

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM-LTYT/516

- Applicant** : 施玉鳳 represented by Allgain Land Planning Limited
- Site** : Lot 3870 in D.D. 124, Lam Tei, Tuen Mun
- Site Area** : 940m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYT/14 (the OZP)
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height (BH) of 3 storeys (8.23m)]
- Application** : Proposed Temporary Public Vehicle Park (Light and Medium Goods Vehicles) with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (light and medium goods vehicles) with ancillary facilities for a period of three years at the application site (the Site) zoned “V” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is formed and fenced off, largely vacant and occupied by some temporary structures (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading from Shun Tat Street (**Plan A-2**). According to the applicant, the proposed use involves a total of nine parking spaces, including six spaces for light goods vehicles (LGVs) (3.5m x 7m each) and three spaces for medium goods vehicles (MGVs) (3.5m x 11m each), and ancillary facilities including a shelter and office with a total floor area of about 200m². No heavy goods vehicles (i.e. vehicles exceeding 24 tonnes), dangerous goods vehicles and container vehicles would be allowed to enter/park at the Site. No dangerous goods would be stored at the Site. No car washing, car beauty services, vehicle repairing or dismantling and workshop activities would be carried out at the Site. Plans showing the layout, drainage and fire service installations (FSIs) proposals submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site was involved in five previous applications for temporary public vehicle park approved by the Rural and New Town Planning Committee (the Committee) of the Board for a period of three/five years between 2005 and 2025 (details at paragraph 5 below) (**Plan A-1b**). Compared with the last approved application (No. A/TM-LTYT/487), the current application is submitted by a different applicant for the same use but with a smaller site area and different layout and development parameters. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Last Approved Application No. A/TM-LTYT/487 (a)	Current Application No. A/TM-LTYT/516 (b)	Difference (b) - (a) (%)
Applied Use	Temporary Public Vehicle Park (Light and Medium Goods Vehicles) with Ancillary Facilities for a Period of 5 Years	Temporary Public Vehicle Park (Light and Medium Goods Vehicles) with Ancillary Facilities for a Period of 3 Years	Reduction in applied development period
Site Area (About)	1,590m ²	940m ²	-650m ² (-41%)
Total Floor Area (About)	75m ²	200m ²	+125m ² (+167%)
No. of Structures	4 (1 each for ancillary office, meter room, washroom, and guardroom)	2 (1 for shelter and 1 for office, including E&M, guardroom and toilet)*	-2 (-50%)
Height of Structures	About 3.5m (1 storey)	About 3-7m (1 storey)	+3.5m (+100%)
No. of Parking Spaces	12 (6 for LGVs and 6 for MGVS)	9 (6 for LGVs and 3 for MGVS)	-3 (-25%)
Operation Hours	24 hours daily, including Sundays and public holidays	8:00 a.m. to 7:00 p.m. from Mondays to Saturdays (i.e. no operation on Sundays and Public Holidays)	Shortened operation hours

*The office is located under the shelter at the Site.

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

- (a) Application Form with attachments received on 12.5.2026 **(Appendix I)**
- (b) Further Information (FI) received on 27.5.2026* **(Appendix Ia)**

- (c) FI received on 11.6.2026* **(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** respectively. They can be summarised as follows:

- (a) the applicant under the last approved application (No. A/TM-LTYT/487) had ceased operation of the public vehicle park and returned the land to the land owner (i.e. the applicant of this application). The current applicant then submits this application for the same use with revised application site boundary and development parameters. The unauthorised structure(s) at the Site will be removed upon approval of the application (**Appendix Ib**);
- (b) there are inadequate parking spaces in the vicinity of the Site. The proposed use can meet the parking demand in the locality and reduce illegal parking. While the run-in/out would pass through some private land, consent from the concerned land owners to use the private land as access route between Shun Tat Street and the Site has been obtained; and
- (c) the proposed use would be fenced off to reduce the impacts to the residents, and there would be insignificant traffic and environmental impacts on the surrounding areas.

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

The applicant is the sole ‘current land owner’. 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 was the subject of seven previous applications (No. A/DPA/TM-LTYT/101 and A/TM-LTYT/123, 140, 165, 185, 293 and 487). Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Five applications (No. A/TM-LTYT/123, 140, 165, 185 and 487)¹ were for various temporary public vehicle park uses approved with conditions by the Committee

¹ All by different applicants as compared to the current application except application No. A/TM-LTYT/140.

between 2005 and 2025, mainly on the considerations that approval on a temporary basis would not frustrate the long-term planning intention of the “V” zone; the proposed/applied use was not incompatible with the surrounding uses; and concerned government departments consulted had no objection to or no adverse comment on the application or their technical concerns could be addressed by implementation of approval conditions. As for the last approved application (No. A/TM-LTTY/487), the planning permission is valid until 1.8.2030. Four of the planning permissions were subsequently revoked between 2005 and 2009 due to non-compliance with time-limited approval conditions.

- 5.3 Two applications (No. A/DPA/TM-LTTY/101 and A/TM-LTTY/293) for open storage of building/construction materials were rejected by the Committee in 1996 and 2015 respectively. The considerations for these applications are not relevant to the current application which involves a different use.

