

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NSW/376

- Applicant** : Innovative Technology Charging Pile Holdings Limited represented by DeSPACE (International) Limited
- Site** : Lots 3669 S.A ss.2, 3669 S.B ss.1, 3670 RP (Part), 3671 S.A, 3672 S.A, 3673 S.A and 3674 RP in D.D.104, Pok Wai, Yuen Long
- Site Area** : About 4,736 m²
- Land Status** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/12
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Temporary Public Vehicle Park (Excluding Container Vehicle) with Ancillary Electric Vehicle Charging Facility and Office and Associated Filling of Land for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (excluding container vehicle) with ancillary electric vehicle (EV) charging facility and office and associated filling of land 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)’, which is a Column 2 use, and filling of land in the “V” zone require planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible via from Kam Pok Road East via an ingress/egress at its west (**Plans A-2 to A-4**). According to the applicant, the applied use involves 65 parking spaces each equipped with ancillary EV charging facilities, including 38 for private car/taxi, 16 for light goods vehicle (LGV) and 11 for coach; and five one-to-two-storey structures with height of not more than 8m and a total floor area of about 830m² for covered parking spaces, site offices, server rooms, transformer room and switch room (**Drawing A-1**). Appropriate measures, including a 2m-setback and a

solid metal boundary fencing of about 2.5m in height along the Site boundary, have been adopted to avoid potential nuisance to the surrounding areas. No medium/heavy goods vehicle, container vehicle/tractor or vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations will be allowed to park at/enter the Site. No car washing, vehicle repairing, dismantling or other workshop activities will be carried out at the Site at all times. The operation hours are 24 hours daily, including Sundays and public holidays. The applicant also applies for regularisation of filling of land for the entire Site with concrete of not more than 0.2m in depth for the northern portion and not more than 4.5m in depth for the southern portion (to a site level of not more than +7.5mPD and +7.1mPD respectively) for site formation and vehicular circulation (**Drawing A-2**). No further land filling will be carried out. The site layout plan and land filling plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

1.3 The Site, in part or in whole, is involved in two previous applications (details in paragraph 6 below) (**Plan A-1**), including the last application No. A/YL-NSW/318 for the same use with associated filling of land submitted by the same applicant as the current application, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2023, and the planning permission was subsequently revoked in 2026 due to non-compliance with approval conditions. Compared with the last approved application No. A/YL-NSW/318, the current application has the same site area/boundary, land filling extent and major development parameters except a slight reduction in total gross floor area (GFA) (-88m²/-9.6%) and minor changes in layout.

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

- (a) Application Form with Supporting Planning Statement (**Appendix I**) (SPS) received on 5.8.2026
- (b) Further Information (FI) received on 14.9.2026[#] (**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, SPS and FI at **Appendices I and Ia**, and can be summarised as follows:

- (a) The applied use could meet the public demand for parking spaces with EV charging facilities in the area. The proposed 65 EV charging points with varying output powers for different vehicle types are also in line with Government's policy and roadmap for promoting wider use of EVs in Hong Kong.
- (b) Given that there is no known Small House development at the Site, approval of the current application for five years would be in line with the Board's previous decisions and would not frustrate the long-term planning intention of the "V" zone.

- (c) No insurmountable environmental, ecological, traffic, drainage, sewerage and fire safety impacts are anticipated from the current application. The applicant will also strictly follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department (EPD) to minimise potential nuisance to the surroundings. In support of the current application, the applicant has submitted drainage and fire service installations (FSIs) proposals.

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 obtaining consent from the ‘current land owner’. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

According to the Town Planning Board Guidelines for Application for Development within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C), which is relevant to the application, the Site falls within the Wetland Buffer Area (WBA) and the relevant extract of the Guidelines is at **Appendix II**.

5. 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.

6. Previous Applications

The Site, in part or in whole, is involved in two previous applications (No. A/YL-NSW/305 and 318) for the public vehicle park use with filling of land and/or excavation of land. Both applications were approved with conditions by the Committee each for a period of five years in 2022 and 2023, mainly on the considerations that the proposed use on a temporary basis would not frustrate the long-term planning intention of the “V” zone; the proposed use was not incompatible with the surrounding land uses and would not cause significant adverse impacts to the surroundings; and relevant government departments consulted generally had no adverse comment or their concerns and public comments could be addressed by approval conditions. The last application No. A/YL-NSW/318 was submitted by the same applicant as the current application and the planning permission was subsequently revoked in August 2026 due to non-compliance with approval conditions related to implementation of drainage and FSIs proposals. Compared with the last application No. A/YL-NSW/318, the current application involves a slight reduction in GFA and minor changes in layout as mentioned in paragraph 1.3 above. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

7. **Similar Application**

There is one similar application for temporary public vehicle park with associated filling of land within the same “V” zone in the vicinity of the Site in the past five years. The application was approved with conditions by the Committee in 2025 mainly on similar considerations as mentioned in paragraph 6 above. Details of the similar application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

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

8.1. The Site is:

- (a) currently occupied by the applied use without valid planning permission;
- (b) accessible via from Kam Pok Road East via an ingress/egress at its west; and
- (c) located within the WBA of Deep Bay Area.

8.2. The surrounding areas are rural in character with an intermix of low-rise residential dwellings (including Merry Garden), vehicle park (one with valid planning permission under application No. A/YL-NSW/353), open storage yards, grasslands, ponds and vacant land. To the immediate southeast of the Site is a site for proposed permitted houses (New Territories Exempted Houses (NTEHs)) (with valid planning permission for filling of land under application No. A/YL-NSW/317) (**Plan A-2**). To the further east are the Castle Peak Road – Tam Mi and the San Tin Highway (**Plan A-1**).

