

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1273

<u>Applicant</u>	: Chief Force Limited
<u>Site</u>	: Lot 944 RP (Part) in D.D. 109, and Lots 50 RP (Part) and 51 RP (Part) in D.D. 110, Tai Kong Po, Pat Heung, Yuen Long
<u>Site Area</u>	: About 1,338m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Proposed Temporary Public Vehicle Park (excluding Container Vehicle) and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is divided into two portions by a strip of Government land (GL), and currently vacant and hard-paved without any valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Kong Tai Road via two separate ingress/egress points (**Plans A-2, A-3 and Drawing A-1**). According to the applicant, the proposed use involves a total of 27 parking spaces, including 25 for private car/van-type light goods vehicle (LGV) and two for LGV. No structure will be erected within the Site. The applicant also applies for regularisation of filling of land for the entire Site with asphalt of about 0.1m in depth (raising the site level to about 13.9mPD) for site formation and vehicle manoeuvring space (**Drawing A-2**). No container vehicle/tractor, vehicle exceeding 5.5 tonnes or vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations will be allowed to enter or be parked/stored at the Site at all times. No felling of trees will be involved, and no vehicle repairing, dismantling, maintenance, cleansing, spraying or other workshop activities will be carried out

at the Site at all times. The operation hours will be 24 hours daily, including Sundays and public holidays. Plans showing the site layout and land filling area submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with attachments received on 10.8.2026 (**Appendix I**) and 11.8.2026
- (b) Further Information (FI) received on 28.8.2026* (**Appendix Ia**)
- (c) FI received on 6.10.2026* (**Appendix Ib**)

** 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 FIs at **Appendices I** to **Ib**, and can be summarised as follows:

- (a) the proposed use at the Site is intended to meet the parking demand of local residents in Tai Kong Po area without charging any fee or requiring prior registration. The temporary nature of the application will not frustrate the long-term planning intention of the “AGR” zone;
- (b) sufficient space will be provided for vehicles to manoeuvre smoothly within the Site and the proposed use will generate infrequent trips. Adverse traffic impacts are not anticipated;
- (c) no peripheral fencing will be erected along the boundary of the Site. The proposed use will not obstruct the existing passageway to the historic building to the north of the Site (i.e. Kong Ha Tin Lo (江夏田廬)) nor occupy the adjoining GL (**Plan A-2**). To avoid disturbance to the historic building, buffers of 4m and 5.5m to the eastern and southern sides of the historic building will be provided respectively; and
- (d) in support of the application, the applicant has submitted drainage and fire service installations proposals.

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 Pat Heung 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/YL-KTN/760) (**Plan A-2**) against Unauthorised Development (UD) involving storage use and use for place for parking of vehicles. Enforcement Notice was issued on 28.04.2026 requiring discontinuation of the UD. Site inspection on 29.07.2026 revealed that the Site was vacant.

5. **Previous Application**

There is no previous application at the Site.

6. **Similar Applications**

There are 11 similar applications for temporary public/private vehicle park (including three renewals of planning approvals granted; eight with filling of land/pond; and one also involving storage use) within the same “AGR” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2022 and 2026 mainly on the considerations that the proposed/applied use on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone; the proposed/applied use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments, if any, could be addressed by approval conditions. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) divided into two portions by a strip of GL, and currently vacant and hard-paved without any valid planning permission;
- (b) accessible from Kong Tai Road via two separate ingresses/egresses; and
- (c) within the village ‘environs’ of Tai Kong Po (**Plan A-1**).

7.2 The surrounding areas are rural in character with an intermix of village settlements of Tai Kong Po, grassland, vacant land and open storage yards (**Plans A-2 and A-3**). A Grade 2 historic building currently used for domestic purpose, namely Kong Ha Tin Lo (江夏田廬), is located to the immediate north of the Site.

8. **Planning Intention**

8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is

also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

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

9. Comments from Relevant Government Bureau and Departments

- 9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other bureau and 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 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; and
- (b) advisory comments are at **Appendix IV**.

- 9.3 The following government department does not support the application:

Agriculture and Nature Conservation

Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone and is generally vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and
- (c) no comment on the application from nature conservation perspective.

10. Public Comments Received During Statutory Publication Period

On 18.8.2026, the application was published for public inspection. During the statutory public inspection period, six public comments were received including one raising queries on the operation mode of the proposed use and five objecting to the application mainly on the grounds that the Site has been paved before obtaining planning permission; the

depth of filling of land indicated by the applicant is not accurate; and the proposed use will cause adverse traffic, pedestrian safety, environmental and drainage impacts on the surrounding areas (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, according to the applicant, the proposed use is intended to meet the parking demand of local residents in Tai Kong Po area and C for T supports the application as it could help address the local parking demand. In view of the above and taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.
- 11.2 Filling of land in the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone is recommended should the Committee decide to approve the application.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of village settlements (including a Grade 2 historic building to its immediate north (**Plan A-2**)), grassland, vacant land and open storage yards. 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 proposed use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated. While a Grade 2 historic building, namely Kong Ha Tin Lo (江夏田廬) is located to the immediate north of the Site, the Chief Heritage Executive (Antiquities and Monuments) of the Antiquities and Monuments Office, Development Bureau has no comment on the application considering the proposed use would not cause any impact on the graded building and the applicant would carry out proper protection and monitoring measure as necessary.
- 11.4 Other relevant departments consulted, including the Director of Fire Services, 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 proposed use.

- 11.5 There are 11 approved similar applications within the same “AGR” zone in the vicinity of the Site in the past five years as mentioned in paragraphs 6 above. Approving the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comments as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant.

12. **Planning Department’s View**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments 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 9.10.2029. 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 9.4.2027;
- (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 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;
- (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; and
- (f) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials and grassing of the site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 proposed use with associated filling of land is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. 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 and 11.8.2026
Appendix Ia	FI received on 28.8.2026
Appendix Ib	FI received on 6.10.2026
Appendix II	Similar applications
Appendix III	Government bureau and departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments
Drawing A-1	Site layout plan
Drawing A-2	Land filling plan
Plan A-1	Location plan with similar applications
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
OCTOBER 2026**