

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

**APPLICATION NO. A/NE-KLH/653**

- Applicant** : Mr. MAN Kam Wing represented by Mr. WONG Sun Wo William
- Site** : Lots 48 RP (Part) in D.D. 7, Tai Hang Village, Tai Po, New Territories
- Site Area** : About 573m<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 Only) for a Period of 5 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars only) for a period of five 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 an adjacent temporary public vehicle park covered by a valid planning permission (No. A/NE-KLH/647) and a local track leading to Tai Wo Service Road West (**Plans A-1 and A-2**). According to the applicant, the applied use comprises 18 parking spaces for private cars (5m (L) x 2.5m (W) each), covered by two existing single-storey (2.5m in height) shelters with a total floor area of about 250m<sup>2</sup> (**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 The Site is the subject of a previous application (No. A/NE-KLH/607) 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 on 10.6.2022. Subsequently, the planning permission was revoked on 10.12.2023 due to non-compliance with approval conditions. Details of the previous application are set out in paragraph 5 below.
- 1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on **(Appendix I)**  
26.2.2025 and Supplementary Information (SI) received  
on 5.3.2025
- (b) Further information (FI) received on 23.5.2025\* **(Appendix Ia)**
- (c) FI received on 4.6.2025\* **(Appendix Ib)**

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

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

- (a) the previous planning permission (No. A/NE-KLH/607) was revoked due to non-compliance with approval conditions. The applicant has submitted the drainage proposal, fire service installations (FSIs) proposal and risk assessment report on contamination of Water Gathering Grounds (WGG) under the current application. Professionals have been engaged to submit the current application; and
- (b) the applicant confirms that the number of car parking spaces remains the same as the previous application, and will comply with all relevant Government requirements, including carrying out preventive, control and mitigation measures on pollution or contamination to the WGG.

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

The applicant is one of the “current land owners” and 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 all other “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 Application**

- 5.1 The Site is the subject of a previous application (No. A/NE-KLH/607) submitted by the same applicant for the same use for period of three years, which was approved with conditioned by the Committee on 10.6.2022, mainly on the considerations of not frustrating the long-term planning intention of the “V” zone; being not incompatible with the surrounding areas; and no significant adverse impact on the surrounding areas. However, the planning permission was revoked on 10.12.2023 due to non-compliance with approval conditions in relation to the submission of drainage proposal and risk assessment report on contamination of WGG, and implementation of drainage proposal, FSIs proposal and mitigation measures identified in the risk assessment report. Compared with the previous application, the site area under the current application increases from 337.5m<sup>2</sup> to 573m<sup>2</sup> to reflect the extent of the current car park, whereas number and types of parking spaces remain unchanged.
- 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 seven similar applications (No. A/NE-KLH/601, 606, 645, 646, 647, 649 and 655)<sup>1</sup> for temporary public/private vehicle parks (with or without ancillary electric vehicle (EV) charging facilities and solar photovoltaic system) covering five sites within the same “V” zone in the vicinity of the Site in the past five years. All the applications were approved with conditions between 2021 and 2025 mainly on similar considerations as stated in paragraph 5.1 above.
- 6.2 Details of the similar applications are summarised at **Appendix III** and their locations are 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, hard-paved and currently used for the applied use without valid planning permission (**Plan A-4**); and
  - (b) accessible via an adjacent temporary public vehicle park covered by a valid planning permission (No. A/NE-KLH/647) and 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 mainly with village houses, car parks, active/fallow farmland, open storage for construction materials and machinery as well as vacant land (**Plans A-2** and **A-3**).

---

<sup>1</sup> Applications No. A/NE-KLH/601 and 647, and A/NE-KLH/606 and 655 cover the same sites respectively.

## 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 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

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

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

On 7.3.2025, the application was published for public inspection. During the statutory public inspection period, one public comment (**Appendix VI**) from an individual objects to the application was received mainly for the reasons that the applicant did not pay effort to comply with the approval conditions, and questions that no EV charging facilities are provided at the Site.

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

11.1 The application is for temporary public vehicle park (private cars only) for a period of five 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 no Small House application was received for the Site. Taking into account the above and the planning assessments below, there is no objection to the proposed use on a temporary basis of five years.

- 11.2 The Site is currently hard-paved and used for applied use without valid planning permission. The applied use comprising 18 parking spaces for private cars is considered not incompatible with the surrounding village settings which are predominantly rural in character with mainly village houses, car parks, and active/fallow farmland (**Plans A-2 and A-3**).
- 11.3 The Director of Environmental Protection has no objection to 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 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 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.
- 11.4 The Site is the subject of a previously approved application No. A/NE-KLH/607 (**Plan A-2**) submitted by the same applicant for the same use as detailed in paragraph 5.1 above. The planning permission was revoked due to non-compliance with approval conditions in relation to the submission of drainage proposal and risk assessment report on contamination of WGG, and implementation of drainage proposal, FSIs proposal and mitigation measures identified in the risk assessment report. In this regard, the applicant has engaged the professionals and submitted the relevant proposals/report under the current application. Relevant government departments have no objection to or no adverse comment on the application. In view of the above and that there has been no significant change in planning circumstances, sympathetic consideration may be given to the current application. Should the application be approved by the Committee, the applicant will be advised that if there is further non-compliance with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application.
- 11.5 There are seven similar applications for temporary public/private vehicle parks covering five sites within the same “V” zone in the vicinity of the Site (**Plans A-1 and A-2**) which were approved by the Committee between 2021 and 2025 mainly on similar considerations as set out in paragraph 5.1 above. Approving the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment 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 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 five years until **18.7.2030**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised 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 18.1.2026;
- (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 18.4.2026;
- (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 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 18.4.2026;
- (e) 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;
- (f) if any of the above planning condition (a), (b) or (d) 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
- (g) if any of the above planning condition (c) or (e) 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 "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 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.

**14. Attachments**

<b>Appendix I</b>	Application Form with attachments received on 26.2.2025 and SI received on 5.3.2025
<b>Appendix Ia</b>	FI received on 23.5.2025
<b>Appendix Ib</b>	FI received on 4.6.2025
<b>Appendix II</b>	Previous application
<b>Appendix III</b>	Similar applications
<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>	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  
JULY 2025**