

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/694

- Applicant** : 木橋頭村福德堂有限公司 represented by Metro Planning and Development Company Limited
- Site** : Lots 2040 and 2054 (Part) in D.D. 119, Muk Kiu Tau Tsuen, Yuen Long, New Territories
- Site Area** : 1,980m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m) except for those developments/uses specified in the Notes]
- Application** : Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars) for a period of three years at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Public Vehicle Park’ 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 without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Kiu Hing Road via a local track with an ingress/egress point at the west (**Drawing A-1** and **Plan A-2**). According to the applicant, the Site will be used as a public vehicle park to provide 53 parking spaces for private cars (5m x 2.5m each). No light, medium or heavy goods vehicles, including container tractors/trailers, are allowed to access/park at the Site and no vehicle without valid licenses issued under Road Traffic Ordinance is permitted to park at the Site. The public vehicle park would operate 24 hours daily. Plans showing the vehicular access, site layout and drainage proposal submitted by the applicant are at **Drawings A-1 to A-3 respectively**.

- 1.3 In support of the application, the applicant has submitted an Application Form with attachments received on 15.1.2025 (**Appendix I**).

2. Justifications from the Applicant

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

- (a) there is insufficient supply of public vehicle park to meet the parking demand in Muk Kiu Tau Tsuen and the applied use would benefit the villagers;
- (b) the applied use is compatible with the surrounding areas; and
- (c) there will be minimal traffic, noise and environmental impacts arising from the applied use.

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 obtaining consents of the “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The public vehicle park use on the Site would be subject to planning enforcement action.

5. Previous Application

There is no previous application concerning the Site.

6. Similar Application

There is no similar application within the same “V” zone in the past five years.

7. 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 the zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within the 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. The Site and Its Surrounding Areas (Plans A-1 to A-4)

8.1 The Site is:

- (a) paved and currently occupied by the applied use without valid planning permission; and
- (b) accessible from Kiu Hing Road via a local track.

8.2 The surrounding areas are rural residential in nature predominantly occupied by village houses/residential dwellings intermixed with vehicle parks, open storage/storage yards and vacant/unused land. Some of these uses are suspected unauthorized developments subject to planning enforcement action.

9. Comments from Relevant Government 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 II and III** respectively.

9.2 The following government department supports the application:

Traffic

Comments of the Commissioner for Transport (C for T):

- (a) she supports the application from traffic engineering point of view; and
- (b) advisory comments as detailed in **Appendix III**.

10. Public Comments Received During the Statutory Publication Period

On 24.1.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received. One comment from a group of local villagers objecting to the application mainly on the grounds that the applied use would generate adverse traffic and environmental impacts and nuisance to the surrounding residential areas while one individual expressing views that the Site has been occupied by the applied use before obtaining planning approval (**Appendix IV**).

11. Planning Considerations and Assessments

11.1 The application is for temporary public vehicle park (private cars) for a period of three years 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 help serve the

local villagers to meet their parking needs. In this regard, C for T supports the application from traffic engineering point of view. 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 of three years would not jeopardise the long-term planning intention of the “V” zone.

- 11.2 The applied use is generally not incompatible with the surrounding areas which are rural residential in nature predominantly occupied by village houses/residential dwellings intermixed with vehicle parks, open storage/storage yards and vacant/unused land (**Plan A-2**).
- 11.3 Concerned government departments consulted, including the Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment from environmental, fire safety and drainage perspectives respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of the concerned government departments. 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 the potential environmental nuisances on the surrounding areas.
- 11.4 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.3 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 comments 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 14.3.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) 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 14.9.2025;
- (b) in relation to (a) above, the implementation of the revised 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 14.12.2025;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (d) the submission of a fire service installations proposal 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 14.9.2025;
- (e) in relation to (d) above, the implementation of the fire service installations proposal 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 14.12.2025;
- (f) if the above planning condition (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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 at **Appendix III**.

- 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 intention of the "Village Type Development" zone which is primarily for development of Small Houses by indigenous villagers. No strong planning justifications have been given in the submission for a departure from the planning intention, 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

Appendix I	Application Form with attachments received on 15.1.2025
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan

Drawing A-3	Drainage Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2025**