

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

**APPLICATION NO. A/YL-PS/724**

- Applicant** : Mr. Chan Chi Wing represented by Metro Planning & Development Company Limited
- Site** : Lots 123 (Part) and 124 RP (Part) in D.D. 121, Ping Shan, Yuen Long
- Site Area** : About 745m<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** : “Residential (Group B) 1” (“R(B)1”)  
*[Restricted to a maximum plot ratio of 1, a maximum site coverage of 40% and a maximum building height of 5 storeys (15m) including car park]*
- Application** : Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval for temporary public vehicle park (private cars) for a period of three years at the application site (the Site) (**Plan A-1a**) zoned “R(B)1” on the OZP. According to the Notes for the “R(B)1” zone on the OZP, ‘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 occupied by the applied use with valid planning permission under application No. A/YL-PS/643 until 24.9.2024 (**Plans A-1b** and **A-4**).
- 1.2 The Site is accessible via a local track leading to Ping Kwai Road and the ingress/egress is at the western part of the Site (**Drawing A-1, Plans A-2 and A-3**). According to the applicant, the Site is for parking of private cars providing a total of 22 parking spaces (5 m x 2.5m each). Three single-storey (not exceeding 3m in height) structures for site office, open shed for car parking and guard room with a total floor area of 170m<sup>2</sup> are also provided within the Site (**Drawing A-1**). The operation hours are 7:00 a.m. to 11:00

p.m. daily (including public holidays). Only private car will be allowed to enter/park at the Site. No vehicle without valid licences issued under Road Traffic Ordinance is permitted to park at the Site. No workshop activity will be carried out at the Site. The location plan with vehicular access, layout plan, landscape and tree preservation plan and as-built drainage plan submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site is involved in six previous applications including three applications for temporary public vehicle park use approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2014 and 2021 (details at paragraph 6 below).
- 1.4 Compared with the last application (No. A/YL-PS/643), the current application is submitted by the same applicant for the same use on the same site with the same development parameters, layout and operation hours.
- 1.5 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with attachments received on **(Appendix I)** 12.6.2024
  - (b) Further Information (FI) received on 30.7.2024 **(Appendix Ia)**  
*[accepted and exempted from publication 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 is to address the insufficient supply in meeting the parking demand in Tong Fong.
- (b) The Site is the subject of three previous planning permissions for temporary public vehicle park use since 2014. The applicant has complied with all the approval conditions imposed under the last planning permission.
- (c) The development is compatible with the surrounding environment. The development would generate insignificant traffic, environmental, drainage and noise impacts to its surrounding.

## **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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notice and sending notice to the Ping Shan Rural Committee by registered mail. 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) is relevant to the application. The relevant assessment criteria are at **Appendix II**.

#### 5. **Background**

The Site is not subject to any planning enforcement action.

#### 6. **Previous Applications**

- 6.1 The Site is involved in six previous applications. Details of the previous applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.

##### Approved Applications

- 6.2 Applications No. A/YL-PS/459, 569 and 643 for temporary public vehicle park for private cars with/without light goods vehicles were approved with conditions by the Committee between 2014 and 2021, mainly on the considerations that the applied use would not jeopardise the long-term planning intention of the “R(B)1” zone; the applied use was not incompatible with the surrounding land uses and there was no objection to/no adverse comment from concerned government departments.

- 6.3 All the time-limited approval conditions of the last approved application (No. A/YL-PS/643) have been complied with and the planning permission is valid until 24.9.2024.

##### Rejected Applications

- 6.4 Applications No. A/YL-PS/7, 92 and 114 for temporary container tractor and trailer park and/or temporary open storage of construction materials were rejected by the Committee between 1997 and 2002. The considerations are not relevant to the current application as it involves different uses.

#### 7. **Similar Applications**

There are three similar applications (No. A/YL-PS/608, 673 and 686) for temporary public vehicle park for private cars with/without shop and services within the same “R(B)1” zone in the past five years. All of these similar applications were approved by the Committee between 2020 and 2023 on considerations similar to that mentioned in paragraph 6.2 above. Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) currently occupied by the applied use with valid planning permission; and
- (b) accessible via a local track leading to Ping Kwai Road (**Drawing A-1, Plans A-2 and A-3**).

