

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/SK-HC/356**

- Applicants** : Menhill Limited and Regional Limited represented by Knight Frank Petty Limited
- Site** : Various Lots in D.D. 244, Ho Chung, Sai Kung, New Territories
- Site Area** : About 4,410m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/11
- Zonings** : “Comprehensive Development Area” (“CDA”) (about 3,898m<sup>2</sup> or 88.4%)  
*[restricted to a maximum plot ratio (PR) of 0.75, a maximum site coverage (SC) of 25% and a maximum building height (BH) of 12m with 3 storeys over one storey of carport]*
- “Village Type Development” (“V”) (about 26m<sup>2</sup> or 0.6%) <sup>1</sup>
- Area shown as ‘Road’ (about 485m<sup>2</sup> or 11%)
- Application** : Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of Three Years

**1. The Proposal**

- 1.1 The applicants seek planning permission for proposed temporary public vehicle park (excluding container vehicle) for a period of three years at the application site (the Site), which falls largely within the “CDA” zone and partly within an area shown as ‘Road’ on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use under “CDA” zone and is not always permitted in area shown as ‘Road’, which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is currently vacant and hard paved which is accessible from Hiram’s Highway to its east (**Plans A-2 to A-4b**). According to the applicants, a total of

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<sup>1</sup> Only 0.6% of the Site falls within the “V” zone on the OZP which can be considered as minor boundary adjustment.

100 private car parking spaces (each dimension is 5m x 2.5m) will be provided. The operation hours of the public vehicle park are 24 hours daily (including public holidays). According to the layout plan submitted by the applicants (**Drawing A-1**), the proposed public vehicle park will not affect the current local track along the northern boundary of the Site leading from Hiram's Highway to Ho Chung New Village, which is currently open for public and villagers. The layout plan and vehicular access plan submitted by the applicants are at **Drawings A-1 and A-2** respectively.

- 1.3 A Traffic Impact Assessment (TIA) was submitted by the applicants to support the application (**Appendix Ib**). The traffic analysis concluded that the concerned road junctions will operate with sufficient capacities and the proposed development has no adverse traffic impact.
- 1.4 The Site is the subject of a previous application (No. A/SK-HC/340) for proposed comprehensive residential development with minor relaxation of building height restriction which was approved by the Committee on 9.6.2023. Construction of the residential development has not commenced yet. Details of the previous applications are set out in paragraph 5 and **Appendix II**.
- 1.5 In support of the application, the applicants have submitted the following documents:
  - (a) Application form with Supplementary Planning Statement (SPS) received on 2.7.2024 (**Appendix I**)
  - (b) Further Information (FI) received on 31.7.2024<sup>#</sup> (**Appendix Ia**)
  - (c) FI including a TIA received on 11.9.2024\* (**Appendix Ib**)
  - (d) FI received on 15.10.2024<sup>#</sup> (**Appendix Ic**)

<sup>#</sup> accepted and exempted from publication and recounting requirements  
<sup>\*</sup> accepted but not exempted from publication and recounting requirements
- 1.6 On 16.8.2024, the Committee agreed to the applicants' request to defer making a decision on the application for two months.

## **2. Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are detailed in the SPS and FI at **Appendices I and Ib**, and can be summarised as follows:

- (a) the proposed use could fully utilise the site potential and relieve the parking space shortfall in Ho Chung area in short term during the processing of land exchange application and compliance with approval conditions of the approved residential development. The applicants will commence the approved development immediately once the land exchange is approved;
- (b) the proposed use is not incompatible with the surrounding area and will not affect the implementation of the approved development submitted by the same applicants; and
- (c) the submitted TIA demonstrates that no adverse impact would be brought about

to the local traffic conditions. There are also no adverse drainage, sewerage, environmental, water and waste impacts anticipated.

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

The applicants are the sole “current land owners” of the lots of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

**4. Background**

The Site is currently not subject to active planning enforcement action.

**5. Previous Applications**

5.1 The Site was involved in three previous applications (No. A/DPA/SK-HC/26, A/SK-HC/123 and 340) all for residential development.

Approved Application

5.2 The Site is the Phase 2 development of the application No. A/SK-HC/340 for proposed comprehensive residential development with minor relaxation of building height restriction approved by the Committee on 9.6.2023. The planning considerations are not relevant to the current application due to different use. Nevertheless, the anticipated completion year of Phase 2 development is by the end of 2027.

Rejected Applications

5.3 Application No. A/DPA/SK-HC/26 and A/SK-HC/123 covering the northern portion of the Site for proposed low-density residential development were rejected by the Committee and the Board on review on 14.8.1992 and 22.9.2006 respectively, which are not relevant to the current application.

5.4 Details of these previous applications are summarised at **Appendix II** and their locations are shown on **Plans A-1** and **A-2**.

**6. Similar Application**

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

**7. The Site and Its Surrounding Areas (Plans A-1 and A-2 and photos on Plans A-3 to A-4b)**

7.1 The Site is:

- (a) largely vacant, hard paved with no significant vegetation;
- (b) previously occupied by some structures of ex-sauce processing factories and plant nursery which are now demolished;
- (c) largely within the village environs of Ho Chung; and
- (d) near the roundabout of Nam Pin Wai and is adjacent to and accessible from Hiram's Highway to its east.

