



羅迅測計師行
Lawson David & Sung
SURVEYORS LIMITED
Property Consultants • Planning • Valuers • Auctioneers
Estate Agency Licence No. C-006328

Ref: LDS/PLAN/7120

Section 16 Planning Application

Proposed Temporary Public Vehicle Park (Private Cars Only) and Associated Filling of Land for a Period of 3 Years at Lots 1752(Part), 1753 and 1762 in D.D.76, Leng Pei Tsuen, Lung Yeuk Tau, N.T.

Planning Statement

Applicant

Chan Kwai Fuk (陳貴福)

Prepared by

Lawson David & Sung Surveyors Limited

January 2025

Executive Summary

This planning statement is prepared in support of a planning application for proposed temporary public vehicle park (private cars only) and associated filling of land (“the proposed development”) for a period of 3 years at Lots 1752(Part), 1753 and 1762 in D.D.76, Leng Pei Tsuen, Lung Yeuk Tau, N.T. (the “Application Site”).

The Application Site, covering an area of about 1,632 sq.m., falls within an area largely zoned “Agriculture” (“AGR”) (about 1,162 sq.m., 71%) and partly zoned “Village Type Development” (“V”) (about 470 sq.m., 29%) on the Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/19 gazetted on 16.12.2022. According to the Notes of the OZP, ‘public vehicle park (excluding container vehicle)’ is a Column 2 use within the “V” zone, which requires planning permission from the Board. While ‘public vehicle park (excluding container vehicle)’ is neither Column 1 nor Column 2 use of the “AGR” zone, temporary use or development of any land or building not exceeding a period of three years and filling of land requires permission from the Board.

The Application Site is currently vacant and surrounded by village houses. To alleviate the existing and growing parking demand for the nearby villages and reduce illegal parking nearby, the Applicant intends to use the Application Site for a public vehicle park (private cars only) to serve the local villagers and residents.

The proposed public vehicle park will provide a total of 38 parking spaces (2.5m x 5m) for private vehicles to serve the local villagers/residents. An ingress/egress point of about 8m wide will be proposed at the southern boundary of the Application Site, connecting to the local track off Sha Tau Kok Road – Ma Mei Ha. The proposed development will only provide monthly rental parking services to the nearby villagers / residents. The proposed hours of operation at the Application Site are 24 hours daily from Mondays to Sundays (including public holidays).

The justifications of this application are:

1. The proposed development will meet local parking demand;
2. The proposed development does not contravene the planning intention of “AGR” and “V” zones;
3. There are similar approvals for public vehicle park use in “AGR” and “V” zones of the same OZP;
4. The proposed development will promote optimization of valuable land resources; and
5. The proposed development will not generate adverse traffic, drainage and environmental impacts on the surrounding areas.

In view of the justifications as presented in this planning statement, it is hoped that members of the Board and relevant Government departments will approve this application for a period of 3 years.

行政摘要

此規劃報告書旨在支持在新界龍躍頭嶺皮村丈量約份第 76 約地段第 1752 號(部分)，第 1753 號及第 1762 號 (“申請地點”)，作為期三年的臨時公眾停車場(只限私家車)及相關填土工程(“擬議發展”)的規劃申請。

申請地點的面積約 1,632 平方米，大部分面積座落於在 2022 年 12 月 16 日刊憲的龍躍頭及軍地南分區計劃大綱核准圖 (圖則編號：S/NE-LYT/19)上的「農業」地帶 (約 1,162 平方米，71%)，其餘部分座落於「鄉村式發展」地帶 (約 470 平方米，29%)。根據該大綱圖的註釋，「公眾停車場(不包括貨櫃車)」屬「鄉村式發展」地帶內的第二欄用途，需先向城市規劃委員會(“城規會”)提出申請。而「公眾停車場(不包括貨櫃車)」不屬「農業」地帶內的第一欄或第二欄用途，而不超過三年土地或建築物的臨時用途或發展以及填土工程，亦須向城規會提出申請。

申請地點現時為空置土地及四周被村屋包圍。為舒緩該區現時及持續上升的泊車需求以及減少違例泊車，申請人擬議使用申請地點作公眾停車場(只限私家車)用途，以服務本地村民/居民。

擬議公眾停車場將提供 38 個停車位(2.5 米 x 5 米)，以服務本地村民/居民。申請地點的出入口(約 8 米闊)將設於南面，此出入口由一條道路連接沙頭角公路 - 馬尾下段。擬議公眾停車場只會提供月租停車位給本地村民/居民。申請地點的營運時間為星期一至日(包括公眾假期)24 小時運作。

