

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/NE-PK/191**

**Applicant** : Wealth Creation 28 Limited represented by Mr. PANG Hing Yeun

**Site** : Lot 2366 RP in D.D. 91, