

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

**APPLICATION NO. A/YL-PH/1041**

- Applicant** : Chief Force Limited
- Site** : Lots 2053 S.A ss.1 (Part), 2053 S.A ss.2 (Part), 2053 S.A ss.3 (Part) and 2053 S.A RP (Part) in D.D. 111, Pat Heung, Yuen Long, New Territories
- Site Area** : About 265m<sup>2</sup>
- 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 maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Private Vehicle Park (excluding Container Vehicle) for a Period of Three Years and Associated Filling of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary private vehicle park (excluding container vehicle) for a period of three years and associated filling of land 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 in the “V” zone also requires planning permission from the Board. The Site is currently fenced, paved and used for the applied use (the planning permission for which lapsed on 18.1.2025) (**Plan A-4**).
- 1.2 The Site is accessible from Kam Tin Road via a local track (**Plan A-2**). According to the applicant, the applied use involves seven parking spaces for private cars/light goods vehicles (LGVs) and four parking spaces for motorcycles which only serves the nearby residents and is not open to the public. No structure will be erected on the Site (**Drawing A-1**). The applicant also applies for regularisation of associated filling of land for the entire Site with concrete of about 0.1m in depth (from +22.8mPD to +22.9mPD) for site formation. The operation hours are between 8:00 a.m. and 9:00 p.m. daily, including public holidays. Only motorcycles, private cars, LGVs or vehicles not exceeding 5.5 tonnes will be parked within the Site. The layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 The Site forms part of a larger site, which is the subject of two previous applications (details in paragraph 5 below). The last application (No. A/YL-PH/899) submitted by the same applicant for the same use at the same site was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 24.12.2021. All approval condition has been complied with and the planning permission lapsed on 18.1.2025. Compared with the previous application, the current application involves reduction in site area, change in the number of parking spaces for private cars and motorcycles, and regularisation of associated filling of land.
- 1.4 In support of the application, the applicant has submitted Application Form with supporting documents which was received on 16.12.2024 (**Appendix I**).

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**, and can be summarised as follows:

- (a) The applied use is intended to provide parking spaces for the nearby residents and will not be open to the public. Users are required to make reservation or rental application by phone call or mobile application prior to using the parking spaces. Adverse traffic impact on the surrounding areas is therefore not anticipated.
- (b) Part of the site under the previously approved application (No. A/YL-PH/899) has been reclaimed by the land owners and is no longer available for the applied use. Hence, a fresh application is submitted for the revised proposal.
- (c) Fire service installations proposal and drainage proposal with photo record of the implemented drainage facilities have been submitted in support of the current application. The applicant will comply with the approval conditions to be imposed.

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

The applicant is not the “current land owner” of the Site but 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 by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

The Site forms part of a larger site which is subject to planning enforcement action against unauthorized development (UD) involving storage use (No. E/YL-PH/948 and E/YL-PH/949) (**Plan A-2**). Enforcement Notice was issued on 21.1.2025 requiring discontinuation of the UD.

## 5. **Previous Applications**

- 5.1 The Site forms part of a larger site, which is the subject of two previous applications (No. A/YL-PH/800 and 899) submitted by the same applicant at the same site for the same use, which were approved with conditions by the Committee on 18.1.2019 and 24.12.2021 respectively mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “V” zone; the proposed/applied use was not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no adverse comment or their technical concerns could be addressed by relevant approval conditions. All approval conditions of the two applications have been complied with and the planning permissions lapsed on 18.1.2022 and 18.1.2025 respectively.
- 5.2 Compared with the last approved application (No. A/YL-PH/899), the current application involves reduction in site area, change in the number of parking spaces for private cars and motorcycles, and regularisation of associated filling of land. Details of these application is summarised at **Appendix II** and the locations are shown on **Plan A-1**.

## 6. **Similar Applications**

There are nine similar applications, involving five sites, for various vehicle park uses (including renewal of planning approvals granted by the Board) within/partially within the “V” zone in the vicinity of the Site in the past five years. All applications were approved with conditions by the Committee between April 2020 and May 2024, mainly on the considerations as stated 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) currently fenced, paved and used for the applied use (the planning permission for which lapsed on 18.1.2025); and
  - (b) accessible from Kam Tin Road via a local track.
- 7.2 The surrounding land uses are rural in character comprising mainly residential structures of Wang Toi Shan San Tsuen intermixed with open storage/storage yards, vehicle parks, a repair workshop, vacant land and grass land.

## 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 department as set out in paragraph 9.2 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:

### **Transport**

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

supports the application from traffic engineering perspective to address the local demand for parking spaces.

## **10. Public Comment Received During Statutory Publication Period**

On 24.12.2024, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

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

11.1 The application is for temporary private vehicle park (excluding container vehicle) for a period of three years and associated filling of land 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 nearby residents and C for T supports the application for addressing the local parking demand. The District Lands Officer/Yuen Long of Lands Department 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. It is considered that approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone, and there is no objection to the applied use of temporary nature.

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 (CE/MN of DSD) and Director of Environmental Protection have no objection to the application from drainage and environmental perspectives respectively.

- 11.3 The applied use is considered not incompatible with the surrounding land uses which mainly comprise residential structures of Wang Toi Shan San Tsuen intermixed with open storage/storage yards, vehicle parks, a repair workshop, vacant land and grass land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including CE/MN of DSD who also considers the submitted drainage proposal with photo record of the implemented drainage facilities acceptable and Director of Fire Services, have no objection to or adverse comment on the application. To address the technical requirements of government departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise the potential environmental nuisance caused by the applied use on the surrounding areas.
- 11.5 The Site forms part of a larger site, which is the subject of two previous applications submitted by the same applicant for the same use as the current application and there are nine similar applications for various vehicle park uses within the same “V” zone in the vicinity of the Site which were approved by the Committee in the past five years as detailed in paragraphs 5 and 6 above. Approving the current application is in line with the Committee’s previous decisions.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 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 14.2.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### **Approval Conditions**

- (a) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 14.8.2025;

- (c) in relation to (b) above, the implementation of the revised 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 14.11.2025;
- (d) 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; and
- (e) if any of the above planning condition (b) or (c) 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 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. 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**

<b>Appendix I</b>	Application Form with Supporting Documents received on 16.12.2024
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Layout Plan

<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
FEBUARY 2025**