本規劃申請的理據為：

1. 擬議發展將滿足該區對停車位的需求；
2. 擬議發展不會違背「農業」及「鄉村式發展」地帶的規劃意向；
3. 在同一規劃大綱圖內的「農業」和「鄉村式發展」地帶有同類公眾停車場用途的規劃許可獲批；
4. 擬議發展可有效利用寶貴的土地資源；
5. 擬議發展不會對附近的交通、排水及環境構成不良的影響。

基於本規劃報告書所述的理據，敬希 各城規會委員及有關政府部門能批准此項申請，作為期三年的臨時用途。

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1. Introduction

1.1 Purpose

Pursuant to Section 16 of the Town Planning Ordinance, this Planning Statement Report is submitted to the Town Planning Board (“the Board”) in support of a planning application for proposed temporary public vehicle park (private cars only) and associated filling of land (the “proposed development”) for a period of 3 years at Lots 1752(Part), 1753 and 1762 in D.D.76, Leng Pei Tsuen, Lung Yeuk Tau, N.T. (hereafter referred to as “the Application Site”). **Figure 1** shows the location of the Application Site and the Lot Index Plan indicating the concerned lots is shown per **Figure 2**.

The Application Site, covering an area of about 1,632 sq.m., falls within an area largely zoned “Agriculture” (“AGR”) (about 1,162 sq.m., 71%) and partly zoned “Village Type Development” (“V”) (about 470 sq.m., 29%) on the Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/19 gazetted on 16.12.2022. According to the Notes of the OZP, ‘public vehicle park (PVP) (excluding container vehicle)’ is a Column 2 use within the “V” zone, which requires planning permission from the Board. While ‘PVP (excluding container vehicle)’ is neither Column 1 nor Column 2 use of the “AGR” zone, temporary use or development of any land or building not exceeding a period of three years and filling of land requires permission from the Board.

The Application Site is currently vacant and surrounded by village houses. To alleviate the existing and growing parking demand for the nearby villages and reduce illegal parking nearby, the Applicant intends to use the Application Site for a PVP (private cars only) to serve the local villagers and residents. It is considered a preferred location for the proposed development.

1.2 Organization of the Planning Statement

This planning statement is divided into 6 chapters. Chapter 1 is an introduction outlining the above background of the planning application. Chapter 2 will then illustrate the site context and land status followed by Chapter 3 which describes the planning context in details. Chapter 4 gives the particulars of the proposed development. Detailed accounts of planning justifications of the proposed development are presented in Chapter 5. The planning statement finally concludes with a summary in Chapter 6.

2. Site Context

2.1 The Application Site and Its Existing Condition

The Application Site, with an area of about 1,632 sq.m., is located at the village settlement of Leng Pei Tsuen, Lung Yeuk Tau, N.T, which is situated to the east of Sha Tau Kok Road – Ma Mei Ha and southwest of Princess Hill. The Application Site is a piece of flat land, currently vacant and partly hard-paved (see **Site Photos**).

2.2 Surrounding Land Uses

The surrounding areas mainly comprise of village houses, parking of vehicles, vacant / unused land and active / fallow agricultural land. The Application Site is surrounded by village settlements of Ma Mei Ha Leng Tsui at its immediate north and Leng Pei Tsuen at its immediate east and south. To the northwest within the same “AGR” zone are various small houses approved by the Board from 2006 to 2024. To the west is the village settlements of Kan Tau Tsuen, as well as a community centre known as Life Building Centre. To the further south is another village, Tan Chuk Hang Lo Wai.

2.3 Accessibility

The Application Site is accessible to Sha Tak Kok Road – Ma Mei Ha via a local track. The proposed development would share the access road with the surrounding uses. A plan showing the vehicular access to the Application Site is provided at **Figure 3**.

2.4 Land Status

According to the records of the Land Registry, the subject lots are held under Block Government Lease and is demised as agricultural use with lease term for 75 years, from 1.7.1898 and are renewable for a further term of 24 years. The Application Site is not subject to any small house applications.

3. Planning Context

3.1 Outline Zoning Plan

The Application Site currently falls within an area largely zoned “Agriculture” (“AGR”) (about 1,162 sq.m., 71%) and partly zoned “Village Type Development” (“V”) (about 470 sq.m., 29%) on the Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/19 gazetted on 16.12.2022 (see **Figure 1**).

The planning intention of “AGR” zone is “primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.”

The planning intention of “V” zone is to “designate both existing recognized 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 Town Planning Board.”

According to the Notes of the OZP, the proposed development (‘PVP (excluding container vehicles)’) is a ‘Column 2’ use of “V” zone but is neither a ‘Column 1’ or ‘Column 2’ use of “AGR” zone. Meanwhile, temporary use or development of any land or building not exceeding a period of three years and filling of land within “AGR” zone require planning permission from the Board.

3.2 Previous Application

The Application Site is not involved in any previous planning application.

