

TOWN PLANNING BOARD

TPB Paper No. 11028

For Consideration by
the Town Planning Board on 14.11.2025

REVIEW OF APPLICATION NO. A/NE-TK/800
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

Temporary Private Vehicle Park (Private Cars and Light Goods Vehicles Only)
for a Period of Three Years and Associated Filling of Land in “Green Belt” and
“Village Type Development” Zones and Area Shown as ‘Road’

Various Lots in D.D. 26, Shuen Wan Chim Uk, Ting Kok, Tai Po, New Territories

REVIEW OF APPLICATION NO. A/NE-TK/800
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

**Temporary Private Vehicle Park (Private Cars and Light Goods Vehicles Only)
for a Period of Three Years and Associated Filling of Land in “Green Belt” and
“Village Type Development” Zones and Area Shown as ‘Road’**

Various Lots in D.D. 26, Shuen Wan Chim Uk, Ting Kok, Tai Po, New Territories

1. Background

- 1.1. On 26.7.2024, the applicant, Ms. CHEUNG Suk Fan Fennie, sought planning permission for temporary private vehicle park (private cars and light goods vehicles (LGVs) only) for a period of three years and associated filling of land at the application site (the Site) under section 16 of the Town Planning Ordinance (the Ordinance). The Site falls within areas largely zoned “Green Belt” (“GB”) (about 86%), partly zoned “Village Type Development” (“V”) (about 6%) and partly shown as ‘Road’ (about 8%) on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 (**Plan R-1**).
- 1.2. On 28.2.2025, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) decided to reject the application and the reason was:

the applied use with associated filling of land was not in line with the planning intention of the “GB” zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets, and the Town Planning Board Guidelines for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10). There was a general presumption against development within this zone. There was no strong planning justification in the submission for a departure from such planning intention.

- 1.3. For Members’ reference, the following documents are attached:

- | | |
|---|-----------|
| (a) RNTPC Paper No. A/NE-TK/800B | (Annex A) |
| (b) Extract of minutes of the RNTPC Meeting held on 28.2.2025 | (Annex B) |
| (c) Secretary of the Board’s letter dated 14.3.2025 | (Annex C) |

2. Application for Review

- 2.1. On 3.4.2025, the applicant applied, under section 17(1) of the Ordinance, for a

review of the RNTPC's decision to reject the application with support of written representation (**Annex D**). Subsequently, the applicant has submitted Further Information (FI) received on 21.8.2025* (**Annex E**).

** accepted and exempted from publication and recounting requirements*

- 2.2. On 27.6.2025, the Board agreed to the applicant's request to defer making a decision on the review application for two months.
- 2.3. As compared with the section 16 application, the number of parking spaces, parking layout and extent for regularisation of land filling remain unchanged, but the movable canopies for covering parking spaces will be removed (**Plan R-4b**), and solar lighting, pot plants and climbers along site boundary are proposed under the current review application (**Drawing R-1**). To recapitulate, the Site is accessible via a local track leading to Ting Kok Road (**Plans R-1 and R-2**). As shown on the layout plan submitted by the applicant, 37 parking spaces for private cars and one parking space for LGVs are provided (**Drawing R-1**), for the use by residents of Houses No. 361 to 365 and 371 to 379, Shuen Wan Chim Uk adjacent to the Site (**Plan R-2**). The applied use operates 24 hours daily. The application also involves regularisation of filling of land of about 625m² (about 41.3% of the Site) at the southeastern portion of the "GB" zone within the Site (i.e. Part 1 of the "GB" zone on **Drawing R-1**) by concrete of not more than 0.4m in depth, to facilitate operation of the applied use. The applicant is committed to remove the existing hard-paved concrete surface within the "GB" portion of the Site upon the expiry of the planning permission if the application is approved by the Board.

