Application for Permission under Section 16 of the Town Planning Ordinance (Cap. 131)

Temporary Public Car Park for Private Vehicles for a Period of 3 Years in "Agriculture" Zone at Lots 111RP, 112(Part), 113, 115RP, 116(Part), 117RP in DD113, Kam Tin South, Yuen Long, New Territories

SUPPLEMENTARY PLANNING STATEMENT

Applicant:

Moon Kee Car Park

Planning Consultant:



Top Bright Consultants Ltd.

April, 2024

Executive Summary

This planning application is submitted on behalf of Moon Kee Car Park (the "Applicant") to the Town Planning Board (the "Board") to seek renewal of planning application at Lots 111RP, 112(Part), 113, 115RP, 116(Part) and 117RP in DD113, Kam Tin South, Yuen Long, New Territories (the "Application Site") for a temporary public car park for private vehicles (the "Proposed Development") for a further period of 3 years.

The Application Site has a total site area of 4,353 square metres and is currently being occupied by the Applicant for a public car park for private vehicles. The Application Site, or part of it, is the subject of 11 previous planning applications (Application Nos. A/YL-KTS/158, 241, 246, 284, 384 (No. 384-1 for minor amendments to the approved scheme), 492, 519, 553, 660, 785 and 888), of which the last 8 were approved for public car park use. The last application (No. A/YL-KTS/888) was approved by the Board for a public car park (private cars) for a period of 3 years on 11.6.2021. All approval conditions of the last application had been complied with. As the last application will be expired on 15.6.2024, the Applicant seeks renewal application from the Board to continue the Proposed Development at the Application Site for a further period of 3 years.

According to the Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15, the Application Site falls within the area zoned "Agriculture" ("AGR"). The Proposed Development is not a use under Column 1 and 2 under Kam Tin South OZP and temporary use of the Application Site requires planning permission from the Board. In view of the location of the Application Site, which is close to the Tai Lam Tunnel toll plaza and bus interchange, the Applicant considers that the Application Site is a preferred location for a 24-hour "park-and-ride" facility for the public in general and the nearby residents in particular.

The proposed development is generally identical to the last application (Application No. A/YL-KTS/888) except the minor reduction of the floor area. The Application Site is used for parking of approximately 118 private vehicles. A site office (1-storey) and a washroom is located at the eastern portion of the site near the entrance.

The justifications of this application are: the continuous demand for public parking facilities in the vicinity; would not jeopardize the future housing development at the Application Site; provide remedial measures for shortage of parking supply by private initiative; would not jeopardize the planning intention of "AGR" zone; not incompatible with surrounding land uses; site with previous planning approvals; compliance with previous approval conditions; and insignificant environmental, drainage and traffic impacts. The Applicant therefore seeks the Board's permission to continue using the Application Site for the Proposed Development for a further period of 3 years.

行政摘要

這宗規劃續期申請乃代表滿記停車場向城市規劃委員會("城規會")呈交,擬議在新界元朗錦田丈量約份113地段第111號餘段,112號(部份),113,115號餘段,116號(部份)及117號餘段("申請地點"),用作臨時公眾私家車停車場("擬議發展"),為期3年。

申請地點的面積為 4,353 平方米,目前被申請人用作公眾私家車停車場。申請地點或其部份地段涉及 11 宗規劃申請(申請編號 A/YL-KTS/158,241,246,284,384 (編號 384-1 作 B 類修訂),492,519,553,660,785 及888),當中最後 8 宗申請獲批准作公眾停車場用途。最近一次規劃許可(申請編號: A/YL-KTS/888) 於 2021 年 6 月 11 日獲批准作臨時公眾停車場(私家車),為期三年。申請人已全部履行該規劃許可的附帶條件。鑑於該申請的期限將於 2024 年 6 月 15 日屆滿,申請人提出是項規劃許可續期申請,希望繼續使用申請地點作同樣用途。

申請地點座落於錦田南分區計劃大綱核准圖編號 S/YL-KTS/15 中的 "農業"地帶,而根據該大綱圖的規定,擬議發展並非屬第一欄或第二欄准許的用途,臨時用途須向城規會提出申請。由於申請地點鄰近大欖隧道收費廣場及轉車站,申請人認為申請地點是一個可供公眾及附近居民作 24 小時"泊車轉乘"設施的理想地點。

擬議發展大致與上次獲批的規劃許可(申請編號: A/YL-KTS/888)相同,除了輕微減少了樓面面積。申請地點共提供 118 個私家車停車位,並於東面鄰近出入口的位置設有一個一層高的地盤辦公室及一個洗手間。

這宗規劃申請的理由為:舒緩大欖隧道轉車站停車設施的持續需求;不會妨礙申請地點的未來房屋發展;以私人經營模式舒緩停車位短缺的問題;不會違背"農業"地帶的規劃意向;與附近土地用途協調;申請地點過往曾獲規劃許可;已履行全部規劃許可附帶條件;以及不會對附近的環境、排水及交通構成不良影響。因此,申請人希望城規會批准續期三年的臨時用途。

