

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/STT/34

- Applicant** : Markland (HK) Limited represented by Allgain Land Planning Limited
- Site** : Various Lots in D.D 96 and Lot 305 in D.D. 99, Poon Uk Tsuen, San Tin, Yuen Long
- Site Area** : About 4,065 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/2
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Eating Place for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (private cars and light goods vehicles) and eating place 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 Notes of the OZP for “V” zone, ‘Eating Place’ (being not on the ground floor of a New Territories Exempted House (NTEH)) and ‘Public Vehicle Park (excluding container vehicle)’ are Column 2 uses which require planning permission from the Town Planning Board (the Board). The Site is currently vacant and partly hard-paved (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from a local access leading to Lok Ma Chau Road (**Plan A-2**) with an ingress/egress (about 5m wide) at its western part. According to the applicant, the proposed uses, with a total floor area of about 460m², involve two one-storey structures (with height of not exceeding 6m) for eating place and an ancillary toilet. The proposed public vehicle park will provide a total of 50 private car parking spaces and five light goods vehicle (LGV) parking spaces. No medium or heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance will be allowed to be parked/stored on or enter/exit the Site at all times. Besides, no vehicle repairing, car beauty, washing, dismantling or other workshop activities will be involved at the Site at all times. To minimise nuisance to the surrounding areas, the Site will be fenced off. The proposed eating place will operate from 8:00 a.m. to 8:00 p.m. daily including public holidays, whereas the proposed public vehicle park will operate from 7:00 a.m.

to 10:00 p.m. daily including 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 and Supplementary Information (SI) received on 14.4.2026 and 20.4.2026 respectively (**Appendix I**)
- (b) Further Information (FI) received on 21.5.2026* (**Appendix Ia**)
** 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, SI and FI at **Appendices I to Ia**, and can be summarised as follows:

- (a) There is insufficient supply of public vehicle parks in the surrounding areas to meet the car parking demand. The proposed shop and services and public vehicle park uses at the Site intend to support the nearby local residents and workers. This could also alleviate the illegal parking problems in the vicinity.
- (b) To minimise adverse environmental impacts and nuisance to the surrounding areas, the applicant commits to following the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') and the 'Control of Oily Fume and Cooking Odour from Restaurants and Food Business' at all times during the approval period of the planning permission. Appropriate ventilation and exhaust systems will also be installed at the proposed eating place.
- (c) To minimise noise and traffic nuisance to the surrounding areas, the Site will be fenced off and the speed of vehicles and the operation hours of the proposed uses will be restricted. No medium or heavy goods vehicles exceeding 5.5 tonnes as defined in the Road Traffic Ordinance will be allowed to be parked/stored on or enter/exit the Site at all times. A display screen regarding the number of parking spaces will be installed to avoid vehicles from queuing outside and causing congestion.
- (d) 24-hour CCTV system will be installed at the Site, while convex mirrors and speed bumps will be installed at the entrance/exit of the public vehicle park. Besides, pedestrian and vehicles will be clearly separated. Clear traffic signs will also be installed to ensure pedestrian safety.
- (e) In addition, grease trap will be installed to ensure that wastewater will be properly treated. Upon approval of the application, appropriate drainage facilities and fire service installations will be implemented. Adverse environmental, traffic and drainage impacts on the surrounding areas are therefore not anticipated.
- (f) The applicant acknowledges that the proposed vehicular access will pass through an area subject to site formation and infrastructure works. The applicant has liaised and will continue to liaise with the Civil Engineering and Development Department (CEDD) regarding the vehicular access arrangement during the works period.

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

The applicant is not a “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 Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notice and sending notice to the San Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Site is located within the Wetland Buffer Area (WBA) in Deep Bay Area (**Plan A-1**). The Town Planning Board Guidelines for ‘Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) and ‘Application for Eating Place within “Village Type Development” zone in Rural Areas under section 16 of the Town Planning Ordinance’ (TPB PG-No. 15A) are relevant to the application. Relevant extracts of the Guidelines are at **Appendix II**.

5. Background

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

6. Previous Application

There is no previous application covering the Site.

7. Similar Applications

7.1 During the past five years, there were 18 similar applications involving 12 sites for temporary eating place or public vehicle park within the “V” zones in the vicinity of the Site on the OZP. All applications were approved by the Rural and New Town Planning Committee (the Committee) between 2021 and 2026 mainly on the considerations that the proposed use would not jeopardise the long-term planning intention of the “V” zone; the proposed use was not incompatible with the surrounding areas; the proposed use was in line with TPB PG-No.15A; and the relevant government departments consulted had no objection to or no adverse comment on the application. Details of the similar applications are summarised at **Appendix III**. Their locations are shown on **Plan A-1**.

7.2 Other than the similar applications as stated in paragraph 7.1 above, application No. A/STT/33 for the similar use of proposed temporary shop and services, eating place and public vehicle park with ancillary facilities and associated excavation of land will be considered by the Committee at the same meeting (**Plan A-1**).