3. Justifications from the Applicant

The justifications put forth by the applicant in support of the review application are detailed in the written representation at **Annexes D and E**, as summarised below:

Planning Intention of and Precedent Cases within the "GB" Zone

- (a) there are precedent cases of residential developments within "GB" areas in Tai Po (e.g. The Regent¹, Le Mont² and the proposed public and private housing developments at Lo Fai Road and Ting Kok Road³). In addition, applications No. A/NE-TK/802 to 820⁴ within the same "GB" zone have been approved for temporary vehicle park;

¹ The Regent currently falls within an area zoned "R(B)8" on the draft Tai Po OZP No. S/TP/31, which was previously zoned "GB" on the approved Tai Po OZP No. S/TP/24.

² Le Mont currently falls within an area zoned "R(B)10" on the draft Tai Po OZP No. S/TP/31, which was previously zoned "GB" on the approved Tai Po OZP No. S/TP/26.

³ The proposed public and private housing developments at Lo Fai Road and Ting Kok Road currently fall within the areas zoned "R(A)11" and "R(A)12" respectively on the draft Tai Po OZP No. S/TP/31, which were previously zoned "GB" and shown as 'Road' on the approved Tai Po OZP No. S/TP/30.

⁴ The details of applications No. A/NE-TK/802 to 820 are summarised in paragraph 4.15 below.

- (b) it was mentioned in the RNTPC meeting on 28.2.2025 that, while the planning permission for the transitional housing development (i.e. Lok Sin Village (樂善村)) adjoining the Site would be valid until 2026 (**Plans R-2 and R-3b**), the approval of the subject application with validity of planning permission until 2028 would deter the reinstatement of the “GB” zone. However, according to the Housing Bureau’s (HB’s) website, Lok Sin Village completed in 2024 will operate for five years and the operating organisation of Lok Sin Village is expected to renew the planning permission with extension of the validity beyond 2028. Moreover, the site area under this application is much smaller than that of Lok Sin Village⁵. Should this application be approved, an approval condition for reinstatement of the “GB” zone upon the expiry of the planning permission could be imposed. Long-term development at the Site will not be affected by the applied use on a temporary basis;
- (c) the Site has already been used as pedestrian and vehicular accesses, which is not situated within forest, wetland and habitats for valuable vegetation and endangered species. The environmental, visual and landscape impacts caused by the applied use are relatively minimal, as compared with Lok Sin Village or other large-scale residential developments, which would involve extensive tree removal within “GB” areas. Environmentally-friendly features including solar lighting, pot plants and climbers are proposed at the Site, while the applied use will be properly managed without blockage of drainage system, site formation works and storage of trash;

Parking Demand

- (d) the public transport services are inadequate and require long waiting time, especially during weekends and vacation periods. The aging and growing population in Tai Po district (e.g. increase in population due to the two transitional housing developments, namely Lok Sin Village and Good House (善樓) (**Plans R-2 and R-3b**)) has created pressing demand for convenient public transport services. Therefore, local residents relying on driving for daily commute could reduce the burden on public transport services. The applied use could tackle the problems of insufficient parking provision and illegal parking, while the vehicular access of 4.5m wide will neither induce safety concerns nor deter emergency services. No cycling tracks will be affected. The Commissioner for Transport (C for T) also supports the application;
- (e) the applied use intends to serve the owners of concerned house cluster only, but not the public by charging fees, thereby not involving increase in the movement of strangers within the local community. The other local residents who submit public comments to object the application are currently occupying the Government land for parking;

⁵ Lok Sin Village covered by approved application No. A/NE-TK/702 falls within areas zoned “GB” (about 93%) and “V” (about 7%) on the OZP and has a site area of about 14,517m².

- (f) the concerned house cluster was subject to planning approvals in 2010s⁶. Such approvals without any provision of parking space and vehicular access reveal the incomprehensiveness of town planning in the past, while the consequences are now borne by the current residents;
- (g) the Government should interpret and execute legislations reasonably under a people-oriented objective. The rules of equity, as mentioned Article 8 of the Basic Law, implies that legal judgements should be based on equity, justice and rationality under discretionary approach. Noting that sympathetic considerations were given to some other applications, the Board should also grant sympathetic consideration on this application by taking into account the actual situations of concerned house cluster (e.g. its location and parking demand);
- (h) supporting letters have been given by a member of Tai Po District Council, the Chairman of Ting Kok Road Community Concern Group and the village representative of Shuen Wan Chim Uk, considering that the approval of application can address the local parking needs; and