TABLE OF CONTENTS

TABLE OF CONTENTS LIST OF FIGURES				
SUMMARY OF APPLICATION				
1.	INTRODUC	TION	2	
2.	SITE CONT Location Existing Site Surrounding Access	e Conditions	3	
3.	LAND STAT	rus	3	
4.	PLANNING Statutory Pl Previous Pla		4	
5.	Applied Use Site Layout Site Operati Access Arra	and Design ons ingement and Tree Preservation Proposal	4	
6.	6. JUSTIFICATIONS Continuous Demand for Public Parking Facilities in the Vicinity Would not Jeopardize the Future Housing Development at the Application Site Provide Remedial Measures for Shortage of Parking Supply by Private Initiative Would Not Jeopardize the Planning Intention of "AGR" Zone Not Incompatible with Surrounding Land Uses Site with Previous Planning Approvals Compliance with Previous Approval Conditions Insignificant Environmental Impact Insignificant Traffic Impact			
7.	CONCLUSI	ON	9	
LIST OF FIGURES Figure 1 Location Plan Figure 2 Site Plan Figure 3 Plan Showing the General Area Figure 4 Extract from the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15 Figure 5 Layout Plan Figure 6 Landscape and Tree Preservation Proposal				

SUMMARY OF APPLICATION

Applicant: Moon Kee Car Park

Application for: Temporary Public Car Park for Private Vehicles for a Period of 3 Years

Existing Use: Public Car Park for Private Vehicles

Location of the Lots 111RP, 112(Part), 113, 115RP, 116(Part) and 117RP in DD113,

Application Site: Kam Tin South, Yuen Long, New Territories

Site Area: 4,353 square metres

Lease: Block Government Lease demised as agricultural land

Town Plan: Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15 gazetted on

21.12.2018

Zoning: "Agriculture" ("AGR")

Previous A/YL-KTS/888 approved on 11.6.2021 for a public car park Applications: A/YL-KTS/785 approved on 15.6.2018 for a public car park

A/YL-KTS/660 approved on 6.2.2015 for a public car park
A/YL-KTS/553 approved on 6.1.2012 for a public car park
A/YL-KTS/519 approved on 14.1.2011 for a public car park
A/YL-KTS/492 approved on 11.6.2010 for a public car park
A/YL-KTS/384-1 approved on 27.7.2007 (Class B amendment)

A/YL-KTS/384 approved on review on 12.1.2007 for a public car park

A/YL-KTS/284 rejected on 8.11.2002 for a public car park A/YL-KTS/246 rejected on 4.5.2001 for a public car park A/YL-KTS/241 rejected on 2.2.2001 for a public car park A/YL-KTS/158 approved on 12.3.1999 for a public car park

1. INTRODUCTION

- 1.01 This application is prepared by Top Bright Consultants Ltd. on behalf of Moon Kee Car Park (the "Applicant") for renewal of a planning application at Lots 111RP, 112(Part), 113, 115RP, 116(Part) and 117RP in DD113, Kam Tin South, Yuen Long, New Territories (the "Application Site") for a temporary public car park for private vehicles (the "Proposed Development") for a period of 3 years.
- 1.02 The Application Site has a total site area of 4,353 square metres and is currently being occupied by the Applicant for a public car park for private vehicles. The Application Site, or part of it, is the subject of 11 previous planning applications (Application Nos. A/YL-KTS/158, 241, 246, 284, 384 (No. 384-1 for minor amendments to the approved scheme), 492, 519, 553, 660, 785 and 888), of which the last 8 were approved for public car park use. The last application (No. A/YL-KTS/888) was approved by the Town Planning Board (the "Board") for a public car park (private cars) for a period of 3 years on 11.6.2021. All approval conditions of the last application had been complied with. As the last application will be expired on 15.6.2024, the Applicant seeks renewal application from the Board to continue the Proposed Development at the Application Site for a further period of 3 years.
- 1.03 The proposed public car park (since the approval of the planning application No. A/YL-KTS/384 dated 12.1.2007) has been operated as a 'park and ride' facility for the local community for over 17 years. The proposed development will continue to serve the local community as a 'park and ride' facility for the coming few years. The planning parameters of this planning application is generally identical to the last approved application (No. A/YL-KTS/888) in terms of land use, nature of business, no. and area of structures, no. of parking spaces provided, etc.
- 1.04 According to the Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15, the Application Site falls within the area zoned "Agriculture" ("AGR"). The Proposed Development is not a use under Column 1 and 2 under Kam Tin South OZP and temporary use of the Application Site requires planning permission from the Board. In view of the location of the Application Site, which is close to the Tai Lam Tunnel toll plaza and bus interchange, the Applicant considers that the Application Site is a preferred location for a 24-hour "park-and-ride" facility for the public in general and the nearby residents in particular.
- 1.05 This supplementary planning statement provides detailed land status and present situation of the Application Site, a brief account of the Proposed Development and planning justifications for the Proposed Development. This information is necessary to facilitate the Board's consideration of this application.