9. **Planning Intention**

- 9.1. 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. 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.
- 9.2. According to the Explanatory Statement of the OZP for “V” zone, as filling of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the environment, permission from the Board is required for such activities.

10. Comments from Relevant Government Bureau/Departments

10.1. Apart from the government bureau/departments (B/Ds) as set out in paragraphs 10.2 and 10.3 below, other 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 at **Appendices IV and V** respectively.

10.2. The following government B/Ds provide views on or support the application:

Policy Aspect

10.2.1 Comments of the Secretary for Environment and Ecology (SEE):

- (a) it is noted that each of the 38 private car/taxi spaces is equipped with a charger of approximately 41.465kW output power, and each of the 16 LGV spaces is equipped with a charger of approximately 39.49kW output power. Both are well in excess of the 7kW minimum requirement under Chapter 8 of the Hong Kong Planning Standards and Guidelines. As such, the applicant has addressed Environment and Ecology Bureau's comments that EV chargers with output power of not less than 7kW should be installed in all parking spaces for private cars, LGVs and motorcycles of the Site. As such, SEE has no adverse comment from EV charging policy perspective; and
- (b) advisory comments are at **Appendix V**.

Traffic

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

- (a) supports the application from traffic engineering perspective to meet the public demand of car parking spaces; and
- (b) advisory comments are at **Appendix V**.

10.3. The following government department does not support the application:

Environment

10.3.1 Comments of the Director of Environmental Protection (DEP):

- (a) does not support the application from environmental planning perspective according to the 'CoP';
- (b) based on the information provided, it is understood that car parking spaces would be provided for coaches, LGVs and private cars, but according to his review, there are residential buildings within 100m of the Site and traffic of heavy vehicles would be generated;
- (c) there was no substantiated environmental complaint received at the Site in the past three years; and

(d) advisory comments are at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 14.8.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual expressing concerns that the applied use is not in line with the planning intention of the WBA; and the concerns on health and security of the community due to the revocation of previous planning permission as mentioned in paragraph 6 above (**Appendix VI**).

12. Planning Considerations and Assessments

- 12.1. The application is for temporary public vehicle park (excluding container vehicle) with ancillary EV charging facility and office and associated filling of land 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 “V” zone, according to the applicant, the applied use could meet the public demand for parking spaces with EV charging facilities in the area, C for T supports the application as it could meet the public demand of car parking spaces, and SEE also has no adverse comment from EV charging policy perspective. According to the District Lands Officer/Yuen Long of Lands Department, there is currently no Small House application approved or under processing at the Site. 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 with ancillary EV charging facilities and office and associated filling of land on a temporary basis for a period of five years.
- 12.2. Filling of land within the “V” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of the Drainage Services Department (CE/MN of DSD) has no objection to the application from public drainage perspective and DEP has no comment on the filling of land from environmental planning perspective.
- 12.3. The applied use is considered not incompatible with the surrounding areas which are rural in character with an intermix of low-rise residential dwellings, vehicle park, open storage yards, grasslands, ponds, vacant land, and proposed permitted houses (NTEHs). 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 applied use is not anticipated.

- 12.4. While the Site falls within the WBA of TPB PG-No. 12C, 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 perspective.
- 12.5. While DEP does not support the application as traffic of heavy vehicles would be generated and there are residential buildings within 100m of the Site, no substantiated environmental complaint concerning the Site was received in the past three years. To avoid potential nuisance to the surrounding areas, a 2m-setback and a solid metal boundary fencing of about 2.5m in height along the Site boundary have been adopted. It is also recommended to advise the applicant to follow the 'CoP' to minimise any potential environmental nuisance caused by the applied use.
- 12.6. Other concerned government departments consulted, including the Director of Fire Services (D of FS), have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, appropriate approval conditions are recommended in paragraph 13.2 below.
- 12.7. The Site is involved in two approved previous applications, of which the last application No. A/YL-NSW/318 for the same use was submitted by the same applicant as detailed in paragraph 6 above. Whilst the planning permission under the last application was revoked in 2026 due to non-compliance with approval conditions related to implementation of drainage and FSIs proposals, in support of the current application, the applicant has submitted drainage and FSIs proposals which are considered acceptable by CE/MN of DSD and D of FS respectively. In this regard, sympathetic consideration may be given to the current application. Should the application be approved by the Committee, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further applications.
- 12.8. There is also one approved similar application for temporary public vehicle park use in the vicinity of the Site in the past five years as mentioned in paragraph 7 above. Approving the current application is in line with the Committee's previous decisions.
- 12.9. Regarding the public comment as summarised in paragraph 11 above, the departmental comments and planning assessments 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 comment 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 five years until 25.9.2031. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the implementation of the accepted 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;
- (b) in relation to (a) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the implementation of the accepted 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 25.6.2027;
- (d) if the above planning condition (b) 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 (c) 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 V**.

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

the applied use with associated filling of land is not in line with the planning intention of the "Village Type Development" zone, which 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. 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 with SPS received on 5.8.2026
Appendix Ia	FI received on 14.9.2026
Appendix II	Relevant Extracts of TPB PG-No. 12C
Appendix III	Previous and Similar Applications
Appendix IV	Government B/Ds' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Site Layout Plan
Drawing A-2	Land Filling 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**