

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

**APPLICATION NO. A/YL-PS/687**

- Applicant** : Hung Wan Taxi Company Limited represented by Allgain Land Administrators (Hong Kong) Limited
- Site** : Lots 688, 689 (Part), 690 (Part), 691 (Part), 692 (Part), 693 (Part), 694 (Part), 695 (Part), 756 (Part), 757 (Part), 758 (Part) and 947 (Part) in D.D. 122, Ping Shan, Yuen Long, New Territories
- Site Area** : About 6,500m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/20
- Zoning** : “Comprehensive Development Area” (“CDA”)  
*[restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park]*
- Application** : Proposed Temporary Public Vehicle Park for Private Cars, Medium Goods Vehicles and Coaches for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a -proposed temporary public vehicle park for private cars, medium goods vehicles (MGVs) and coaches for a period of three years at the application site (the Site) (**Plan A-1a**). According to the Notes of the OZP, for the “CDA” zone ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently paved, vacant and covered by a planning permission for a proposed temporary logistics centre (**Plans A-1b, A-2 and A-4**).
- 1.2 The Site is accessible via a local track leading to Long Ping Road (**Plans A-2 and A-3**). According to the applicant, the proposed development will provide 60 parking spaces (10 for private cars, 28 for MGVs and 22 for coaches) and sufficient manoeuvring space will be provided within the Site. No vehicle repairing, dismantling, car beauty, car washing or other workshop activity is allowed on the Site. The public vehicle park will operate from 7:00 a.m. to 9:00 p.m. daily for private cars and coaches; and 7:00 a.m. to

6:00 p.m. on Mondays to Saturdays (excluding Sundays and public holidays) for MGVs. The Site would be monitored by guards from the adjoining vehicle park covered by Application No. A/YL-PS/660 (**Plans A-1a and A-2**) under the same applicant. The vehicular access plan, site plan and layout plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site is involved in nine previous applications for proposed residential development and various temporary uses (details at paragraph 6 below). The Site is currently covered by a planning permission for a proposed temporary logistics centre for a period of three years approved by the Rural and New Town Planning Committee (the Committee) of the Board on 29.7.2022 (**Plan A-1b**).
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form and supplementary statement (**Appendix I**) received on 23.5.2023
  - (b) Further information (FI) received on 3.7.2023\* (**Appendix Ia**)
  - (c) FI received on 7.7.2023\* (**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 at **Appendices I and Ia**. They can be summarised as follows:

- (a) The applied use would not jeopardise the long-term planning intention of the “CDA” zone.
- (b) The applied use can meet the demand for parking spaces in the close vicinity, in particular the demand for coach parking spaces arising from the sharp increase in tour groups, and also address the illegal parking problem in the vicinity.
- (c) The Site has been hard paved and is currently covered by a planning approval No. A/YL-PS/662 for temporary logistic centre. Site formation for drainage works implementation is undergoing as stipulated in the approval conditions. Appropriate mitigation measures including fencing will be adopted to avoid adverse impacts on the surrounding. The applied use will not cause any adverse landscape, traffic, environmental, drainage and sewerage impacts.
- (d) There are similar approved applications for temporary public vehicle park in the “CDA” zone in the vicinity. The applied use is compatible with the surrounding land uses.
- (e) Should the application be approved, the applicant undertakes to comply with the approval conditions.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending registered mail to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

**4. Background**

The Site is not subject to any planning enforcement action.

**5. Previous Applications**

- 5.1 The Site is involved in nine previous applications for proposed residential development and various temporary uses. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.
- 5.2 Seven applications (No. A/YL-PS/33, 79, 82, 85, 113, 182 and 233) for temporary open storage of vehicles with or without vehicle park or construction machinery/ materials covering various extents of the Site were rejected by the Committee/the Board upon review between 1998 to 2006 on the grounds which were not relevant to the current applied use due to different zoning at that time<sup>1</sup>.
- 5.3 Application No. A/YL-PS/642 for proposed residential development covering the whole “CDA” zone was rejected by the Committee on 24.12.2021 and the considerations were not relevant to the current applied use.
- 5.4 The latest planning permission under Application No. A/YL-PS/662 for proposed logistics centre was approved with conditions by the Committee on 29.7.2022 on the considerations that the applied use was not incompatible with surrounding land uses; in line with Town Planning Board Guidelines on “Open Storage and Port Back-up Uses”; and would not generate significant adverse traffic, drainage, fire safety and landscape impacts to the surrounding area. The planning permission is valid until 29.7.2025.

**6. Similar Applications**

There are two similar applications for temporary public vehicle park for private cars within the same “CDA” zone in the past five years. They were approved by the Committee in 2021 and 2022 respectively on similar considerations that the applied use would not jeopardise the long-term development of the sites; and would unlikely

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<sup>1</sup> The Site was previously zoned “Undetermined” from 1996 to 2010 before it was rezoned to “CDA” in 2010.

create significant adverse impacts on the surrounding area. Details of the application are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

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

7.1 The Site is:

- (a) paved, vacant and covered by a planning permission for proposed temporary logistics centre; and
- (b) accessible via a local track leading to Long Ping Road.

