

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-PK/229

- Applicant** : Miss POON Mo Kuen Joe represented by Mr. PANG Hing Yeun
- Site** : Lots 1580 S.A (Part), 1580 S.B (Part), 1580 S.C (Part), 1580 S.D (Part) and 1580 RP (Part) in D.D. 91, Kai Leng, Sheung Shui
- Site Area** : About 363.2m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Kong Outline Zoning Plan (OZP) No. S/NE-PK/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Private Vehicle Park (Private Car and Light Goods Vehicle) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary private vehicle park (private car and light goods vehicle (LGV)) 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 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 largely vacant, partly hard-paved and partly covered with vegetation (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading to Wai Hon Road (**Plan A-1**). According to the applicant, the proposed use will provide a total of 19 parking spaces (5m (L) x 2.5m (W) each), of which 16 are for private cars and three are for van-type LGVs not exceeding 3.3 tonnes (**Drawing A-1**) to solely serve the residents of Kai Leng Village. 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 proposed private vehicle park will operate 24 hours daily, including public holidays. While it is observed that the Site has been largely filled, the applicant clarifies that part of the Site has been paved with asphalt for long and no regularisation of land filling is applied for under the current application. The layout plan submitted by the applicant is shown at **Drawing A-1**.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 6.1.2026 (Appendix I)
- (b) Further Information (FI) received on 2.2.2026* (Appendix Ia)
- (c) FI received on 12.2.2026* (Appendix Ib)

**accepted and exempted from 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) the Site is within Kai Leng Village with inadequate parking spaces to meet the demand of the local villagers and residents nearby, leading to illegal parking along Wai Hon Road and Yu Tai Road (**Plans A-1 and A-3**) and concerns about traffic and pedestrian safety. The Indigenous Inhabitant Representative and Resident Representative of Kai Leng Village support increasing parking spaces in the vicinity;
- (b) the estimated vehicle trips per day range from 13 to 18. Adequate manoeuvring space is provided within the Site and at the entrance, as well as along the local track leading to Wai Hon Road;
- (c) the proposed use does not involve felling of trees and filling/excavation of land, and hence would not cause adverse environmental impact; and
- (d) the Site is the subject of a couple of the approved Small House grant applications and the proposed use is temporary in nature.

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 consents of current land owners. 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 Applications

- 5.1 Part of the Site is the subject of six previous applications (No. A/NE-PK/50, 51, 52, 130, 165 and 166)¹ for proposed house (New Territories Exempted House – Small House) (**Plans A-1 and A-2**), which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2014 and 2022. The validity of the latest planning permissions for applications No. A/NE-PK/130, 165 and 166 are up to 4.5.2026, 26.8.2026 and 26.8.2026 respectively. The planning considerations of these previous applications are not relevant to the current application, which is for a different use.
- 5.2 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plans A-1 and A-2**.

6. Similar Applications

- 6.1 There are two similar applications (No. A/NE-PK/174 and 218) for temporary private car park (private cars and LGVs) straddling the same “AGR” and adjacent “Village Type Development” (“V”) zones in the vicinity of the Site in the past five years (**Plans A-1 and A-2**), which were approved with conditions by the Committee in 2023 and 2025 respectively, mainly on the considerations that it would not frustrate the long-term planning intentions of the “AGR” and/or “V” zones and the implementation of the approved Small House developments; it was located in close proximity to the existing village houses and not incompatible with the surrounding areas; and no significant adverse impact arising from the applied use was anticipated.
- 6.2 Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plans A-1 and A-2**.

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

- 7.1 The Site is:
- (a) largely vacant, partly hard-paved and partly covered with vegetation² (**Plan A-4**);
 - (b) within village ‘environs’ of Kai Leng (**Plan A-2**);
 - (c) located at the southern fringe of village cluster of Kai Leng Village (**Plans A-2 and A-3**); and
 - (d) accessible via a local track leading to Wai Hon Road (**Plan A-1**).

- 7.2 The surrounding areas are predominantly rural in character mainly comprising

¹ Applications No. A/NE-PK/50 and 165, A/NE-PK/51 and 166 and A/NE-PK/52 and 130 cover the same sites of the respective applications (**Plan A-2**).

² It is observed that part of the Site was cleared of vegetation and largely hard-paved since 2015.

village houses, low-density residential developments, parking of vehicles, active/fallow farmland and vacant land (**Plans A-2 and A-3**).

8. Planning Intention

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 comments on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided at **Appendices IV and V** 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 and abandoned. 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 13.1.2026, the application was published for public inspection. During the statutory public inspection period, a total of six comments were received (**Appendix VI**). Three members of North District Council and two vice-chairpersons of Sheung Shui District Rural Committee indicate support to the application on the grounds that approving the application will increase parking spaces, thereby relieving the growing demand from the residents nearby; and it can alleviate the problem of illegal parking in the area, which helps improving traffic safety and reducing congestion. The remaining comment from an individual questions why there is no provision of electric vehicle charging facilities at the Site.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary private vehicle park (private car and LGV) for a period of three years at the Site which is zoned “AGR” on the OZP (**Plan A-1**). The proposed use 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 DAFC does not support the application from agricultural perspective. Nevertheless, the Site is located at the southern fringe of Kai Leng Village, and surrounded by existing and proposed village houses covered by planning permissions for Small House developments (**Plan A-2**). The applicant states that the proposed use can meet the local parking demand, and the Commissioner for Transport has no comment on the application. Also, the District Lands Officer/North of Lands Department has no comment on the application. The proposed use is on a temporary basis and the applicant will be advised to resolve any land issue relating to the development with concerned owner(s) of the Site, and make his/her own arrangement of the vehicular access passing through other private lots. Taking into account 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 is currently largely vacant, partly hard-paved and partly covered with vegetation (**Plan A-4**). The proposed use is considered not entirely incompatible with the surroundings which is predominantly rural in character mainly comprising village houses, low-density residential developments, parking of vehicles, active/fallow farmland 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. 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 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 relevant departments, appropriate approval conditions and advisory clauses are recommended in paragraph 12.2 below and **Appendix V** respectively. Should the application be approved, the applicant is advised to follow the relevant mitigation measures and requirements in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site’ and to meet the statutory requirements under relevant pollution control ordinances.
- 11.4 There are two similar applications straddling the same “AGR” and adjacent “V” zone for the same use as current application in the vicinity of the Site (**Plan A-2**), which were approved by the Committee between 2023 and 2025, as detailed in paragraph 6.1 above. The planning circumstances of the current application are largely similar to those of the approved applications. Approving the current application is in line with the Committee’s previous decisions.

- 11.5 Regarding the public comment on provision of electric vehicle charging facilities at the Site as detailed in paragraph 10 above, it is not a relevant consideration for the application.

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, 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 27.2.2029. 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 Board by 27.8.2026;
- (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 27.11.2026;
- (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 Site, including the removal of 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 V**.

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

the proposed use 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. 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 applicant.

14. Attachments

Appendix I	Application Form with attachments received on 6.1.2026
Appendix Ia	FI received on 2.2.2026
Appendix Ib	FI received on 12.2.2026
Appendix II	Previous applications
Appendix III	Similar applications
Appendix IV	Government departments’ general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public comments
Drawing A-1	Layout plan submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photo