

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

**APPLICATION NO. A/NE-PK/218**

- Applicant** : Miss POON Mo Kuen Joe represented by Mr. PANG Hing Yeun
- Site** : Lots 1577 (Part), 1579 S.A, 1579 S.B, 1579 S.C (Part), 1579 S.D (Part), 1579 S.E (Part), 1579 S.F, 1579 S.G, 1579 S.H and 1579 RP in D.D. 91, Kai Leng, Sheung Shui, New Territories
- Site Area** : About 693.69m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Kong Outline Zoning Plan (OZP) No. S/NE-PK/11
- Zonings** : (i) “Agriculture” (“AGR”) (about 97% of the Site)  
(ii) “Village Type Development” (“V”) (about 3% of the Site)<sup>1</sup>
- Application** : Proposed Temporary Private Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary private vehicle park (private cars and light goods vehicles (LGVs)) for a period of three years at the application site (the Site) falling within an area zoned “AGR” 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 largely hard-paved and vacant (**Plan A-4**).
- 1.2 The Site is accessible via local track to Wai Hon Road (**Plans A-1 and A-2**). According to the applicant, the proposed use will provide 21 parking spaces (5m (L) x 2.5m (W) each), of which 17 are for private cars and four are for LGVs (**Drawing A-1**) to solely serve the residents of Kai Leng Village. The operation hours of the vehicle park are 24 hours daily. While it is observed that the Site has been largely filled, the applicant clarifies that the Site has been hard-paved well before and no regularisation of land filling is applied for under the current application. The 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:

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<sup>1</sup> A minor portion of the Site falls within “V” zone on the OZP, which is considered as minor boundary adjustment. In view of this, the planning assessment does not include “V” zone.

(a) Application Form with attachments received on **(Appendix I)**  
13.5.2025 and Supplementary Information (SI)  
received on 19.5.2025

(b) Further Information (FI) received on 9.6.2025\* **(Appendix Ia)**

(c) FI received on 13.6.2025 and 17.6.2025\* **(Appendix Ib)**

*\*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, SI and FIs at **Appendices I to Ib**, as summarised below:

- (a) the Site is located in Kai Leng Village with inadequate parking spaces to meet the demand of the local villagers and residents nearby, which leads to illegal parking near Wai Hon Road and Yu Tai Road (**Plans A-1 and A-3**), causing traffic and pedestrian safety concerns. The Indigenous Inhabitant Representative and Resident Representative of Kai Leng Village support to increase parking spaces in the vicinity;
- (b) the estimated vehicle trips per day are from 15 to 20. Adequate manoeuvring space is provided within the Site and at the entrance, as well as along the local track leading to Wai Hon Road;
- (c) the proposed use does not involve felling of trees and filling/excavation of land, and hence would not cause adverse environmental impact; and
- (d) part of the Site is the subject of Small House grant applications. The proposed use will cease operation once the Small House grant applications are executed.

## **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 obtaining consents of current land owners. 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 Applications

- 5.1 Part of the Site is the subject of six previous applications (No. A/NE-PK/55, 103, 104, 196, 208 and 209)<sup>2</sup> for proposed house (New Territories Exempted House – Small House) (NTEH – SH) (**Plans A-1** and **A-2**), which were approved by the Rural and New Town Planning Committee (the Committee) of the Board with or without conditions between 2014 and 2024. The planning permissions for the applications No. A/NE-PK/55, 103 and 104 already lapsed on 28.6.2018, 14.1.2021 and 14.1.2021 respectively. While the validity of the planning permissions for the applications No. A/NE-PK/196, 208 and 209 are up to 19.4.2028, 20.12.2028 and 20.12.2028 respectively. The planning considerations of these previous applications are not relevant to the current application.
- 5.2 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plans A-1** and **A-2**.

## 6. Similar Application

- 6.1 There is a similar application (No. A/NE-PK/174) for temporary private car park (private cars and LGVs) straddling the same “AGR” zone and adjacent “V” zone in the vicinity of the Site in the past five years (**Plans A-1** and **A-2**), which was approved with conditions by the Committee on 13.1.2023 mainly on the considerations that it would not frustrate the long-term planning intentions of the “AGR” and “V” zones and the implementation of the approved Small House developments; it was located in close proximity to the existing village houses and low-density residential development; it was not incompatible with the surrounding areas; and no significant adverse impact arising from the applied use was anticipated.
- 6.2 Details of the similar application are summarised at **Appendix III** and its location is shown on **Plans A-1** and **A-2**.

