

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/835

Applicant : Mr. CHUNG Kwai Fong

Site : Lot 1610 RP (Part) in D.D. 17, Lo Tsz Tin Village, Tai Po, New Territories

Site Area : About 436m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19

Zoning : “Recreation” (“REC”)

Application : Temporary Public Vehicle Park (Private Cars Only) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars only) for a period of three years at the application site (the Site) falling within an area zoned “REC” 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 “REC” zone requiring planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading to Ting Kok Road (**Plan A-2**). According to the applicant, 12 parking spaces for private cars (5m (L) x 2.5m (W) each) are provided at the Site to meet the parking demand from visitors (**Drawing A-1**). The operation hours of the public vehicle park are 24 hours daily. The layout plan submitted by the applicant is shown at **Drawing A-1**.
- 1.3 The Site is the subject of a previous application No. A/NE-TK/741 submitted by the same applicant for the same use for a period of three years, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2022 (**Plans A-1** and **A-2**). Details of the previous application are set out in paragraph 5.1 below.
- 1.4 In support of the application, the applicant has submitted the following documents:

- | | | |
|-----|--|------------------------|
| (a) | Application Form with attachments received on 7.5.2025 and Supplementary Information (SI) received on 9.5.2025 | (Appendix I) |
| (b) | Further Information (FI) received on 3.6.2025* | (Appendix Ia) |
| (c) | FI received on 6.6.2025* | (Appendix Ib) |
| (d) | FI received on 25.6.2025* | (Appendix Ic) |

**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 Ic**, as summarised below:

- (a) the Site is located within close proximity of Tai Po Lung Mei Beach and eating places. The provision of a public vehicle park at the Site could cater for the increasing number of visitors;
- (b) the existing tree at the northern portion of the Site (**Plans A-2 and A-4**) will be retained, which will not be adversely affected by the applied use. Meanwhile, parking and manoeuvring arrangements of the private cars are implemented to avoid any encroachment onto the planting area of the existing tree within the Site;
- (c) the applicant submitted swept path analysis and ingress/egress plans to demonstrate the traffic engineering feasibility; and
- (d) should the application be approved by the Board, the applicant is committed to comply with all approval conditions and requirements by the government, and remove all canopies currently found at the Site.

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 consent of the “current land owner”. 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**

- 5.1 The Site is the subject of a previous application No. A/NE-TK/741 submitted by the same applicant for the same use for a period of 3 years (**Plans A-1** and **A-2**), which was approved with conditions by the Committee on 18.2.2022, mainly on considerations of not frustrating the long-term planning intention of the “REC” zone; no significant adverse landscape impact arising from the applied use anticipated; and no objection/no adverse comment from relevant government departments. All approval conditions in relation to submission and implementation of drainage and fire service installations proposals under the previous application were complied with, and the planning permission lapsed on 19.2.2025. Compared with the previous application, despite a minor reduction of site area by 2m² due to the exclusion of an existing structure at the south-western boundary of the Site which is not relevant to the applied use, the number and type of parking spaces within the Site remain unchanged under the current application.
- 5.2 Details of the previous application are summarised at **Appendix II** and its location is shown on **Plans A-1** and **A-2**.

6. **Similar Applications**

- 6.1 There are six similar applications (No. A/NE-TK/684, 688, 699, 747, 775 and 780) for temporary vehicle parks covering three sites within the same “REC” 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 2020 and 2023, mainly on considerations of not frustrating the long-term planning intention of the “REC” zone; not being incompatible with the surrounding areas; and not causing significant adverse impacts on the surrounding areas.
- 6.2 Details of the similar applications are summarised at **Appendix III** 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) hard-paved and currently used for the applied use without valid planning permission (**Plan A-4**); and
 - (b) accessible via a local track leading to Ting Kok Road (**Plan A-2**).
- 7.2 The surrounding areas are predominantly rural in character with village houses, vehicle parks, shops, barbecue sites, eating place, vacant land and clusters of trees (**Plans A-2** and **A-3**). To the north of the Site is the village proper of Lo Tsz Tin (**Plans A-1** to **A-3**). To the south on the opposite side of Ting Kok Road is Tai Po Lung Mei Beach (**Plans A-2** and **A-3**).

8. **Planning Intention**

The planning intention of the “REC” zone is primarily for recreational developments for the use of general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

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 IV** and **V** 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 has no in-principle objection to the applied temporary public vehicle park from traffic engineering viewpoint;
- (b) for the village access road connecting Ting Kok Road, it is not under the Transport Department’s management; and
- (c) her advisory comments are at **Appendix V**.

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

On 16.5.2025, the application was published for public inspection. During the statutory public inspection period, one comment from an individual (**Appendix VI**) was received, objecting to the proposed residential developments at Ting Kok Road and Lo Fai Road.

11. **Planning Considerations and Assessments**

11.1 The application is for temporary public vehicle park (private cars only) for a period of three years at the Site zoned “REC” on the OZP (**Plan A-1**). While the applied use is not entirely in line with the planning intention of the “REC” zone which is primarily for recreational developments for the use of general public, it could serve the parking demand of the area. C for T supports the application in view of the parking demand in the vicinity. Taking into account the above and planning assessments below, there is no objection to the applied use on temporary basis of three years.

11.2 The Site is currently hard-paved and accessible via a local track leading to Ting Kok Road (**Plans A-2** and **A-4**). According to the applicant, the applied use

involves 12 parking spaces for private cars. The surrounding areas are predominantly rural in character comprising village houses, vehicle parks, shops, barbecue sites, eating place, vacant land and clusters of trees (**Plans A-2 and A-3**). While the existing tree on site would be retained, the Chief Town Planner/Urban Design and Landscape of Planning Department considers that significant adverse impact on the existing landscape resources arising from the applied use is not anticipated and has no adverse comment on the application from landscape planning perspective.

- 11.3 The District Lands Officer/Tai Po of Lands Department (DLO/TP, LandsD) has no objection to the application. Nevertheless, regarding DLO/TP, LandsD's concern on the unauthorized structures erected within/adjoining the Site and the illegal occupation of Government land adjoining the south-western part of Lot 1610 RP in D.D. 17 outside the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. Other relevant government departments consulted including the Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) and 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 The Site is the subject of a previous application No. A/NE-TK/741 submitted by the same applicant for the same use (**Plans A-1 and A-2**), which was approved with conditions by the Committee on 18.2.2022 mainly on the considerations as mentioned in paragraph 5.1 above. Also, there are six similar applications for temporary vehicle parks covering three sites within the same "REC" zone in the vicinity of the Site in the past five years (**Plans A-1 and A-2**), which were approved by the Committee between 2020 and 2023, mainly on the considerations as mentioned in paragraph 6.1 above. Approving the current application is in line with the previous decisions of the Committee.
- 11.5 Regarding the public comment as mentioned in paragraph 10 above, it is not relevant to this application.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taking into account the public comment 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 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) 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; and
- (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.

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 applied use is not in line with the planning intention of the "REC" zone which is primarily for recreational developments for the use of general public. 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 applicant.

14. Attachments

Appendix I	Application Form with attachments received on 7.5.2025 and SI received on 9.5.2025
Appendix Ia	FI received on 3.6.2025
Appendix Ib	FI received on 6.6.2025
Appendix Ic	FI received on 25.6.2025
Appendix II	Previous Application
Appendix III	Similar Applications

Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Layout Plan submitted by the Applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photo

PLANNING DEPARTMENT
JULY 2025