2. SITE CONTEXT

Location

2.01 The Application Site is located about 70m to the east of the Tai Lam Tunnel toll plaza and Tsing Long Highway, and 150m to the west of MTR West Rail Pat Heung Maintenance Centre. Figure 1 shows the Application Site in its regional context.

Existing Site Conditions

- 2.02 The Application Site is currently used as a public car park for private vehicles. The eastern portion of the Application Site is occupied by a site office while the other portions are designated for parking of private vehicles.
- 2.03 The Application Site covers an area of 4,353 square metres and is generally irregular in shape (Please refer to Site Plan at Figure 2). The Application Site has been hard paved and kept in a clean and tidy condition.

Surrounding Land Uses

2.04 The Application Site is bounded by the slip road connecting Pat Heung Road and the Toll Plaza of Tsing Long Highway to the west. To the east is a piece of Government land which is the access to the Application Site. To its further east are Kam Ho Road and a Nullah. To its immediate south is unused land and dense trees. A number of warehouses and open storage yards are located to the further south of the Application Site. Figure 3 shows the Application Site in the context of its local surrounds.

Access

2.05 The Application Site is accessed via a track from Kam Ho Road to its east which connects to Pat Heung Road, Tsing Long Highway and Tai Lam Tunnel. The Application Site enjoys direct vehicular access towards Kam Ho Road. The existing run-in and run-out of the Application Site is approximately 7.5 metres wide which have been approved by relevant Government departments for compliance with approval conditions (i) and (j) under the previous application (No. A/YL-KTS/384). An existing footpath at the northwest corner of the Application Site connects to the Tai Lam Bus Interchange.

3. LAND STATUS

- 3.01 According to the Land Registry, the Application Site comprises of Lots 111RP, 112(Part), 113, 115RP, 116(Part) and 117RP in DD113, Kam Tin South, Yuen Long, New Territories which demised as agricultural land. The location of the lots is illustrated on the Site Plan at Figure 2.
- 3.02 The subject lots are all held under Block Government Lease and demised as agricultural land with a lease term expiring on 30.6.2047. There are no user restrictions in the leases apart from the standard non-offensive trade clause.

4. PLANNING CONTEXT

Statutory Plan

- 4.01 According to the Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15 gazetted on 21.12.2018, the Application Site falls within an area zoned "Agriculture" ("AGR"). As noted in the Explanatory Statement accompanying the OZP, the planning intention of the "AGR" zone 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. An extract of the plan is at Figure 4.
- 4.02 Under the provisions of the OZP, 'public car park' is not a use listed under Columns 1 or 2 of the "AGR" zone. However, Section (11)(b) of the Notes attached to the plan stipulates that the Board may, at their discretion, approve applications for temporary uses not provided for in the plan up to a maximum period of 3 years.

Previous Planning Applications

4.03 The subject lots are part of 11 previous planning applications (Application Nos. A/YL-KTS/158, 241, 246, 284, 384 (No. 384-1 for minor amendments to the approved scheme), 492, 519, 553, 660, 785 and 888). The last application (Application No. A/YL-KTS/888) was approved for a temporary public car park (private cars) for a period of 3 years on 11.6.2021 and valid until 15.6.2024. All approval conditions under the application (Application No. A/YL-KTS/888) had been complied with.

5. DEVELOPMENT PROPOSAL

Applied Use

5.01 The Applicant seeks renewal of the planning application from the Board to continue using the Application Site for a public car park for private vehicles for a further period of 3 years. The Proposed Development will continue to serve as a 24-hour "park-and-ride" facility for residents residing on the North West New Territories as well as for local villagers and people traveling to the Mainland for business and pleasure as a cross-boundary bus station is located at the Kam Sheung Road Station Public Transport Interchange.

Site Layout and Design

5.02 As indicated on the Layout Plan at Figure 5, the proposed development is generally identical to the last application (Application No. A/YL-KTS/888) except with minor adjustment of the floor area. The Application Site will be used for parking of approximately 118 private vehicles. A site office (1-storey) and a washroom is located at the eastern portion of the site near the entrance. A comparison of the current arrangement and the last application (No. A/YL-KTS/888) is as follows:

Table 1: Differences between the Current and Last Application (No. A/YL-KTS/888)

	Previous Application (No. A/YL-KTS/888)	Current Application	Differences
Applied Uses	Temporary Public Car Park (Private Cars)	Temporary Public Car Park (Private Cars)	-
Site Area	4,353 sq. m.	4,353 sq. m.	-
Proposed No. of	3	3	-
Structures			
Total GFA	385 sq. m.	364 sq. m.	-21 sq. m. (-5%)
Building Height	2.6 - 3m	2.6 - 3m	-
No. of Parking	118	118	-
Spaces for Private			
Vehicles			

5.03 As shown in Table 1 above, the Proposed Development is almost identical as the last application (No. A/YL-KTS/888). The major difference is that the floor area of the site office and tent covered parking area for the current application is slightly reduced with reference to the recent on-site survey. The northern boundary of the Application Site will not be fenced off by opaque fencing in order to provide good visibility for road users and pedestrians.

