

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1241

- Applicant** : Mr. NG Kwok Chuen represented by Tensor Planning and Surveying Limited
- Site** : Lots 1613 S.A (Part), 1613 S.B, 1613 S.C, 1613 S.D, 1613 S.F (Part), 1634 RP (Part) and Sha Po Lot (SPL) 88 (Part) in D.D. 107 and Adjoining Government Land (GL), Sha Po Tsuen, Kam Tin, Yuen Long
- Site Area** : About 1,194m² (including GL of about 150m² (about 13%))
- Lease** : Block Government Lease (demised for agricultural use)
(Lots 1613 S.A (Part), 1613 S.B, 1613 S.C, 1613 S.D, 1613 S.F (Part) and 1634 RP (Part) in D.D. 107)

Old Schedule House Lot
(SPL 88 (Part) in D.D. 107)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (excluding container vehicle) for a period of five 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 the “V” zone, ‘Public Vehicle Park (excluding container vehicle)’ is Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and used for the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Sha Po Tsuen Road via a local track (**Plans A-1 to A-3**). According to the applicant, the applied use involves 28 parking spaces for private car (**Drawing A-1**). No structure will be erected. Chain barriers of about 1.2m to 1.3m in height will be erected along the site boundary on all sides. No open storage or storage of unlicensed vehicles, car washing, repairing or other workshop activities will be involved at the Site at all times. The operation hours

are 24 hours daily, including Sundays and public holidays. Plan showing the site layout submitted by the applicant is on **Drawing A-1**.

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

- (a) Application Form with attachments received on 1.6.2026 (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**, and can be summarised as follows:

- (a) the applied use is intended to provide parking spaces to meet the needs of nearby villagers and residents. The temporary nature of the application will not frustrate the long-term planning intention of the “V” zone. The applied use is compatible with the surrounding areas;
- (b) sufficient space is provided for vehicles to manoeuvre smoothly within the Site and the applied use will generate infrequent trips. Adverse traffic impact on the surrounding areas is not anticipated. Electric vehicle (EV) charging facilities will not be installed at the Site due to financial challenges and infrastructural constraints. Besides, in support of the current application, the applicant has submitted a drainage proposal; and
- (c) the applicant undertakes to terminate the applied use and surrender the Site for Small House development should any Small House grant application at the Site be approved.

3. **Compliance with the ‘Owner’s Consent/Notification’ Requirements**

The applicant is not a ‘current land owner’ but has complied with the requirement 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 Kam Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. ***For the GL portion of the Site, the ‘Owner’s Consent/Notification’ Requirements are not applicable.***

4. **Background**

The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

5. **Previous Application**

Part of the Site is involved in a previous application No. A/YL-KTN/738 submitted by a different applicant for temporary shop and services which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2020, and its considerations are not relevant to the current application due to different use involved. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Application**

There is no similar application for temporary public vehicle park use 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 Sha Po Tsuen Road via a local track; and
- (b) currently hard-paved and used for the applied use without valid planning permission.

7.2 The surrounding areas are rural in character with mainly the village settlements of Sha Po Tsuen, place of recreation and culture (Sha Po Tsuen Fa Pau Society)¹ and farmland to the south of Sha Po Tsuen Road, and open storage/storage yards, warehouse, scattered residential structures, parking area and grassland to the north and west across Sha Po Tsuen Road (**Plan A-2**).

8. **Planning Intention**

The planning intention of the “V” zone 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. 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 the ground floor of a New Territories Exempted House. 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

¹ A planning application (No. A/YL-KTN/1240) for temporary place of recreation, sports or culture (Sha Po Tsuen Fa Pau Society) is submitted for the consideration of the Committee at the same meeting.

application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided at **Appendices III** and **IV** respectively.

9.2 The following government department supports the application:

Traffic

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 IV**.

10. Public Comment Received During Statutory Publication Period

On 9.6.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual raising query on the absence of EV charging facilities at the Site (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary public vehicle park (excluding container vehicle) for a period of five years at the Site zoned “V” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “V” zone, according to the applicant, the applied use is intended to meet the needs of the villagers and residents nearby and C for T supports the application as it could address the local parking demand. Although the District Lands Officer/Yuen Long of Lands Department advises that there is one Small House application under processing at Lot 1613 S.D within the Site (**Plan A-2**), the applicant undertakes to terminate the applied use and surrender the Site for Small House development should any Small House grant application be approved. It is considered that approving the application on a temporary basis would not frustrate 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 applied use on a temporary basis of five years.
- 11.2 The applied use is considered not incompatible with the surrounding areas which are rural in character mainly with village settlements of Sha Po Tsuen and scattered residential structures, place of recreation and culture (Sha Po Tsuen Fa Pau Society), parking areas, open storage/storage yards, warehouse, farmland and grassland. 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 applied use is not entirely incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied use is not anticipated.
- 11.3 Other relevant government departments consulted, including the Director of Environmental Protection and Chief Engineer/Mainland North of Drainage

Services Department, 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 caused by the applied use.

- 11.4 Regarding the public comment as mentioned in paragraph 10 regarding the concern on non-provision of EV charging facilities of the applied use at the Site, the applicant has provided clarification as detailed in paragraph 2(b) above.

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 five years until 24.7.2031. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a revised 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 the revised 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 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 at **Appendix IV**.

- 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 intended 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.

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 1.6.2026
Appendix Ia	FI received on 17.7.2026
Appendix II	Previous application
Appendix III	Government departments’ general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comment
Drawing A-1	Site layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
JULY 2026**