

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-KTS/1090**

- Applicant** : Mr. KAN Yuk Man represented by Goldrich Planners and Surveyors Limited
- Site** : Lot 343 (Part) in D.D. 113, Kam Tin, Yuen Long, New Territories
- Site Area** : About 733m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Village Type Development” (“V”)
- Application** : Proposed Temporary Private Vehicle Park (Private Cars Only) for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary private vehicle park (private cars only) for a period of three years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently fenced-off, largely vacant and partially covered by vegetation (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kam Ho Road via a local track (**Plans A-1 to A-3**). According to the applicant, the proposed use will provide 24 private car parking spaces serving the nearby villagers of Ma On Kong. No structure will be erected and no car beauty services, vehicles repairing, dismantling or other workshop activities will be carried out at the Site at all times. Sufficient manoeuvring space will be provided within the Site to avoid vehicles turning back to the local access road. No vehicles exceeding 5.5 tonnes, including container tractors/trailers, or vehicles without valid license issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations, will be allowed to be parked/stored on or enter/exit the Site and no public announcement systems, whistle blowing or portable loudspeaker will be allowed within the Site at all times. The operation hours will be 24 hours daily including Sundays and public holidays. The layout plan submitted by the applicant is 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 (Appendix I) 20.8.2025
- (b) Further Information (FI) received on 30.9.2025\* (Appendix Ia)
- (c) FI received on 2.12.2025\* (Appendix Ib)
- (d) FI received on 26.1.2026# (Appendix Ic)

\*accepted but not exempted from publication and recounting requirements

# accepted and exempted from publication and recounting requirements

1.4 On 21.11.2025 and 23.1.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**, and can be summarised as follows:

- (a) The proposed use can help meet the parking demand of the villagers of Ma On Kong and alleviate roadside illegal parking. It is also not incompatible with the surrounding areas.
- (b) There are similar applications in other “V” zones on the OZP approved by the Committee in 2024, and the planning circumstances of the current application are relevant.
- (c) The proposed use will not cause adverse visual, landscape, traffic, environmental, drainage and fire safety impacts on the surrounding areas. Sufficient space will be provided for vehicles to manoeuvre smoothly within the Site. No public announcement systems, whistle blowing or portable loudspeaker will be allowed within the Site. The applicant will also strictly follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department and comply with all environmental protection/pollution control ordinances. In support of the application, the applicant has submitted a drainage proposal.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not the “current land owner” of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by obtaining consents from the 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 Application**

The Site is not the subject of any previous application.

#### **6. Similar Application**

There is no similar application within the same “V” zone in the vicinity of the Site in the past five years.

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

7.1 The Site is:

- (a) accessible from Kam Ho Road via a local track; and
- (b) currently fenced-off, largely vacant and partially covered by vegetation.

7.2 The surrounding areas are rural in character comprising predominantly the village settlements of Ma On Kong, parking of vehicles, storage yards, cultivated agricultural land, vacant land, grassland, woodland and graves.

#### **8. Planning Intention**

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and re-provisioning 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. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on ground floor of a New Territories Exempted House (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

#### **9. Comments from Relevant Government Departments**

9.1 Apart from the government department as set out in paragraph 9.2 below, other 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, if any, are provided in **Appendices II and III** respectively.

9.2 The following government department supports the application:

**Traffic**

9.2.1 Comments of the Commissioner for Transport (C for T):

- (a) supports the application from traffic engineering perspective to address the local demand for parking spaces; and
- (b) advisory comments are at **Appendix III**.

**10. Public Comments Received During Statutory Publication Periods**

On 29.8.2025, 10.10.2025 and 12.12.2025, the application and the FIs were published for public inspection. During the statutory public inspection periods, three public comments were received from three individuals objecting to the application mainly on the ground that the proposed use would cause traffic impact. An individual also provides views that the provision of electric vehicle recharging facilities should be mandatory in applications with no approval history (**Appendix IV**).

**11. Planning Considerations and Assessments**

11.1 The application is for proposed temporary private vehicle park (private cars only) for a period of three years at the Site which is zoned “V” (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the “V” zone, the applicant stated that the proposed use is intended to meet the parking demand of the nearby villagers of Ma On Kong and help alleviate roadside illegal parking. In this regard, C for T supports the application as it could address the local demand for parking spaces. Besides, District Lands Officer/Yuen Long of Lands Department advises that there is no Small House application approved or under processing at the Site. The proposed use of temporary nature would not adversely affect the land availability for NTEH/Small House within the “V” zone in the long term, and approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “V” zone. Taking into account the above and the planning assessments below, there is no objection to the proposed use on a temporary basis of three years.

11.2 The proposed use is considered not incompatible with the surrounding areas which comprises predominantly the village settlements of Ma On Kong, parking of vehicles, storage yards, cultivated agricultural land, vacant land, grassland and woodland/graves. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that no significant adverse landscape impact arising from the proposed use is anticipated.

11.3 Other concerned government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department who considers the submitted drainage proposal acceptable, Director of Environmental Protection and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments,

relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'CoP' to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas.

- 11.4 Regarding the public comments mentioned in paragraph 10 above, the departmental comments and planning assessments above are relevant and the provision of electric vehicle recharging facilities is not mandatory for the current application.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and taking 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 13.3.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the implementation of the accepted 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 13.12.2026;
- (b) in relation to (a) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) if the above planning condition (b) 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
- (d) if the above planning condition (a) 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 III**.

- 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 "V" zone, which 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. 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 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 20.8.2025

**Appendix Ia** FI received on 30.9.2025

**Appendix Ib** FI received on 2.12.2025

**Appendix Ic** FI received on 26.1.2026

**Appendix II** Government Departments' General Comments

**Appendix III** Recommended Advisory Clauses

**Appendix IV** Public Comments

**Drawing A-1** Layout Plan

**Plan A-1** Location Plan

**Plan A-2** Site Plan

**Plan A-3** Aerial Photo

**Plan A-4** Site Photos

**PLANNING DEPARTMENT  
MARCH 2026**