Existing Filling of Land

- (i) the application does not constitute “destroy first, build later”. Parts of the Site had been filled well before the current owners acquired the properties in adjoining concerned house cluster. The owner(s) previously enquired the Planning Department (PlanD) in 2016 on whether the hard-paving area at southeastern portion of the “GB” zone within the Site was required to be removed, and PlanD verbally advised that the hard-paving area could be allowed for the provision of emergency vehicular access (EVA)⁷. While the application does not involve additional filling of land, upon the PlanD’s request, the applied use under application has included the regularisation of filling of land within the Site.

4. The Section 16 Application

Background

- 4.1. The Site was partly covered with vegetation and used for open storage when the Ting Kok Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TK/1 was gazetted on 7.9.1990 (**Plan R-3a**). During 2013 to 2015,

⁶ Houses No. 361 to 365 and 371 to 379, Shuen Wan Chim Uk to the south of the Site fall within the same “GB” zone on the OZP. The concerned houses are subject to applications No. A/NE-TK/242, 246-251, 254-256 and 374 approved with conditions by the RNTPC between 2008 and 2011 (**Plan R-2**) (prior to the formal adoption of a more cautious approach by the Board in August 2015), on the consideration that there was general shortage of land to meet the demand for Small House development in the “V” zone of concerned villages, taking into account both the outstanding Small House applications and the 10-year Small House demand forecast of concerned villages.. It is noted that some areas adjoining the said houses are currently occupied by private garden use within the “GB” zone without any valid planning permission (**Plans R-2 and R-3b**).

⁷ While PlanD has no record of offering such advice as claimed by the applicant, the provision of EVA to serve the house development within “GB” zone has to conform with the OZP.

construction of a cluster of village houses to the south of the Site commenced. Vegetation within the Site and in the surrounding areas was cleared and part of the Site was subsequently hard-paved (**Plan R-3b**).

- 4.2. The Site is currently not subject to any active planning enforcement action. Recent site inspection revealed that the vehicles are found on-site. Warning letters were issued to the land owners.
- 4.3. The Site was the subject of a previous planning enforcement case (No. E/NE-TK/82) against unauthorized development (UD) involving filling of land (**Plan R-2**). An Enforcement Notice requiring discontinuation of the UD was issued on 25.8.2015, and a Reinstatement Notice requiring reinstatement of the concerned land was issued on 7.8.2017. As the UD had been considered discontinued and the reinstatement requirements were considered complied with, Compliance Notices were subsequently issued on 28.3.2018 and 29.3.2018 respectively.

The Site and its Surrounding Area (**Plans R-1 to R-4b**)

- 4.4. The situation of the Site and the surrounding areas at the time of consideration of the section 16 application by the RNTPC are set out in paragraph 8 of **Annex A**. There has been no material change in the situation of the Site and the surrounding areas since then.
- 4.5. The Site is:
 - (a) filled and partly hard-paved;
 - (b) currently used for car parking spaces, some of which are covered with movable canopies, without any valid planning permission and there is a gate erecting on the ingress and egress of the Site, part of which encroaches onto the adjoining Government land outside the Site (**Plan R-4b**); and
 - (c) accessible via a local track leading to Ting Kok Road.
- 4.6. The surrounding areas are rural in character with clusters of low-rise residential developments/village houses, unused land, fallow farmland, vegetated areas and clusters of trees groups. The Site is sandwiched by a transitional housing development known as Lok Sin Village to its immediate north and west as well as its south within the same “GB” zone, under application No. A/NE-TK/702 approved with conditions by the RNTPC on 26.3.2021 with the validity of planning permission up to 26.3.2026 (**Plans R-2 and R-3b**). A cluster of village houses (i.e. Houses No. 361 to 365 and 371 to 379, Shuen Wan Chim Uk) is located to its immediate south and adjoining the Site. To its further north is fallow farmland within “Conservation Area” (“CA”) zone.

