

Previous Applications involving the Site

Approved Applications

Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)
A/YL-PH/832	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	24.4.2020
A/YL-PH/938	Renewal of Planning Approval for Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years	17.3.2023

Rejected Applications

Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)	Rejection Reasons
A/YL-PH/258	Temporary Open Storage of Lorries Prior to Sale for 12 Months	5.2.1999	(1) to (4)
A/YL-PH/778	Proposed Temporary Open Storage of Construction Material and Construction Equipment for a Period of 3 Years	4.5.2018	(1), (2), (4) and (5)

Rejection Reasons

- (1) The development was not in line with the planning intention of the “Village Type Development” zone. No strong planning justification had been given in the submission to justify a departure from the planning intention.
- (2) The development did not comply with the Town Planning Board Guidelines for application for open storage and port back-up uses in that it was not compatible with the surrounding land uses which were predominated by residential structures/dwellings.
- (3) No information had been given in the submission to demonstrate as to why a suitable site within the “Open Storage” zone could not be identified for the applied use.
- (4) Approval of the application would set an undesirable precedent for other similar applications. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- (5) The applicant failed to demonstrate that the development would not generate environmental nuisance on the surrounding areas.

**Similar Applications within or straddling the same “Village Type Development” Zone
in the Vicinity of the Site in the Past Five Years**

Approved Applications

	Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)
1.	A/YL-PH/877	Renewal of Planning Approval for Temporary Covered Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	16.4.2021
2.	A/YL-PH/899	Renewal of Planning Approval for Temporary Private Car Park (excluding Container Vehicle) for a Period of 3 Years	24.12.2021
3.	A/YL-PH/940	Renewal of Planning Approval for Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years	31.3.2023
4.	A/YL-PH/947	Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years	19.5.2023
5.	A/YL-PH/983	Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years and Filling of Land	24.5.2024
6.	A/YL-PH/989	Renewal of Planning Approval for Temporary Covered Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	19.4.2024
7.	A/YL-PH/1041	Temporary Private Vehicle Park (excluding Container Vehicle) for a Period of 3 Years and Associated Filling of Land	14.2.2025

Government Departments' General Comments

1. Traffic

Comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD):

- no in-principle objection to the application from highways maintenance perspective; and
- advisory comments are at **Appendix V**.

2. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- no substantiated environmental complaint concerning the application site (the Site) received in the past three years; and
- advisory comments are at **Appendix V**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no in-principle objection to the application from public drainage point of view;
- the submitted drainage proposal with condition record of the existing drainage facilities is considered acceptable; and
- noting the applicant will maintain the same drainage facilities as those implemented under previous application (No. A/YL-PH/938), should the application be approved, approval condition requiring maintenance of the existing drainage facilities should be included in the planning permission.

4. Landscape Aspect

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2024, the Site is located in an area of rural inland plain landscape character comprising temporary structures, open storage, small houses and scattered tree groups. The applied use is not entirely incompatible with the surrounding environment; and

- with reference to the site photos taken in January 2026, the Site is fenced-off and partially paved without distinctive landscape resources. It is noted that the applicant applies for regularisation of associated filling of land of the entire Site and no tree felling is involved. Significant adverse landscape impact arising from the applied use is not anticipated.

5. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- no objection to the application; and
- advisory comments are at **Appendix V**.

6. **District Office's Comments**

Comments of the District Officer (Yuen Long), Home Affairs Department:

- no particular comment on the application and no comment received from the locals upon close of consultation.

7. **Other Departments**

The following government departments have no objection to/no adverse comment/no comment on the application and their advisory comments, if any, are in **Appendix V**:

- Director of Fire Services;
- Chief Engineer/Construction, Water Supplies Department;
- Chief Engineer/Railway Development 1-1, HyD; and
- Project Manager (West), Civil Engineering and Development Department.

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the applied use with the concerned owner(s) and/or occupant(s);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that there are unauthorised building works and/or uses on Lot 1956 S.B RP in D.D. 111 (warning letters were issued on 22.12.2017 and registered against the Lot in Land Registry on 23.4.2018) which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularize the lease breaches as demanded by LandsD;
- (c) to note the comments of the Commissioner for Transport that:
 - (i) the application site (Site) is connected to the public road network via a section of a local access road which is not managed by Transport Department (TD). The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
 - (ii) sufficient manoeuvring space shall be provided within the Site; and
 - (iii) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) HyD shall not be responsible for the maintenance of proposed access connecting the Site and Kam Tin Road, including the local track; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;
- (e) to note the comments of the Director of Environmental Protection that:
 - (i) the applicant shall follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'; and
 - (ii) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) it is noted that associated filling of land is involved in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO) (Cap.

- 123). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
- (ii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (iii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - (iv) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (v) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R; and
 - (vi) detailed checking under the BO will be carried out at the building plan submission stage;
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) that:
- (i) the existing waterworks reserve for existing raw water mains will be affected (**Plan A-2** of the RNTPC Paper). A waterworks reserve shall be provided to WSD;
 - (ii) no structure shall be erected over the waterworks reserve and such area shall not be used for storage or car-parking purpose;
 - (iii) no filling within the waterworks reserve is allowed unless with the approval from the Water Authority;
 - (iv) the Water Authority and his officer and contractors, his or their workmen shall have free access at all times to the said area with necessary plant and vehicles for the purpose of construction, inspection, operation, maintenance and repair works. All other services across, through or under the waterworks reserve are required to seek authorization from the Water Authority;
 - (v) no trees or shrubs with penetrating roots may be planted within the waterworks reserve or in the vicinity of the water main; and
 - (vi) the Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site.