

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKL/841

<u>Applicant</u>	: Ping Yeung Village Rural Committee
<u>Site</u>	: Lot 1057 (Part) in D.D. 79, Ping Yeung, Ta Kwu Ling
<u>Site Area</u>	: About 1,610m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14
<u>Zoning</u>	: “Village Type Development” (“V”)
<u>Application</u>	: Temporary Private Vehicle Park (Private Cars Only) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary private vehicle park (private cars 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 currently formed and being used as the applied use without valid planning permission.
- 1.2 The Site is accessible via local tracks leading to Ping Yuen Road (**Plan A-2**). According to the applicant, the applied use involves a total of 39 parking spaces for private cars (2.5m (W) x 5m (L) each) to serve the villagers of Ping Yeung. No vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked at the Site. No structure will be erected within the Site and no electric vehicle (EV) charging facility will be provided. Two 6m wide ingresses/egresses are proposed at the western and northern boundaries of the Site respectively. The applicant proposes traffic management measures including erection of traffic signs for pedestrian safety. The applied use operates 24 hours daily (including public holidays). 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 27.5.2026 (**Appendix I**)
 - (b) Further Information (FI) received on 29.7.2026* (**Appendix Ia**)
 - (c) FI received on 26.8.2026* (**Appendix Ib**)
 - (d) FI received on 15.9.2026* (**Appendix Ic**)

** accepted and exempted from the publication and recounting requirements*

- 1.4 On 24.7.2026, 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**, as summarised below:

- (a) Ping Yeung is one of the largest villages in Ta Kwu Ling area, and there is an increasing number of cars in the village due to village expansion. Many villagers need to commute by private cars daily. Besides, the public transport serving Ping Yeung is limited. Hence, there is an urgent need for parking facilities serving the villagers of Ping Yeung; and
- (b) impacts on environment, landscape, drainage and fire safety are not anticipated.

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 posting site notice and sending notice to Ta Kwu Ling District Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is largely subject to active enforcement action (No. E/NE-TKL/513) regarding unauthorized use for place for parking of vehicles (**Plan A-2**). Enforcement Notice was issued on 3.3.2026 requiring discontinuation of the unauthorized development (UD) by 3.6.2026. Recent site inspection revealed that the UD was not discontinued. The Site will be monitored according to the established procedures.

5. **Previous Application**

The Site is not the subject of any previous application.

6. **Similar Application**

- 6.1 There is one similar application (No. A/NE-TKL/818) for temporary private vehicle park (private cars only) falling within the same “V” zone in the vicinity of the Site in the past five years, which was approved with conditions by the Committee for a period of three years on 7.11.2025 mainly on the considerations that the applied use was not incompatible with the surrounding areas; and no adverse departmental comments on the application were received or the concerns of the relevant government departments could be addressed through imposition of approval conditions.
- 6.2 Details of the similar application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

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

7.1 The Site is:

- (a) currently formed and being used as the applied use without valid planning permission; and
- (b) accessible via local tracks leading to Ping Yuen Road.

7.2 The surrounding areas are of rural character comprising mainly village houses, parking of vehicles, a village office and vacant land.

8. **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 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 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 III** and **IV** respectively.

9.2 The following government department provides views on the application:

Traffic

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

- (a) she has no comment on the application;
- (b) considering the road safety and road management, approval condition on implementation of traffic management measures, as proposed by the applicant, is recommended. Also, the implemented traffic management measures should be maintained during the planning approval period; and
- (c) her advisory comments are at **Appendix IV**.

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

On 5.6.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix V**). One comment from an individual provides views that there is no information on the provision of EV charging facilities;

and the definition of ‘private parking’ is unclear. The remaining comment from a member of the North District Council indicates no comment on the application.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary private vehicle park (private cars only) for a period of three years at the Site falling within an area zoned “V” on the OZP. While the applied use is not entirely in line with the planning intention of the “V” zone, the applicant states that the applied use is to serve the villagers of Ping Yeung. The District Lands Officer/North of Lands Department has no objection to the application and advises that there are no Small House applications approved or under processing at 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 located in an area of rural character comprising mainly village houses, parking of vehicles, a village office and vacant land. 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 incompatible with the surrounding environment and significant adverse landscape impact arising from the application is not anticipated.
- 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. While C for T has no comment on the application, she recommends imposing approval conditions on the implementation and maintenance of traffic management measures, as proposed by the applicant, taking into consideration road safety and road management. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the environmental mitigation measures as set out in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site’ to minimise any possible environmental nuisance.
- 11.4 There is an approved similar application for temporary private vehicle park falling within the same “V” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6.1 above. The planning circumstances of the current application are similar to those of the approved application. Approval of the current application is in line with the Committee’s previous decision.
- 11.5 Regarding the public comments on the application 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 comments 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 25.9.2029. The following conditions of approval and advisory clauses are 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 25.3.2027;
- (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 25.6.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 25.6.2027;
- (e) in relation to (d) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (f) if any of the above planning condition (c) or (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
- (g) if any of the above planning condition (a), (b) or (d) 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 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.

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

Appendix I	Application Form with Attachments received on 27.5.2026
Appendix Ia	FI received on 29.7.2026
Appendix Ib	FI received on 26.8.2026
Appendix Ic	FI received on 15.9.2026
Appendix II	Similar Application
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
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

**PLANNING DEPARTMENT
SEPTEMBER 2026**