

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/1130

- Applicant** : Mr CHEUNG Cheong Wing (Manager of Cheung Yuk Tsoi Tso)
- Site** : Lot 761 (Part) in D.D. 111, Sheung Che Tsuen, Pat Heung, Yuen Long
- Site Area** : About 2,090m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Private Vehicle Park (Excluding Container Vehicle) and
Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary private vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). 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). Filling of land within the “V” zone also requires planning permission from the Board. The Site is currently mostly hard-paved with part of an existing watercourse running across the western periphery, and used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Fan Kam Road via a local track (**Plan A-2**). According to the applicant, the applied use provides 45 parking spaces, including 40 for private cars and five for light goods vehicles (LGVs), serving the residents of nearby Sheung Che Tsuen. No structure is erected on the Site (**Drawing A-1**). Only licensed vehicles will be allowed to be parked within the Site, and entry and parking of container vehicles/tractors and vehicles exceeding 5.5 tonnes at the Site will not be allowed at all times. No dismantling, maintenance, repairing, cleaning, paint-spraying or other workshop activities will be carried out at the Site at all times. The applicant also applies for regularisation of associated filling of land of about 1,800m² (86% of the Site excluding the existing watercourse at the western

periphery) with concrete of about 0.15m in depth, raising the site level to +23.9mPD for site formation (**Drawing A-2**). No further filling of land will be undertaken at the Site. To minimise disturbance to the adjacent watercourse with part of which running across the western periphery of the Site (**Plan A-2**), all proposed parking spaces and site operations will be set back from the top of the bank of the watercourse for not less than 3m. The applied use operates 24 hours daily, including public holidays. The layout plan and land filling plan submitted by the applicant is at **Drawings A-1** and **A-2** respectively.

1.3 Different parts of the Site are involved in four previous applications for temporary private vehicle park (details at paragraph 5 below). The last application (No. A/YL-PH/931) for the same use submitted by the same applicant as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 11.11.2022, and the planning permission lapsed on 16.11.2025. Compared with the last application, the current application involves expansion of the site area/boundary (from 1,268m² to 2,090m²), increase in the number of parking spaces for private cars (from 33 to 40) with additional spaces for LGVs (+5), and regularisation of associated filling of land.

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

- (a) Application Form with supporting documents received (Appendix I)
on 24.7.2026 and 29.7.2026
- (b) Further Information (FI) received on 4.9.2026* (Appendix Ia)

** 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 FI at **Appendix I** and **Ia**. They can be summarised as follows:

- (a) The applied use is intended to serve the residents of nearby Sheung Che Tsuen only to meet their parking demand, and will not be open to the general public so as to minimise potential traffic impact. All users are required to register with the manager of the Tso/Tong prior to using the parking spaces. Electric vehicle charging facilities will not be provided at the Site due to financial challenges.
- (b) Compared with the last application (No. A/YL-PH/931), the current application involves expansion of the site area/boundary and increase in the number of parking spaces with additional parking spaces for LGVs to meet the parking demand of nearby residents.
- (c) The existing drainage facilities implemented under previous applications (No. A/YL-PH/872 and 931) have been properly maintained. A drainage proposal and a fire service installations (FSIs) proposal have been submitted in support of the current application.

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

The applicant is one of the “current land owner” of the Site and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notices and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is not subject to any active enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance will be taken.

5. Previous Applications

5.1 Different parts of the Site are involved in four previous applications (No. A/YL-PH/759, 820, 872 and 931) for temporary private vehicle park (including the last one for renewal of planning approval granted) submitted by the same applicant as the current application. All these applications were approved with conditions by the Committee between June 2018 and November 2022 each for a period of three years, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “V” zone; the applied use was not incompatible with the surrounding land uses; and the relevant government departments consulted in general had no adverse comment on the application or their technical concerns could be addressed by relevant approval conditions. The last application (No. A/YL-PH/931) was approved with conditions by the Committee on 11.11.2022 and the planning permission lapsed on 16.11.2025.

5.2 Compared with the last application, the current application involves expansion of the site area/boundary, increase in number of parking spaces with additional parking spaces for LGVs and regularisation of associated filling of land as set out in paragraph 1.3 above. Details of these previous applications are summarised in **Appendix II** and the locations are shown on **Plan A-1**.

