

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/NE-KLH/651**

- Applicant** : Mr. KO Ming Chuen Franki
- Site** : Lots 735 S.A, 735 RP, 736 S.A, 736 S.B, 736 S.C and 736 RP in D.D. 9, Yuen Leng, Tai Po, New Territories
- Site Area** : About 800m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11
- Zoning** : “Village Type Development” (“V”)
- Application** : Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars and light goods vehicles) for a period of three years at the application site (the Site) falling within the area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘public vehicle park (excluding container vehicle)’ is a Column 2 use within “V” zone, which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading to Tai Wo Service Road East (**Plans A-1 and A-2**). According to the applicant, the applied public vehicle park comprises 22 parking spaces (5m (L) x 2.5m (W) each) in total, of which 15 are for private cars and seven are for light goods vehicles (**Drawing A-1**). The public vehicle park operates 24 hours daily. The site layout plan submitted by the applicant is shown at **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on (**Appendix I**) 17.2.2025
  - (b) Further information (FI) received on 24.3.2025\* (**Appendix Ia**)

(c) FI received on 30.4.2025\* (Appendix Ib)

(d) FI received on 8.5.2025\* (Appendix Ic)

*\* accepted and exempted from publication and recounting requirement*

1.4 On 11.4.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application for two months.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Ic**, as summarised below:

- (a) the Site is within close proximity of Yuen Leng Village and there is a genuine demand from the villagers for car parking spaces due to limited public transport services in the area. The applied use helps relieve illegal parking and road safety problems in the area. The application has obtained support from Yuen Leng Village Representative and local villagers;
- (b) the Site has been hard-paved for a long time and the applied use is on a temporary basis, small in scale and compatible with surrounding areas, which is considered able to optimise the use of the Site and at the same time not contravening the long-term planning intention of "V" zone; and
- (c) the applicant will comply with all relevant requirements and regulations required by the government bureaux and departments to minimise adverse traffic, environmental, drainage, water quality and landscape impacts to the surroundings.

## **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 publishing notices in local newspapers and posting notices at the Site. Detailed information would be deposited at the meeting for Members' inspection.

## **4. Background**

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

## **5. Previous Application**

There is no previous application at the Site.

**6. Similar Application**

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

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

7.1 The Site is:

- (a) flat, hard-paved and currently used for the applied use without valid planning permission (**Plan A-4**); and
- (b) accessible by a local track leading to Tai Wo Service Road East (**Plans A-1 and A-2**).

7.2 The surrounding areas are predominantly rural in character mainly with village houses, fallow farmland, and vacant land (**Plans A-2 and A-3**).

7.3 Another application (No. A/NE-KLH/652) for the same use of this application straddling the same “V” zone and the adjoining “AGR” zone in the vicinity of the Site (**Plans A-1 and A-2**) will be considered by the Committee at this meeting.

**8. Planning Intention**

The planning intention of the “V” zone is primarily 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.

**9. Comments from Relevant Government Departments**

9.1 Apart from the government department as set out in paragraphs 9.2 below, other 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 at **Appendices II and III** respectively.

9.2 The following government department supports the application:

**Traffic**

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

- (a) she supports the application in view of the parking demand in the vicinity; and

(b) her advisory comments are at **Appendix III**.

## **10. Public Comments Received During Statutory Publication Period**

On 25.2.2025, the application was published for public inspection. During the statutory public inspection period, three public comments were received. Two comments (**Appendix IVa**) from a local villager and an individual object to the application mainly for the reasons that there is always dispute over the right of ways or blocking of the road, and increasing traffic flow will affect the access of emergency vehicles and hence the safety of the residents; the applied use will attract vehicles from areas outside Yuen Leng Village causing adverse traffic and safety impacts; and the applied use will cause adverse environmental impact, including air, water and light pollution. The remaining comment (**Appendix IVb**) from an individual raises concern on electric vehicle charging facilities not being provided at the Site.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for temporary public vehicle park (private cars and light goods vehicles) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). Whilst the applied use is not entirely in line with the planning intention of the “V” zone which is primarily for development of Small Houses by indigenous villagers, it can provide car parking spaces to meet the local parking demand. In this regard, C for T supports the application in view of the parking demand in the vicinity. Besides, the District Lands Officer/Tai Po of Lands Department has no objection to the application and advises that the Small House Grants on Lots 736 S.A and 736 S.C in D.D. 9 have not been executed at this juncture, whereas Small House applications for Lots 736 S.B and 735 RP were received and there is no Small House application received for Lots 735 S.A and 736 RP. Taking account of the above and the planning assessments below, there is no objection to the proposed use on a temporary basis of three years.
- 11.2 The Site is flat, hard-paved and currently used for car parking. The applied use comprising 22 parking spaces for private cars and light goods vehicles is considered not incompatible with the surrounding village settings which are predominantly rural in character with mainly village houses, fallow farmland, and vacant land (**Plans A-2 and A-3**).
- 11.3 The Director of Environmental Protection has no comment on the application and advises that no environmental complaint in relation to the Site has been received in the past three years. Whilst the Site falls within the upper indirect Water Gathering Grounds (WGG), the Chief Engineer/Construction of Water Supplies Department has no objection to the application and advises that the applicant shall implement preventive, control and mitigation measures identified in the accepted risk assessment report on pollution or contamination to the WGG. Other relevant government departments consulted including the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to/no adverse comment on the application.

To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. The applicant will also be advised to follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the applied use.

- 11.4 Regarding the public comments as detailed in paragraph 10 above, the government departments' comments and planning assessments 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 20.6.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Board by 20.12.2025;
- (b) in relation to (a) above, the implementation of the 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 20.3.2026;
- (c) in relation to (b), 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 20.12.2025;
- (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 20.3.2026;
- (f) the implementation of preventive, control and mitigation measures on pollution or contamination to the Water Gathering Grounds (WGG) as identified in the accepted risk assessment report within 9 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 20.3.2026;

- (g) in relation to (f) above, the applied use should not cause any water pollution to the upper indirect WGG at any time during the planning approval period;
- (h) if any of the above planning condition (a), (b), (d), (e) or (f) 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; and
- (i) if any of the above planning condition (c) or (g) 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.

#### 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 to provide land primarily for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from such 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 the 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.

**Attachments**

<b>Appendix I</b>	Application Form with attachments received on 17.2.2025
<b>Appendix Ia</b>	FI received on 24.3.2025
<b>Appendix Ib</b>	FI received on 30.4.2025
<b>Appendix Ic</b>	FI received on 8.5.2025
<b>Appendix II</b>	Government departments' general comments
<b>Appendix III</b>	Recommended advisory clauses
<b>Appendix IV</b>	Public comments
<b>Drawing A-1</b>	Site layout plan submitted by the applicant
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plan A-4</b>	Site photos

**PLANNING DEPARTMENT  
JUNE 2025**