7.2 The surrounding areas are of settled valleys landscape predominated by village houses. To the immediate north within the same "CDA" zone is Phase 1 approved residential development under Application No. A/SK-HC/124-2 and now under construction (**Plans A-1 and A-2**). To the east and further east is Hiram's Highway and Ho Chung Welfare Facilities Block, some existing low to medium-rise residential developments; to the immediate south is the Nam Pin Wai roundabout; to the further south is an existing low-rise residential development namely Villa Royale; and to the immediate west is Ho Chung New Village within the "V" zone.

## **8. Planning Intention**

- 8.1 The planning intention of the "CDA" zone is for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. 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.
- 8.2 The area shown as 'Road' is to reserve land for the improvement of Hiram's Highway. The road improvement works concerned (i.e. Hiram's Highway Improvement Stage 1 Project) was completed in February 2021.

## **9. Comments from Relevant Government Departments**

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other departments consulted have no objection to/no adverse comment on the application. Their general comments on the application and recommended advisory comments are provided in **Appendices III and IV** respectively.
- 9.2 The following government department supports the application:

### **Transport**

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

- (a) in view of the parking demand in the vicinity, she supports the application; and

- (b) no comment on the TIA and the submitted swept path analysis.

## **10. Public Comments Received During Statutory Publication Periods**

- 10.1 On 9.7.2024 and 20.9.2024, the application and its FI were published for public inspection. During the statutory publication periods, four public comments were received from individuals (**Appendix V**).
- 10.2 One comment supports the application mainly on the grounds that the proposed development could provide car parking spaces to residents of Ho Chung Village; the ingress/egress of the proposed development located at Hiram's Highway would not disturb traffic at Nam Pin Wai Road; and the site layout and ingress/egress are well-designed.
- 10.3 Two comments object to the application mainly on the grounds that provision of car parking spaces in the area should be justified on reasonable grounds; temporary nature of the proposed development could not resolve the car parking issues in the area in the long run; adverse traffic impact might be anticipated, in particular to Nam Pin Wai roundabout; and adverse noise, environmental and safety concerns would arise from the proposed use.
- 10.4 The remaining one expresses concern on the landscape treatment outside the periphery of the Site.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary public vehicle park (excluding container vehicle) for a period of three years at the Site falling within the "CDA" zone and an area shown as 'Road' on the OZP. The planning intention of "CDA" zone is for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The Site is part of the approved planning application (No. A/SK-HC/340) for comprehensive residential development which was approved with conditions by the Committee on 9.6.2023. According to the applicants, a longer time is required for handling the compliance with the approval conditions and processing the land exchange application. Moreover, the current application for proposed temporary public vehicle parking can fully utilize the site potential and relieve the parking shortfall in Ho Chung area during the processing of other administrative procedures. C for T supports the application in view of the parking demand in the area and District Officer (Sai Kung), Home Affairs Department considers the proposed use could address part of the needs for parking spaces in Ho Chung. In this regard, approval of the application on a temporary basis for a period of three years will not frustrate the long-term development of the "CDA" zone.
- 11.2 The Site is currently vacant and mainly surrounded by the Phase 1 of the approved development under construction and village houses of Ho Chung New Village to the north and west respectively (**Plan A-2**). Chief Town Planner/Urban Design and Landscape, Planning Department has no comment on the application and

considers that the proposed use is not incompatible with the surrounding land uses and significant landscape impact arising from the proposed temporary use is not anticipated.

- 11.3 The applicants submitted a TIA which concluded that there is no adverse traffic impact from the proposed temporary public vehicle park. C for T has no comment on the TIA. Other relevant government departments consulted including the Director of Environmental Protection, Chief Highway Engineer/New Territories of Highways Department, Chief Engineer/Mainland South of Drainage Services Department, Director of Fire Services have no objection to/no adverse comment on the application.
- 11.4 Regarding the public comments objecting the application, the planning considerations and 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 comments 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 **8.11.2027**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) the submission of a drainage proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **8.5.2025**;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **8.8.2025**;
- (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 submission of a fire service installations proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **8.5.2025**;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **8.8.2025**;
- (f) 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

- (g) if any of the above planning conditions (a), (b), (d) or (e) ~~are~~ **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 attached at **Appendix IV**.

- 12.3 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 "CDA" zone which is primarily for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. No strong 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 applicants.

**14. Attachments**

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| <b>Appendix I</b>   | Application Form and SPS received on 14.5.2024 |
| <b>Appendix Ia</b>  | FI received on 31.7.2024                       |
| <b>Appendix Ib</b>  | FI received on 11.9.2024                       |
| <b>Appendix Ic</b>  | FI received on 15.10.2024                      |
| <b>Appendix II</b>  | Previous Applications                          |
| <b>Appendix III</b> | Government Departments' General Comments       |
| <b>Appendix IV</b>  | Recommended Advisory Clauses                   |
| <b>Appendix V</b>   | Public Comments                                |
| <b>Drawing A-1</b>  | Layout Plan                                    |
| <b>Drawing A-2</b>  | Vehicular Access Plan                          |
| <b>Plan A-1</b>     | Location Plan                                  |
| <b>Plan A-2</b>     | Site Plan                                      |
| <b>Plan A-3</b>     | Aerial Photo                                   |

**Plans A-4a and A-4b**

Site Photos

**PLANNING DEPARTMENT  
NOVEMBER 2024**