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

- 7.1 The Site is:
- (a) flat, largely hard-paved and vacant<sup>3</sup> (**Plan A-4**);
  - (b) located at the southern fringe of village cluster of Kai Leng Village;  
and
  - (c) accessible via a local track leading to Wai Hon Road.
- 7.2 The surrounding areas are predominantly rural in character comprising village houses, low-density residential developments, parking of vehicles, active/fallow

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<sup>2</sup> Applications No. A/NE-PK/103 and 208, and A/NE-PK/104 and 209 cover the same site respectively.

<sup>3</sup> It is observed that the Site was cleared of vegetation and largely hard-paved since 2022.

farmland and vacant/unused land (**Plans A-2 and A-3**).

## **8. Planning Intention**

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

## **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 comments on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided at **Appendices IV and V** respectively.

9.2 The following government department does not support the application:

### **Agriculture**

9.2.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

the Site falls within the “AGR” and “V” zones and is generally vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective.

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

On 23.5.2025, the application was published for public inspection. During the statutory public inspection period, one comment from a North District Council member was received, indicating no comment on the application (**Appendix VI**).

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

11.1 The application is for proposed temporary private vehicle park (private cars and LGVs) for a period of three years at the Site zoned “AGR” on the OZP (**Plan A-1**). The proposed use is not in line with the planning intention of the “AGR” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and DAFC does not support the application from agricultural perspective. Nevertheless, the Site is located at the southern fringe of Kai Leng Village and surrounded by existing and

proposed village houses covered by planning permissions for Small House developments (**Plan A-2**). The provision of car parking spaces can meet the local parking demand, and C for T has no comment on the application. Also, the District Lands Officer/North of Lands Department has no objection to the application and advises that Lot 1579 S.E in D.D. 91 is covered by a Building Licence, and Small House applications for Lots 1579 S.A, 1579 S.B and 1579 S.D in D.D. 91 are under processing. The applicant has committed to cease operation of the proposed use once the Small House grant applications are executed. Taking account of the above and the planning assessment below, there is no objection to the proposed use on temporary basis of three years.

- 11.2 The Site is located at the southern fringe of the village proper and within the village 'environ' of Kai Leng (**Plan A-2**). The proposed use comprising 21 parking spaces for private cars and LGVs is considered not incompatible with the surrounding village setting which is predominantly rural in character. The Chief Town Planner/Urban Design and Landscape of Planning Department considers that significant adverse impact on existing landscape resources arising from the proposed use is not anticipated, and she has no adverse comment on the application from landscape planning perspective. As the Site is zoned "AGR", an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the "AGR" zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 While the Site is largely hard-paved, the Director of Environmental Protection (DEP) and Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) have no adverse comment from environmental planning and public drainage perspectives respectively. DEP also advises that no environmental complaint in relation to the Site has been received in the past three years. Other relevant government departments consulted including the Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of CE/MN, DSD, appropriate approval conditions are recommended in paragraph 12.2 below.
- 11.4 There is one similar application straddling the same "AGR" zone and adjacent "V" zone for the same use as current application in the vicinity of the Site (**Plan A-2**), which was approved by the Committee in 2023 mainly on the considerations as set out in paragraph 6.1. Approving the current application is generally in line with the Committee's previous decision.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment 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 **4.7.2028**. 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 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) 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;
- (e) 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
- (f) upon the expiry of the planning permission, the reinstatement of the Site, including the removal of hard paving, and grassing of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

### Advisory Clauses

The Recommended Advisory Clauses are at **Appendix V**.

- 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 "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong planning justification in the submission to justify 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 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.

**14. Attachments**

<b>Appendix I</b>	Application Form with attachments received on 13.5.2025 and SI received on 19.5.2025
<b>Appendix Ia</b>	Further Information (FI) received on 9.6.2025
<b>Appendix Ib</b>	FI received on 13.6.2025 and 17.6.2025
<b>Appendix II</b>	Previous applications
<b>Appendix III</b>	Similar application
<b>Appendix IV</b>	Government departments' general comments
<b>Appendix V</b>	Recommended advisory clauses
<b>Appendix VI</b>	Public comment
<b>Drawing A-1</b>	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 photo

**PLANNING DEPARTMENT  
JULY 2025**