

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

**APPLICATION NO. A/YL-TT/630**

<b><u>Applicant</u></b>	: Mr. CHEUNG Kau-on represented by Metro Planning & Development Company Limited
<b><u>Site</u></b>	: Lot 3563 S.C RP (Part) in D.D. 116, Tong Tau Po Tsuen, Yuen Long, New Territories
<b><u>Site Area</u></b>	: About 980 m <sup>2</sup>
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
<b><u>Zoning</u></b>	: “Village Type Development” (“V”) <i>[Restricted to a maximum building height (BH) of 3 storeys (8.23m)]</i>
<b><u>Application</u></b>	: Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle (LGV) for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of planning approval for public vehicle park for private car and light goods vehicle at the application site (the Site) for a period of three years (**Plan A-1a**). According to the Notes of the OZP for the “V” 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 occupied by the applied use with valid planning permission under application No. A/YL-TT/511 until 5.2.2024 (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading from Tai Shu Ha Road East (**Plan A-2**). According to the applicant, the applied use is mainly for meeting the parking demand in Tong Tau Po Tsuen. No medium goods vehicle, heavy goods vehicle and container tractor/trailer will be allowed to access the Site. The layout, vehicle access, as-built drainage facilities and fire service installations (FSIs) proposals submitted by the applicant are shown at **Drawings A-1 to A-4** respectively.
- 1.3 The Site is the subject of six previous applications for similar public vehicle park uses which had been approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2008 and 2021 (details at paragraph 6 below). Compared with the latest approved application (No. A/YL-TT/511), the current application is submitted by the same applicant for the same use with the same development parameters and site layout. The

major development parameters are summarised as follows:

Site Area	980 m <sup>2</sup> (about)
No. of Parking Space	20 - 18 for private car (5m x 2.5m each) - 2 for LGV (7m x 3.5m each)
Operation Hours	24 hours daily

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

- (a) Application Form received on 12.12.2023 (Appendix I)
- (b) Further Information (FI) received on 29.12.2023\* (Appendix Ia)

*\*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 been the subject of previous planning permissions for public vehicle park uses since 2008. The applicant has complied with all the approval conditions imposed under the previously approved application No. A/YL-TT/511.
- (b) There are insufficient parking spaces to meet the parking demand in Tong Tau Po Tsuen.
- (c) Similar planning applications have been approved by the Board.
- (d) The applied use is compatible with the surrounding environment. Traffic and environmental impacts arising from the application have been minimised.

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

The applicant is the sole “current land owner”. 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) are relevant to this application. The relevant assessment criteria

are at **Appendix II**.

**5. Background**

The Site is currently not subject to any planning enforcement action.

**6. Previous Applications**

The Site is involved in six previous applications (No. A/YL-TT/223, 286, 331, 349, 420 and 511) for public vehicle park uses covering slightly different extents of the Site. All six applications had been approved with conditions for a period of three years by the Committee between 2008 and 2021 mainly on the considerations that the developments were not incompatible with the surrounding uses; approval of the application on a temporary basis would not frustrate the long-term development of the area; and the concerns of relevant government departments could be addressed by imposing approval conditions. All the time-limited approval conditions under the latest approved application No. A/YL-TT/511 have been complied with and the planning permission is valid until 5.2.2024. Details of the applications are at **Appendix III** and the locations of the Sites are shown on **Plan A-1b**.

**7. Similar Applications**

There are two similar applications (No. A/YL-TT/463 and 563) for temporary public vehicle park for private cars and LGVs for a period of three years slightly straddling the same “V” zone on the OZP in the past five years. They were approved with conditions by the Committee in 2019 and 2022 respectively mainly on similar grounds as those mentioned in paragraph 6 above. Details of the similar applications are summarised at **Appendix III** and the locations of the Sites are shown on **Plan A-1a**.

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

8.1 The Site is:

- (a) paved and currently used as a public vehicle park with valid planning permission under application No. A/YL-TT/511; and
- (b) accessible via a short local track leading from Tai Shu Ha Road East.

8.2 The surrounding areas are rural residential in nature comprising predominantly village houses intermixed with car parks and storage yards/ warehouse. The storage yards/ warehouse and cars parks in the vicinity are suspected unauthorised developments subject to planning enforcement action.

**9. Planning Intention**

The planning intention of the “V” zone 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. 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**

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV** and **V** respectively.

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

On 19.12.2023, 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 the planning approval for temporary public vehicle park for private car and LGV for a period of three year at the Site zoned “V” on the OZP. Although the applied use is not entirely in line with the planning intention of the “V” zone, it could meet the demand for private vehicle park in the area. According to the District Lands Officer/Yuen Long, Lands Department, there is currently no Small House application approved/ under processing for the Site. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the zone.
- 12.2 The Site is located in an area predominantly occupied by village houses intermixed with car parks and storage yards/warehouse (**Plan A-2**). The applied use is considered not incompatible with the surrounding areas.
- 12.3 The renewal application is line with TPB PG-No. 34D in that there has been no material change in planning circumstances; adverse implications arising from the renewal of the planning approval are not envisaged; all the time-limited approval conditions under previous application have been complied with; and the three-year approval period sought is the same time-frame as the previous approval and is considered reasonable.
- 12.4 Concerned government departments, including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, traffic, fire safety and drainage aspects. To address the technical requirements of concerned government departments, relevant approval conditions have been recommended in paragraph 13.2 below should the Committee approve the application.

- 12.5 Given that six previous approvals for public vehicle park uses at the Site have been granted by the Committee since 2008 and two similar applications were approved in 2019 and 2022 respectively, approval of the current application is in line with the Committee's previous decisions.

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

- 13.1 Based on the assessments made in paragraph 12, the Planning Department has no objection to the temporary public vehicle park (private cars and light goods vehicles) for a further period of three years.
- 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 6.2.2024 until 5.2.2027. The following conditions of approval and advisory clauses are also suggested for Members' reference:

#### Approval conditions

- (a) the existing drainage facilities on the site should be maintained at all times during the planning approval period;
- (b) the submission of a condition record of existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 6.5.2024;
- (c) the existing fire service installations implemented on the site shall be maintained in an efficient working order at all times during the planning approval period;
- (d) if any of the above planning condition (a) or (c) 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
- (e) if the above planning condition (b) 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.

*[Approval conditions have been updated or removed as per latest departmental comments and Planning Department's latest requirement.]*

#### Advisory clauses

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

- 13.3 There is no strong reason to recommend rejection of the application.

### **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**

<b>Appendix I</b>	Application Form with attachments received on 12.12.2023
<b>Appendix Ia</b>	FI received on 29.12.2023
<b>Appendix II</b>	Relevant Extracts of TPB PG-No.34D
<b>Appendix III</b>	Previous and Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Vehicular Access Plan
<b>Drawing A-3</b>	As-built Drainage Facilities
<b>Drawing A-4</b>	FSIs Proposal
<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  
JANUARY 2024**