6. Similar Applications

There are six similar applications (No. A/YL-PH/996, 997, 1003, 1069, 1100 and 1101), involving three sites, for temporary public/private vehicle park with associated filling of land within the same “V” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between April 2024 and February 2026 on similar considerations as mentioned in paragraph 5.1 above. Details of these similar applications are summarised in **Appendix III** and the locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible from Fan Kam Road via a local track; and
- (b) currently mostly hard-paved with part of an existing watercourse running across the western periphery and used for the applied use without valid planning permission.

7.2 The surrounding areas are rural in character comprising mainly village settlements of Sheung Che Tsuen as well as low-rise residential developments of Fu Hing Garden and Fu Shing Garden intermixed with vehicle parks (one with valid permission), a storage yard, a village office, a private club (with valid permission), vacant land, grassland, and watercourse.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognised 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. 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 (NTEH). 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 in the Recommended Advisory Clauses, if any, are provided in **Appendices IV and V** respectively.

9.2 The following government department supports the application:

Traffic

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

- (a) supports the application from traffic engineering perspective to address the local demand for parking spaces; and
- (b) advisory comments are at **Appendix V**.

9.3 The following government department has adverse comment on the application:

Land Administration

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

- (a) has adverse comment on the planning application;
- (b) the Site comprises Lot 761 in D.D. 111 which is Old Schedule Agricultural Lot 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. It is noted that no structure is involved in the application;
- (c) there are unauthorised building works and/or uses on Lot 761 in D.D. 111 (warning letters were issued on 20.5.2016 and registered against the lot in Land Registry on 1.12.2016) which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularise the lease breaches as demanded by LandsD;
- (d) there is no Small House application approved or under processing within the Site; and
- (e) advisory comments are at **Appendix V**.

10. Public Comment Received During Statutory Publication Period

On 31.7.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual expressing concern that the current application, which amalgamates the sites of two previous applications for vehicle parks, is envisaged to provide parking spaces for the general public instead of serving the villagers only (**Appendix VI**).

11. Planning Considerations and Assessments

11.1 The application is for temporary private vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the Site zoned “V” (**Plan A-1**). Whilst the applied use is not entirely in line with the planning intention of the “V” zone, according to the applicant, the applied use is intended to serve the residents of nearby Sheung Che Tsuen. C for T supports the application for addressing the local parking demand. Besides, DLO/YL, LandsD advises that there is no Small House application approved or under processing at the Site. The applied use of temporary nature would not adversely affect the land availability for NTEH/Small House within the “V” zone in the long term. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of three years.

- 11.2 Filling of land within the “V” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department, who also considers the submitted drainage proposal acceptable, and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.
- 11.3 The applied use is considered not incompatible with the surrounding areas which are rural in character comprising mainly village settlements of Sheung Che Tsuen and low-rise residential developments intermixed with vehicle parks, a storage yard, a village office, a private club, vacant land, grassland and watercourse. To minimise disturbance to the adjacent watercourse, the applicant proposes all parking spaces and site operations be set back from the top of the bank of the watercourse for not less than 3m. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the applied use is not incompatible with the surrounding environment and significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the latest ‘Code of Practice on Handling the Environmental Aspect of Temporary Uses and Open Storage Sites’ to minimise any potential environmental nuisance caused by the applied use on the surrounding areas. Regarding DLO/YL, LandsD’s concerns on the unauthorised building works and/or uses within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 There are four approved previous applications for the same applied use at the Site and six approved similar applications within the same “V” zone in the vicinity of the Site in the past five years as detailed in paragraphs 5.1 and 6 above respectively. Approving the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comment mentioned in paragraph 10 above, the departmental comments and planning assessments 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 mentioned in paragraph 10 above, PlanD 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

11.9.2029. 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; and
- (b) 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.

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 Members' reference:

the applied use with associated filling of land is not in line with the planning intention of the "V" zone which is to provide land primarily for development of Small Houses by indigenous villagers. There is no strong planning justification 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 supporting documents received on 24.7.2026 and 29.7.2026
Appendix Ia	FI received on 4.9.2026
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	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
SEMPTEBER 2026