Site Operations

5.04 The Application Site, which mainly caters to those residents living in the North West New Territories, will operate 24 hours a day. Only private vehicles (not exceeding 7 metres long) with valid licenses issued under the Road Traffic Regulations will be allowed to be parked on the Application Site. No medium or heavy goods vehicles exceeding 5.5 tonnes will be allowed to enter the Application Site. In addition, no dismantling, car maintenance and repairing, cleaning, paint spraying or other workshop activities will be conducted at the Application Site.

Access Arrangement

5.05 The existing run-in and run-out of the Application Site is approximately 7.5 metres wide which have been approved by relevant Government departments for compliance with approval conditions (i) and (j) under the previous application (No. A/YL-KTS/384). The Applicant will maintain the run-in and run-out for the current application. To address the concern of relevant Government departments, no right turning of vehicles from the access road to Kam Ho Road will be allowed.

Landscape and Tree Preservation Proposal

5.06 In accordance with the approved landscape proposal of the previous applications (Nos. A/YL-KTS/384 and 553), trees have already been planted around the perimeter of the Application Site as far as practical (see Figure 6). The tree species are *Ficus Microcarpa* and *Ficus Hispida*, which grow to a mature height of 4 to 5 metres, with a canopy span of about 5 metres in diameter. The implementation of the landscape proposal was considered satisfactory by the Planning Department. The Applicant will continue to provide routine horticultural maintenance for tree planting on the peripheral of the Application Site.

Drainage Proposal

5.07 The Application Site is served by existing surface channels which have been constructed under previous planning application (No. A/YL-KTS/553). These facilities, which have already received approval from the Drainage Services Department, will be maintained by the Applicant.

6. JUSTIFICATIONS

Continuous Demand for Public Parking Facilities in the Vicinity

The Application Site is considered ideal for 'park and ride' car parking provision due to the close proximity to the major transport interchange along the Route 3 (Tsing Long Highway). The Proposed Development is able to alleviate the existing illegal parking problems in the vicinity of the Application Site. It will continue to serve passengers using public transport in view of its current physical condition, proximity to the Tai Lam Tunnel bus interchange and high accessibility to the strategic network connecting up with the urban areas and other parts of the Territory. In addition, 3 development sites have been rezoned to "Residential (Group A)" for the increase of public housing supply within Kam Tin South. The three public housing sites together would yield approximately 9,000 flats. Though the Proposed Development is a small scaled parking facility, it nonetheless would assist to relieve the shortage of parking provisions within the area when the surrounding housing development sites are being implemented.

Would not Jeopardize the Future Housing Development at the Application Site

According to the press release in early April 2021, the Application Site and its surrounding areas are one of the shortlisted clusters for potential public housing identified under brownfield sites review in Yuen Long District. It is noted that the detailed design and implementation programme for the project will be formulated and the clearance of the site will not be arranged in the next 3 years. The proposed development is only a temporary use and would not jeopardize the future land use of the Application Site as indicated by the brownfield sites review. Nonetheless, the Proposed Development will play an important role by help meeting local and future parking demand until the implementation of the housing programme.

Provide Remedial Measures for Shortage of Parking Supply by Private Initiative

6.03 The major objective of 'park and ride' is to reduce private car trips to/from urban areas and encourage the use of available public transport facilities. According to the Government's policy, the establishment of 'park and ride' in major transport interchanges and bus termini should continue to be encouraged. Similar public car park has been provided near the Kam Sheung Road West Rail Station and there is a market for 'park and ride' car parking facilities near the major transport interchange. Relaxation in the planning application process for this type of land use is needed if rationalization of some of the land use is desirable. The Proposed Development would encourage commuters to use public transport to complete the trip. In this regard, the Proposed Development would contribute to achieving Government policy of increasing parking spaces by private initiatives. It would also make better use of valuable land resource and bring about social benefits without increasing public expenditure.

Would Not Jeopardize the Planning Intention of "AGR" Zone

Since the Application Site and the adjoining area has been paved and used as public car park in 1999, the physical condition of the Application Site and its surrounding areas is now less than favorable for agricultural purposes. Contrary to its planning intention, which is "to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes" (Para. 9.10.1 of the Explanatory Statement attached to the OZP), the Application Site is considered neither good agricultural land worthy of retaining or fallow agricultural land with good potential for rehabilitation. Approval of the application would therefore not contravene the planning intention of the "AGR" zone. Moreover, provisions are laid out in the plan for temporary uses not exceeding 3 years, and the proposed temporary use would not jeopardize any long term planning intention for the area.

Not Incompatible with Surrounding Land Uses

As mentioned in Paragraphs 2.04 above, the surrounding areas are mainly highways, transport interchange and unused land, which are considered compatible in land uses terms. In addition, land to the further south within the same "AGR" zone have either been left vacant or converted to a more efficient and feasible land use, such as open storage yards and warehouses. The Proposed Development is not incompatible with other facilities in the adjacent areas in terms of nature and scale of use. Approval of the application would therefore not result in any interface problems with the surrounding areas.

