

Previous Applications involving the Site

Approved Application

Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)
A/YL-PH/947	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	19.5.2023

Rejected Application

Application No.	Proposed Uses/Developments	Date of Consideration (RNTPC)	Rejection Reasons
A/YL-PH/775	Proposed Temporary Open Storage of Construction Materials for Small House Development for a Period of 3 Years	20.4.2018	(1) to (4)

Rejection Reasons

- (1) The proposed use was not in line with the planning intention of the “Village Type Development” (“V”) zone which was intended to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within the “V” zone was primarily intended for development of Small Houses by indigenous villagers. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis.
- (2) The application did not comply with the Town Planning Board Guidelines No. 13E in that the proposed use was not compatible with the surrounding land uses which were predominated by residential structures/dwellings and vacant/unused land. There was no previous approval granted at the site and there is adverse departmental comment against the development.
- (3) The applicant failed to demonstrate that the proposed use would not generate environmental nuisance on the surrounding areas.
- (4) The approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications to proliferate into this part of the “V” zone. The cumulative effect of approving such application would result in a general degradation of the rural environment of the area.

**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. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- no adverse comment on the application;
- the application site (the Site) comprises Lots 1938, 1939, 1940 and 1941 all in D.D. 111 which are Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structure is allowed to be erected without the prior approval of the Government;
- there is no Small House application approved or under processing within the Site; and
- advisory comments are at **Appendix V**.

2. 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**.

3. Environment

Comments of the Director of Environmental Protection:

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

4. 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/947), should the application be approved, approval condition requiring maintenance of the existing drainage facilities should be included in the planning permission.

5. **Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations being provided to the satisfaction of his department; and
- advisory comments are at **Appendix V**.

6. **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 considered not entirely incompatible with the surrounding environment; and
- with reference to the site photos taken in February 2026, the Site is fenced-off, paved and partially occupied by an existing structure. 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.

7. **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**.

8. **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.

9. Other Departments

The following government departments have no objection to/no adverse comment/no comment on the application:

- 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:
 - (i) the lots owner(s) shall apply to his office for a Short Term Waiver (STW) to permit the structure(s) erected within the said private lots. The application for STW will be considered by the Government acting in the capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered; and
 - (ii) a staff resting room was involved. According to the established practice, application for STW of structures for domestic/residential uses on private agricultural land will not be entertained. Hence, even if the Town Planning Board approves the subject application, this office will not consider approving/regularizing any structure(s) erected/to be erected on the lots for domestic/residential uses;
- (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 the Transport Department. 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) Leung Shing Road is not maintained by HyD. HyD shall not be responsible for the maintenance of proposed access connecting the Site and Kam Tin Road, including Leung Shing Road and 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 follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs), in particular the ProPECC PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' including completion of percolation test and certification by Authorized Person;
 - (iii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (iv) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (f) to note the comments of the Director of Fire Services that:
- (i) for enclosed structure with gross floor area not exceeding 230m², portable fire extinguisher and stand-alone fire detector shall be provided. If two or more stand-alone fire detectors are installed in an enclosed structure, all detectors shall be interconnected (either wired or wirelessly) such that when one of the detectors is triggered, all connected detectors shall sound an alarm simultaneously;
 - (ii) stand-alone fire detectors shall be provided in accordance with the "Stand-alone Fire Detector General Guidelines on Purchase, Installation & Maintenance [September 2021]; and
 - (iii) if the proposed structure is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) it is noted that one structure and associated filling of land are 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) if the existing structure (not being a New Territories Exempted House) is erected

on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use under the captioned application;

- (v) 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;
- (vi) 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
- (vii) detailed checking under the BO will be carried out at the building plan submission stage.