7.2 The surrounding areas have the following characteristics:

- (a) predominated by brownfield operations, some of which are suspected unauthorized developments (UDs) intermixed with residential dwellings and vacant land;
- (b) to the west are storage / open storage yards, unused land and a temporary warehouse with planning permission under Application No. A/YL-PS/650(**Plan A-2**);
- (c) to the immediate north is a temporary public vehicle park for private cars and medium goods vehicles with valid planning permission under Application No. A/YL-PS/660 submitted by the same applicant (**Plan A-2**);
- (d) to the further north are storage /open storage yards, vehicle workshop, residential dwellings and a café; to the further north are the Tuen Ma Line Viaduct and Wing Ning Tsuen; and
- (e) to the south are residential dwellings and unused land.

**8. Planning Intention**

The “CDA” zone is intended for comprehensive development/redevelopment of the area for residential use with commercial, 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.

**9. Comments from Relevant Government Departments**

9.1 Apart from 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 recommended advisory clauses are provided in **Appendices IV and V** respectively.

9.2 The following 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 to meet public demand for car parking spaces; and
- (b) the applicant should note her advisory comments in **Appendix V**.

9.3 The following department has adverse comment on the application:

**District Officer's Comments**

9.3.1 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

He relayed a letter from Wing Ning Tsuen Village Committee (WNTVC) (**Appendix VI**) objects to the application on the grounds that it would result in adverse drainage, environmental and traffic impacts and the vehicle park would not be used by local residents.

**10. Public Comments received During the Statutory Publication Period**

On 30.5.2023, the application was published for public inspection. During the statutory public inspection period, two public comments from individuals were received (**Appendices VII-1 and VII-2**) objecting the application mainly on the grounds of adverse drainage and traffic impacts and that the vehicle park would not be used by local residents.

**11. Planning Considerations and Assessments**

- 11.1 The application is for temporary public vehicle park for private cars, medium goods vehicles and coaches for a period of three years at the Site zoned “CDA” on the OZP. Although the applied use is not in line with the planning intention of the “CDA” zone, it could provide vehicle parking spaces to meet any such parking demand in the area. In this regard, C for T supports the application from traffic engineering point of view. Besides, there is no known development proposal at the Site. As such, approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the “CDA” zone.
- 11.2 The Site is mainly surrounded by brownfield operations, vacant land and scattered residential dwellings in temporary structures (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.
- 11.3 Other relevant Government departments, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services, Director of Environmental Protection and Chief Town

Planner/Urban Design and Landscape of Planning Department have no objection to or adverse comment on the application. The applied use will unlikely create significant adverse traffic, drainage, fire safety, environmental and landscape impacts on the surrounding area. To minimise any potential environmental nuisances and to address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimise the possible environmental impacts on the nearby sensitive receivers.

- 11.4 Given that the Committee had approved two similar applications for temporary public vehicle park within the same “CDA” zone in 2020 and 2021 (**Plan A-1a**), approval of the current application is in line with the Committee’s previous decisions.
- 11.5 There are one public comment from WNTVC conveyed by DO(YL), HAD and two public comments from individuals objecting to the application received during the statutory publication period as summarised in paragraphs 9.3.1 and 10 above respectively. Regarding the concern on potential environmental and drainage impacts, the applicant committed to fencing off the Site and implementing the drainage works to mitigate the potential impacts. The planning considerations and assessments in paragraphs 11.1 to 11.4 above are also relevant.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the local comment conveyed by DO/YL, HAD and the public comments mentioned in paragraphs 9.3.1 and 10 above respectively, 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 3 years until **14.7.2026**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### Approval conditions

- (a) no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation for parking of medium goods vehicles between 6:00 p.m. and 7:00 a.m. and on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) only private car, coaches and medium goods vehicle (not more than 24 tonnes) as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times

during the planning approval period;

- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) 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 **14.1.2024**;
- (f) in relation to (e) above, the implementation of the 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 **14.4.2024**;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) 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 **14.1.2024**;
- (i) in relation to (h) 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 **14.4.2024**;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) 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
- (k) if any of the above planning condition (e), (f), (h) or (i) 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 V**.

12.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection is suggested for Members' reference:

- (a) the development is not in line with the planning intention of "CDA" zone which is primarily for comprehensive development/redevelopment of the area for residential use with the provision of commercial, 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; and

- (b) the applicant fails to demonstrate that the applied use would not generate adverse impact to the surrounding area.

**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 and supplementary statement
<b>Appendix Ia</b>	FI received on 3.7.2023
<b>Appendix Ib</b>	FI received on 7.7.2023
<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>Appendix VI</b>	Local comment relayed by DO(YL), HAD
<b>Appendices VII-1 and VII-2</b>	Public Comments
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Site Plan
<b>Drawing A-3</b>	Layout Plan
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2023**