

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/869

- Applicant** : 盧建州先生
- Site** : Lot 304 in D.D. 26, Shuen Wan Chim Uk, Ting Kok, Tai Po
- Site Area** : About 425.4m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
- Zonings** : (i) “Village Type Development” (“V”) (about 382.9m² or 90% of the Site)
(ii) Area shown as ‘Road’ (about 42.5m² or 10% of the Site)
- Application** : Temporary Public Vehicle Park (Private Cars Only) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary public vehicle park (PVP) (private cars only) for a period of three years at the application site (the Site) falling within an area largely zoned “V” with a minor portion shown as ‘Road’ on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’ which is a Column 2 use within the “V” zone and all uses or developments within any area shown as ‘Road’ require planning permission from the Town Planning Board (the Board). The Site is paved and fenced-off, and currently occupied by the applied use without valid planning permission (**Plan A-4**).
- 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 19 parking spaces for private cars (5m (L) x 2.5m (W) each) (**Drawing A-1**), mainly for serving the local villagers of Shuen Wan Chim Uk. The proposed ingress/egress is located at the eastern boundary of the Site. 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 operation hours of the PVP will be 24 hours daily. 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 (Appendix I)
10.8.2026
- (b) Supplementary Information (SI) received on 14.8.2026 (Appendix Ia)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form and SI at **Appendices I and Ia**, as summarised below:

- (a) since there are 492 households within the village of Shuen Wan Chim Uk, there is competition among local villagers for parking spaces due to absence of planning for parking provision; and
- (b) although the Site within the “V” zone is primarily intended for development of house(s), it could be used for PVP to address the pressing demand for parking spaces.

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 Tai Po District Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is subject to planning enforcement action (No. E/NE-TK/203) against unauthorized development (UD) involving use for vehicle park (**Plan A-2**). Enforcement Notice (EN) was issued on 31.3.2026 requiring discontinuation of the UD. As site inspection after the compliance period of the EN revealed that the UD still continued upon expiry of the notice, prosecution action is being considered.

5. **Previous Application**

The Site is not the subject of any previous application.

6. **Similar Application**

- 6.1 There a similar application (No. A/NE-TK/800) for temporary private vehicle park (private cars and light goods vehicles only) and associated filling of land straddling the same “V” zone, area shown as ‘Road’ and the adjacent “Green Belt” (“GB”) zone in the vicinity of the Site in the past five years, which was

approved with conditions by the Board on review on 14.11.2025. As majority of the site of the similar application (No. A/NE-TK/800) falls within the adjacent “GB” zone (i.e. about 86%), the planning considerations of this application are not applicable to the current application mainly falling within the “V” zone (i.e. about 90%), without encroaching onto the adjacent “GB” zone.

- 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) 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 with village houses, cycle parking, unused/vacant land, clusters of trees, vegetated areas and ponds (**Plans A-2 and A-3**). To the immediate north and southwest and further northeast across Ting Kok Road are the village clusters of Shuen Wan Chim Uk (**Plans A-2 and A-3**). To the further west is a temporary private vehicle park within the “GB” zone, which is covered by valid planning permissions (No. A/NE-TK/802 to 820) (**Plan A-2**). To the further north are ponds within the “Conservation Area” zone (**Plans A-2 and A-3**).

8. Planning Intentions

- 8.1 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.
- 8.2 Part of the Site falls within an area shown as ‘Road’ on the OZP which forms part of the area reserved for future road use.

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 comments 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 supports the application:

Traffic

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

- (a) she supports the application in view of the parking demand in the vicinity. It is considered there is parking demand for the developments of adjacent houses;
- (b) she has no comment on the parking layout and ingress/egress;
- (c) there is currently no plan for future road works at the Site; and
- (d) her advisory comments are at **Appendix IV**.

9.3 The following government department provides views on the application:

Environment and Sewerage

Comments of the Director of Environmental Protection (DEP):

Environmental Planning

- (a) he has no objection to the application from environmental planning perspective;
- (b) no environmental complaint in relation to the Site was received in the past three years;

Sewerage Planning

- (c) there are planned sewerage works (PWP Item No. 4125DS) that involve part of land at Lot 304 in D.D. 26 to be resumed by the Lands Department (LandsD)¹ (**Plan A-2**). The commencement of the land resumption process is subject to the actual works programme. He has no objection to the application from sewerage planning perspective for the use of land prior to its resumption; and
- (d) his advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 18.8.2026, the application was published for public inspection. During the statutory public inspection period, one comment from an individual was received, expressing concerns that parking within villages becomes legitimised; and the information of electric vehicle (EV) charging provision is absent (**Appendix V**).

¹ About 20% of the Site is subject to resumption by LandsD for planned sewerage works (PWP Item No. 4125DS).

11. **Planning Considerations and Assessments**

- 11.1 The application is for temporary PVP (private cars only) for a period of three years at the Site falling within an area largely zoned “V” (about 90%) with a minor portion shown as ‘Road’ (about 10%) on the OZP (**Plan A-1**). While the applied use is not entirely in line with the planning intention of “V” zone, the applied use is to serve the local villagers of Shuen Wan Chim Uk. C for T supports the application in view of the parking demand in the vicinity and advises that there is currently no plan for future road works at the Site. The District Lands Officer/Tai Po of LandsD also advises that there is no Small House application within the Site. Taking into account the above and planning assessments below, there is no objection to the applied use on temporary basis of three years.
- 11.2 The Site, which is currently occupied by the applied use without valid planning permission (**Plan A-4**), is located among village clusters of Shuen Wan Chim Uk to the immediate north and southwest and further northeast across Ting Kok Road (**Plans A-2 and A-3**). The Site is situated in an area which is predominantly rural in character comprising village houses, cycle parking, unused/vacant land, clusters of trees, vegetated areas and ponds (**Plans A-2 and A-3**). 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 this application is not anticipated.
- 11.3 While DEP advises that there are planned sewerage works that involve part of Site to be resumed by LandsD, he has no objection to the application from sewerage planning perspective for the use of the Site prior to its resumption. Other relevant government departments consulted including the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, relevant approval conditions and advisory clauses are recommended in paragraph 12.2 below and **Appendix IV** respectively. 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 Environmental Aspects of Temporary Uses and Open Storage Sites’ and to meet the statutory requirements under relevant pollution control ordinances to minimise any possible environmental nuisance.
- 11.4 Regarding the public comment as detailed in paragraph 10 above, the government departments’ comments and the planning assessments above are relevant. For the concern on EV charging provision, the applicant’s proposal does not include such provision 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, PlanD has no objection to the application.

- 12.2 Should the Rural and New Town Planning Committee (the Committee) of the Board 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 9.10.2029. 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 9.4.2027;
- (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 9.7.2027;
- (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 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 10.8.2026
Appendix Ia	SI received on 14.8.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment

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
OCTOBER 2026**