Site with Previous Planning Approvals

The Board previously approved the same use on the Application Site for 8 occasions in 2007, 2010, 2011, 2012, 2015, 2018 and 2021. The Board's decision to approve the previous applications on the same site indicates that the Proposed Development is compatible with surrounding land uses and acceptable within the "AGR" zone. For the current application, the applied use and planning circumstances (i.e. land use zoning, character of the area) remain unchanged since the last planning application was granted.

Compliance with Previous Approval Conditions

6.07 All approval conditions of the last planning application (No. A/YL-KTS/888) had been complied with, including the submission record of existing drainage facilities and fire service installations proposals and implementation. As the required site improvement works had already been implemented and approved by the relevant Government departments, favourable consideration may be given by the Board to this application.

Insignificant Environmental Impact

- 6.08 Since the areas along Tsing Long Highway and Pat Heung Road are subject to heavy traffic noise, the potential noise impact generated by the use under application is also considered insignificant when compared with that generated by busy traffic along these major highways.
- 6.09 There exists no sensitive receiver such as residential settlement in the immediate vicinity. The Proposed Development is bounded by similar facilities and highways which form a buffer to minimize any possible environmental and visual impacts on the nearest residential settlements.

Insignificant Drainage Impact

6.10 The Applicant has provided periphery drainage channels on the Application Site to the satisfactory of Drainage Services Department. Therefore, no adverse drainage impacts are anticipated.

Insignificant Traffic Impact

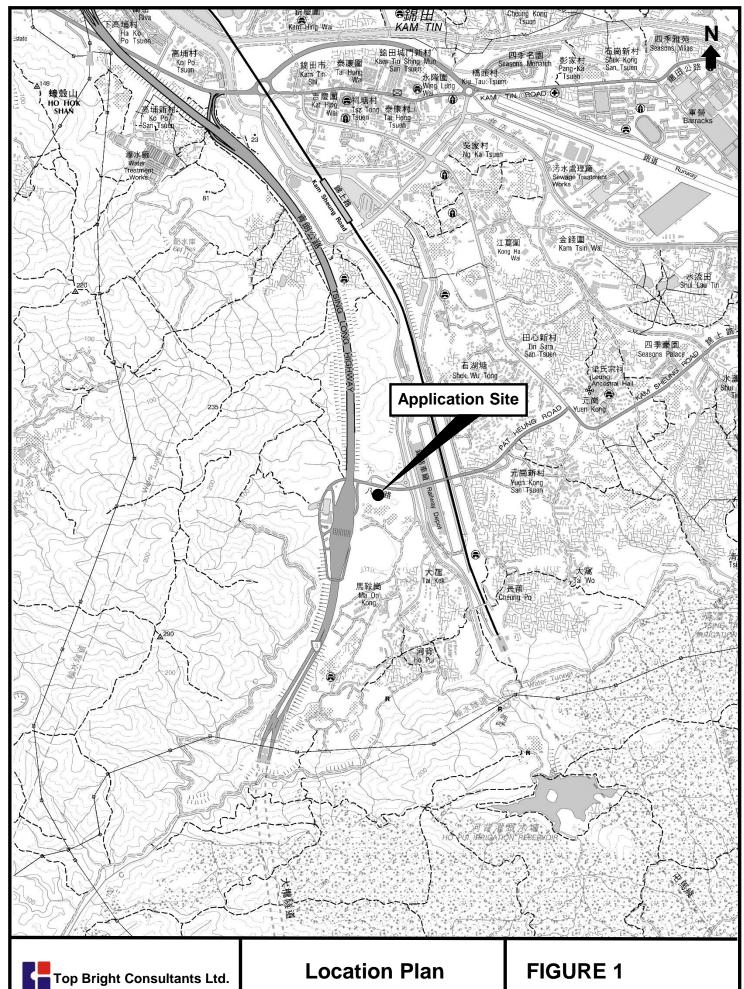
- 6.11 It should be stressed that the Application Site has been used for similar purposes over 17 years which simply provides an essential service for commuters in the North West New Territories. The current proposal is the same as the last approved application and the no. of parking spaces remain unchanged. In fact, approval of this Application would reduce the number of private vehicles utilizing the local roads in the vicinity. Furthermore, owing to no heavy vehicles will be parked on the Application Site, the Proposed Development will not result in any increase in heavy vehicles on the local transport network. In this regard, no additional adverse traffic impact is anticipated.
- 6.12 In compliance with approval conditions under the previous application (No. A/YL-KTS/553), the Applicant already placed a no right turn road sign at the junction of the access road and Kam Ho Road. Should this application be approved, the Applicant commits to prohibit all right turning vehicles to Kam Ho Road in order to ensure road safety. Vehicles leave the Application Site could use the existing roundabout to go north and south of Kam Ho Road.

