

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

**APPLICATION NO. A/YL-PS/734**

- Applicant** : Ms. TANG Shuk Fan represented by Allgain Land Planning Limited
- Site** : Lots 591 (Part), 592 (Part), 593 (Part) and 618 (Part) in D.D. 122, Ping Shan, Yuen Long
- Site Area** : About 2,970 m<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** : “Village Type Development” (“V”) (about 72.5%)  
[*restricted to a maximum building height of 3 storeys (8.23 m)*]  
  
“Residential (Group E)2” (“R(E)2”) (about 27.5%) and  
[*restricted to a maximum plot ratio of 0.6 and a maximum building height of 5 storeys including car park*]
- Application** : Temporary Public Vehicle Park with Electric Charging Device for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park with electric charging device for a period of three years at the application site (the Site) (**Plan A-1**) zoned “V” and “R(E)2” on the OZP. The Site falls within an area mainly zoned “V” (about 72.5%) and partly zoned “R(E)2” (about 27.5%) on the OZP. According to the Notes of the OZP, ‘public vehicle park (excluding container vehicle)’ is a Column 2 use within both the “V” and “R(E)2” zones which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use (without electric charging device) without valid planning application (**Plans A-2 and A-4**).
- 1.2 The Site with the ingress/egress at the southern part is accessible from Castle Peak Road – Ping Shan Section via a local track (**Plans A-2 and A-3 and Drawing A-2**). According to the applicant, the temporary public vehicle park will provide 71 parking spaces (53 for private cars (including 16 parking

spaces with electric charging device) and 18 for light goods vehicles (LGVs)). A two-storey structure (with building height not exceeding 7m) with a floor area of about 120m<sup>2</sup> is proposed for office and security room uses. No vehicle repair, dismantling, car beauty, car washing and workshop use will be carried out at the Site. The operation hours are from 7 a.m. to 11 p.m. daily (including Sundays and public holidays). The vehicular access plan, proposed layout plan, fire service installations (FSI) proposal and drainage proposal submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 The Site was, in whole or in part, involved in two previous applications (No. A/YL-PS/256 and 681) for temporary public vehicle parks (details at paragraph 5 below). Compared with the last approved application (No. A/YL-PS/681), the current application is submitted by the same applicant for the same use with similar layout and development parameters. A comparison of the major development parameters of the current application and the last approved application are summarised as follows:

	<b>Last Approved Application No. A/YL-PS/681 (a)</b>	<b>Current Application No. A/YL-PS/734 (b)</b>	<b>Difference (b)-(a)</b>
Proposed Uses	Temporary public vehicle park for private car and LGV	Temporary public vehicle park with electric charging device	additional electric charging device
Site Area	About 2,970 m <sup>2</sup>		---
Total Floor Area	Not more than 60 m <sup>2</sup>	Not more than 120 m <sup>2</sup>	+60 m <sup>2</sup> (+100%)
No. of Structure	2	1	-1 structure
Maximum Height of Structures	1 storey (not exceeding 3m)	2 storey (not exceeding 7m)	+1 storey
No. of parking spaces	75  Private Cars: 57 (5m x 2.5m each)  LGVs:18 (7m x 3.5m each)	71  Private Cars: 53 (including 16 with electrical charging device) (5m x 2.5m each)  LGVs: 18 (7m x 3.5m each)	-4
Operation Hours	7:00 a.m. to 11:00 p.m. daily (including public holidays)		---

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

- (a) Application form with attachments received on (Appendix I)  
30.9.2024

(b) Further information (FI) received on 31.10.2024\* (**Appendix Ia**)

(c) FI received on 30.12.2024# (**Appendix Ib**)

*\*accepted but not exempted from publication and  
recounting requirements*

*#accepted and exempted from publication and  
recounting requirements*

1.5 On 20.12.2024, the Rural and New Town Planning Committee (the Committee) of the Board agreed as requested by the applicant to defer making a decision on the application for two months.

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

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Ib**. They can be summarised as follows:

- (a) The applied use is intended to serve the nearby residents and would benefit the residents in the vicinity.
- (b) The Site is subject to a previous planning application (A/YL-PS/681) and other similar applications have been approved in the vicinity of the Site.
- (c) In meeting the demand for electrical charging facilities, the applicant proposes to install electrical charging devices at the Site.

## **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. 31B) by posting site notice and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

The parking of vehicles use at the Site is a suspected unauthorized development (UD) which would be subject to planning enforcement action.

## **5. Previous Applications**

5.1 The Site was, in whole or in part, involved in two previous applications (No. A/YL-PS/256 and 681) for temporary public vehicle parks. Details of the previous applications are summarised at **Appendix II** and their locations are

shown on **Plan A-1**.

*Approved application*

- 5.2 Application No. A/YL-PS/681 for temporary public vehicle park for private car and LGV for a period of three years was approved by the Committee in 2023 mainly on the considerations that approval of the application on a temporary basis would not jeopardise the long-term planning intentions of the area; the proposal was not incompatible with the surrounding uses; and the departmental concerns could be addressed by imposing approval conditions. However, the planning permission was subsequently revoked due to non-compliance with approval conditions on the submission and implementation of drainage and FSIs proposals.

*Rejected application*

- 5.3 Application No. A/YL-PS/256 covering a larger site area for temporary public vehicle park for private car, LGV and lorry for a period of three years was rejected by the Committee in 2006 on the grounds that the development was not compatible with the adjacent residential structures; and there was insufficient information to demonstrate that the development would not impose adverse environmental, traffic and drainage impacts on the surrounding areas.