8.2 The surrounding areas have the following characteristics:

- (a) comprise predominantly vehicle parks, shop and services, repair workshops, open storage yards, vacant land intermixed with low-rise residential developments namely La Aldea and La Mansion. Some shop and services, parking of vehicles and open storage uses are covered with valid planning permissions while some of the uses are suspected unauthorized developments (UDs) subject to planning enforcement action; and
- (b) to the immediate northwest are the tracks of the Light Rail Transit.

**9. Planning Intention**

The planning intention of the “R(B)1” zone is intended primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

**10. Comments from Relevant Government Departments**

All government department consulted have no objection to/no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices V and VI** respectively.

**11. Public Comment Received During the Statutory Publication Period**

On 21.6.2024, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

**12. Planning Considerations and Assessments**

12.1 The application is for renewal of temporary public vehicle park (private cars) for a period of three years at the Site zoned “R(B)1” on the OZP. Although the applied use is not entirely in line with the planning intention of the “R(B)1” zone, it could provide private car parking spaces to meet any such parking demand in the area. There is also no known development proposal at the Site for the time being. Approval of the application on a temporary basis

for period of three years will not frustrate the long-term planning intention of the “R(B)1” zone.

- 12.2 The Site is mainly surrounded by vehicle parks, shop and services, repair workshops, open storage yards, vacant land and residential developments (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.
- 12.3 The application complies with 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/YL-PS/643; adverse planning implications arising from the renewal of the planning approval are not envisaged; all the time-limited conditions under previous approval have been complied with; and the three-year approval period sought is the same timeframe as the previous approval and is considered reasonable.
- 12.4 Relevant government departments including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection and Director of Fire Services have no objection to/no adverse comment on the application from traffic, drainage, environmental and fire safety impacts perspectives respectively. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of other concerned government departments. Should the application be approved, the applicant will 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 possible environmental nuisance on the surrounding areas.
- 12.5 The Committee has approved three previous applications for the same use at the Site between 2014 and 2021 and three similar applications within the same “R(B)1” zone in the past five years. Approval of the current application is in line with the previous decisions of the Committee.

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

- 13.1 Based on the assessment made in paragraph 11, the Planning Department has no objection to the application.
- 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 **25.9.2024** to **24.9.2027**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### **Approval conditions**

- (a) the submission of condition record of the existing drainage facilities within **3** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **25.12.2024**;

- (b) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (c) the submission of a fire service installations proposal within **6** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **25.3.2025**;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **25.6.2025**;
- (e) if the above planning condition (b) 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
- (f) if any of the above planning condition (a), (c) or (d) 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**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied use is not in line with the planning intention of the "R(B)1" zone, which is primarily for sub-urban medium-density residential development. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis

## **14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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**

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|---------------------|---|
| <b>Appendix I</b>   | Application form with attachments received on 12.6.2024 |
| <b>Appendix Ia</b>  | FI received on 30.7.2024                                |
| <b>Appendix II</b>  | Relevant Extracts of TPB PG-No. 34D                     |
| <b>Appendix III</b> | Previous Applications                                   |
| <b>Appendix IV</b>  | Similar Applications                                    |
| <b>Appendix V</b>   | Government Departments' General Comments                |
| <b>Appendix VI</b>  | Recommended Advisory Clauses                            |
| <br>                |   |
| <b>Drawing A-1</b>  | Location Plan with Vehicular Access                     |
| <b>Drawing A-2</b>  | Layout Plan   |
| <b>Drawing A-3</b>  | Landscape and Tree Preservation Plan                    |
| <b>Drawing A-4</b>  | As-built Drainage Plan                                  |
| <br>                |   |
| <b>Plan A-1a</b>    | Location Plan with Similar Applications                 |
| <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  
AUGUST 2024**