of land for a period of three years within the “V” zone on the OZP (**Plan A-1**). Although the applied use is not entirely in line with the planning intention of the “V” zone, they could help serve the local villagers/residents and meet their car parking needs. In this regard, C for T supports the current application from traffic engineering perspective. Besides, the District Lands Officer/Yuen Long of Lands Department advises that there is no Small House application approved or under processing at the Site. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “V” zone.
- 12.2 The applicant also applies to regularise the existing concrete paving of 0.15m in depth covering the entire Site (about 750m²). Filling of land within the “V” zone requires planning permission from the Board as it may cause adverse drainage impacts on the adjacent areas and adverse impact on the natural environment. The Site also falls within the WBA under TPB PG-No. 12C. In this regard, the Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD), Director of Agriculture, Fisheries and Conservation and Director of Environmental Protection have no objection to/no adverse comment on the application from drainage, nature conservation and environmental perspectives respectively.
- 12.3 The Site is located at the eastern part of the recognised village of Mong Tseng Wai. The surrounding areas comprise predominately village houses intermixed with, inter alia, unused land, fallow agricultural land and parking of vehicles. The applied use with associated filling of land is considered not incompatible with the surrounding land uses.
- 12.4 Other government departments consulted, including the Director of Fire Services, have no objection to or no adverse comments on the application. The technical requirements of CE/MN of DSD could be addressed by imposing approval conditions in paragraph 13.2 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’.
- 12.5 There are an approved previous application submitted by the same applicant for the same use in 2021 and a similar application for temporary public vehicle park involving filling of land within the same “V” zone approved by the Committee in 2024 (**Plan A-1**). Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 Regarding the local views conveyed by DO/YL of HAD and the public comments

objecting to the application as summarised in paragraphs 10.3.1 and 11 above respectively, the planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant. As for the concern on the encroachment onto local track within GL, the applicant has committed that the GL involved would not be used for car parking and would serve as a footpath. The applicant would be advised to liaise with the locals should the Committee approve the application.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the local views and public comments mentioned in paragraphs 10.3.1 and 11 respectively, the Planning Department 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 until **21.11.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised 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 **21.5.2026**;
- (b) in relation to (a) above, the implementation of the revised 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 **21.8.2026**;
- (c) in relation 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 V**.

- 13.3 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 for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning 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 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 attachments received on 30.9.2025
Appendix Ia	SI received on 8.10.2025
Appendix Ib	FI received on 12.11.2025
Appendix II	Extracts of Town Planning Board Guidelines for Application for Development within Deep Bay Area (TPB PG-No. 12C)
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Local Views conveyed by District Officer/Yuen Long
Appendix VII	Public Comments Received During Statutory Publication Period
Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Drawing A-3	Drainage Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**