**6. Similar Applications**

- 6.1 There are 19 similar applications for temporary public vehicle parks within/straddling the subject “V” and “R(E)” zones which were all approved by the Committee in the past five years mainly on similar considerations as those mentioned in paragraph 5.2 above. Details of the applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.
- 6.2 For Members’ information, application No. A/YL-PS/745 for temporary public vehicle park for private cars, LGVs and light buses for a period of five years and associated filling of land within the subject “V” zone will also be considered at this meeting (**Plan A-1**).

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

- 7.1 The Site is:
- (a) accessible via a local track leading to Castle Peak Road – Ping Shan Section (**Plan A-3**); and
  - (b) paved, partially fenced off and occupied by the applied use without valid planning permission (**Plans A-2 and A-4**).
- 7.2 The surrounding areas have the following characteristics:

- (a) comprise predominantly warehouses, open storage/storage yards, parking of vehicles, logistics centre intermixed with residential dwellings, unused land and vacant land; and
- (b) some of these uses are covered by valid planning permissions, while some other uses are suspected unauthorized developments subject to planning enforcement action.

## **8. Planning Intentions**

- 8.1 The planning intention of “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. Other commercial, community and recreational uses may be permitted on application to the Board.
- 8.2 The planning intention of “R(E)2” zone is primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

## **9. Comments from Relevant Government Bureau/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 are provided in **Appendices IV and V** respectively.

- 9.2 The following government 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 satisfy public parking demand; and
- (b) the applicant should note her advisory comments in **Appendix V**.

## **10. Public Comment received During the Statutory Publication Periods**

On 8.10.2024 and 8.11.2024, the application was published for public inspection. During the statutory public inspection periods, one public comment from an individual raising concerns on the compliance of approval conditions of the previous application (**Appendix V**).

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

- 11.1 The application is for temporary public vehicle park with electric charging device for a period of three years at the Site mainly zoned “V” (72.5%) and partly zoned “R(E)2” (27.5%) on the OZP. Although the applied use is not in line with the planning intentions of the “V” and “R(E)2” zones, the proposal could provide vehicle parking spaces with electric charging devices to meet any such parking demands in the area. In this regard, the Secretary for Environment and Ecology has no adverse comment to the application from electric vehicle charging point of view, and C for T supports the application from traffic engineering perspective. The Site falls within the study area of the potential public housing development at Ping Shan North (PSN). The Project Team Leader/Housing, Civil Engineering Office, Civil Engineering and Development Department (PTL/H, CEO, CEDD) has no adverse comment on the application. According to the District Lands Officer/Yuen Long, Lands Department, there is currently no SH application approved/under processing within the Site in the “V” zone. Approval of the application on a temporary basis of three years would not jeopardise the long-term planning intentions of the area. Nonetheless, should the application be approved, it is suggested to include an advisory clause to remind the applicant that the Site may be resumed by the Government at any time during the planning approval period for the implementation of government projects and not to carry out any substantive works during the approval period.
- 11.2 The surrounding areas comprise predominantly warehouses, open storage/storage yards, parking of vehicles, logistics centre intermixed with residential dwellings, unused land and vacant land (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses.
- 11.3 Other concerned government departments consulted including the 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 drainage, environmental and fire safety perspectives respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Should the planning 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” to minimise possible environmental nuisance on the surrounding areas.

- 11.4 The Site was involved in a previous application (No. A/YL-PS/681) for the same use without electric charging device submitted by the same applicant with similar layout and development parameters, which was approved on a temporary basis for a period of three years by the Committee in 2023. However, the planning permission was revoked due to non-compliance with approval conditions on submission and implementation of the drainage and FSIs proposals. In this regard, the applicant has submitted drainage and FSIs proposals to support the current application. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration would unlikely be given to any further applications.
- 11.5 There are 19 approved similar applications within the subject “V” and “R(E)2” zones in the past five years (**Plan A-1**). While a previous application was rejected in 2006 as mentioned in paragraph 5.3 above, the current application has a smaller site area and does not involve parking of lorry. Approval of the current application is generally in line with the Committee’s previous decisions.
- 11.6 Regarding the public comment as mentioned in paragraph 10 above. The planning considerations and assessments above are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment 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 **28.2.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### Approval conditions

- (a) the submission of a revised 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 **28.8.2025**;
- (b) in relation to (a) 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 **28.11.2025**;
- (c) the submission of a revised drainage proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **28.8.2025**;

- (d) in relation to (c) 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 **28.11.2025**;
- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) if the above planning condition (e) 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 condition (a), (b), (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**.

- 12.3 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 intentions of the "V" and "R(E)2" zones, which are primarily for development of Small Houses by indigenous villagers and phasing out of existing industrial uses through redevelopment for residential use. No strong planning justification has been given in the submission for a departure from the planning intentions, 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 and attachments received on 30.9.2024
<b>Appendix Ia</b>	FI received on 31.10.2024
<b>Appendix Ib</b>	FI received on 30.12.2024
<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>Appendix VI</b>	Public Comment
<b>Drawing A-1</b>	Location Plan with Vehicular Access
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	Drainage Proposal
<b>Drawing A-4</b>	FSIs Proposal
<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  
FEBRUARY 2025**