

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-MUP/210

- Applicant** : Mr. TANG Sui Ching represented by Mr. PANG Hing Yeun
- Site** : Lot 57 (Part) in D.D. 46, Tai Tong Wu, Sha Tau Kok, New Territories
- Site Area** : About 554.95m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Man Uk Pin Outline Zoning Plan (OZP) No. S/NE-MUP/11
- Zoning** : “Village Type Development” (“V”)
- Application** : Proposed Temporary Private Car Park (Private Car Only) for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary private car park (private car only) for a period of three years at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years within the “V” zone requires planning permission from the Town Planning Board (the Board). The Site is currently vacant and covered by vegetation.
- 1.2 The Site is accessible via a local track leading to Sha Tau Kok Road – Wo Hang (**Plan A-1**). According to the applicant, 18 parking spaces for private car will be provided at the Site. The proposed use will serve the villagers only and no parking service will be provided to the public. The operation hours are 24 hours from Mondays to Sundays, including public holidays. Warning signs at the entrance of the Site will be installed to ensure pedestrian safety. The layout plan and fire service installations proposal submitted by the applicant are shown in **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 2.12.2024 (**Appendix I**)
 - (b) Further Information (FI) received on 13.1.2025 and 14.1.2025* (**Appendix Ia**)
 - (c) FI received on 7.2.2025* (**Appendix Ib**)
- * accepted and exempted from publication and recounting requirements*

- 1.4 On 24.1.2025, the Rural and New Town Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application for two months.

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 **Appendix I to Ib**, as summarised below:

- (a) there is no public vehicle park within Tai Tong Wu and the provision of parking space is insufficient in the village. In view of the increasing number of residents in the village, more parking spaces are required to meet the need;
- (b) the Site is connected by a local track and sufficient space for vehicular access will be provided; and
- (c) no filling and excavation of land and tree felling will be conducted at the Site. As such, no environmental impact is 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 obtaining consents of four “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site was the subject of a planning enforcement case against an unauthorized development involving use for place for parking of vehicles. An Enforcement Notice (EN) was issued on 30.5.2022. Subsequent site inspection revealed that the unauthorized development was discontinued. The compliance notice was issued on 15.11.2022. Reinstatement Notice (RN) was then issued on 17.11.2022 requiring the concerned notice recipients to reinstate the land. Subsequent site inspection revealed that the land was reinstated. The compliance notice for RN was issued on 9.5.2024.

5. Previous Application

There is no previous application covering the Site.

6. Similar Applications

- 6.1 There is no similar application within the same “V” zone of the Site in the past five years. There are two similar applications (No. A/NE-MUP/203 and 209) for temporary private car park (private cars and light goods vehicles only) for a period of three years falling within the “V” zone in the vicinity of the Site in the past five years. Both applications were approved with conditions by the Committee on 4.10.2024 and 20.12.2024

respectively mainly on the considerations that the proposed use was not incompatible with the surrounding areas and no adverse departmental comment was received.

- 6.2 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) vacant and covered by vegetation; and
- (b) accessible via a local track leading to Sha Tau Kok Road – Wo Hang.

- 7.2 The surrounding areas are of rural character mainly comprising village cluster of Tai Tong Wu, parking of vehicles 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 advisory comments in the Recommended Advisory Clauses are provided at **Appendices III** and **IV** respectively.

- 9.2 The following department supports the application:

Traffic

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

- (a) she supports the application in view of the parking demand in the vicinity; and
- (b) the proposed vehicular access between Sha Tau Kok Road – Wo Hang and the Site is not managed by the Transport Department. The applicant should seek comments from the responsible party.

10. Public Comment Received During Statutory Publication Period

On 10.12.2024, the application was published for public inspection. During the statutory public inspection period, one comment from a member of the North District Council indicates no comment on the application was received (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary private car park (private car only) for a period of three years at the Site zoned “V” on the OZP. Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, which is to provide land primarily for development of Small House by indigenous villages, the applicant advises that it could serve the villagers and meet their car parking need. C for T supports the application in view of the parking demand in the vicinity. Also, the District Lands Officer/North of Lands Department (DLO/N, LandsD) advises that there is no Small House application in respect of the Site. In view of the above, it is considered that approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone.
- 11.2 The Site is located in an area of rural character mainly comprising village cluster of Tai Tong Wu, parking of vehicles and vacant land. Given its nature and scale, the proposed use is considered not incompatible with the surrounding area.
- 11.3 Other relevant government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services and Chief Engineer/Construction of Water Supplies Department, 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.
- 11.4 Two similar applications for temporary private car park falling within the “V” zone in the vicinity of the Site were approved with conditions by the Committee in 2024 mainly on the considerations as detailed in paragraph 6.1 above. The planning circumstances of the current application are similar to those of the approved applications. Approval of the current application is in line with the Committee’s previous decisions.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment in paragraph 10 above, the Planning Department 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 14.3.2028. 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 14.9.2025;

- (b) in relation to (a) above, the provision of drainage facilities 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 14.12.2025;
- (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 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 14.12.2025;
- (e) 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
- (f) 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 proposed 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 2.12.2024
Appendix Ia	FI received on 13.1.2025 and 14.1.2025
Appendix Ib	FI received on 7.2.2025
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments

Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Fire Service Installations Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2025**