

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-LT/783

- Applicants** : 鍾文傑 and 鍾廣志 represented by WinLi Group Limited T/A WinLi Consulting Engineers
- Site** : Lots 1036 S.A, 1156, 1157 S.A, 1168 S.A and 1169 S.A in D.D. 19, Lam Tsuen San Tsuen, Tai Po, New Territories
- Site Area** : About 1,610m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11
- Zoning** : “Village Type Development” (“V”)
- Application** : Temporary Private Vehicle Park (Private Cars Only) for a Period of Three Years

1. The Proposal

- 1.1 The applicants seek planning permission for a temporary private vehicle park (PVP) (private cars only) for a period of three years at the application site (the Site). The Site falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission.
- 1.2 The Site is accessible via a local track leading to Lam Kam Road (**Plan A-2**). According to the applicants, the temporary PVP provides 46 parking spaces for private cars serving local villagers. The temporary car park would operate 24 hours daily (including public holidays). No vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) will be allowed at the Site. According to the applicants, boundary fencing will be erected at the Site and drainage traps will be installed to prevent pollution to the water gathering ground (WGG). A plan showing the layout and vehicular ingress/egress of the car park submitted by the applicants is shown in **Drawing A-1**.
- 1.3 The Site is the subject of five previous applications (No. A/NE-LT/250, 314, 372, 403 and 501) for the same use, which were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2001 and 2014 (details in paragraph 5.1 below). The planning permission of the last approved application No. A/NE-LT/501 was revoked on 5.7.2015 due to non-compliance with conditions. Compared with the last previous application, the major development parameters remain unchanged.

- 1.4 In support of the application, the applicants have submitted the following documents:
- (a) Application Form with attachment and Supplementary (**Appendix I**) Information (SI) received on 20.8.2025 and 27.8.2025
 - (b) Further Information (FI) received on 18.11.2025* (**Appendix Ia**)
 - (c) FI received on 25.11.2025* (**Appendix Ib**)
* *accepted and exempted from publication and recounting requirement*
- 1.5 On 10.10.2025, the Committee of the Board agreed to defer making a decision on the application for two months as requested by the applicants.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in the Application Form and FIs at **Appendices I** to **Ib**, as summarised below:

- (a) the temporary PVP aims to address the parking needs of local villagers as there are no public car parking spaces in the vicinity;
- (b) appropriate measures such as erection of boundary fencing and installation of drainage traps would be implemented to avoid pollution to the WGG; and
- (c) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) will be allowed at the Site.

3. Background

The Site is currently not subject to any active planning enforcement action.

4. Compliance with the “Owner’s Consent/Notification” Requirements

The applicants are not the “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 (the Ordinance) (TPB PG-No. 31B) by giving notification to the “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

5. Previous Applications

- 5.1 The Site is the subject of five previous applications (No. A/NE-LT/250, 314, 372, 403 and 501) for the same use submitted by a different applicant as the current application. These applications were approved with conditions by the Committee on 4.5.2001, 14.5.2004, 7.6.2007, 7.5.2010 and 4.4.2014 respectively mainly on the considerations that the applied use was not incompatible with the surrounding land uses; the applied use would not frustrate the long-term planning intention of “V” zone; and the applied use was unlikely to have significant adverse environment, traffic, drainage, landscape or water quality impacts on the surrounding area. The planning permission of the last

approved application No. A/NE-LT/501 was revoked on 5.7.2015 as the applicant failed to comply with conditions in relation to submission and implementation of drainage proposal.

- 5.2 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Application

There is no similar application within the same “V” zone on the OZP.

7. The Site and Its Surrounding Areas (Plans A-1 to A-4)

- 7.1 The Site is:

- (a) hard-paved and currently used as the applied use without valid planning permission;
- (b) located on the north-eastern part of Lam Tsuen San Tsuen and the upper indirect WGG; and
- (c) accessible from Lam Kam Road via a local track.

- 7.2 The surrounding areas are predominantly rural in character with village houses (**Plan A-2**).

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. 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 recommended advisory clauses are provided at **Appendices III** and **IV** respectively.

- 9.2 The following government department supports the application:

Transport

Comment 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 set out at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 29.8.2025, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received expressing the view that there is no mentioning of electric vehicle charging facilities at the Site (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary PVP (private cars only) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). While the applied use is not entirely in line with the planning intention of “V” zone, the applied use is to serve the local villagers of Lam Tsuen San Tsuen according to the applicant and C for T supports the application in view of the parking demand in the vicinity. There is also no Small House application received for the Site as advised by the District Lands Officer/Tai Po, Lands Department. In view of the above and taking into account the planning assessments below, there is no objection to the applied use on a temporary basis for a period of three years.
- 11.2 The Site, being located on the northeastern part of Lam Tsuen San Tsuen, is hard-paved and currently occupied by the applied use without valid planning permission. The temporary PVP is considered not incompatible with the surrounding village setting predominated by village houses (**Plans A-2 and A-3**).
- 11.3 The Site is located within the upper indirect WGG and the applicants have confirmed that no toilet facility will be erected and preventive measures such as erection of boundary fencing and installation of drainage traps will be adopted to prevent water pollution in the upper indirect WGG (**Appendix Ia**). In this connection, the Chief Engineer/Construction of Water Supplies Department has no objection to the application on condition that the development should not cause any water pollution to the upper indirect WGG. Other relevant government departments consulted, including the Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or 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.
- 11.4 The Site is the subject of five approved previous applications for the same use as detailed in paragraph 5.1 above. Approval of the current application is in line with the Committee’s previous decisions.
- 11.5 Regarding the public comment as detailed in paragraph 10 above, it is noted from the applicants’ submission that no electric vehicle charging facility is planned at the Site.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 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 three years until 9.1.2029. The following conditions of approval 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 9.7.2026;
- (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 9.10.2026;
- (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 identified in the accepted risk assessment report on pollution or contamination to the Water Gathering Ground 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 9.10.2026;
- (e) the applied use should not cause any water pollution to the upper indirect Water Gathering Ground at any time during the planning approval period;
- (f) 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
- (g) 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.

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 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 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 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 applicants.

14. Attachments

Appendix I	Application Form with attachment and SI received on 20.8.2025 and 27.8.2025
Appendix Ia	FI received on 18.11.2025
Appendix Ib	FI received on 25.11.2025
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawings A-1 to A-2	Layout and Drainage Plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photo

**PLANNING DEPARTMENT
JANUARY 2026**