

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/722

- Applicant** : Mr. CHEUNG Chi Yan
- Site** : Lots 13 S.B and 13 S.E in D.D. 117, Shui Tsiu San Tsuen, Tai Tong Road, Yuen Long, New Territories
- Site Area** : 278 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** : Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars only) for a period of three years at the application site (the Site) which is 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 paved and currently occupied by the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading from Shui Tsiu San Tsuen Road with an ingress/egress point at the west (**Drawing A-1** and **Plan A-2**). According to the applicant, the Site will be used as a public vehicle park to provide six parking spaces for private cars (5m x 2.5m each). No light, medium or heavy goods vehicles, including container tractors/trailers, are allowed to access/park at the Site and no vehicle without valid licenses issued under Road Traffic Ordinance is permitted to park at the Site. The public vehicle park would operate 24 hours daily. Plans showing the vehicular access, site layout, drainage and fire service installations (FSIs) proposals submitted by the applicant are at **Drawings A-1** to **A-4** respectively.

- 1.3 The Site was involved in a previous application (No. A/YL-TT/623) covering a larger site for the same use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2023 (details at paragraph 5 below). Compared with the last approved application, the current application is submitted by a different applicant for the same use with a different site area, layout and development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 21.7.2025 (Appendix I)
 - (b) Supplementary Information (SI) received on 25.7.2025 (Appendix Ia)
 - (c) Further Information (FI) received on 29.10.2025* (Appendix Ib)
 - (d) FI received on 13.1.2026* (Appendix Ic)
*[*accepted and exempted from publication and recounting requirements]*
- 1.5 On 19.9.2025 and 19.12.2025, the Committee agreed to defer making a decision on the application for two months each 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, SI and FIs at **Appendices I to Ic**. They can be summarised as follows:

- (a) the applied public vehicle park would serve the nearby residents and the general public; and
- (b) adverse drainage and environmental impacts are not 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 consent of the “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The use for place for parking of vehicles on the Site would be subject to planning enforcement action.

5. Previous Application

The Site is the subject of a previous application (No. A/YL-TT/623) covering a larger site for the same use submitted by a different applicant as the current application. The application was approved with conditions on a temporary basis by the Committee for a period of three years on 22.12.2023 mainly on considerations that the proposed use would not jeopardise the planning intention of the “V” zone; being not incompatible with the surrounding uses; and the departmental comments could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked on 22.6.2024 due to non-compliance with time-limited approval conditions regarding the submission of drainage proposal and implementation of drainage and FSIs proposals. Details of the previous application are summarised in **Appendix II** and its location is shown on **Plan A-1**.

6. Similar Applications

6.1 There are eight similar applications (No. A/YL-TT/559, 569, 604, 611, 612, 622, 673 and 731) involving seven sites for temporary public vehicle park for a period of three or five years within or straddling the same “V” zone in the past five years. All these applications were approved with conditions by the Committee between 2022 and 2025 mainly on similar considerations as those mentioned in paragraph 5 above. Details of these applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

6.2 For Members’ information, planning application No. A/YL-TT/721 (for temporary public vehicle park (private cars only) for a period of three years) within the same “V” zone will also be considered at this meeting (**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) paved and currently occupied by the applied use without valid planning permission; and
- (b) accessible via a local track leading from Shui Tsiu San Tsuen Road.

8.2 The surrounding areas are rural residential in nature predominantly occupied by village houses/residential dwellings intermixed with parking of vehicles (one covered by a valid planning permission No. A/YL-TT/569), playground, open storage/storage yards and vacant/unused land.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 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 are provided in **Appendices III and IV** respectively.

9.2 The following government department supports the application:

Traffic

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 Comment Received During the Statutory Publication Period

On 29.7.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix V**) objecting to the application mainly on the grounds that the approval conditions of the previously approved application were not complied with.

11. Planning Considerations and Assessments

11.1 The application is for temporary public vehicle park (private cars only) for a period of three years at the Site which is zoned “V” on the OZP. Although the applied 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 the District Lands Officer/Yuen Long of Lands Department, 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 applied 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, playground, open storage/storage yards and vacant/unused land (**Plan A-2**).

11.3 Concerned government departments consulted including the Director of Environmental Protection, Director of Fire Services (D of FS) and Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) have

no objection to or no adverse comment 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 Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisances on the surrounding areas.

- 11.4 The Site was involved in a previous application (No. A/YL-TT/623) submitted by a different applicant for the same use which was approved with conditions for a period of three years by the Committee in 2023. However, the planning permission was subsequently revoked in 2024 due to non-compliance with time-limited approval conditions on submission drainage proposal and implementation of drainage and FSIs proposals. In this regard, the applicant clarified that due to changes in operational needs, the temporary car park under the previously approved application has been split into two separate applications to facilitate future management. In support of the current application, drainage and FSIs proposals have been submitted (**Drawings A-3 and A-4**). In this regard, CE/MN, DSD and D of FS have no objection to the current application. As such, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission and sympathetic consideration may not be given to any further applications.
- 11.5 Eight similar applications were approved by the Committee within or straddling the same “V” zone in the past five years. Approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned 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 13.3.2029. 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 13.9.2026;
- (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 13.12.2026;

- (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 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 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 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 with attachments received on 21.7.2025
Appendix Ia	SI received on 25.7.2025
Appendix Ib	FI received on 29.10.2025
Appendix Ic	FI received on 13.1.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Drainage Proposal

Drawing A-4	FSIs Proposal
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2026**