Planning Intentions

- 4.7. There is no change in the planning intention of the “GB” zone as mentioned in

paragraph 9.1 of **Annex A**, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

- 4.8. Filling of land within the “GB” zone may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 4.9. There is no change in the planning intention of the “V” zone as mentioned in paragraph 9.3 of **Annex A**, which is 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.
- 4.10. Part of the Site falls within an area shown as ‘Road’ on the OZP which forms part of the area reserved for future road use.

Town Planning Board Guidelines

- 4.11. TPB PG-No. 10, which is relevant to the consideration of the section 16 application, is still effective. Relevant extracts of the Guidelines are at **Appendix II** of **Annex A**.

Previous Application

- 4.12. Part of the Site is the subject of a previous application No. A/NE-TK/314 for a proposed house (New Territories Exempted Houses (NTEH) – Small House) (**Plans R-1** and **R-2**), which was rejected by the Board on review in 2011 mainly on the consideration that the proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories as the site encroached onto the possible future road widening area. The planning consideration of this previous application is not relevant to the current application.
- 4.13. Details of the previous application are summarised at **Appendix III** of **Annex A** and its location is shown on **Plans R-1** and **R-2**.

Similar Applications

- 4.14. When the section 16 application was considered by the RNTPC on 28.2.2025, there were 39 similar applications No. A/NE-TK/714-731, 733, 758 and 802 to 820 for temporary private vehicle park and/or access road for connecting the adjoining temporary private car parking spaces in the vicinity of the Site within the same “GB” zone in the past five years (**Plans R-1** and **R-2**). There has been no change in the number of similar applications since then.

- 4.15. Applications No. A/NE-TK/714-731 and 733 for temporary private vehicle parks (private cars and/or LGVs only) and access road connecting the adjoining temporary private car parking spaces for a period of three years, were approved with conditions by the RNTPC in 2021. Applications No. A/NE-TK/802 to 820 covering the same sites as applications No. A/NE-TK/714-731 and 733 for the same uses for a period of three years, were approved with conditions by the RNTPC in 2024. These sites had been cleared of vegetation and used for open storage when the Ting Kok IDPA Plan No. IDPA/NE-TK/1 was gazetted on 7.9.1990, which were subsequently occupied for parking of vehicles in 2003. These applications were approved mainly on sympathetic considerations that the sites had been cleared of vegetation and hard-paved for years; adverse landscape impact arising from the applied uses was not envisaged; the applied uses were considered not incompatible with the surrounding environment; and approving applications would facilitate regularisation of the applied uses with planning conditions and address the parking need in a coordinated manner.
- 4.16. Application No. A/NE-TK/758 for temporary private vehicle park (private cars only) for a period of three years was rejected by the RNTPC in 2022, mainly on the reasons of being not in line with the planning intention of the “GB” zone and TPB PG-No. 10. The site was mainly covered by vegetation when the Ting Kok IDPA Plan No. IDPA/NE-TK/1 was gazetted on 7.9.1990.
- 4.17. Details of the similar applications are summarised at **Appendix IV** of **Annex A** and their locations are shown on **Plans R-1** and **R-2**.

5. Comments from Relevant Government Bureau/Departments

- 5.1. Comments on the section 16 application made by relevant government departments are stated in paragraph 10 and **Appendix V** of **Annex A**. Their advisory comments in the Recommended Advisory Clauses, if any, are at **Appendix VI** of **Annex A** and recapped at **Annex F**.
- 5.2. For the review application, the relevant government departments have been further consulted and maintain their previous views on the section 16 application. The updated comments from the District Lands Officer/Tai Po of Lands Department (DLO/TP, LandsD), C for T, Chief Town Planner/Urban Design and Landscape of PlanD (CTP/UD&L, PlanD), Director of Fire Services (D of FS) and Chief Building Surveyor/New Territories West of Buildings Department (CBS/NTW, BD) are set out in paragraphs 5.2.1 to 5.2.5 below. Their advisory comments are at **Annex F**. In view of the applicant’s justifications submitted for the review application as mentioned in paragraph 3 above, comments from the Secretary for Housing (S for H) are sought and set out in paragraph 5.2.6 below.

