

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-SSH/167

- Applicant** : Mr. LEE Martin Vaughan represented by Grandmax Surveyors Limited
- Site** : Lot 887 RP in D.D. 218, Che Ha, Shap Sz Heung, Tai Po
- Site Area** : About 897.1m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/11
- Zoning** : “Village Type Development” (“V”)
- Application** : Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary private car park (private cars and light goods vehicles only) for a period of three years at the application site (the Site) falling 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 or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is hard-paved and currently used for the applied use without valid planning permission (**Plans A-4a** and **A-4b**).
- 1.2 The Site is accessible via a local road leading to Sai Sha Road (**Plan A-2**). According to the applicant, the applied use comprises 11 private car parking spaces (5cm (L) x 2.5m (W) each) and five light goods vehicle parking spaces (7.5cm (L) x 3.5m (W) each), serving the local residents of Che Ha. No vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicle) Regulations (Cap. 374E) will be allowed to park at the Site. The private car park operates 24 hours daily. No structure will be erected within the Site. 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 4.6.2026 (Appendix I)
 - (b) Further Information (FI) received on 17.7.2026* (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 and FI at **Appendices I and Ia**, as summarised below:

- (a) the Site is located within a village settlement and surrounded mainly by village houses. Local residents rely primarily on private cars due to limited public transport services provided along Sai Sha Road. Given the lack of proper parking facilities in Che Ha, the applied use will address the parking needs of the local residents;
- (b) the applicant undertakes to implement fire safety and drainage provisions to comply with planning approval conditions (if any), ensuring the applied use will not impose adverse impacts to the surrounding environment; and
- (c) there are similar approved applications within various “V” zones in the Shap Sz Heung area.

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 giving notification to the sole “current land owner”. 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**

There is no previous application at the Site.

6. **Similar Application**

There is no similar planning application for temporary private car park use within the same “V” zone in the past five years.

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

7.1 The Site is:

- (a) hard-paved and currently used for the applied use without valid planning permission; and
- (b) accessible via a local road leading to Sai Sha Road.

7.2 The surrounding areas are predominantly rural in character with a mix of village houses, temporary structures for work site office, and vacant/unused land.

8. **Planning Intention**

The planning intention of the “V” zone is to designate both existing recognised 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.

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 the recommended advisory clauses are at **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) she supports the application in view of the parking demand in the vicinity; and
- (b) her advisory comments are at **Appendix III**.

10. **Public Comment Received During Statutory Publication Period**

On 12.6.2026, the application was published for public inspection. During the statutory public inspection period, one comment from an individual was received (**Appendix IV**), expressing concerns that the Site only covers a fraction of the parking lots and electric vehicle charging facilities should be provided for any newly approved parking lots.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary private car park (private cars and light goods vehicles only) for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “V” zone which is primarily for development of Small Houses by indigenous villagers, the applicant states that the applied use can provide car parking spaces to address parking needs of the local residents of Che Ha, and C for T supports the application in view of the parking demand in the vicinity. Besides, the District Lands Officer/Tai Po of Lands Department has no comment on the application and advises that there is no valid Small House grant application within the Site. Taking into account the above and the planning assessments below, there is no objection to the applied use on a temporary basis of three years.
- 11.2 The Site is hard-paved and currently used for the applied use without valid planning permission. The applied use is considered not incompatible with the surrounding village settings, which are predominantly rural in character with a mix of village houses, temporary structures for work site office, and vacant/unused land (**Plans A-2 and A-3**).
- 11.3 Other relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection, have no objection to or no adverse comment on the application. To address the technical requirements, appropriate approval conditions and advisory clauses are recommended in paragraph 12.2 below and **Appendix III** respectively. Should the application be approved, the applicant will also be advised to follow the relevant requirements of the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ and to meet the statutory requirements under relevant pollution control ordinances, in order to minimise any possible environmental nuisance on the surroundings.
- 11.4 Regarding the public comment as detailed in paragraph 10 above, the government departments’ comments and planning assessments above are relevant. For the concern on the provision of electric vehicle charging facilities, the applicant’s proposal does not include such facilities at the Site.

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, the Planning Department 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 24.7.2029. The following approval conditions 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 24.1.2027;
- (b) in relation to (a) above, the implementation of 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 24.4.2027;
- (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; and
- (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.

Advisory Clauses

The recommended advisory clauses are attached 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 applied use is not in line with the planning intention of the "V" zone which is primarily to provide land for the 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.

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 4.6.2026
Appendix Ia	FI received on 17.7.2026
Appendix II	Government departments' general comments
Appendix III	Recommended advisory clauses
Appendix IV	Public comment
Drawing A-1	Layout plan submitted by the applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JULY 2026**