

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/862

Applicant : Mr. CHENG Chi Hung represented by Mr. HUI Kwan Yee

Site : Lot 1672 (Part) in D.D. 17, Ting Kok, Tai Po

Site Area : About 148m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19

Zoning : “Recreation” (“REC”)

Application : Temporary Warehouse (Hardware Accessories) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse (hardware accessories) for a period of three years at the application site (the Site) falling within an area zoned “REC” 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 fenced-off, and currently occupied by the applied use without valid planning permission (**Plans A-4a** and **A-4b**).
- 1.2 The Site is accessible via a local track leading to Ting Kok Road (**Plan A-2**). According to the applicant, the applied use comprises a single-storey shed covering two containers underneath for storing hardware accessories, with a building height of 2.74m and a total floor area of about 62.56m². A 3m-wide ingress/egress and a loading/unloading space for light goods vehicle (7m (L) x 3.5m (W)) are provided at the western portion of the Site. The operation hours are between 8:00 a.m. and 8:00 p.m. daily. No workshop activities or machinery operation will be carried out within the Site. Since the “Green Belt” (“GB”) zone is located to the north of the Site, to mitigate possible landscape impact, shrub plantings are proposed along the northern periphery of 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 11.6.2026 (**Appendix I**)
- (b) Supplementary Information (SI) received on 15.6.2026 (**Appendix Ia**)
- (c) Further Information (FI) received on 13.7.2026[#] (**Appendix Ib**)

[#] *accepted but not 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 Ib**, as summarised below:

- (a) there is strong demand for storage spaces of hardware accessories among the local villages due to ongoing Small House construction and maintenance works. The applied use at the Site could better utilise land resources;
- (b) the applied use under proper management could address the concerns on environmental hygiene and safety of local villagers, and it is not anticipated to induce adverse traffic, drainage and visual impacts on the surrounding areas in view of its small development scale; and
- (c) should the application be approved, the applicant is committed to comply with all approval conditions and strictly follow the current scheme by clearing the unauthorized structures within/outside the Site through negotiation with the relevant occupiers.

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 sending requests for consents to 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 for the same use within the same “REC” zone in the vicinity of the Site 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 fenced-off, and currently occupied by the applied use without valid planning permission; and
- (b) accessible via a local track leading to Ting Kok Road.

7.2 The surrounding areas are predominantly rural in character comprising village houses, vegetated areas, graves, public vehicle parks, barbecue sites, shops and vacant/unused land (**Plans A-2 and A-3**). To the north is densely vegetated areas within the “GB” zone (**Plans A-2 and A-3**). To the south is a public vehicle park covered by a valid planning permission (No. A/NE-TK/860) (**Plan A-2**). To the northwest is the village proper of Lo Tsz Tin (**Plans A-2 and A-3**).

8. Planning Intention

The planning intention of the “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

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 the recommended advisory clauses are provided at **Appendices II and III** respectively.

9.2 The following government department objects to the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) he objects to the application;
- (b) the Site comprises one Old Schedule Agricultural Lot, i.e. Lot 1672 (Part) in D.D. 17 which held under the Block Government Lease. The Block Government Lease contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) an unauthorized structure was detected on Lot 1672 in D.D. 17 and warning letters in respect of the breach of such lease restriction were issued to the lot owner. The lot owner should immediately rectify/regularize the lease breach and his office reserves the rights to take necessary lease enforcement action against the breach without further notice. The applicant should clarify whether the

applied structures are the same as those currently existing on the Site;

- (d) there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access; and
- (e) his advisory comments are at **Appendix III**.

9.3 The following government departments provide views on the application:

Landscape

9.3.1 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) she has no adverse comment on the application from landscape planning perspective;
- (b) based on the aerial photos taken in 2024 and 2025, the Site is located in an area of rural coastal plain landscape character comprising village houses, a beach, temporary structures, slopes, car parking areas, and woodlands within the “GB” zone to the north of the Site;
- (c) the Site is largely formed and fenced off. A temporary structure and one undersized tree of common species were found within the Site. According to the applicant, no tree felling will be involved. To mitigate possible landscape impact on the “GB” zone to its north, shrub plantings were proposed along the northern periphery of the Site;
- (d) although the applied use is considered not entirely compatible with the landscape setting of the area, noting that the applicant proposes shrub plantings to mitigate possible landscape impact on the “GB” zone, significant adverse landscape impact arising from the applied use is not anticipated;
- (e) to mitigate possible landscape impact from the applied use, the approval conditions on the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Board are recommended to be included in the planning permission, should the application be approved by the Board; and
- (f) her advisory comments are at **Appendix III**.