Land Administration

5.2.1. Comments of DLO/TP, LandsD:

- (a) he has no objection to the application;

- (b) the Site comprises 53 Old Schedule Agricultural Lots all in D.D. 26, including Lot 291 S.B ss.1 with which a Building Licence No. 220/2007 was issued covering the said lot and Lot No. 291 S.B RP (not included in this application). Lot 291 S.B ss.1 in D.D. 26 is permitted under Building Licence No. 220/2007 to erect one building for non-industrial purposes. Except for the building site, the remainder of the said lots together with all Old Schedule Agricultural Lots under the Block Government Lease contain the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) a recent inspection revealed that a gate erecting on the ingress and egress of the Site had extended onto and fenced off adjoining Government land⁸ (Photo 1 of **Plan R-4a**). The applicant should clarify whether the concerned Government land used as vehicular access will be included to the application;
- (d) no permission is given for occupation of the Government land adjoining the Site. Any occupation of Government land without Government's prior approval is not allowed;
- (e) there is no guarantee to the grant of a right of way to the Site or approval of EVA thereto;
- (f) the Site would not encroach on any existing or planned EVA; and
- (g) his advisory comments are at **Annex F**.

Traffic and Transport

5.2.2. Comments of C for T:

- (a) she supports the application in view of the parking demand in the vicinity. It is considered that there is parking demand for the adjacent house developments;
- (b) regarding the sufficiency of public transport services, the Transport Department provided a written reply to the Traffic and Transport Committee of Tai Po District Council (i.e. discussion paper dated 7.11.2024)⁹, which illustrated that sufficient public transport services had been provided even after the population intake of Lok Sin Village at Wong Yue Tan and Good House at Shuen Wan (**Plans R-2 and R-3b**);

⁸ The concerned Government land was enclosed and occupied as shown on **Attachment 1** of **Annex F**.

⁹ The TPDC Paper No. TT42a/2024 is available at:
https://www.districtcouncils.gov.hk/tp/doc/2024_2027/tc/committee_meetings_doc/TTC/26002/TT_42a_20241107.pdf

- (c) she believes that the existing public transport can accommodate the transport demand arising from houses adjacent to the Site. The franchised bus company and GMB operators are also ready to enhance the existing public transport service if necessary; and
- (d) her advisory comments are at **Annex F**.

Landscape

5.2.3. Comments of CTP/UD&L, PlanD:

- (a) based on the aerial photo of 2024, the Site is situated in an area of rural coastal plains landscapes character comprising low-rise residential development, village houses, car parks, vegetated area and clusters of trees groups. Significant impact on the landscape character arising from the applied use is not anticipated;
- (b) based on the recent site photos, the Site is hard-paved/filled and currently occupied by a carpark. No sensitive landscape resource is observed within the Site. Significant adverse landscape impact on the existing landscape resources arising from the applied use is not anticipated. She has no adverse comment on the application from landscape planning perspective;
- (c) the applicant is reminded to carry out proper long-term maintenance for vegetation, including the proposed climbers and pot plants within the Site; and
- (d) her advisory comments are at **Annex F**.

Fire Safety

5.2.4. Comments of D of FS:

- (a) he has no specific comment on the application; and
- (b) subject to the consideration on the nature of open vehicle park with associated filling of land, the inclusion of fire safety related approval conditions is deemed not necessary.

Building Matters

5.2.5. Comments of CBS/NTW, BD:

- (a) he has no objection to the application;
- (b) there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site;

- (c) it is noted that land filling works are applied in the application. Before any new building works (including container/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are Unauthorized Building Works under the Buildings Ordinance (BO). An Authorized Person should be appointed as the coordinator for the applied building works in accordance with the BO; and
- (d) his advisory comments are at **Annex F**.