TB/24/841

7. CONCLUSION

- 7.01 The Application Site, given to its strategic location to the Tai Lam Tunnel toll plaza as well as the Kam Sheung Road West Rail Station, has served as a 'park and ride' facility for the local community for over 17 years. With the demand of car parking facilities in the Territories, the Proposed Development would also help to alleviate the acute shortage of parking facility in the area.
- 7.02 The current application is almost identical to the last application, except there is minor reduction of the floor area. There is no significant change in planning circumstances for the current application in terms of land use zoning, proposed use or character of the surrounding land uses. The Application Site has already been provided with landscaping, served by an existing drainage system and fire service installations that was approved by relevant Government departments. In this regard and with justifications stated in the previous section, it is anticipated that the proposed use will not generate any adverse traffic, drainage or environmental impacts on the surrounding areas.
- 7.03 In view of the foregoing submission and justifications, and the fact that the planning approvals had been granted by the Board for the same use on the Application Site, the Applicant respectfully requests that the Board give favourable consideration and approve this application for a further period of 3 years.

Top Bright Consultants Ltd. April 2024

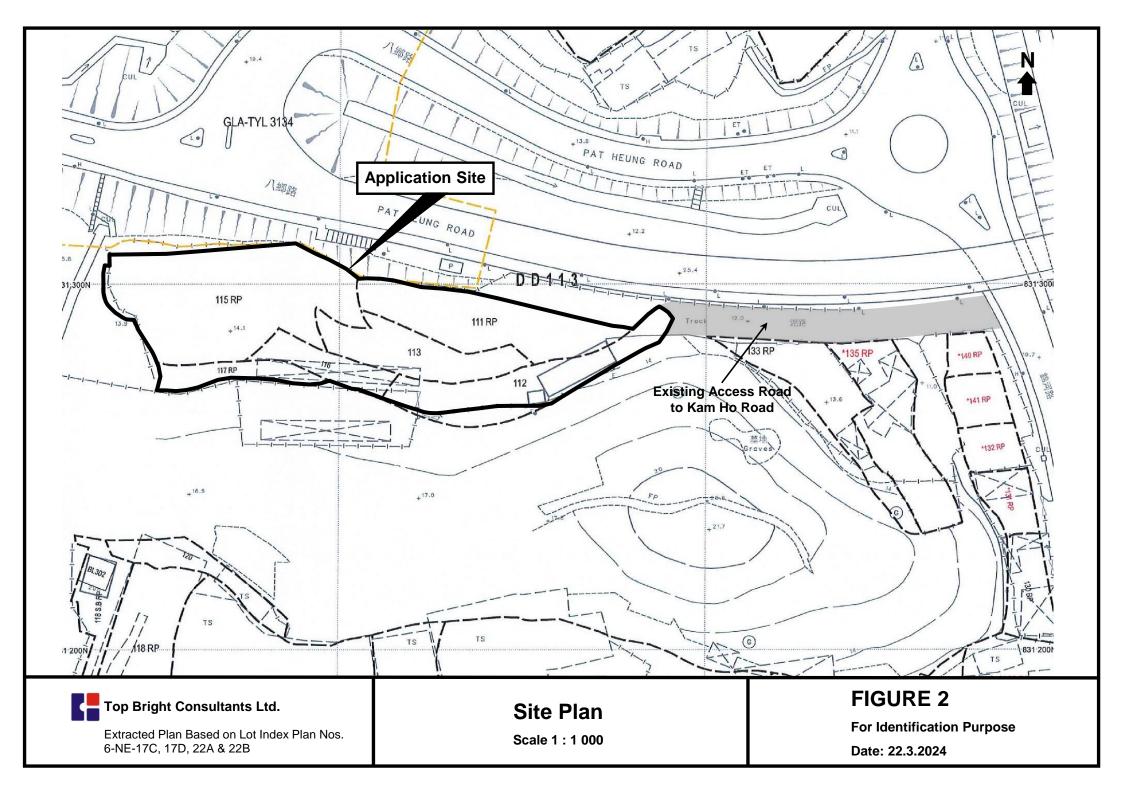


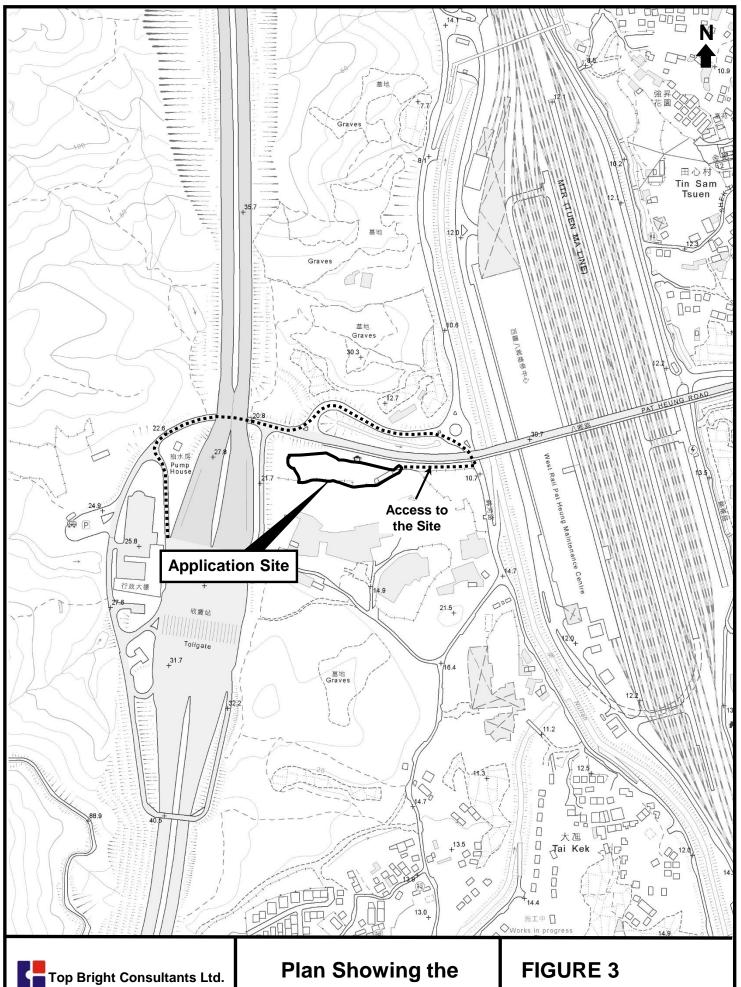
Extract Plan Based on Map Series HM20C of Sheet 6