Geotechnical

9.3.2 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) it is noted that a portion of the existing slope No. 3SE-D/C145 (**Plan A-2**) encroaches onto the Site. However, the need of slope work was not discussed in the application; and

- (b) in order to ensure that the applied use would not affect or be affected by adjacent slope(s) (including slope No. 3SE-D/C145), it is considered necessary to conduct an investigation to delineate the scale and extent of the slope works and to implement necessary remedial works. Hence, approval conditions requiring the applicant to submit a geotechnical investigation report and the implementation of the necessary geotechnical remedial works identified therein are recommended.

10. Public Comment Received During Statutory Publication Periods

On 23.6.2026 and 21.7.2026, the application and FI submitted by the applicant were published for public inspection. During the statutory public inspection periods, one public comment from an individual was received, providing views that as the economy of Ting Kok is based on tourism, the Site should be retained for uses supporting the planning intention of the “REC” zone (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse (hardware accessories) for a period of three years at the Site falling within an area zoned “REC” on the OZP (**Plan A-1**). While the applied use is not in line with the planning intention of the “REC” zone which is primarily for recreational developments for the use of general public, there is no known proposal for recreational development at the Site. The applicant also advises that the applied use could meet the strong demand for storage spaces of hardware accessories among the local villages due to ongoing Small House construction and maintenance works. Taking into account the above and 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 fenced-off, and currently occupied by the applied use without valid planning permission (**Plans A-4a and A-4b**). The Site is situated in an area which is predominantly rural in character comprising village houses, vegetated areas, graves, public vehicle parks, barbecue sites, shops and vacant/unused land (**Plans A-2 and A-3**). In view of its small scale, the applied use is considered not entirely incompatible with the surrounding land uses. CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective, and advises that although the applied use is considered not entirely compatible with the landscape setting of the area, noting that the applicant proposes shrub plantings to mitigate possible landscape impact on the “GB” zone to its north, significant adverse landscape impact arising from this application is not anticipated. Should the application be approved, approval conditions on the submission and implementation of landscape proposal are recommended.
- 11.3 Other relevant government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application. H(GEO), CEDD recommends the imposition of approval conditions on the submission of a geotechnical investigation report and the implementation of necessary geotechnical remedial works identified therein, to ensure that the applied use

would not affect or be affected by adjacent slope(s). To address the technical requirements of concerned government departments, relevant 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 '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 to minimise possible environmental nuisance. Regarding DLO/TP, LandsD's concern on the unauthorized structures erected within and/or outside the Site, the applicant will be advised to liaise with LandsD on the land administration matters should the Committee approve the application.

- 11.4 Regarding the public comment as detailed in paragraph 10 above, the government departments' 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 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 three years until 11.9.2029. The following approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 11.3.2027;
- (b) in relation to (a) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 11.6.2027;
- (c) 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 11.3.2027;
- (d) in relation to (c) 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 11.6.2027;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) 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 11.3.2027;

- (g) in relation to (f) 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 11.6.2027;
- (h) the submission of a geotechnical investigation report within 6 months from the date of planning approval to the satisfaction of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department or of the Town Planning Board by 11.3.2027;
- (i) in relation to (h) above, the implementation of necessary geotechnical remedial works identified therein within 9 months from the date of planning approval to the satisfaction of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department or of the Town Planning Board by 11.6.2027;
- (j) if the above planning condition (e) 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
- (k) if any of the above planning condition (a), (b), (c), (d), (f), (g), (h) or (i) 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 applied use is not in line with the planning intention of the "REC" zone which is primarily for recreational developments for the use of the general public. 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 11.6.2026
Appendix Ia	SI received on 15.6.2026
Appendix Ib	FI received on 13.7.2026
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comment
Drawing A-1	Layout Plan
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
SEPTEMBER 2026**