

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/1079

- Applicant** : 夏佩娟
- Site** : Lots 2622 (Part) and 2623 (Part) in D.D. 111, Wang Toi Shan, Pat Heung, Yuen Long
- Site Area** : About 551.96m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Village Type Development” (“V”)
[restricted to maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles Only) and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars and light goods vehicles only) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for “V” zone, ‘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 fenced off, hard-paved, and used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Kam Tin Road via a local track (**Plan A-2**). According to the applicant, the applied use involves a total of 11 parking spaces, including six for private cars and five for light goods vehicles (LGVs), within the Site to serve the residents of the Wang Toi Shan Shan Tsuen and nearby workers. Two open sheds with a height of 3m and a total floor area of about 110m² for shelter of four parking spaces are also provided (**Drawing A-1**). Only licensed private cars and LGVs are allowed to park within the Site. The applicant also applies for regularisation of associated filling of land for the entire Site with concrete for a depth of about 0.1m, raising the site level to about +32.6mPD for site formation (**Drawing A-2**). No further land filling is required. The applied use is operated 24

hours daily, including public holidays. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with supporting documents received (**Appendix I**) on 10.7.2025 and 15.7.2025
- (b) Further Information (FI) received on 22.10.2025* (**Appendix Ia**)

**accepted and exempted from publication and recounting requirements*

1.4 On 5.9.2025, 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**, and can be summarised as follows:

- (a) The applied use is intended to serve the nearby residents and workers on monthly rental basis. Only licensed private cars and LGVs are allowed to park within the Site should the current application be approved.
- (b) The applied use will not cause any adverse environment, traffic and drainage impacts on the surrounding areas. A drainage proposal has been submitted in support of the current application.

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

The applicant is not the “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is not subject to any active enforcement action.

5. Previous Application

There is no previous application involving the Site.

6. Similar Applications

There are six similar applications (No. A/YL-PH/912, 928, 982, 1004, 1031 and 1060) for proposed temporary public/private vehicle park (including one renewal of planning approval granted by the Board and five involving filling of land) within or partially within the same “V” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2022 and 2025, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention “V” zone; the proposed/applied use was not incompatible with the surrounding areas; and the concerned government departments consulted in general had no adverse comment or their technical concerns could be addressed by relevant approval conditions. Details of the similar applications are summarised in **Appendix II** and the 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) accessible from Kam Tin Road via a local track; and
- (b) currently fenced off, hard-paved, and used for the applied use without valid planning permission.

7.2 The surrounding areas are rural in character comprising mainly residential structures intermixed with open storage/storage yards, motor-vehicle showrooms (two with valid planning permissions), a vehicle park (with valid planning permission), vacant land, grassland and woodland. Village settlements of Wang Toi Shan Shan Tsuen and San Lung Wai are located to the west and south respectively.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraphs 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, if any, 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) supports the application from traffic engineering perspective to address the local demand for parking spaces; and
- (b) advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 18.7.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual expressing concerns that there were already a number of applications approved for vehicle parks in Wang Toi Shan recently and the intention of the current application is in doubt (**Appendix V**).

11. Planning Considerations and Assessments

11.1 The application is for temporary public vehicle park (private cars and light goods vehicles only) and associated filling of land for a period of three years at the Site zoned “V” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “V” zone, according to the applicant, the applied use is intended to serve the nearby residents and workers and C for T supports the application for addressing the local parking demand. Besides, the District Lands Officer/Yuen Long, Lands Department advises that there is no Small House application approved or under processing at the Site. The applied use of temporary nature would not adversely affect the land availability for NTEH/Small House within the “V” zone in the long term. 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. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of three years.

11.2 Filling of land within the “V” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department, who also considers the submitted drainage proposal acceptable, and Director of

Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.

- 11.3 The applied use is considered not incompatible with the surrounding areas which are rural in character comprising mainly residential structures intermixed with open storage/storage yards, motor-vehicle showrooms, a vehicle park, vacant land, grassland and woodland, as well as village settlements of Wang Toi Shan Shan Tsuen and San Lung Wai to the west and south respectively (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Director of Fire Services, 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. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise the potential environmental nuisance on the surrounding land uses.
- 11.5 There are six similar applications within or partially within the "V" zone in the vicinity of the Site approved by the Committee in the past five years as detailed in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.
- 11.6 Regarding the public comment mentioned in paragraph 10 above, the departmental comments and planning assessments 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 comment mentioned in paragraph 10 above, PlanD 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 19.12.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the implementation of the accepted 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 19.9.2026;
- (b) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (c) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 19.6.2026;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 19.9.2026;
- (e) if the above planning condition (b) 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
- (f) if any of the above planning condition (a), (c) or (d) 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 applied use with associated filling of land is not in line with the planning intention of the "V" zone which is to provide land 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.

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 and supporting documents received on 10.7.2025 and 15.7.2025
Appendix Ia	FI received on 22.10.2025
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2025**