6. Similar Application

There is no similar application for public vehicle park within the same “V” zone on the OZP.

7. The Site and Its Surrounding Areas (Plans A-1a to A-4)

7.1 The Site is:

- (a) formed and fenced off;
- (b) largely vacant and occupied by some temporary structures (**Plan A-4**); and
- (c) accessible via a local track leading from Shun Tat Street (**Plan A-2**).

7.2 The surrounding areas are sub-rural in nature predominantly occupied by rural settlements and village houses intermixed with open storage/storage yards, parking of vehicles, vehicle repair workshop and agricultural land (**Plans A-2 and A-3**).

8. Planning Intention

The planning intention of the “V” zone is 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 this zone is primarily intended for development of Small Houses (SHs) 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. 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 departments as set out in paragraphs 9.2 and 9.3 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

9.2.1 Comments of the Commissioner for Transport (C for T):

- (a) she supports the application from traffic engineering perspective; and
- (b) her advisory comments are detailed in **Appendix IV**.

9.3 The following government departments object to/do not support the application:

Land Administration

9.3.1 Comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):

- (a) he objects to the application from land administration point of view;
- (b) the Site comprises an Old Schedule Agricultural Lot 3870 in D.D. 124 (“the Lot”) 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) the following irregularities covered by the application have been detected by his office:

unauthorised structure within the Lot covered by the application

there is an unauthorised structure on the Lot. The Lot owner(s) should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

- (d) the following irregularities not covered by the application have been detected by his office:

unauthorised structure(s) within the Lot not covered by the application

there is an unauthorised structure (i.e. an electric meter box) within the Lot not covered by the application. The Lot owner(s) should immediately rectify/regularise the lease breaches and his office

reserves the rights to take necessary lease enforcement action against the breaches without further notice;

- (e) the Lot owner/applicant shall either (i) remove the unauthorised structure not covered by the application immediately; or (ii) include the unauthorised structure in the application for the further consideration by the relevant departments and, subject to the approval of the Board to the application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for a Short Term Waiver (“STW”) to permit the structures erected. The application for STW will be considered by the Government in its 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 to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the Lot owner/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future;
- (f) the Site is accessible to/from Shun Tat Street via a strip of Government land (GL) and private lots. His office does not carry out maintenance works for the said GL nor guarantee that any right-of-way to the Site will be given. The applicant shall be responsible for her own access arrangement;
- (g) there is no SH application approved or under processing at the Site; and
- (h) his advisory comments are detailed in **Appendix IV**.

Environment

9.3.2 Comments of the Director of Environmental Protection (DEP):

- (a) the proposed development will generate traffic of heavy vehicles; and the Site boundary is within 100m from the nearest residential building, and the subject heavy vehicle traffic is expected to travel along any access road within 50m from the nearest residential building. He could not lend his support to the application from environmental planning perspective;
- (b) there was no environmental complaint pertaining to the Site in the past three years; and
- (c) his advisory comments are detailed in **Appendix IV**.

10. Public Comment Received During the Statutory Publication Period

On 19.5.2026, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received (**Appendix V**) providing views on the type of vehicles to be parked at the Site and the area involved.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary public vehicle park (light and medium goods vehicles) with ancillary facilities for a period of three years at the Site zoned “V” on the OZP (**Plan A-1a**). Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, as advised by DLO/TM, LandsD, there is currently no SH application approved or under processing at the Site. Besides, C for T supports the application from traffic engineering perspective. 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 surrounding areas are sub-rural in nature predominantly occupied by rural settlements and village houses intermixed with open storage/storage yards, parking of vehicles, vehicle repair workshop and agricultural land. The proposed use is considered not incompatible with the surrounding areas (**Plans A-2 and A-3**).
- 11.3 Other concerned government departments consulted, including the Chief Engineer/ Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application from drainage and fire safety aspects respectively. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. DEP does not support the application as the proposed use would generate traffic of heavy vehicles and environmental nuisances on the surrounding residents are anticipated. Nonetheless, there was no environment complaint pertaining to the Site in the past three years. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the possible environmental nuisance on the surrounding land uses.
- 11.4 Regarding DLO/TM, LandsD’s concerns on the unauthorised structures within the Site, the applicant will be advised to liaise with LandsD on land administration matters should the Committee approve the application. Besides, according to the applicant, she has obtained consent from the concerned private land owners to use the private land as access route between Shun Tat Street and the Site.
- 11.5 The Site was involved in five previous applications for temporary public vehicle park uses approved between 2005 and 2025 as mentioned in paragraph 5 above. Approval of the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comment providing views as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 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, 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 **10.7.2029**. 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 **10.1.2027**;
- (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 **10.4.2027**;
- (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) the implementation of the accepted 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 **10.4.2027**;
- (e) 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
- (f) if any of the above planning condition (a), (b) 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**.

- 12.2 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use is not in line with the planning intention of the "Village Type Development" zone which is 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 this zone is primarily intended 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 12.5.2026
Appendix Ia	FI received on 27.5.2026
Appendix Ib	FI received on 11.6.2026
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Drainage Proposal
Drawing A-3	FSIs Proposal
Plan A-1a	Location Plan
Plan A-1b	Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JULY 2026**