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

8.1 The Site is:

- (a) currently vacant and partly hard-paved;

- (b) accessible from the west via a local access leading to Lok Ma Chau Road; and
- (c) located within WBA of Deep Bay Area.

8.2 The surrounding areas are rural in character and predominated by village settlements of Poon Uk Tsuen, grassland, vacant land, woodland, public vehicle parks (one of which with valid planning permission).

9. Planning Intention

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 House (SH) 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 NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

10. Comments from Relevant Government Departments

All 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, if any, are provided in **Appendices IV and V** respectively.

11. Public Comments Received During Statutory Publication Period

- 11.1 On 24.4.2026, the application was published for public inspection. During the statutory public inspection period, 49 public comments were received, including 22 supporting and 27 objecting to the application (**Appendices VIa and VIb**).
- 11.2 The 22 public comments supporting the application were received from individuals, amongst which 20 of them are in the form of a standard letter (**Appendix VIa**). The supporting comments are mainly on the grounds that the proposed public vehicle park could provide sufficient parking spaces and eating place for the local villagers, and that the proposed uses are small in scale with no adverse impacts; could create job opportunities; and are temporary in nature which would not create an undesirable precedent.
- 11.3 The 27 public comments objecting to the application were received from individuals including local villagers of Poon Uk Tsuen, amongst which six of them are in the form of a standard letter (**Appendix VIb**). The objecting comments are mainly on the grounds that the proposed temporary public vehicle park and eating place would cause adverse traffic impacts due to the increase in number of vehicles, posing safety risks to pedestrians; the proposed uses would generate environmental nuisances, including noise, light and air pollution from vehicle exhaust and cooking fumes, as well as adverse drainage and sewerage impacts; there are grave concerns over hygiene and waste management; the proposed vehicular access passes through an area resumed by the Government; the proposed uses are excessive in scale and incompatible with the surrounding environment and the influx of non-local villagers and vehicles would

compromise the tranquility of the living environment; and the Site has been involved in suspected land filling and site formation activities over previous years.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed temporary public vehicle park (private cars and light goods vehicles) and eating place for a period of three years at the Site zoned “V” (**Plan A-1**). Whilst the proposed uses are not entirely in line with the planning intention of “V” zone, according to the applicant, the proposed uses are to serve the local residents and workers nearby. Besides, the District Lands Officer/Yuen Long of Lands Department advises that there is no SH application approved or under processing at the Site. The proposed uses of temporary nature would not adversely affect the land availability for NTEH/SH development within the “V” zone in the long term. In view of the above and taking into account the planning assessments below, there is no objection to the proposed uses on a temporary basis for a period of three years.
- 12.2 The proposed uses are considered not incompatible with the surrounding areas which are rural in character and predominated by village settlements of Poon Uk Tsuen, grassland, vacant land, woodland, public vehicle parks (**Plan A-2**). 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 the proposed uses are not entirely incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed uses is not anticipated.
- 12.3 The Site falls within the WBA in Deep Bay Area under the TPB PG-No. 12C, which specifies that planning applications for temporary uses are exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation has no comment on the application from nature conservation point of view.
- 12.4 The application is generally in line with TPB PG-No. 15A in that the proposed eating place is located at the fringe of Poon Uk Tsuen and is currently accessible via a local access from Lok Ma Chau Road. The applicant acknowledges that part of the proposed vehicular access located on the nearby Government land will be subject to site formation and infrastructure works under the development of the San Tin Technopole and the applicant has liaised and will continue to liaise with CEDD regarding the vehicular access arrangements during the works period. Project Manager (North) of CEDD also advises that the vehicular access for the surrounding villages and business operators will be maintained during the site formation and construction works. Other relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection, Commissioner for Transport 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 13.2 below. It is also recommended to advise the applicant to follow the latest ‘CoP’, to minimise any potential environmental nuisances on the surrounding areas.
- 12.5 There are 18 approved similar applications within the “V” zones in the vicinity of the Site in the past five years as detailed in paragraph 7.1 above. Approving the current application is in line with the Committee’s previous decisions.

- 12.6 Regarding the public comments as stated in paragraph 11 above, the planning considerations and departmental comments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, PlanD has no objection to the application.
- 13.2 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 5.6.2029. 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 5.12.2026;
- (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 5.3.2027;
- (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) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 5.12.2026;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 5.3.2027;
- (f) 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
- (g) if any of the above planning condition (a), (b), (d) or (e) 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 attached at **Appendix V**.

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

the proposed uses are not in line with the planning intention of the "Village Type Development" 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.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form received on 14.4.2026 and SI received on 20.4.2026
Appendix Ia	FI received on 21.5.2026
Appendix II	Relevant Extracts of TPB PG-No. 12C and 15A
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VIa	Public Comments (supporting)
Appendix VIb	Public Comments (objecting)
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