Others

5.2.6. Comments of S for H:

- the transitional housing development, namely Lok Sin Village in Wong Yue Tan, Tai Po (**Plans R-2 and R-3b**), is expected to operate for about five years. While it is noted that the said development was completed in February 2024 and tenant intake commenced since April 2024, the operating organisation (i.e. The Lok Sin Tong Benevolent Society, Kowloon) advises that they are planning to apply to the Board for the renewal of the subject planning permission under section 16 of the Ordinance (to be expired on 26.3.2026) for three years up to 26.3.2029. Subject to the formal submission of the said renewal application, policy support may be given by HB.

6. Public Comments Received During Statutory Publication Period

- 6.1. On 11.4.2025, the review application was published for public inspection. During the statutory public inspection period, 92 public comments were received, including 83 supporting and nine objecting to the review application (**Annex G**).
- 6.2. One comment from a member of the Tai Po District Council and 82 individuals support the review application mainly on the following grounds:
 - (a) “GB” area(s) entailing low ecological value could be utilised efficiently and flexibly. While “GB” function is absent at the Site being surrounded by Lok Sin Village, renewal of the planning permission for Lok Sin Village is anticipated. Long-term development at the Site will not be affected and the Site will be reinstated to greenery area after the applied use;
 - (b) environmental impacts are minimal with incorporation of solar lighting and greenery/amenity under proper management by the residents. Provision of additional greenery features (e.g. peripheral tree planting) is suggested and canopies will be removed. The applied use is not causing

disturbance (e.g. noise and exhaust gas) on the surrounding areas;

- (c) local residents rely on driving for daily commute, which could help address the problem of insufficient public transport services with long waiting times due to the increase in population arising from transitional housing developments and recreational facilities. No adverse traffic impact is induced;
- (d) there is a lack of vehicle parks in the vicinity. The applied use only serves local residents without commercial operation, and no movement of strangers within the local community is involved. It could also help avoid illegal/roadside parking to minimise the risks of road safety and obstruction to traffic flow; and
- (e) drainage, fire safety and EVA requirements are complied with.

6.3. Nine comments from individuals object to the review application mainly for the following reasons:

- (a) the current illegal operation and hard-paving at the Site are not covered by planning approval;
- (b) while adverse environmental and ecological impacts (e.g. noise and air pollution/disturbance) are caused, local environment is deteriorated by filling of land and limiting provision of greenery and leisure/community space;
- (c) traffic congestion comes along with overburdened infrastructure and pollution;
- (d) the gated route obstructs the access to adjacent private properties, deters the provision of emergency services and causes road safety concerns; and
- (e) the applied use is not in line with public interests and community characters and there are negative impacts on property values in the surrounding area.

6.4. At the section 16 application stage, 23 public comments were received and set out in paragraph 11 of **Annex A**.

7. Planning Considerations and Assessments

7.1. The application is for a review of the RNTPC's decision on 28.2.2025 to reject the section 16 application for temporary private vehicle park (private cars and LGVs only) for a period of three years and associated filling of land at the Site largely zoned "GB" (about 86%), partly zoned "V" (about 6%) and partly shown as 'Road' (about 8%) on the OZP (**Plan R-1**) with the reason stated in

paragraph 1.2 above. To support the review application, the applicant has submitted written representation as set out in paragraph 3 above. As compared with the section 16 application, while the number of parking spaces, parking layout and extent for regularisation of land filling remain unchanged, the applicant proposes some environmentally-friendly features (including solar lighting, pot plants and climbers along site boundary) (**Drawing R-1**) and removal of the movable canopies for covering parking spaces (**Plan R-4b**) within the Site under the current review application. Having considered the written representation, the planning considerations and assessments on the review application are detailed below.