Scale 1: 20 000

For Identification Purpose

Date: 22.3.2024





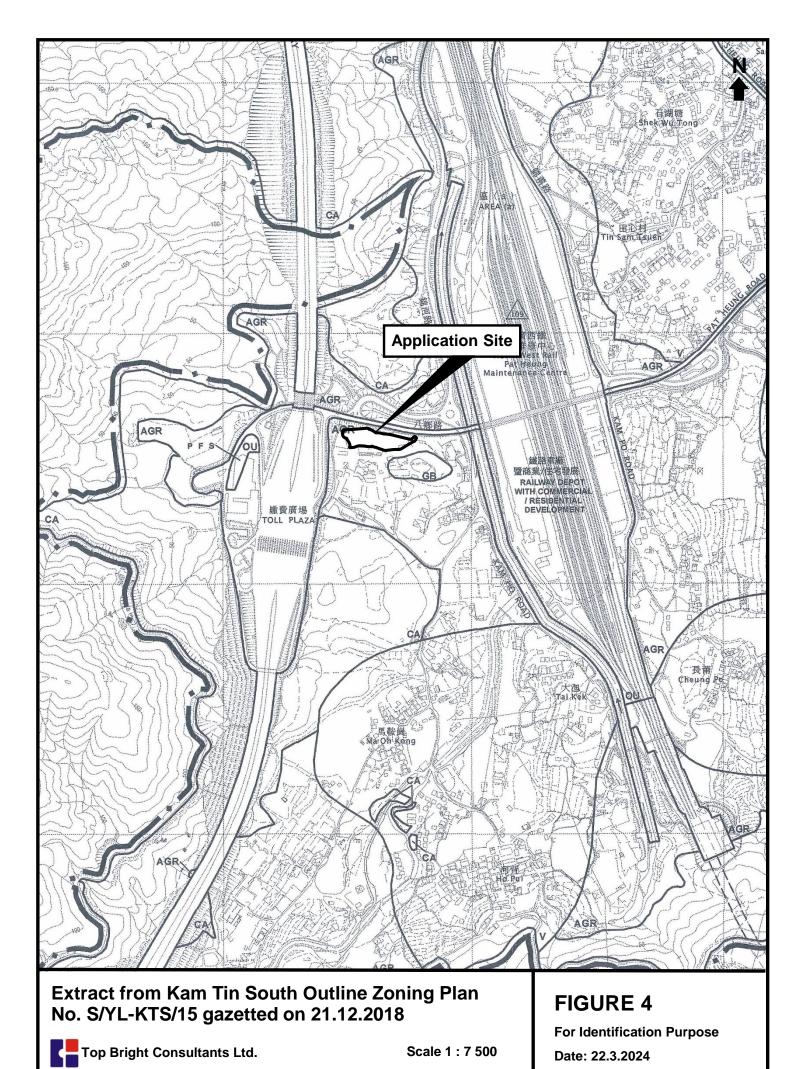
Extracted Plan Based on Map Series HP5C of Sheet No. 6-NE-C

