

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

**APPLICATION NO. A/KTN/110**

- Applicant** : Mr. CHEUNG Ying Sing represented by Grandmax Surveyors Limited
- Site** : Lot 322 S.A (Part) in D.D. 92, Kwu Tung North, New Territories
- Site Area** : About 425m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kwu Tung North Outline Zoning Plan (OZP) No. S/KTN/4
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Private Vehicle Park (Private Cars Only) and Associated Filling of Land 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) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering 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). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is currently fenced off, vacant and filled with gravel and asphalt (**Plan A-4**).
- 1.2 The Site is accessible from Castle Peak Road – Kwu Tung via a local track which passes through a private lot (**Plans A-1 and A-2**). According to the applicant, the proposed use involves 13 parking spaces for private cars for rental on a monthly basis, which is intended to serve only the residents of the nearby Tin Kwong Po, and will not be open to the general public. No structure will be erected on the Site (**Drawing A-1**). Only private cars will be allowed to park at the Site. No medium or heavy vehicles are allowed to enter and no maintenance and workshop activities, vehicle storage, inspection, repairing or washing activities will be allowed at the Site at all times. The proposed use will operate without any shroff, and only registered users

will be allowed to park at the Site. The applicant also applies for regularisation of associated filling of land for the entire Site with gravel and asphalt with a depth of about 0.1m, raising the site level to about 7.2mPD for vehicle manoeuvring to support the proposed use (**Drawing A-2**) and no further filling will be undertaken. The proposed temporary public vehicle park will operate 24 hours daily including public holidays. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with Supplementary Information received (**Appendix I**) on 24.11.2025 and 28.11.2025 respectively
  - (b) Further Information (FI) received on 30.12.2025# (**Appendix Ia**)
  - (c) FI received on 10.3.2026# (**Appendix Ib**)
  - (d) FI received on 19.3.2026# (**Appendix Ic**)
- #accepted and exempted from publication and recounting requirements*

1.4 On 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 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 and FIs at **Appendices I to Ic**, and can be summarised as follows:

- (a) Since there is no formal parking provision in the locality, the applicant, being the Village Representative of Tin Kwong Po, has been making continued efforts to identify suitable site for car park use to serve the residents of the nearby Tin Kwong Po and address the local demand for private car parking. The proposed use is small in scale, can alleviate the problem of roadside parking and can help keep the emergency access route clear.
- (b) The proposed use at the Site is supported by the local villagers. Signed support letters from villagers of Tin Kwong Po (**Appendix I**), Village Representative of Tsung Pak Long (**Appendices I and Ic**) and Chairman of Sheung Shui District Rural Committee (**Appendix Ic**) are included in the submission.
- (c) While the proposed use will operate 24 hours daily, the in/out traffic is expected to be generated mostly between 7 a.m. to 11 p.m. daily, and trips of private cars and pedestrian flow to/from the Site are expected to be limited. Sufficient manoeuvring spaces will be provided at the Site and swept path plans have been submitted in support of the application. The proposed use will not cause any adverse visual, noise, traffic, drainage, or fire safety impacts.
- (d) The proposed temporary use without any structures will not jeopardise the long-term planning intention of the “AGR” zone and cause adverse effect to the village

environment, drainage and landscape. The applicant has also liaised with and obtained consent from the owner of the private lot where the proposed access is located.

- (e) The proposed use is located at a considerable distance from Long Valley Nature Park and is separated by the village settlements of Tin Kwong Po. It only involves a few private car parking spaces which would not cause ecological impact on Long Valley Nature Park.
- (f) Upon expiry of the planning permission, the applicant will reinstate the Site.

### **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 from the current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

The Site is subject to active planning enforcement action against unauthorized development (UD) involving use for place for parking of vehicles and storage use (No. E/NE-KTN/220) (**Plan A-2**). Enforcement Notice was issued on 20.8.2025 requiring the discontinuance of the UD. Site inspection (SI) on 13.3.2026 revealed that parking of vehicles on the Site has discontinued, further SI shall be arranged to ascertain the site condition before proceeding prosecution action.

### **5. Previous Application**

There is no previous application covering the Site.

### **6. Similar Application**

There is no similar application within the same “AGR” zone 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 Castle Peak Road – Kwu Tung via a local track which passes through a private lot (Lot 321 in D.D. 92); and
- (b) currently vacant, fenced off and filled with gravel and asphalt.

7.2 The surrounding areas are rural in character comprising mainly residential dwellings, gardens, storage of construction materials, unused lands, ruin, temporary structure and fallow farmland. Village settlements of Tin Kwong Po are located to the immediate east of the Site and Long Valley Nature Park is located to the further east. A Permitted Burial Ground (Site No. N/S/3) is located to the east of the Site (**Plan A-1**).

## **8. Planning Intention**

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 the “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 activities.

## **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 II** and **III** respectively.

9.2 The following government department supports the application:

### **Transport**

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

- (a) supports the application from traffic engineering point of view in view of the parking demand in the vicinity;
- (b) the access road connecting the Site from Castle Peak Road – Kwu Tung is not managed by the Transport Department; and
- (c) advisory comments are at **Appendix III**.

9.3 The following government department does not support the application:

### **Agriculture and Nature Conservation**

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

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone and is generally vacant. 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 and plant nurseries; and
- (c) no comment on the application from nature conservation perspective.

## **10. Public Comments Received During Statutory Publication Period**

On 2.12.2025, the application was published for public inspection. During the statutory public inspection period, three public comments were received, including one from a North District Council Member indicating no comment on the application; and two from Kadoorie Farm & Botanic Garden Cooperation and an individual objecting to the application on the grounds that the application is not in line with the planning intention of the “AGR” zone; there are agricultural activities within the “AGR” zone; approval of the application may cause potential cumulative impact to the subject “AGR” zone; and the application may lead to the emergence of brownfield operations in the area (**Appendix IV**).

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary public vehicle park (private cars only) with associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, the proposed use is intended to serve the local residents of the nearby Tin Kwong Po by providing parking spaces on a monthly rental basis and C for T supports the application from traffic engineering perspective in view of the parking demand in the vicinity. Taking into account the above and planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis for a period of three years.
- 11.2 Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to and no adverse comment on the application from public drainage and environmental planning perspectives respectively. 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 The proposed use is considered not incompatible with the surrounding areas which are rural in character comprising mainly residential dwellings intermixed with gardens, a storage of construction materials, vacant land, ruin, temporary structure, and fallow

farmland, with the village settlements of Tin Kwong Po at the immediate east. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that significant adverse landscape impact arising from the proposed use within the Site is not anticipated.

- 11.4 Other concerned government departments consulted, including the Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance on the surrounding land uses.
- 11.5 Regarding the public comments mentioned in paragraph 10 above, the departmental 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 8.5.2029. 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 8.11.2026;
- (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 8.2.2027;
- (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 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 the expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials, 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 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 with associated filling of land 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 to retain fallow arable land with good potential for rehabilitation for cultivation and other 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**

<b>Appendix I</b>	Application Form and SI received on 24.11.2025 and 28.11.2025 respectively
<b>Appendix Ia</b>	FI received on 30.12.2025
<b>Appendix Ib</b>	FI received on 10.3.2026
<b>Appendix Ic</b>	FI received on 19.3.2026
<b>Appendix II</b>	Government Departments' General Comments
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Appendix IV</b>	Public Comments
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Land Filling Plan
<b>Plan A-1</b>	Location Plan

**Plan A-2**

Site Plan

**Plan A-3**

Aerial Photo

**Plan A-4**

Site Photos

**PLANNING DEPARTMENT  
MAY 2026**