Planning Intention of the “GB” Zone and the Latest Planning Circumstances

- 7.2. The applied use with associated filling of land is not in line with the planning intention of the “GB” zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within the “GB” zone. According to TPB PG-No.10 (**Appendix II** of **Annex A**), an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds.
- 7.3. While the transitional housing development known as Lok Sin Village adjacent to the Site within the same “GB” zone is temporary in nature and covered by valid planning permission up to 26.3.2026 (**Plans R-2** and **R-3b**), the applicant claims that Lok Sin Village with a much larger site area is expected to renew its planning permission with validity beyond 2028 (i.e. beyond the validity of planning permission of the applied use, should the current review application be approved). In this regard, S for H has been consulted and advises that the operating organisation is planning to apply to the Board for the renewal of the planning permission for Lok Sin Village under section 16 of the Ordinance for three years up to 26.3.2029. Subject to the formal submission of the said renewal application, policy support may be given by HB. Taking into the latest planning circumstances as mentioned above, should the renewal application of planning permission for Lok Sin Village be submitted and approved, it is anticipated that the Site would continue to remain infill in nature at least until 2029, being bounded by Lok Sin Village to its immediate north and west as well as its south within the same “GB” zone. While it is noted that majority of the Site falling within “GB” zone would serve as buffer area between the village cluster and the marsh at Shuen Wan within the “CA” zone to its further north (**Plans R-1** and **R-2**), should the review application be approved, an approval condition requiring the reinstatement of the “GB” portion of the Site upon the expiry of the planning permission would be imposed to ensure that the buffer function of the “GB” zone in the long term would not be undermined. CTP/UD&L, PlanD advises that significant impact on the landscape character arising from the applied use is not anticipated. In view of the above, it is considered that sympathetic consideration can be given to the review application and the approval of the applied use on a temporary basis for a period of three years with associated filling of land would not jeopardise the planning intention of the “GB” zone in the long term.

- 7.4. The applied use with associated filling of land is considered not incompatible with its surrounding areas predominated by low-rise residential developments/village houses, unused land, fallow farmland, vegetated areas and clusters of trees groups. As the Site is hard-paved/filled and currently occupied by a car park, CTP/UD&L, PlanD considers that significant adverse landscape impact on the existing landscape resources arising from the applied use is not anticipated and has no adverse comment on the review application.
- 7.5. The applicant claims that there are precedent cases of residential developments (namely the Recent, Le Mont and the proposed housing developments at Lo Fai Road and Ting Kok Road) within the “GB” areas in Tai Po and approved applications (No. A/NE-TK/802 to 820) for temporary vehicle park within the same “GB” zone, and the environmental, visual and landscape impacts of the applied use under current application are minimal as compared with the aforesaid residential developments. It should be noted that the sites of the aforesaid residential developments in Tai Po were the subject of the respective amendments to statutory plans, instead of section 16 applications. The planning considerations of these residential developments through amendments to statutory plans are different from those of the current application for temporary private vehicle park. Among 39 similar applications, applications No. A/NE-TK/802 to 820 (covering the same sites as approved applications No. A/NE-TK/714-731 and 733 for the same uses) (**Plans R-1 and R-2**) were approved with conditions by the RNTPC in 2024 mainly on sympathetic considerations as stated in paragraph 4.15 above. Besides, there is one similar application No. A/NE-TK/758 (**Plans R-1 and R-2**) rejected by the RNTPC in 2022 on the reasons as stated in paragraph 4.16 above. While C for T had no in-principle objection to the said similar application from traffic engineering point of view, she supports the current review application in view of parking demand in the vicinity, which is the same as her previous view on the section 16 application. The planning circumstances of the above-mentioned similar applications are different from those of the current application.

Parking Demand

- 7.6. According to the applicant, parking spaces are required to serve residents of Houses No. 361 to 365 and 371 to 379, Shuen Wan Chim Uk adjacent to the Site (**Plan R-2**), who rely on driving for daily commute due to inadequate public transport services. While C for T considers that the existing public transport services can accommodate the transport demand arising from houses adjacent to the Site, she maintains her previous view and supports the review application in view of the parking demand in the vicinity.
- 7.7. Besides, the applicant claims that the approvals for proposed houses under the planning applications (No. A/NE-TK/242, 246-251, 254-256 and 374) at Shuen Wan Chim Uk without any provision of parking space and vehicular access reveal the incomprehensiveness of town planning (**Plan R-2**). Nevertheless, it should be noted that while the ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use under the “GB” zone requiring the planning permission from the Board, the applicants of such applications did not propose

any parking spaces to serve their house developments at the time of the submissions.

