

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/TM-SKW/118

<u>Applicant</u>	:	Woo Ting Kwun Tso (胡廷冠祖) alias Woo Kwun Ting Tso (胡冠廷祖) represented by Mr. Wu Yat Ping
<u>Application Site</u>	:	Lot 241 in D.D.385, Tai Lam Chung, Tuen Mun, New Territories
<u>Site Area</u>	:	About 2,700m ²
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Draft So Kwun Wat Outline Zoning Plan (OZP) No. S/TM-SKW/14
<u>Zoning</u>	:	“Village Type Development” (“V”) <i>[Restricted to a maximum building height of 3 storeys (8.23m)]</i>
<u>Application</u>	:	Renewal of Planning Approval for Temporary Private Vehicle Park for Private Cars and Light Goods Vehicles (Excluding Container Vehicles) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary private vehicle park for private cars and light goods vehicles (excluding container vehicles) for a period of three years at the application site (the Site) (**Plan A-1**). According to the Notes for the “V” zone on the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use with valid planning permission under application No. A/TM-SKW/103 until 20.3.2023.
- 1.2 The Site is accessible via a local track leading from Tai Lam Chung Road (**Plan A-2**). According to the layout plan (**Drawing A-1**) submitted by the applicant, 36 private car parking spaces (including one accessible parking space) and 5 light goods vehicle parking spaces are provided at the Site to serve the members of Woo Ting Kwun Tso (胡廷冠祖).
- 1.3 The Site is the subject of a previous planning application No. A/TM-SKW/103 (detailed at paragraph 6 below) submitted by the same applicant for the same use. Compared with the last approved application, all parameters including site area/boundary and site layout remain unchanged under the current application. The applicant has complied with all approval conditions.

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

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|---|----------------------|
| (a) Application Form received on 27.1.2023 | (Appendix I) |
| (b) Further Information (FI) received on 13.2.2023* | (Appendix Ia) |
| (c) FI received on 14.2.2023* | (Appendix Ib) |
| (d) FI received on 17.2.2023* | (Appendix Ic) |
| (e) FI received on 22.2.2023* | (Appendices Id & Ie) |
| (f) FI received 23.2.2023* | (Appendix If) |

*[*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 **Appendices I to If**, which are summarised as follows:

- (a) Woo Ting Kwun Tso (胡廷冠祖) has more than 650 members and the demand for parking space is acute. Currently, there are more than 35 vehicles parked at the Site. Vehicles may park on roads if there are insufficient parking spaces, which will bring inconvenience to residents and adverse impact on traffic. The private vehicle park is used for parking vehicles only and will not create adverse environmental impact.
- (b) There is no change in the applied use and parking layout. There is also no change to the implemented drainage facilities and fire service installations which are the same as the previous proposals approved by relevant government departments.

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. Town Planning Board Guidelines

The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34D) are relevant to this application. The relevant assessment criteria are at **Appendix II**.

5. Background

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

6. Previous Application

The Site is involved in a previous application (A/TM-SKW103) submitted by the same applicant for the same use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 20.3.2020 mainly on consideration that approval of the application on a temporary basis would not frustrate the long-term planning intention; the development was not incompatible with the surrounding land uses; the applied use can serve the local villagers; and no significant adverse environmental, traffic, drainage, fire safety and landscape impacts were anticipated. All the time-limited approval conditions under the last application have been complied with and the planning permission will lapse on 21.3.2023.

7. Similar Application

There is no similar application for private vehicle park use within the same “V” zone.

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

8.1 The Site is:

- (a) paved and used for the applied use with valid planning permission (**Plans A-3 and A-4**); and
- (b) accessible from Tai Lam Chung Road via a local track (**Plan A-2**).

8.2 The surrounding areas have the following characteristics:

- (a) To its north and east are mainly village houses of Tai Lam Chung Tsuen; and
- (b) The areas to the west and southwest comprise mainly storage, vehicle repair workshop, open storage of construction materials and parking of vehicles uses, some of them are suspected unauthorized developments subject to planning enforcement action (**Plan A-2**).

9. Planning Intention

The planning intention of the “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small House 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.

10. Comments from Relevant Government Departments

All relevant government 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 are provided in **Appendices III and IV** respectively.

11. Public Comment Received During Statutory Publication Period

On 3.2.2023, the application was published for public inspection on 3.2.2023. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

12.1 The application is for renewal of the planning approval for temporary private vehicle park for private cars and light goods vehicles (excluding container vehicles) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**), which is primarily intended for development of Small Houses by indigenous villagers. Whilst the applied use is not entirely in line with the planning intention of the “V” zone, according to District Lands Officer/Tuen Mun, Lands Department, there is no Small House application approved or under processing at the Site. The applied use would also serve the local villagers for meeting their car parking needs. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone.

12.2 The Site is located within an area predominately occupied by village houses, storage yards and workshops (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.

12.3 The application is generally in line with the TPB PG-No. 34D in that there has been no material change in planning circumstances since the granting of the previous approval under application No. A/TM-SKW/103, adverse implications arising from the renewal of the planning approval are not expected; all time-limited approval conditions under the previous approval have been complied with; concerned government departments have no objection to or no adverse comments on the application; and the three-year approval period sought is of the same time-frame as the previous approval.

12.4 Relevant Government departments including Director of Environmental Protection, Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) and Director of Fire Services (D of FS) have no objection to or no adverse comment on the application. Significant adverse environmental, traffic, drainage and fire safety impacts on the surrounding areas are not envisaged. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below.

12.5 Given that a previous approval for the same temporary private car park has been granted to the Site, approval of the current application is in line with the Committee’s previous decision.

12.6 During the statutory public inspection period, no public comment was received.

13. **Planning Department's Views**

13.1 Based on the assessments made in paragraph 12 above, the Planning Department considers that the applied use could be tolerated for a further period of three years.

13.2 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, and be renewed from 21.3.2023 until 20.3.2026. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked on or enter/exit the Site at any time during the planning approval period;
- (b) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) a notice shall be posted at a prominent location of the Site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to be parked on or enter/exit the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the Site at any time during the planning approval period;
- (e) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (g) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) 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.

[The above approval conditions are largely the same as those under the previous approved application No. A/TM-SKW/103, except deletion of / revision to the conditions related to the drainage and fire safety aspects based on the latest comments of CE/MN of DSD and D of FS.]

Advisory clauses

The recommended advisory clauses are at **Appendix IV**.

13.3 There is no strong reason to recommend rejection of the renewal application.

14. Decision Sought

14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission.

14.2 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.

14.3 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.

15. Attachments

Appendix I	Application Form received on 27.1.2023
Appendix Ia	FI received on 13.2.2023
Appendix Ib	FI received on 14.2.2023
Appendix Ic	FI received on 17.2.2023
Appendices Id & Ie	FI received on 22.2.2023
Appendix If	FI received on 23.2.2023
Appendix II	Relevant extract of TPB PG-No. 34D
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2023**