RNTPC Paper No. A/NE-PK/234
For Consideration by the
Rural and New Town Planning
Committee on 6.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-PK/234

Applicant : Miss POON Mo Kuen Joe represented by Mr. PANG Hing Yeun

Site : Lots 1571 S.A ss.1, 1571 S.A ss.2, 1571 S.A ss.3, 1572 S.B (Part), 1572 S.C (Part), 1572 S.D (Part), 1572 RP (Part) and 3402 in D.D. 91, Kai Ling, Sheung Shui

Site Area : About 609m^2

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Ping Kong Outline Zoning Plan (OZP) No. S/NE-PK/11

Zoning : "Village Type Development" ("V")

Application : 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) (**Plan A-1**). The Site falls within an area zoned "V" on the OZP. According to the Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is hard-paved and currently used for the applied use without valid planning permission (**Plan A-4**).

1.2 The Site, which is accessible via a local track[1] leading to Yu Tai Road, is divided into eastern and western portions (**Plan A-2**). According to the applicant, the applied use provides a total of 21 parking spaces for private cars (5m (L) x 2.5m (W) each) (**Drawing A-1**), which is designated solely to serve the residents of Kai Leng Village. No vehicle without a valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) is allowed to park at the Site. The private vehicle park operates 24 hours daily. According to the traffic management measures proposed by the applicant, warning signs, convex mirrors and speed humps will be provided at the Site to ensure pedestrian safety. The site layout plan submitted by the applicant is shown at **Drawing A-1**.

[1] According to the applicant, the existing access connecting the Site with Yu Tai Road has a width ranging from 3m to 7.9m (**Drawing A-2**).

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

(a)	Application Form with attachments received on 10.9.2026	(**Appendix I**)
(b)	Further Information (FI) received on 25.10.2026*	(**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 FI at **Appendices I** and **Ia**, as summarised below:

(a) the Site falls within the village 'environs' of Kai Leng Village. There is inadequate parking space within Kai Leng Village and the surrounding areas to meet the demand of the local villagers and nearby residents, which leads to severe illegal parking near Wai Hon Road and Yu Tai Road, causing traffic congestion and pedestrian safety concerns;

(b) the resident representative and indigenous inhabitants representatives of Kai Leng Village have lent support to the application to help meet the local parking demand;

(c) the applicant intends to regularise the applied use currently found on the Site. While the Site is the subject of Small House grant applications, the applied use can make use of these vacant land in the interim to serve the residents of Kai Leng Village. The applied use is temporary in nature and will cease operation once the Small House grant applications are executed; and

(d) the estimated vehicle trips per day are low, ranging from 15 to 20. Adequate manoeuvring space is provided within the Site. The applied use does not involve felling of trees and filling/excavation of land, and hence would not cause adverse environmental impact.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is not a "current land owner" and 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 a notice to Sheung Shui District Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

Part of the Site (i.e. Lot 3402 in D.D. 91) is currently subject to active planning enforcement action against unauthorized development (UD) involving use of place for parking of vehicles (No. E/NE-PK/62) (**Plan A-2**). Enforcement Notice (EN) was issued on 25.8.2026 requiring discontinuation of the UD by 25.11.2026. If the EN is not complied with, prosecution action would be considered by the Planning Authority.

5. Previous Application

There is no previous application at the Site.

6. Similar Applications

6.1 There are five similar applications (No. A/NE-PK/173, 174, 184, 198 and 216) involving three sites for temporary private car park (private car and light goods vehicle) within the same "V" zone in the vicinity of the Site in the past five years (**Plans A-1** and **A-2**), which were approved with conditions by the Committee between 2023 and 2025 mainly on the considerations that the applied use would not frustrate the long-term planning intention of the "V" zone; it was not incompatible with the surrounding areas; and no significant adverse impact arising from the applied use was anticipated.

6.2 Details of the similar applications are summarised at **Appendix II** and their locations are shown in **Plans A-1** and **A-2**.

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

7.1 The Site is:

(a) divided into eastern and western portions;

(b) hard-paved and currently used for the applied use without valid planning permission;

(c) located at the eastern part of Kai Leng Village; and

(d) accessible via a local track leading to Yu Tai Road.