Regularisation for Filling of Land

7.8. According to the Notes of the OZP, any filling of land within the “GB” zone shall not be undertaken or continued on or after the Ting Kok IDPA Plan was gazetted on 7.9.1990 without the planning permission from the Board. Filling of land within the “GB” zone requires planning permission from the Board as it may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. Though the applicant claims that the existing land filling works at the Site are not carried out by the current owners of the concerned house cluster and no additional land filling would be involved, it is worth noting that the concerned portion of the “GB” zone within the Site was mainly covered with vegetation at the time of the gazette of the Ting Kok IDPA Plan (**Plan R-3a**), and was subsequently cleared of vegetation and filled during 2013 to 2015 (**Plan R-3b**). The planning permission from the Board for regularisation of filling of land (i.e. about 625m² or about 41.3% of the Site) within part of the “GB” zone on the Site (i.e. Part 1 of the “GB” zone on **Drawing R-1**) to facilitate operation of the applied use is required. The Chief Engineer/Mainland North of Drainage Services Department and the Director of Environmental Protection maintain their previous views and have no adverse comment on or no objection to the review application. Considering that the Site is formed and occupied by some existing structures, the Director of Agriculture, Fisheries and Conservation maintains his previous view and has no comment on the review application. The applicant is committed to remove the existing hard-paved concrete surface within the “GB” portion of the Site upon the expiry of the planning permission if the application is approved by the Board. As part of the Site is zoned “GB”, an approval condition requiring the reinstatement of the “GB” portion of the Site upon the expiry of the planning permission so as to uphold the planning intention of the “GB” zone and restore the greenery of the area is recommended should the Board decide to approve the review application.

Public Comments

7.9. Regarding the public comments on the review application as detailed in paragraph 6, the government departments’ comments and planning considerations and assessments above are relevant. As for the concern on the blockage of access to the adjacent private properties, according to the applicant, consents of the remaining current land owners have been obtained. Regarding the concern on the gated route deterring the provision of emergency services, while the applicant claims that the vehicular access of 4.5m wide will not affect emergency services, DLO/TP, LandsD advises that the Site would not encroach onto any existing or planned EVA and D of FS has no specific comment on the application. Furthermore, the concern about the impact on property values is not a relevant planning consideration.

8. Planning Department's Views

- 8.1. Based on the assessments made in paragraph 7 above and having taken into account the public comments in paragraph 6 above, PlanD has no objection to the review application.
- 8.2. Should the Board decide to approve the review application, it is suggested that the permission shall be valid on a temporary basis for three years until 14.11.2028. 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 Town Planning Board by 14.5.2026;
- (b) in relation to (a) above, the implementation of the revised 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 14.8.2026;
- (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 "GB" portion of the Site, including the removal of fill materials and hard paving, and grassing of "GB" portion of the Site, to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The Recommended Advisory Clauses are attached at **Annex F**.

- 8.3. Alternatively, should the Board decide to reject the review application, the following reason for rejection is suggested for Members' consideration:

the applied use with associated filling of land is not in line with the planning intention of the "GB" zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets, and the Town Planning Board Guidelines for 'Application for Development within "GB" Zone under

Section 16 of the Town Planning Ordinance' (TPB PG-No. 10). There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.

9. Decision Sought

- 9.1. The Board is invited to consider the application for a review of the RNTPC's decision and decide whether to accede to the application.
- 9.2. Should the Board decide to approve the review 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.
- 9.3. Alternatively, should the Board decide to reject the review application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

10. Attachments

Annex A	RNTPC Paper No. A/NE-TK/800B
Annex B	Extract of Minutes of the RNTPC Meeting held on 28.2.2025
Annex C	Secretary of the Board's Letter dated 14.3.2025
Annex D	Email from the Applicant dated 3.4.2025
Annex E	FI received on 21.8.2025
Annex F	Recommended Advisory Clauses
Annex G	Public Comments
Drawing R-1	Layout Plan submitted by the Applicant
Plan R-1	Location Plan
Plan R-2	Site Plan
Plans R-3a and R-3b	Aerial Photos
Plans R-4a and R-4b	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2025**