

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KTS/557

<u>Applicant</u>	: Hau Lo Fat represented by T.H. & Associates Limited
<u>Site</u>	: Lots 495 S.A ss.2 RP, 495 S.A ss.3 S.A, 495 S.A ss.3 RP, 495 S.A ss.4, 495 S.A ss.5 and 495 S.A ss.6 in D.D.92, Kam Tsin, Kwu Tung South, Sheung Shui, New Territories
<u>Site Area</u>	: About 718.3m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/22
<u>Zoning</u>	: “Village Type Development” (“V”) [restricted to maximum building height of 3 storeys (8.23m)]
<u>Application</u>	: Proposed Temporary Private Vehicle Park (Private Cars only) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary private vehicle park (private cars only) for a period of three years at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, fenced-off and largely vacant (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kam Tsin Road via a local track (**Plans A-1 to A-3**). According to the applicant, the proposed use involves 14 parking spaces for private cars (**Drawing A-1**) serving the local villagers nearby and will not be open to the general public. No structure will be erected and no vehicle inspection, maintenance, repairing or washing activities will be involved at the Site. The operation hours will be 24 hours daily including Sundays and public holidays. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 24.4.2025 (Appendix I)
- (b) Further Information (FI) received on 11.6.2025* (Appendix Ia)

** accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FI at **Appendices I** and **Ia**, and can be summarised as follows:

- (a) There are inadequate car parking spaces in the Kam Tsin village. The proposed use is intended to meet the needs of the local villagers nearby and will not be open to the general public.
- (b) Consent from owners of the adjoining Lots 495 S.A RP, 495 S.B RP and 493 RP (**Plan A-2**) has been obtained for using those lots as access to the Site. Sufficient space will be provided for vehicles to manoeuvre within the Site. Signage will be installed near the ingress/egress of the Site for pedestrian safety. Adverse traffic, drainage and environmental impacts are not anticipated.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

The applicant is the sole ‘current land owner’. 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 involving the Site.

6. Similar Application

There is no similar application involving temporary vehicle park use within the “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) hard-paved, fenced-off and largely vacant; and
- (b) accessible from Kam Tsin Road via a local track.

- 7.2 The surrounding areas are rural in character comprising predominantly village houses of Kam Tsin. Fanling Highway is to the further north of the Site across Kam Tsin Road.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. 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 Board.

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 in the Recommended Advisory Clauses, if any, are provided at **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) supports the application from traffic engineering perspective in view of the parking demand in the vicinity; and
- (b) advisory comments are at **Appendix III**.

10. Public Comments Received During Statutory Publication Period

On 2.5.2025, the application was published for public inspection. During the statutory public inspection period, three public comments were received, including two from North District Council Members both indicating no comment on the application and one from an individual concerning nil provision of electric vehicle charging facilities in the proposal (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary private vehicle park (private cars only) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “V” zone,

according to the applicant, the proposed use is intended to meet the needs of the local villagers nearby and C for T supports the application in view of the parking demand in the vicinity. The District Lands Officer/North, Lands Department advises that there is no Small House application approved or under processing at the Site. In this regard, it is considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Taking into account the above and the planning assessments below, there is no objection to the proposed use on a temporary basis for a period of three years.

- 11.2 The proposed use is considered not incompatible with the surrounding areas which are rural in character comprising predominantly village houses. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant landscape impact arising from the proposed use is not anticipated.
- 11.3 Other relevant government departments consulted, including the Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise any potential environmental nuisance caused by the proposed use.
- 11.4 Regarding the public comments as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant.

12. Planning Department’s View

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, PlanD 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 Town Planning 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) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) 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
- (e) if any of the above planning condition (a) or (b) 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 proposed use is not in line with the planning intention of the "V" zone which is to provide land primarily for development of Small Houses by indigenous villagers. There is no strong planning justification 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 24.4.2025
Appendix Ia	FI received on 11.6.2025
Appendix II	Detailed Comments from Relevant Government departments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public comments
Drawing A-1	Layout plan
Plan A-1	Location plan

Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
JUNE 2025**