

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

APPLICATION NO. A/YL-PS/746

<u>Applicant</u>	: Mr. Tang Pin Fai represented by Metro Planning and Development Company Limited
<u>Site</u>	: Lots 390 (Part), 392 (Part), 403 RP (Part) and 404 (Part) in D.D.122 and Adjoining Government Land (GL), Sheung Cheung Wai, Ping Shan, Yuen Long
<u>Site Area</u>	: About 3,640 m ² (including GL of about 408 m ² or 11.2%)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/20
<u>Zoning</u>	: “Village Type Development” (“V”) <i>[restricted to a maximum building height of 3 storeys (8.23m)]</i>
<u>Application</u>	: 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 “V” on the OZP. According to the Notes for the “V” 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/657 until 17.5.2025 (**Plans A-2 and A-4**).
- 1.2 The Site with ingress and egress at the northern part is accessible from Tsui Sing Road via a local track (**Drawing A-1, Plans A-2 and A-3**). A separate access to the adjoining public vehicle park covered with valid permission under application No. A/YL-PS/684 is provided at the southeastern part of the Site. According to the applicant, a total of 148 private car parking spaces (5m x 2.5m each) are provided at the Site. No vehicle without valid licences issued under Road Traffic Ordinance will be permitted to park at the Site. No workshop

activity will be carried out at the Site. The operation hours are from 7:00 a.m. to 11:00 p.m. daily. The location plan with vehicular access, layout plan and the as-built drainage plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

1.3 The Site was involved in seven previous applications for temporary public vehicle park which were all approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2006 and 2022 (details at paragraph 6 below).

1.4 Compared with the last application (No. A/YL-PS/657), 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 11.2.2025 (**Appendix I**)

(b) Further Information (FI) received on 3.4.2025 (**Appendix Ia**)
(*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 the Application Form and FI at **Appendices I and Ia**. They can be summarised as follows:

- (a) The Site has previously been granted with seven planning permissions for parking uses since 2006 and there has been no major change in planning circumstances and operation mode since the last approvals. Planning applications for similar uses in the same “V” zone have also been approved by the Board.
- (b) The applied use is in line with the planning intention of the “V” zone and is primarily for the convenience of the villagers as there is insufficient supply to meet exigent parking demand.
- (c) The applied use is compatible with the surrounding developments and will not generate significant traffic, noise and environmental impacts.
- (d) The applicant has complied with all the planning conditions imposed to the last approved Application No. A/YL-PS/657.

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 sending a registered mail to the Ping Shan Rural Committee and by posting notice at the Site. Detailed information would be deposited at the meeting for Members’ inspection. The owner’s consent/notification requirements and as set out in TPB PG-No. 31B are not applicable to the GL portion.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘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 this application. The relevant assessment criteria are attached at **Appendix II**.

5. Background

The Site is not subject to any planning enforcement action.

6. Previous Applications

The Site, in whole or in part, was involved in seven previous applications (No. A/YL-PS/259, 301, 307, 390, 489, 585 and 657) for temporary public vehicle park for private cars with/without light goods vehicles for a period of three years approved with conditions by the Committee from 2006 to 2022 mainly on considerations that the temporary uses would not frustrate the planning intention of the “V” zone; the applied use was not incompatible with the surrounding land uses, and the applied use would unlikely to create significant adverse impacts on the surrounding area. All the time-limited approval conditions under the last planning application No. A/YL-PS/657 have been complied with and the planning permission is valid until 17.5.2025. Details of the previous applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.

7. Similar Applications

There are 21 similar applications for temporary public vehicle park for various types of vehicles within/straddling the same “V” zone which were all approved by the Committee in the past five years mainly on similar considerations as those mentioned in paragraph 6 above. Details of the similar application 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) accessible from Tsui Sing Road via a local track (**Plan A-2**); and
- (b) hard-paved, fenced off, and currently occupied by the applied use with valid planning permission under application No. A/YL-PS/657 (**Plans**

A-2 and A-4).

- 8.2 The surrounding areas comprise mainly residential dwellings and village settlement of Sheung Cheung Wai intermixed with vehicle parks, a school, orchard, farm and shop and services, a pond and and unused/vacant land. Some of these uses are suspected unauthorized developments subject to planning enforcement action.

9. 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. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

10. Comments from Relevant Government Departments

All 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.

11. Public Comment Received During Statutory Publication Period

On 18.2.2025, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received expressing concern that no electric vehicle charging facility is proposed in the application (**Appendix VII**).

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of the planning approval for temporary public vehicle park (private cars) for a period of three years at the Site zoned “V” on the OZP. Whilst the applied use is not entirely in line with the planning intention of the “V” zone, it could provide vehicle parking spaces to meet any such parking demand in the area. According to the District Lands Officer/Yuen Long of Lands Department, there is no Small House application approved or under processing at the Site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term development of the “V” zone.

- 12.2 The Site is mainly surrounded by residential dwellings and village settlement of Sheung Cheung Wai intermixed with vehicle parks, a school, orchard, farm and shop and services, a pond and and unused/vacant land (**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/657; 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 Concerned government departments consulted 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 concerned 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” to minimise possible environmental nuisance on the surrounding areas.
- 12.5 The Committee has approved seven previous applications for the same use at the Site between 2006 and 2022 and 21 similar applications within/straddling the same “V” zone in the past five years. Approval of the current application is in line with the Committee’s previous decisions.
- 12.6 Regarding the public comment as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11 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 and be renewed from **18.5.2025** to **17.5.2028**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;

- (b) the submission of a condition record of the existing drainage facilities within **3** months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **18.8.2025**;
- (c) the submission of a fire service installations proposal within **6** months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **18.11.2025**;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within **9** months from the date of the commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **18.2.2026**;
- (e) 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
- (f) if any of the above planning condition (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 VI**.

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

the applied use is not in line with the planning intention of "V" zone which is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended 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.

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 11.2.2025
Appendix Ia	FI received on 3.4.2025
Appendix II	Relevant extract of TPB PG-No. 34D
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comment
Drawing A-1	Location Plan with Vehicular Access
Drawing A-2	Layout Plan
Drawing A-3	As-built 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
Plan A-4	Site Photos

**PLANNING DEPARTMENT
APRIL 2025**