

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

APPLICATION NO. A/YL-PS/740

- Applicant** : Long Tin Car Park Management Limited represented by KTA Planning Limited
- Site** : Lots 39 RP (Part), 40 RP, 42 (Part), 43 S.B RP (Part), 43 S.C (Part), 43 S.D (Part), 43 S.E RP, 43 S.F (Part) and 43 S.G (Part) in D.D. 122 and adjoining Government Land (GL), Ping Shan, Yuen Long
- Site Area** : About 1,560m² (including GL of about 17m² or 1%)
- Lease** : Block Government Lease (demised for agricultural purposes)
- Plan** : Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/20
- Zoning** : “Green Belt” (“GB”) (about 65%)
“Village Type Development” (“V”) (about 35%)
[restricted to a maximum building height (BH) of 3 storeys (8.23m)]
- Application** : Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles (LGVs)) with Electric Vehicle (EV) Charging Device for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars and LGVs) with EV charging device for a period of three years at the application Site (the Site) zoned “GB” and “V” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use within both the “V” and “GB” zones which requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Yung Yuen Road with ingress/egress at the northeastern part of the Site (**Plans A-2 and A-3**). According to the applicant, four one to two-storey structures are erected at the Site for ancillary site office, parking canopy and electric meter room uses. Solar photovoltaic (PV) panels were installed on the parking canopy and ancillary site office for supplying power for operation of the vehicle park. 34 parking spaces for private cars and LGVs

are provided. Two quick charging devices are also installed to charge four EVs. A right of way is provided to the east of the Site for the access to the adjoining area. No vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activities will be carried out at the Site. The operation hours are 24-hours daily. The layout plan and the landscape and drainage plan submitted by the applicant are at **Drawings A-1** to **A-2** respectively.

1.3 The Site was, in whole or in part, involved in 11 previous applications for temporary public vehicle parks for various types of vehicles of which nine of them were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 1998 and 2021 (details at paragraph 5 below).

1.4 Compared with the last approved application (No. A/YL-PS/649) which lapsed on 5.1.2025, the current application is submitted by the same applicant for the same use (with additional electric charging device) with similar layout and development parameters. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

	Last Approved Application No. A/YL-PS/649 (a)	Current Application No. A/YL-PS/740 (b)	Difference (b)-(a)
Proposed Uses	Temporary Public Vehicle Park (Private Cars and LGVs) for a Period of 3 Years	Temporary Public Vehicle Park (Private Cars and LGVs) with EV Charging Device for a Period of 3 Years	additional electric charging devices
Site Area	About 1,560 m ²		No Change
Total Floor Area	About 328 m ²	About 394 m ²	+66 m ² (+20%)
No. of Structures	2 for ancillary site office and carpark canopy	4 for ancillary site office*, carpark canopy* and electricity meter room *Solar PV panels installed on rooftop	+2 structures
Maximum Height of Structures	1 to 2 storeys (not more than 7m)		No Change
No. of parking spaces	34 For Private Cars and LGVs (5m x 2.5m each)	34 (including 4 with EV charging service) For Private Cars and LGVs (5m x 2.5m each)	No Change
Operation Hours	7:00 a.m. to 11:00 p.m. daily	24 hours daily	Extended operation hours

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 20.11.2024 (Appendix I)
 - (b) Supporting Planning Statement (SPS) (Appendix Ia)
 - (c) Further Information (FI) received on 3.1.2025 (Appendix Ib)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the SPS and FI at **Appendices Ia and Ib** respectively. They can be summarised as follows:

- (a) The Site has been operated as a public vehicle park with planning approvals by the Board since 2004¹. The applied use is intended to meet the existing parking demand in the area.
- (b) The applied use is in line with the Town Planning Board Guidelines for “Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10).
- (c) The additional EV charging devices and rooftop solar PV panels are to support the Government’s policies on promoting wider adoption of EVs and renewable energy.
- (d) The applied use is temporary in nature and will not jeopardise the long-term planning intention of the “GB” and “V” zones.
- (e) The nature and scale of the applied use is compatible with the surrounding land uses.
- (f) The applied use will not generate significant drainage, visual, traffic, landscape and environmental impacts to its surroundings.
- (g) Adequate fire services installations (FSIs) will be provided and regular inspection and maintenance of the FSIs have been carried out to ensure fire safety to the surroundings.

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 publishing newspaper notice and sending registered mail to the Ping Shan Rural Committee. Detailed information would be deposited at the

¹ The “GB” part of the Site and the adjoining area along and to the north of the then West Rail Line (currently known as Tuen Ma Line) were previously zoned “Undetermined” (“U”) before the exhibition of the then draft Ping Shan OZP No. S/YL-PS/12 on 5.11.2010.

meeting for Members' inspection. For the GL portion, the requirements under TPB PG-No. 31B are not applicable.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) are relevant to this 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, in part or in whole, is involved in 11 previous planning applications (No. A/YL-PS/26, 90, 168, 187, 254, 289, 332, 397, 509, 578 and 649) for temporary vehicle park for various types of vehicles with/without other uses. Details of the previous applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.

Approved applications

6.2 Application No. A/YL-PS/26, covering a much larger site within the then "Undetermined" ("U") zone and "V" zone for temporary container trailer, lorry and private car park was approved by the Committee in 1998 mainly on the considerations that there were no residential use nearby and the approval of the application could meet the demand for port back-up uses.

