

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKL/825

Applicant : Rank Glory Development Limited represented by Toco Planning Consultants Limited

Site : Lots 1892 RP (Part), 1894 S.A (Part) and 1894 RP (Part) in D.D. 76, Leng Tsai Tsuen, Ta Kwu Ling, New Territories

Site Area : About 701.4m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP)
No. S/NE-TKL/14

Zonings : (i) “Village Type Development” (“V”) (about 578.7m² or 82.5% of the Site)
(ii) “Agriculture” (“AGR”) (about 122.7m² or 17.5% of the Site)

Application : Temporary Public Vehicle Park (Private Cars Only) for a Period of Three Years

1. **The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park (private cars only) for a period of three years at the application site (the Site) falling within an area zoned “V” and “AGR” 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 the “V” zone which requires planning permission from the Town Planning Board (the Board). While there is no provision for such use in the “AGR” zone, the covering Notes of the OZP state that temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Board. The Site is currently hard-paved and used for the applied use without planning permission.

- 1.2 The Site is accessible via a local track leading to Sha Tau Kok Road – Ma Mei Ha and is divided into two portions (i.e. eastern and western portions) (**Plan A-2**). According to the applicant, the applied use will provide a total of 21 private car parking spaces (2.5m (W) x 5m (L) each) for the villagers of Leng Tsai only. No vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked at the Site. The operating hours of the applied use is 24 hours daily (including public holidays). No structure or kiosk will be erected on site and no electric vehicle (EV) charging facility will be provided. No car washing, vehicle repair, dismantling, paint spraying or other workshop activities will be allowed within the Site. Fencing will not be erected to allow villagers’ easy access.

Warning signs will be provided to ensure pedestrian safety. 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 received on 10.12.2025 **(Appendix I)**
(b) Further Information (FI) received on 29.1.2026[^] **(Appendix Ia)**

[^] 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 FI at **Appendices I** and **Ia**, as summarised below:

- (a) the Site is in a relatively remote location with limited access to public transportation and there is a continuous demand for car parking facilities in the vicinity. The applied use will serve the need of the villagers of Leng Tsai and the location is preferred by them. The applied use is supported by the Indigenous Inhabitant Representative (IRR) of Leng Tsai;
- (b) the applied use will help relieve the parking problem and reduce the number of illegal roadside parking in the area;
- (c) the applied use is small scale and compatible with the surrounding land uses which comprises predominantly village houses and local tracks. Approval of the applied use on a temporary basis of three years will not frustrate the long-term planning intentions of the “V” and “AGR” zones. Besides, there is no Small House application submitted to the Lands Department (LandsD) at the Site, and the land owner of the Site has no intention to convert it back to a farm. The Site has mostly been hard paved before the draft Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/10 gazetted on 29.4.2005¹;
- (d) there are similar applications in the vicinity of the Site involving “V” and “AGR” zones which were approved by the Rural and New Town Planning Committee (the Committee) of the Board; and
- (e) no significant adverse traffic, environmental and drainage impacts are anticipated.

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

Recent site inspection revealed the vehicles were observed at the Site. Warning letters were issued to the registered owners. The Site and its vicinity are under monitoring. The Site may be

¹ The control on filling of land in “AGR” zone was included in the draft Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/10 gazetted on 29.4.2005. Filling of land in “V” zone does not require planning permission from the Board.

subject to planning enforcement actions if there is sufficient evidence to demonstrate an “unauthorized development” under the Town Planning Ordinance is identified.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Applications

- 6.1. There are four similar applications (No. A/NE-TKL/747, 772, 797 and 817) involving three sites for temporary private/public vehicle park falling within the “V” and/or “AGR” zones in the vicinity of the Site in the past five years, which were approved with conditions by the Committee between 2024 and 2025 mainly on the considerations that the proposed use was not entirely incompatible with the surrounding areas; no major adverse departmental comments were received; and there were similar approved applications in the vicinity.
- 6.2. Details of the similar applications are at **Appendix II** and their locations are shown on **Plan A-1**.

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

- 7.1. The Site is:
 - (a) hard-paved and used for the applied use without valid planning permission; and
 - (b) accessible via a local track leading to Sha Tau Kok Road – Ma Mei Ha.
- 7.2. The surrounding areas are rural in character comprising mainly village houses, parking of vehicles and vacant land.

8. Planning Intentions

- 8.1. The planning intention of the “V” zone 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. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- 8.2. 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.

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 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):

- (a) the application is not supported from the agricultural perspective; and
- (b) the Site falls within the “AGR” and “V” zones. 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. The Site possesses potential for agricultural rehabilitation.

10. Public Comments Received During Statutory Publication Period

On 19.12.2025, the application was published for public inspection. During the statutory public inspection period, a total of 27 public comments were received (**Appendix V**). 25 comments from the Chairman and the 1st Vice-chairman of Fanling District Rural Committee, and the IRR, Resident Representative and villagers of Leng Tsai support the application on the considerations that the Site has long been used as a car park for the villagers of Leng Tsai and has provided parking spaces to meet the parking need of the residents; and the applied use will help reduce illegal roadside parking. One comment from an individual provides view that the application does not include information on the provision of EV charging facility at the Site which should be mandatory for new car parks. The remaining comment from the Chairman of Lung Shan Area Committee indicates no comment on the application.

11. Planning Considerations and Assessments

11.1 The application is for temporary public vehicle park (private cars only) for a period of three years at the Site falling within an area zoned “V” (about 82.5%) and “AGR” (about 17.5%) on the OZP. While the applied use is not in line with the planning intentions of “V” and “AGR” zones and DAFC does not support the application from agricultural perspective, the applicant states that the applied use is to serve the villagers of Leng Tsai. Besides, the District Lands Officer/North of LandsD advises that there is no Small House application received at the Site. Taking into account the above and the planning assessments below, there is no objection to the applied use on temporary basis of three years.

11.2 The Site is located in an area of rural character comprising mainly village houses, parking of vehicles and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from the landscape planning perspective and considers that the applied use is not entirely

incompatible with the landscape character of the surroundings and significant adverse landscape impact arising from the application is not anticipated.

- 11.3 Other concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, Chief Engineer/Construction of Water Supplies Department and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of the concerned government department, relevant approval conditions are recommended in paragraph 12.2 below. 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 Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance. As part of the Site is zoned "AGR", an approval condition requiring the reinstatement of that part 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 There are four similar applications in the vicinity of the Site in the past five years which were approved with conditions by the Committee as mentioned in paragraph 6.1 above. The planning circumstances of the current application are similar to those of the approved similar applications. Approval of the current application is in line with the Committee's previous decisions.
- 11.5 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 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 6.2.2029. 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 6.8.2026;
- (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 6.11.2026;
- (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 expiry of the planning permission, the reinstatement of the “AGR” portion of the Site, including the removal of fill materials and hard-paving, and grassing of that 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 applied use is not in line with the planning intentions of the “V” and “AGR” zones which are to provide land primarily for development of Small Houses by indigenous villagers and to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes 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 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 10.12.2025
Appendix Ia	FI received on 29.1.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

PLANNING DEPARTMENT
FEBRUARY 2026