

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KLH/658

- Applicant** : Prosperous International Trading Limited represented by Goldrich Planners and Surveyors Limited
- Site** : Lots 756 S.A, 756 S.B, 756 S.C, 756 S.D, 756 S.E, 756 S.F, 756 S.G, 756 S.H, 756 S.I, 756 S.J, 756 S.K, 756 S.L, 756 S.M, 756 S.N, 756 S.O, 756 S.P and 756 RP in D.D. 9, Yuen Leng, Tai Po, New Territories
- Site Area** : About 2,536m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11
- Zonings** : “Village Type Development” (“V”) (about 80% of the Site) and
“Agriculture” (“AGR”) (about 20% of the Site)
- Application** : Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the application site (the Site) falling within areas largely zoned “V” and partly zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’ which is a Column 2 use within the “V” zone, filling of land within “AGR” zone and temporary use or development not exceeding a period of three years require planning permission from the Town Planning Board (the Board). The Site is currently vacant, partly hard-paved and partly fenced-off (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading to Tai Wo Service Road East (**Plans A-1 and A-2**). According to the applicant, the proposed public vehicle park comprises 83 parking spaces in total, of which 77 are for private cars (5m (L) x 2.5m (W) each) and six are for light goods vehicles (7m (L) x 3.5m (W) each) (**Drawing A-1**). No vehicles without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) will be allowed at the Site. The public vehicle park would operate 24 hours daily. According to the applicant, there are no gates at the ingress/egress of the Site and entrances to adjacent lots, thereby allowing access of other vehicles and pedestrians to those lots through the Site.

- 1.3 The application also involves regularisation of and proposed filling of land (about 394m² or about 15.5% of the Site) with asphalt of about 0.2m in depth for the portion zoned “AGR” to facilitate forming the parking and circulation platform (**Drawing A-2**). The layout plan and proposed land filling plan submitted by the applicant are shown at **Drawing A-1** and **A-2** respectively.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 1.8.2025 (**Appendix I**)
 - (b) Further information (FI) received on 14.8.2025* (**Appendix Ia**)
 - (c) FI received on 28.8.2025* (**Appendix Ib**)
 - (d) FI received on 5.9.2025* (**Appendix Ic**)
 - (e) FI received on 14.10.2025# (**Appendix Id**)
 - (f) FI received on 22.10.2025* (**Appendix Ie**)
 - (g) FI received on 11.11.2025* (**Appendix If**)
- * *accepted and exempted from publication and recounting requirements*
accepted but not exempted from publication and recounting requirements
- 1.5 On 19.9.2025, 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 and FIs at **Appendices I to If**, as summarised below:

- (a) the Site is within close proximity of Yuen Leng Village. It can meet the genuine parking demand from the residents and operators in the vicinity;
- (b) similar to the approved planning applications in the vicinity, the proposed use is on a temporary basis with no structures proposed, which is considered not contravening the long-term planning intention of “V” and “AGR” zones, and not incompatible with surrounding land uses; and
- (c) the submitted traffic flow assessment, traffic management measures, drainage proposal and risk assessment report on water gathering grounds (WGG) (**Appendices I to If**) indicate that there will be no adverse impacts on traffic, drainage and water quality aspects. The applicant will also comply with relevant requirements and regulations to minimise the adverse environmental, fire safety, visual and landscape impacts to the surroundings.

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 currently not subject to any active planning enforcement action.

5. **Previous Application**

There is no previous application at the Site.

6. **Similar Applications**

6.1 There are three similar applications (No. A/NE-KLH/633, 651 and 652) for proposed temporary public vehicle park (private cars with/without light goods vehicles) with or without electric vehicle charging station within or straddling the same “AGR” and “V” zones in the vicinity of the Site in the past five years (**Plan A-1**), which were approved with conditions by the Committee between 2024 and 2025 mainly on sympathetic consideration that the sites had already been cleared of vegetation and hard-paved before the land filling clause under the OZP was imposed on 1.4.2005; adverse landscape impact arising from the proposed use was not envisaged; the proposed use was considered not incompatible with the surrounding environment; and relevant departments consulted had no objection to or no adverse comment on the application.

6.2 Details of the similar applications are summarised at **Appendix II** 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) currently vacant, partly hard-paved and partly fenced-off (**Plan A-4**; and
- (b) accessible via a local track leading to Tai Wo Service Road East (**Plans A-1 and A-2**).

7.2 The surrounding areas are predominantly rural in character mainly with village houses, parking of vehicles, active/fallow farmland, plant nursery, open storage and vacant land. To its immediate west is village cluster of Yuen Leng Village and to its south across the local track is a mix of village houses, vegetation, active/fallow farmland, and vacant land (**Plans A-2 and A-3**).

8. Planning Intentions

- 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 for “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activity.
- 8.3 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 departments as set out in paragraphs 9.2 and 9.3 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 III** and **IV** 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 IV**.

