

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1347

- Applicant** : Miss. KWOK Kai Man
- Site** : Lots 415, 420, 421 and 422 RP in D.D. 121, Tai Tao Tsuen, Hung Shui Kiu, Yuen Long
- Site Area** : 2,650 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14
- Zonings** : “Residential (Group B)1” (“R(B)1”) (about 54.5%)
[restricted to maximum plot ratio of 1, maximum site coverage of 40% and maximum building height (BH) of 4 storeys over single-storey carpark (15m)]
- “Comprehensive Development Area” (“CDA”) (about 45.5%)
[restricted to maximum gross floor area of 69,000m² (for the whole “CDA” zone) and maximum BH of 17 storeys]
- Application** : Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (excluding container vehicle) for a period of three years at the application (the Site) which is zoned partly “R(B)1” and partly “CDA” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, fenced off and occupied by the applied use without valid planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site with the ingress/egress at the eastern part is accessible from Fui Sha Wai South Road via a local track (**Plans A-2 and A-3**). According to the applicant, the applied use will provide a total of 40 parking spaces for private cars/light goods vehicles (LGVs) (5m x 2.5m each). Six one-storey structures (not exceeding 2.7m in height) with a total floor area of about 89.1m² are erected for site office, rain shelters and store rooms. No medium or heavy goods vehicles, including

container tractors/trailers, will be allowed to access/park at the Site. The vehicle park will operate 24 hours daily including public holidays. The site layout plan and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 The Site was involved in four previous applications including two (No. A/YL-TYST/934 and 1139) for temporary public vehicle park use approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2019 and 2022 respectively (details at paragraph 5 below). Compared with the last application (No. A/YL-TYST/1139), the current application is submitted by the same applicant for the same use at the same site with different layout and parameters. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Previously Approved Application No. A/YL-TYST/1139 (a)	Current Application No. A/YL-TYST/1347 (b)	Difference (b) – (a)
Site Area	About 2,650 m ²		---
Total Floor Area	About 68.16 m ²	About 89.1 m ²	+20.94 m ² (+30.7%)
No. and Height of Structures	4 for site offices, store room and rain shelter (2.6-2.8m, 1 storey)	6 for site offices, store room and rain shelter (2.4-2.7m, 1 storey)	+2 (+50%)
No. of Parking Spaces	30 (for private cars/light goods vehicles)	40 (for private cars/light goods vehicles)	+10 (+33.3%)
Operation Hours	24 hours daily (including public holidays)		---

- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 19.1.2026 **(Appendix I)**
 - (b) Further Information (FI) received on 29.1.2026* **(Appendix Ia)**
 - (c) FI received on 3.3.2026* **(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 and FIs at **Appendices I to Ib**. They can be summarised as follows:

- (a) The public vehicle park has been in operation for six years. Continuation of the applied use could help meet the local demand for parking spaces and will not create any nuisance to the local villagers.
- (b) The applicant commits to apply to LandsD for Short Term Waiver should the Committee approve the application

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 posting site notice and sending notice to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is currently not subject to planning enforcement action.

5. Previous Applications

5.1 The Site, in part or in whole, was involved in four previous planning applications for various temporary uses including two applications (No. A/YL-TYST/934 and 1139) for temporary public vehicle park. Details of the previous applications are summarised at **Appendix II** and their site boundaries are shown on **Plan A-1**.

Approved Applications

5.2 Application No. A/YL-TYST/548, covering a smaller site area, for temporary site office for a period of 12 months was approved by the Committee in 2011. The considerations of this application are not relevant to the current application which involves a different use.

5.3 Applications No. A/YL- TYST/934 and 1139 covering the same site for temporary public vehicle park (excluding container vehicle) for a period of three years were approved by the Committee in 2019 and 2022 respectively mainly on considerations that the applied use was not incompatible with the surrounding areas; approval of the application on a temporary basis would not jeopardise the long-term development of the area; and the concerns of relevant government departments could be addressed by implementation of approval conditions. All approval conditions under the last approved application No. A/YL-TYST/1139 had been complied with and the planning permission lapsed on 9.3.2025.

