

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

**APPLICATION NO. A/NE-MUP/217**

- Applicant** : Mr. TANG Sui Ching represented Mr. PANG Hing Yeun
- Site** : Lot 757 S.B ss.2 S.A in D.D. 46, Loi Tung, Sha Tau Kok, New Territories
- Site Area** : About 78.2m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Man Uk Pin Outline Zoning Plan (OZP) No. S/NE-MUP/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Private Vehicle Park (Private Cars Only) and Associated Filling of Land 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) and associated filling of land 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 of any land or building not exceeding a period of three years and filling of land within the “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is hard-paved and vacant.
- 1.2 The Site is accessible via a local access leading to Sha Tau Kok Road – Wo Hang (**Plan A-2**). According to the applicant, four parking spaces for private cars will be provided at the Site and no structure is proposed. The proposed temporary private vehicle park will serve only the residents of houses no. 25C and 25D in Loi Tung, which are located about 50m to the south of the Site, and will not be open to the public. No vehicle without valid license issued under the Road Traffic Ordinance will be allowed to be parked at the Site. A sign reminding entry/ exit of vehicles will be installed at the Site to ensure pedestrian safety. The applicant also applies for regularisation of filling of land for the entire Site with a depth of about 0.25m by concrete. The operation hours of the proposed use are 24 hours daily. The layout plan submitted by the applicant is shown in **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:
- |  |                        |
|--|------------------------|
| (a) Application Form with attachments on 26.6.2025 | ( <b>Appendix I</b> )  |
| (b) Further Information (FI) received on 4.7.2025* | ( <b>Appendix Ia</b> ) |

- (c) FI received on 31.7.2025 and 1.8.2025\* **(Appendix Ib)**  
*\*accepted and exempted from the 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 FIs at **Appendices I to Ib**, as summarised below:

- (a) there have been more Small House developments in Loi Tung in recent years, leading to a growing demand for parking spaces, while the supply is insufficient in the village;
- (b) there is no government public car park in Loi Tung, and villagers need to use private land for vehicle parking;
- (c) while the Site falls within an area zoned “AGR”, there are no agricultural activities at the Site or in its vicinity in recent years; and
- (d) the Site was paved along with the adjoining access road many years ago. No felling of trees is required for the proposed use and significant environmental impact is not anticipated. The Site is near the village access and houses, and it is therefore considered suitable for vehicle parking use.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

The Site is not subject to active planning enforcement action.

## **5. Previous Application**

The Site is not the subject of any previous application.

## **6. Similar Application**

- 6.1 There was a similar application (No. A/NE-MUP/209) for proposed temporary private car park (private cars and light goods vehicles only) for a period of three years and associated filling of land falling mainly within “Village Type Development” (“V”) zone and partly within the “AGR” zone in the vicinity of the Site in the past five years. The application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 20.12.2024 mainly on the considerations that the proposed use was considered not entirely incompatible with the surrounding areas; and there was no major adverse departmental comment or their concerns could be addressed by relevant approval conditions.

- 6.2 Details of the similar application are summarised at **Appendix II** and its location is 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 vacant;
- (b) located at the fringe of the village proper of Loi Tung; and
- (c) accessible via a local access leading to Sha Tau Kok Road – Wo Hang.

7.2 The surrounding areas are of rural character mainly comprising village houses, parking of vehicles, fallow agricultural land and plant nursery. Houses no. 25C and 25D within the “V” zone are located about 50m to the south of the Site.

## **8. Planning Intention**

8.1 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.

8.2 According to the Explanatory Statement of the OZP, as filling of land within the “AGR” zone may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

## **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 are provided at **Appendices III** and **IV** 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” zone 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 Comments Received During Statutory Publication Period**

On 4.7.2025, the application was published for public inspection. During the statutory public inspection period, two comments were received from the Chairman of Lung Shan Area Committee and a member of the North District Council indicating no comment on the application (**Appendix V**).

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

- 11.1 The application is for proposed temporary private vehicle park (private cars only) and associated filling of land for a period of three years at the Site falling within an area zoned “AGR” on the OZP. The proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation. Nevertheless, the applicant advises that the proposed temporary private vehicle park will only serve the residents of houses no. 25C and 25D of Loi Tung and will not be opened to the public. The Commission for Transport has no comment on the application. Taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 The proposed use involves regularisation of land filling for the entire Site by concrete with a depth of about 0.25m. Filling of land within “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and the Director of Environmental Protection have no objection to the application from drainage and environmental perspectives respectively. 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 The Site, which is paved and vacant, is situated in an area of rural character mainly comprising village houses, parking of vehicles, fallow agricultural land and plant nursery. Given its nature and small scale, the proposed use is considered not entirely incompatible with the surrounding areas. The Chief Town Planner/Urban Design and Landscape of Planning Department has no adverse comment on the application from the landscape planning perspective, and considers that significant adverse impact on the landscape character and existing landscape resources within the Site is not anticipated.
- 11.4 Other government departments consulted, including the Director of Fire Services and Chief Highway Engineer/New Territories East of Highways Department have no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. The applicant will also be advised to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise any possible environmental impacts caused by the proposed use on the surrounding area.
- 11.5 There was a similar application straddling “V” and “AGR” zones the vicinity of the Site which was approved by the Committee in 2024 on the considerations set out in paragraph

6.1 above. Approval of the current application is 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 comments 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 15.8.2028. The following conditions of approval and advisory clauses are 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 15.2.2026;
- (b) in relation to (a) above, the provision of drainage facilities 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 15.5.2026;
- (c) in relation to (b) above, the implemented drainage facilities 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;
- (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; and
- (f) upon the expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and 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 IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use with associated filling of land 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 to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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**

<b>Appendix I</b>	Application Form with attachments on 26.6.2025
<b>Appendix Ia</b>	FI received on 4.7.2025
<b>Appendix Ib</b>	FI received on 31.7.2025 and 1.8.2025
<b>Appendix II</b>	Similar Application
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comments
<b>Drawing A-1</b>	Proposed Layout Plan
<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  
AUGUST 2025**