

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KLH/646

<u>Applicants</u>	: Messrs MAN Kit Chiu and MAN Kwok Choi represented by WinLi Group Limited T/A WinLi Consulting Engineers
<u>Site</u>	: Lot 1704 RP in D.D. 7, Tai Hang Tsuen, Tai Po, New Territories
<u>Site Area</u>	: About 98m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11
<u>Zoning</u>	: Village Type Development (“V”)
<u>Application</u>	: Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years

1. The Proposal

- 1.1 The applicants seek planning permission for temporary private vehicle park (private cars only) 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 covering Notes of the OZP, temporary use or development not exceeding a period of three years 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 West (**Plans A-1 and A-2**). According to the applicants, the applied private vehicle park comprises five private car parking spaces (5m (L) x 2.5m (W) each) to serve the villagers of Tai Hang Village. The private vehicle park operates 24 hours daily. The site layout plan submitted by the applicants is shown at **Drawing A-1**.
- 1.3 In support of the application, the applicants have submitted the following documents :
 - (a) Application Form with attachments received on (**Appendix I**) 6.11.2024
 - (b) Further Information (FI) received on 7.2.2025* (**Appendix Ia**)
 - (c) FI received on 12.5.2025* (**Appendix Ib**)
 - (d) FI received on 19.5.2025* (**Appendix Ic**)

**accepted and exempted from publication and recounting requirements*

- 1.4 On 20.12.2024 and 28.3.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicants' requests to defer making a decision on the application for two months each.

2. Justifications from the Applicants

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

- (a) by utilising the vacant land at the Site, the applied private vehicle park could meet the increasing parking demand of the villagers of Tai Hang Village; and
- (b) the applicants will comply with relevant requirements and carry out preventive, control and mitigation measures on pollution or contamination to the Water Gathering Grounds (WGG).

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

The applicants are the sole “current land owners” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Application

There is no previous application at the Site.

6. Similar Applications

- 6.1 There are seven similar applications (No. A/NE-KLH/601, 606, 607, 645, 647, 649 and 655) for temporary vehicle park covering five sites within the same “V” zone in the vicinity of the Site in the past five years (**Plan A-1**). All these applications were approved with conditions by the Committee between 2021 and 2025, mainly on considerations of not frustrating the long-term planning intention of the “V” zone; not being incompatible with the surrounding areas; no significant adverse impact arising from the applied use anticipated; and addressing local parking demand in the area.
- 6.2 Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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 applied use without valid planning permission (**Plan A-4**); and
- (b) accessible via a local track leading to Tai Wo Service Road West (**Plans A-1 and A-2**).

7.2 The surrounding areas are predominantly rural in character with village houses, vehicle parks, plant nurseries and active farmland (**Plans A-2 and A-3**). To the north of the Site is the village proper of Tai Hang.

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 paragraph 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 III and IV** 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 IV**.

10. Public Comment Received During Statutory Publication Period

On 15.11.2024, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary private vehicle park (private cars only) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). While 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 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 there is no Small House application received for the Site. Taking account of the above and the planning assessments below, there is no objection to the applied use on a temporary basis of three years.
- 11.2 The Site is currently hard-paved and used for applied use without valid planning permission (**Plan A-4**). The applied use comprises five private car parking spaces is considered not incompatible with the surrounding village settings which are predominantly rural in character with mainly village houses, vehicle parks, plant nurseries and active farmland (**Plans A-2 and A-3**).
- 11.3 The Director of Environmental Protection has no adverse comment on the application and advises that there is no environmental complaint received in the past three years. While the Site falls within the upper indirect WGG, the Chief Engineer/Construction of Water Supplies Department has no objection to the application and advises that the applicants shall implement preventive, control and mitigation measures on pollution or contamination to the WGG as identified in the accepted risk assessment report. Other relevant government departments 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.
- 11.4 There are seven similar applications for temporary vehicle park covering five sites within the same “V” zone in the vicinity of the Site in the past five years (**Plan A-1**). All were approved by the Committee between 2021 and 2025 mainly on similar considerations as stated in paragraph 6.1 above. Approval of the current application is in line with the previous decisions of the Committee.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 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 **4.7.2028**. The following approval conditions 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 4.1.2026;
- (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 4.4.2026;
- (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) 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 4.1.2026;
- (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 4.4.2026;
- (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 4.4.2026;
- (g) in relation to (f) above, the applied use should not cause any water pollution to the upper indirect WGG at all times 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 IV**.

- 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 "V" 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 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 applicants.

14. Attachments

Appendix I	Application Form with attachments received on 6.11.2024
Appendix Ia	FI received on 7.2.2025
Appendix Ib	FI received on 12.5.2025
Appendix Ic	FI received on 19.5.2025
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan submitted by the Applicants
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photo

**PLANNING DEPARTMENT
JULY 2025**