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Iris Tsoi Ying YIK/PLAND

主旨: Fw: Planning Application-Ref. 20251126OJN-16 Pak Tam Au
附件: 2026-02-06-Letter to TPB-Sec. 16 Planning Application No. A-NE-TKP2-signed.pdf

From: [REDACTED]
Sent: Saturday, February 7, 2026 3:41 PM
To: Charlotte Tsz Wing WUN/PLAND <ctwwun@pland.gov.hk>
Subject: RE: Planning Application-Ref. 20251126OJN-16 Pak Tam Au

Dear Charlotte

Here is the signed version of the letter.

Regards

Jim

From: [REDACTED]
Sent: Friday, February 6, 2026 4:54 PM
To: 'Charlotte Tsz Wing WUN/PLAND' <ctwwun@pland.gov.hk>
Subject: RE: Planning Application-Ref. 20251126OJN-16 Pak Tam Au

Dear Charlotte

Please find attached my Further Information submission addressed to the TPB, for inclusion in Application No. A/NE-TKP/2.

Please let me know if you have any questions or comments.

Best regards

Jim

Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
Hong Kong

By Email

Dear Sir / Madam,

**Re: Section 16 Application No. A/NE-TKP/2
Proposed Temporary Private Garden for a Period of Three Years on
Government Land Adjoining Lot No. 369 in D.D. 255, Pak Tam Au**

I refer to the above Section 16 application and to my telephone discussion with Ms Charlotte Wun on 28 January 2026. Pursuant to that discussion, I hereby submit the following Further Information (FI) for consideration by the Town Planning Board (TPB) to supplement the Planning Statement already submitted.

1. Public Exposure, Privacy and Safety Considerations

The Application Site is located in a particularly public and exposed setting, immediately adjoining Pak Tam Road, a public bus stop located approximately 50 metres from the house, and the junction of several popular hiking routes, including the MacLehose Trail.

As a result, members of the public frequently enter and traverse the surrounding Government Land immediately adjacent to the house. This occurs on a regular basis, particularly on weekends and public holidays, and includes hikers and persons waiting at the bus stop who often walk down towards the house out of curiosity.

On multiple occasions, individuals were observed walking immediately adjacent to the house and taking photographs or videos in the direction of the interior. On one recent occasion, a door to the house was opened by a member of the public, triggering the alarm system.

Having regard to this site context, the proposed temporary private garden would serve an important and practical function in defining a modest and clearly delineated curtilage immediately adjoining the house, thereby discouraging casual public intrusion and improving safety and privacy for current and future occupants.

The proposal does not involve any building development, site formation, land filling, excavation or intensification of land use. Rather, it seeks to formalise and manage an area that has historically functioned as garden space and is otherwise open to uncontrolled public access.

2. Presence of Feral Animals

The Application Site and surrounding cleared areas are regularly traversed by feral cattle and wild boars, which graze in the vicinity of the house. Their presence presents a genuine safety concern, particularly for children.

The proposed temporary private garden would assist in mitigating such safety risks by establishing a clearly defined boundary immediately around the dwelling, without giving rise to any adverse environmental or planning impacts.

3. Status of Lands Department and Buildings Department Matters

Following inspections by the Lands Department and the Buildings Department, certain items were identified for rectification, including two structures located on Government Land, namely:

- an LPG cylinder container; and,
- an approximately 6-metre-long wall erected from the south-east corner of the house intended to provide privacy and protection in view of the level difference of over 1.2 metres between the subject property and the adjoining lot.

I confirm that I will remove both of these structures in full, and arrangements are being made for their removal. These works are planned to be completed prior to the TPB meeting currently scheduled for 13 March 2026.

Other matters raised by the Lands Department and the Buildings Department in respect of the existing house structure are also being actively addressed, with rectification works underway or being finalised in consultation with the relevant departments.

For the avoidance of doubt, the subject Section 16 application does not seek to regularise any unauthorised structures, whether on private land or on Government Land.

4. Historical Photograph (circa 1988)

For reference, I attach a historical photograph of the property taken in or around 1988, prior to the granting of the former STT No. 751 in 1990.

The photograph was provided to me by the sister of the former owner of the property, who inherited the house upon her brother's passing. She retained historical photographs of the property and arranged for them to be passed to me via long-standing village contacts. Upon receipt of the photographs, I confirmed their delivery with her by text message and she acknowledged that the photographs had arrived.

The photograph shows that the general configuration of the garden and paved areas surrounding the house was already established prior to the original STT and has not been materially altered since then.

5. Reduced Scale of the Current Proposal

As detailed in the Planning Statement, the current application represents a significant reduction in scale compared with both:

- the former STT No. 751 (approximately 380 m²); and
- the applicant's previous Section 16 application in 2024 (approximately 326 m²).

The current proposed area has been reduced to approximately 177 m², reflecting a conscious effort to address the TPB's previous concerns regarding proportionality and efficient use of Government Land.

6. Planning Assessment and Conclusion

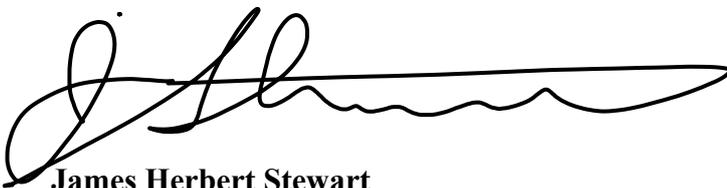
The proposed temporary private garden represents a modest, proportionate and non-developmental use of Government Land which:

- would not involve any building development, site formation, land filling or excavation;
- would not generate additional population, traffic, drainage demand or environmental load;
- would not give rise to adverse environmental, landscape, drainage, infrastructure or water quality impacts; and,
- is compatible with the existing rural village setting and surrounding uses.

Having regard to the highly public location of the site, the proposal would provide a clearly defined and limited curtilage to improve safety and privacy, without resulting in any material adverse planning implications.

I respectfully submit that the above Further Information, when read together with the Planning Statement, provides additional context and justification in support of the application.

Yours faithfully,



James Herbert Stewart
Owner of Lot No. 369 in D.D. 255
Pak Tam Au