3.3 Similar Applications within “AGR” and “V” Zones in Vicinity

4 applications for similar PVP use were approved by the Board within the last 3 years in “AGR” and “V” zones of the Lung Yeuk Tau and Kwan Tei South OZP in vicinity of the Application Site. These approved applications are summarized as follows:

Application No.	Applied Use	Zoning	Site Area (m ²)	Decision	Date of Approval
A/NE-LYT/768	Renewal of Planning Approval for Temporary Public Vehicle Park (Private Car) for a Period of 3 Years	"AGR"	400	Approved with conditions	11.11.2022
A/NE-LYT/824	Temporary Public Vehicle Park (Excluding Container Vehicles) for a Period of 5 Years	"V"	4,110	Approved with conditions	20.9.2024
A/NE-LYT/827	Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	"AGR"	921.4	Approved with conditions	19.7.2024
A/NE-LYT/833	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle only) for a Period of 3 Years	"V"	480	Approved with conditions	25.10.2024

4. Development Proposal

4.1 Site Configuration and Layout

The Applicant proposes to use the Application Site for a temporary PVP (private cars only) and associated filling of land for a period of 3 years. The proposed development intends to serve the local villagers and residents. It will help meet the local parking demand, regulate parking in the area and improve the traffic conditions in the vicinity.

The Application Site has an area of about 1,632 sq.m. The proposed PVP will provide 38 parking spaces (2.5m x 5m) for private vehicles (see Layout Plan at **Figure 4**). Only private vehicles with valid licenses issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked on the Application Site.

The Applicant also applies for regularization of filling of land of not exceeding 0.2m for site formation, parking and vehicle manoeuvring. No further land filling is required. A plan showing the land filling area of the Application Site is shown in **Figure 5**.

4.2 Site Operations

The proposed hours of operation at the Application Site are 24 hours daily from Mondays to Sundays (including public holidays). It is anticipated that customers of the car park would mainly visit the Application Site from 7 a.m. to 10 p.m. The proposed development will only provide monthly rental parking services to the nearby villagers / residents. The Applicant also confirms that there will be no repairing, car washing, paint spraying and other workshop activities conducted at the Application Site.

4.3 Traffic Arrangement

The Application Site can be accessed via a local track diverging from Sha Tau Kok Road – Ma Mei Ha (see **Figure 3**). An ingress/egress point will be proposed at the southern boundary of about 8m wide. The proposed development would share the access road with the surrounding uses. The aisle width of the proposed PVP will be at least 5m for 1-way traffic flow with adequate spaces reserved for manoeuvring of vehicles within the Application Site. Since the proposed PVP will mainly serve the local villagers/residents, and all the parking spaces will be available as monthly rental, which would not generate a high traffic volume.

The number of generated trips from the proposed PVP will not be more than 15 trips during peak hours, which could be absorbed by the existing road. The estimated traffic arising from the proposed development is as follows:

Time	Weekdays	Weekends
	No. of Trips (Private Vehicles)	No. of Trips (Private Vehicles)
07:00-08:00	8	6
08:00-09:00 (AM Peak)	15	10
09:00-10:00	12	8
10:00-11:00	8	8
11:00-12:00	6	6
12:00-13:00	4	4
13:00-14:00	4	4
14:00-15:00	6	6
15:00-16:00	8	8
16:00-17:00	12	10
17:00-18:00 (PM Peak)	15	12
18:00-19:00	12	10
19:00-20:00	10	8
20:00-21:00	6	6
21:00-22:00	4	4
22:00-23:00	4	4
23:00-07:00	4	4

4.4 Drainage Proposal

Village drains are found along the southern and eastern boundaries of the Application Site. The Applicant will provide drainage facilities within the site to allow surface runoff to be collected and diverted from the Application Site to the existing village drains. The Applicant will submit a drainage proposal to demonstrate the drainage facilities arrangement upon approval of this application.

4.5 Landscape

The Application Site is partly covered with weeds with no trees found within the site. The Application Site is located within an area of village settlements, in which private vehicles of the villagers / residents are commonly parked at vacant government land. Since the proposed development intends to serve the surrounding villagers and residents and no structures will be erected with the Application Site, it is considered not incompatible with the landscape character of the surrounding areas.

5. Planning Justifications

5.1 Meeting Local Parking Demand

With several existing local villages nearby, the proposed PVP is intended to meet the parking demand generated from local villagers and residents nearby. At present, there is no proper public vehicle park in Leng Pei Tsuen. Due to the lack of parking facilities, illegal parking is very common with cars parked freely on the open area or along the local track, which would create a chaotic environment and provoke road safety concerns in the surrounding areas.