Rejected Application

5.4 Application No. A/YL-TYST/623 for temporary open storage of construction material was rejected by the Committee in 2012. The considerations of the application are not relevant to the current application which involves a different use.

6. Similar Applications

There are two similar applications (No. A/YL-TYST/1229 and 1287) for temporary public vehicle park (excluding container vehicles) with ancillary office covering the same application site within the same “R(B)1” zone in the past five years. Both applications were approved by the Committee in 2023 and 2024 respectively mainly on similar

considerations as those mentioned in paragraph 5.3 above. Details of the applications are summarised at **Appendix III** 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 off Fui Sha Wai South Road to the northeast, which connects to Castle Peak Road – Hung Shui Kiu Section to the further north of the Site (**Plans A-2 and A-3**); and
- (b) hard-paved, fenced off and occupied by the applied use without valid planning permission (**Plans A-4a and A-4b**).

7.2 The surrounding areas comprise predominately low to medium-rise residential developments (Uptown, the Woodside and the Woodsville) intermixed with scattered vacant land, storage/open storage yards, workshop and vehicle park. Some of the uses are covered by valid planning permissions (**Plan A-2**).

8. Planning Intentions

8.1 The planning intention of the “R(B)” zone is primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

8.2 The planning intention of the “CDA” zone is for comprehensive development/redevelopment of the area for residential use with the provision of open space, commercial and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

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 are provided in **Appendices IV** and **V** respectively.

9.2 The following government department has adverse comments on the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) he has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of

the Government;

- (c) there are unauthorised structures and uses on Lots 420, 421 and 422 RP in D.D. 121 which are already subject to lease enforcement actions according to case priority. The lot owners should rectify/apply regularization on the lease breaches as demand by LandsD; and
- (d) the applicant should note his advisory comments at **Appendix V**.

10. Public Comment Received During the Statutory Publication Period

On 27.1.2026, the application was published for public inspection. During the statutory public inspection period, a public comment was received from the Incorporated Owners of The Woodville, which includes signatures from its residents objecting/ supporting to the application without specifying any grounds (**Appendix VI**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary public vehicle park (excluding container vehicle) for a period of three years at the Site which is zoned partly “R(B)1” (about 54.5%) and partly “CDA” (about 45.5%) on the OZP. Although the applied use is not in line with the planning intentions of the “R(B)” and “CDA” zones, there is currently no known proposal or programme for long-term development of the Site. Approval of the application on a temporary basis of three years would not jeopardise the long-term planning intentions of the “R(B)1” and “CDA” zones.
- 11.2 The surrounding area comprise predominately low to medium-rise residential developments (Uptown, the Woodside and the Woodville) intermixed with scattered vacant land, storage/open storage yards, workshop and vehicle park (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.
- 11.3 Relevant government departments consulted including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to/no adverse comment on the application from traffic, environmental, fire safety and drainage aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the planning application be approved, 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 potential environmental nuisance on the surrounding areas.
- 11.4 As for DLO/YL, LandsD’s concerns on the unauthorised structure(s) and/or uses on the Site, the applicant commits to apply to DLO/YL, LandsD for Short Term Waiver should the Committee approve the application. The applicant will be advised to liaise with LandsD on these land administration matters.
- 11.5 Given that there are two previous approvals for temporary public vehicle park at the Site and two similar applications in the subject “R(B)1” zone approved by the

Committee in the past five years, approval of the current application is generally in line with the Committee's previous decisions.

- 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 and having taken into account the public comment summarised 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 existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a revised 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 **13.9.2026**;
- (c) in relation to (b) above, the implementation of the revised 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 **13.12.2026**;
- (d) if the above planning condition (a) 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 (b) or (c) 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 V**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Member's reference:

the applied use is not in line with the planning intentions of the "R(B)" and "CDA" zones which are for sub-urban medium-density residential developments in rural areas and comprehensive development/redevelopment of the area respectively. No strong planning justification has been given in the submission for a departure from the planning intentions, 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 19.1.2026
Appendix Ia	FI received on 29.1.2026
Appendix Ib	FI received on 3.3.2026
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Site Layout Plan
Drawing A-2	FSIs Proposal
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
MARCH 2026**