- 9.3 The following government department does not support the application:

Agriculture

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

the Site falls within the “AGR” and “V” zones and is largely paved with asphalt. There are some agricultural activities 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 greenhouses and plant nurseries. As the Site possesses potential for

agricultural rehabilitation, the proposed development is not supported from agricultural perspective.

10. Public Comments Received During Statutory Publication Period

On 29.8.2025 and 28.10.2025, the application was published for public inspection. During the statutory public inspection periods, 26 comments received (**Appendix V**) from local villagers and individuals object to the application mainly for the reasons that there are ongoing disputes over rights of ways and road blockage, increasing traffic flow would affect the access of emergency vehicles, thereby compromising of the residents' safety; the proposed use will attract vehicles from areas outside Yuen Leng Village causing adverse traffic and safety impacts; there are potential fire safety issues affecting the nearby railway system and adverse environmental impact, including air, water and light pollution; flooding risk would be increased due to adverse drainage impact arising from the proposed use; the approval of the development will encourage brownfield sprawl and deviate from the original planning intention; the land owner should reinstate the Site as the existing fencing and use violate the ordinances; and the Site is being underutilised, which could be better used for recreational purpose.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the Site zoned "V" (about 80%) and "AGR" (about 20%) on the OZP (**Plan A-1**). For the "AGR" portion, the proposed use is not in line with the planning intention, 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. For the portion zoned "V", whilst the proposed use is not entirely in line with the planning intention of the "V" zone, the District Lands Officer/Tai Po of Lands Department has no objection to the application. There is currently no small house grant application received at the Site. Nevertheless, according to the applicant, the provision of car parking spaces at the Site can meet the local parking demand. C for T supports the application in view of the parking demand in the vicinity. 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, which is currently partly hard-paved and partly fenced-off, is located at the southern fringe of the village proper of Yuen Leng and within village 'environs' of Yuen Leng and Tai Wo (**Plan A-2**). The proposed use comprising 83 parking spaces (including 77 for private cars and six for light goods vehicles) is considered not incompatible with the surrounding village settings which are predominantly rural in character mainly comprising village houses, fallow farmland, open storage and vacant land (**Plans A-2 and A-3**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse impact on existing landscape resources arising from the proposed use is not anticipated and has no adverse comment on the application from landscape planning perspective.

- 11.3 The proposed use also involves regularisation of and proposed filling of land by asphalt with a depth of 0.2m within the “AGR” zone (**Drawing A-2**). Filling of land within “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environment impacts on the adjacent area. In this regard, the Director of Environmental Protection and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental and drainage aspects respectively. As part of the Site is zoned “AGR”, an approval condition requiring the reinstatement of the “AGR” portion 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.
- 11.4 Noting that the Site falls within the upper indirect Water Gathering Grounds (WGG), the Chief Engineer/Construction of Water Supplies Department has no objection to the application on the condition that the applicant shall implement preventive, control and mitigation measures identified in the accepted risk assessment report on pollution or contamination to the WGG, and the proposed use should not cause any water pollution to the upper indirect WGG. Other relevant government departments consulted including the Director of Fire Services have no objection to/no adverse comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions and advisory clauses are recommended in paragraph 12.2 below and **Appendix IV** respectively. Should the application be approved, the applicant will be advised to follow the environmental mitigation measures as set out in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site’ to minimise any potential nuisance.
- 11.5 There are three similar applications (No. A/NE-KLH/633, 651 and 652) for proposed temporary public vehicle park within or straddling the same “AGR” and “V” zones in the vicinity of the Site in the past five years (**Plan A-1 and A-2**), which were approved with conditions by the Committee between 2024 and 2025 as detailed in paragraph 6.1 above. Approving the current application is generally in line with the Committee’s previous decisions.
- 11.6 Regarding the public comments 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 comments mentioned in paragraph 10 above, PlanD 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 5.12.2028. 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 Board by 5.6.2026;
- (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 5.9.2026;
- (c) in relation to (b), 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 5.9.2026;
- (e) the proposed 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;
- (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; and
- (h) upon the expiry of the planning permission, the reinstatement of the “AGR” portion of the Site, including the removal of hard paving, and grassing of the “AGR” 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 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 intentions of the “AGR” and “V” zones, which are primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes; and for development of Small Houses by indigenous villagers respectively. There is no strong planning justification in the submission for a departure from the planning intentions, 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

Appendix I	Application form with attachments received on 1.8.2025
Appendix Ia	FI received on 14.8.2025
Appendix Ib	FI received on 28.8.2025
Appendix Ic	FI received on 5.9.2025
Appendix Id	FI received on 14.10.2025
Appendix Ie	FI received on 22.10.2025
Appendix If	FI received on 11.11.2025
Appendix II	Similar applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments
Drawing A-1	Site layout plan submitted by the applicant
Drawing A-2	Land filling plan submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
DECEMBER 2025**