Given the multiple approvals of small house applications in vicinity, an increasing local demand for parking spaces of private vehicles in Leng Pei Tsuen can be foreseen. The provision of a PVP at the Application Site can therefore help accommodate the increasing population as well as relieve potential traffic pressure off the area.

In addition, there are limited public transport options in terms of variety and frequency of public transport services in the vicinity of Leng Pei Tsuen. As a result, many villagers/residents generally rely on private cars as their major means of transportation, which account for the high demand for private car parking spaces in the area. In consequence, the introduction of the proposed PVP can alleviate the parking demand and regulate the chaotic parking situation in the area.

5.2 Not Contravene the Planning Intention of “AGR” and “V” Zones

The Application Site falls within an area zoned “AGR” and “V” on the Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/19. In view of the surrounding developments of the Application Site, which is mainly village houses and vacant land, the planning intention of the “AGR” zone has not been materialized. In addition, the owners of the Application Site have no intention to develop Small Houses within the “V” zone and there is no small house application within the Application Site. As such, the Application Site is unlikely be developed for agricultural and residential uses in the short to medium term. Additionally, the proposed development is a temporary use, which would not jeopardize the long-term planning intention of “AGR” and “V” zones.

5.3 Similar Approvals for Public Vehicle Park Use in “AGR” and “V” Zones on the Same OZP

As mentioned in Paragraph 3.3, the Board has previously approved 4 applications (Nos. A/NE-LYT/768, 824, 827 and 833) for similar PVP use within “AGR” and “V” zones of Lung Yeuk Tau and Kwan Tei South OZP in the last three years. With similar applications approved in the vicinity for PVP use, approval of this application is considered acceptable within the “AGR” and “V” zones and in line with previous decisions of the Board.

5.4 Optimization of Valuable Land Resources

The Application Site is currently vacant with no foreseeable future development. As the planning intentions of both “AGR” and “V” zones are not contravened as mentioned above, the proposed development can offer an interim solution to optimize valuable land resources that can complement the surrounding uses and satisfy the local parking demand from the surrounding villages. Since the Applicant will upkeep the maintenance of the Application Site, it can encourage better management of the quality of the Application Site and avoid land degradation from lack of maintenance.

5.5 No Adverse Impacts on the Surrounding Areas

Owing to the nature and size of the proposed development, no adverse impacts are anticipated on the surrounding areas, as discussed below:

Traffic

Since the Application Site will only provide monthly rental parking services, the traffic volume could be controlled. While the development would be opened 24 hours daily, it is anticipated that customers of the car park would mainly visit the site from 7:00am to 10:00pm. With reference to Paragraph 4.4, the proposed use will not attract high traffic influx in the area and can be absorbed by existing road. The proposed development would alleviate local parking demand and help regulate the chaotic parking situation in the area. The design of the proposed PVP for private vehicles has also taken into account of vehicular circulation and manoeuvring. As such, it is anticipated that the proposed development would not have significant traffic impact to the surrounding areas.

Drainage

The Application Site is currently bounded by village drains to its south and east. The Applicant will submit a drainage proposal upon approval of this application to demonstrate the drainage facilities arrangement and mitigate any potential drainage impact to the surrounding area. In this regard, no adverse drainage impact is anticipated.

Environment

As the proposed PVP will only be used for parking of private vehicles with limited traffic influx, it would not generate adverse noise, air pollution or visual intrusion. In addition, there will be no repairing, car washing, paint spraying and other workshop activities carried out on the premises. Therefore, the proposed development will not generate any pollution or adverse environmental impacts on the surrounding areas.

6. Conclusion

The Application Site falls within “AGR” and “V” zones on the Lung Yeuk Tau and Kwan Tei South OZP. The Application Site is currently vacant and the Applicant intends to use the Application Site for a public vehicle park to serve local villagers and residents. In view of the site location, the existing site conditions and surrounding land uses, the planning intention of “AGR” zone has not been materialized and the land owners have no intention to develop small houses within the “V” zone of the Application Site. Given the temporary nature of the proposed development, it will therefore not contravene the long-term planning intentions of the “AGR” and “V” zones.

Meanwhile, the proposed development will meet the local parking demand, help regulate parking in the area and improve the traffic conditions in the vicinity. Similar applications have also been approved by the Board in the “AGR” and “V” zones, indicating that the proposed use is both compatible and suitable in land use term, at least on a temporary basis of 3 years. It is also anticipated that the proposed development will not generate adverse impacts to the surrounding environment, and the technical concerns of relevant government departments could be addressed through the implementation of approval conditions. The proposed development could therefore be considered an ideal interim solution to optimize valuable land resource.

In view of the justifications as presented in this planning statement, it is hoped that members of the Board and relevant Government departments will approve this application for a period of 3 years.

Lawson David & Sung Surveyors Limited
January 2025