7.2 The surrounding areas are predominantly rural in character mainly comprising village houses, low-density residential developments, car parks, a school and vacant land. A site covered by a valid planning permission (application No. A/NE-PK/198) for temporary private vehicle park is located to the south of the Site.

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.

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 departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided at **Appendices III** and **IV** respectively.

9.2 The following government department has objection to the application:

Land Administration

9.2.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

(a) he has objection to the application;

(b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. There are two proposed ingress/egress points which are required to pass through some private lots and the applicant has to make her own arrangement as there is no such right granted to the Site;

(c) two Small House applications were received and approved under Lots 1571 S.A ss.1 and 1571 S.A ss.2 in D.D. 91, and the lots are covered by Building Licence;

(d) the following irregularity covered by the subject planning application has been detected by his office:

Unauthorised structure within Lot 1572 S.D in D.D. 91 covered by the planning application

there is an unauthorised structure on Lot 1572 S.D in D.D. 91. The lot owner should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice; and

(e) LandsD has reservation on the planning application since there is an unauthorized structure on the private lot which is already subject to lease enforcement actions according to case priority. The lot owner should rectify/regularise the lease breaches as demanded by LandsD.

9.3 The following government department provides views on the application:

Traffic

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

(a) she has no adverse comment on the application from traffic engineering perspective;

(b) after taking into consideration the traffic safety along the local access road which includes narrow sections and sharp bends, should the application be approved, conditions should be imposed requesting the applicant to submit and implement the proposed traffic management measures, and to maintain the implemented traffic management measures at all times during the planning approval period; and

(c) her advisory comments are at **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 18.9.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix V**). A comment from an individual objects to the application mainly on the grounds that the application is submitted for the regularisation of an unauthorised development at the Site; and a similar approved application (No. A/NE-PK/216) in the vicinity (**Plans A-1** and **A-2**) submitted by the same applicant has been revoked. Another 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 zoned "V" on the OZP (**Plan A-1**). While the applied use is not entirely in line with the planning intention of the "V" zone where land is primarily intended for development of Small Houses by indigenous villagers, the applicant advises that it could serve the parking needs of the local villagers. According to DLO/N, LandsD, there are two approved Small House grant applications within the Site. In this regard, the applicant has committed to cease operation of the applied use once the Small House grant applications are executed. Taking into account the above and the planning assessment below, there is no objection to the applied use on a temporary basis of three years.

11.2 The Site, located at the eastern part of Kai Leng Village, is hard-paved and currently used for the applied use without valid planning permission. Another temporary private vehicle park with valid planning permission under application No. A/NE-PK/198 is located to the south the Site. The applied use is considered not incompatible with the surrounding village settings which are predominantly village houses, low-density residential developments, car parks, a school and vacant land (**Plans A-2** and **A-3**).

11.3 While C for T has no adverse comment on the application from traffic engineering perspective, she recommends imposing approval conditions on the submission, implementation and maintenance of traffic management measures, taking into consideration the traffic safety along the local access road which includes narrow sections and sharp bends. 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. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise the possible environmental nuisance on the surrounding areas. Regarding DLO/N, LandsD's concerns on the unauthorised structure within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

11.4 There are five approved similar applications for temporary private vehicle parks covering three sites within the same "V" zone in the vicinity of the Site in the past five years (**Plans A-1** and **A-2**), as detailed in paragraph 6.1 above. The planning circumstances of the current

application are similar to those of the approved similar applications. Approval of the current application is in line with the Committee's previous decisions.

11.5 Regarding the public comments 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 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 6.11.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

(a) the submission of the design of vehicular run-in/run-out at the footpath of Yu Tai Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 6.5.2027;

(b) in relation to (a) above, the provision of vehicular run-in/run-out at the footpath of Yu Tai Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 6.8.2027;

(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 6.5.2027;

(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 6.8.2027;

(e) in relation to (d) above, the implemented drainage facilities should be maintained at all times during the planning approval period;

(f) the submission of revised traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning board by 6.5.2027;

(g) in relation to (f) above, the implementation of revised traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 6.8.2027;

(h) in relation to (g) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;

(i) if any of the above planning condition (e) or (h) 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

(j) if any of the above planning condition (a), (b), (c), (d), (f) or (g) 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 such 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 attachment received on 10.9.2026
Appendix Ia	FI received on 25.10.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Access Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026