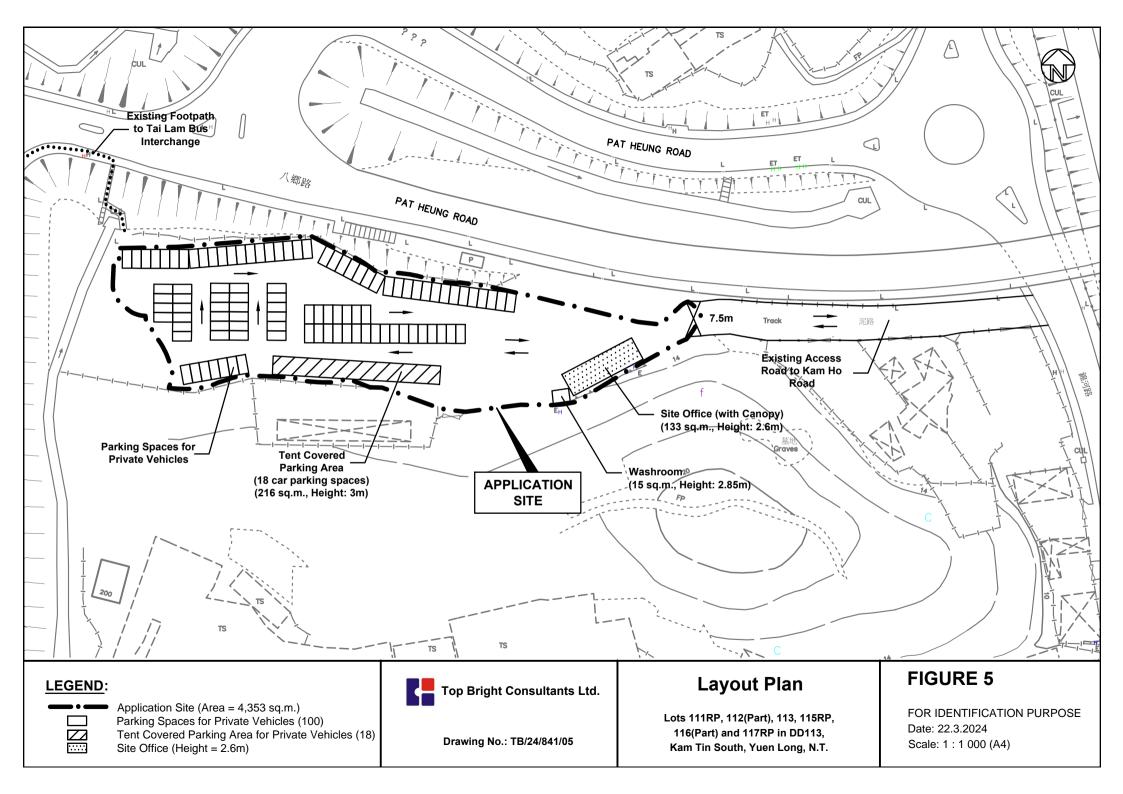
General Area

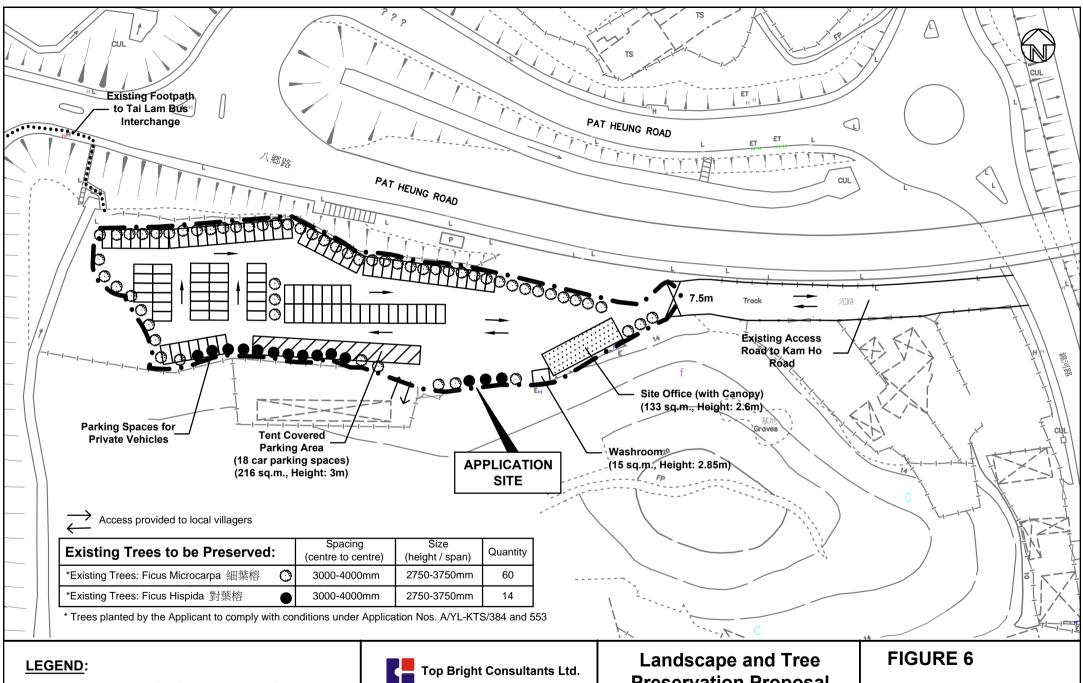
Scale 1:5 000

For Identification Purpose

Date: 22.3.2024







Application Site (Area = 4,353 sq.m.) Parking Spaces for Private Vehicles (100) Tent Covered Parking Area for Private Vehicles (18) Site Office (Height = 2.6m)



Drawing No.: TB/24/841/06

Preservation Proposal

Lots 111RP, 112(Part), 113, 115RP, 116(Part) and 117RP in DD113, Kam Tin South, Yuen Long, N.T.

FOR IDENTIFICATION PURPOSE

Date: 22.3.2024 Scale: 1:1000 (A4)