6.3 Applications No. A/YL-PS/187, 254, 289, 332, 397, 509, 578 and 649 for temporary public vehicle parks (for private cars and LGV/lorries) were approved with conditions for a period of two/three years by the Committee/upon review by the Board between 2004 and 2021 mainly on considerations that the vehicle park could serve the villagers; the applied use was considered not incompatible with the surrounding land uses; the applied use would not jeopardise the long-term planning intention and no adverse departmental comments were received. All the time-limited approval conditions under the last approved application No. A/YL-PS/649 have been complied with and the planning permission lapsed on 5.1.2025.

Rejected applications

6.4 Applications No. A/YL-PS/90 and 168, covering a larger site, for temporary container vehicles and trailers park with ancillary repair/maintenance workshops, open storage of building materials and office, and temporary vehicle park for private cars, light goods vehicles, ancillary office and canteen were rejected by the Committee/upon review by the Board in 2001 and 2004 respectively mainly on the grounds that the proposed use were not in line with planning intention(s)

of the then “U” and “V” zones; the applied uses were incompatible with the surrounding uses; and there was insufficient information to demonstrate that there were no adverse impacts on the surrounding areas.

7. Similar Applications

There are two similar applications (No. A/YL-PS/626 and 703) for temporary public vehicle park for private cars for a period of three years within the same “V” zone approved by the Committee in the past five years on similar considerations to those mentioned in paragraph 6.3 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-1 to A-4b)

8.1 The Site is:

- (a) currently occupied by the applied use without valid planning permission; and
- (b) directly accessible from Yung Yuen Road.

8.2 The surrounding areas have the following characteristics:

- (a) comprise predominantly village settlements of Ha Mei San Tsuen intermixed with open storage/storage yards, logistics centre, vehicle parks, eating place, shops and services, vacant land and unused land. Some of these uses are covered with valid planning permissions while some are suspected unauthorized developments (UDs) subject to planning enforcement action; and
- (b) the viaduct of MTR Tuen Ma Line is located to its immediate south.

9. Planning Intentions

9.1 The planning intention of “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

9.2 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 re-provisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses (SHs) 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

10.1 Apart from government department as set out in paragraph 10.2 below, other government departments 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.

10.2 The following government department supports the application:

Traffic

10.2.1 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 VI**.

11. Public Comment Received During the Statutory Publication Period

On 29.11.2024, 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 temporary public vehicle park (private cars and LGVs) with EV charging device for a period of three years at the Site zoned “GB” (65%) and “V” (35%) on the OZP. Although the applied use is not entirely in line with the planning intentions of the “GB” and “V” zones, the applied use could provide vehicle parking spaces with electric charging devices to meet any such parking demands in the area. In this regard, C for T supports the application from traffic engineering perspective. While there is a general presumption against development within the “GB” zone, the “GB” zone part of the Site was previously zoned “U” before 2010, and the first planning permission for temporary vehicle park covering the Site was granted by the Committee in 1998. The applied use does not involve clearance of natural vegetation and the Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L of PlanD) and Director of Agriculture, Fisheries and Conservation have no comment on the application. Furthermore, as for the “V” zone part of the Site, the District Lands Officer/Yuen Long of Lands Department advised that there is no Small House application under processing at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term

planning intention of the “GB” and “V” zones.

- 12.2 The Site is mainly surrounded by village houses, storage/storage yards, logistic centre, vehicle parks, eating place, shop and services, vacant land and unused land (**Plan A-2**). The applied use is considered not incompatible with the surrounding land uses. CTP/UD&L of PlanD also considers that the applied use is not incompatible with the landscape character of the surrounding areas.
- 12.3 According to TPB PG-No. 10, the design and layout of any development within the “GB” zone should be compatible with the surrounding areas and should not affect the existing landscape. The issue of compatibility has been discussed in paragraph 12.2 above. Regarding the existing landscape, the applicant has submitted a landscape plan for preservation the existing landscape belt comprising trees and shrubs and boundary fencing along the periphery of the Site (**Drawing A-2**) to mitigate the potential landscape impact. As stated in paragraph 12.1, the CTP/UD&L of PlanD has no comment on the application from landscape planning perspective. An approval condition requiring the reinstatement of the Site to an amenity area upon expiry of the planning permission is recommended.
- 12.4 Other government departments consulted including the Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to/no adverse comment on the application from environmental, drainage and fire safety perspectives respectively. Should the planning 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. Furthermore, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of other concerned government departments. Any non-compliance with these approval conditions would result in revocation of the planning permission and UD on-site would be subject to enforcement action.
- 12.5 The Committee has approved nine previous applications for temporary public vehicle park use at the Site, in part of in whole, between 1998 and 2021 (**Plan A-1b**) and two similar applications within the same “V” zone in the past five years (**Plan A-1a**). Approval of the application is in line with the Committee’s previous decisions.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12 above, 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 until **10.1.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a condition record of the drainage facilities within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or the Town Planning Board by **10.4.2025**;
- (b) in relation to (a) above, the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the submission of a fire service installations proposal and water supplies for firefighting 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 **10.7.2025**;
- (d) in relation to (c) above, the implementation of the fire service installations proposal and water supplies for firefighting 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 **10.10.2025**;
- (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;
- (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; and
- (g) upon the expiry of the planning permission, the reinstatement of the “GB” portion of the Site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are attached at **Appendix VI**.

- 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 intentions of the “GB” and “V” zones, which are primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets, and for development of Small Houses by indigenous villagers respectively. There is also a general presumption against development within “GB” zone. No strong planning justification has been given in the submission for a departure from the planning intentions, 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

Appendix I	Application form received on 20.11.2024
Appendix Ia	Supporting Planning Statement
Appendix Ib	FI received on 3.1.2025
Appendix II	Extracts of TPB PG-No. 10
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comment
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Landscape and Drainage Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 and 4b	Site Photos

**PLANNING DEPARTMENT
JANUARY 2025**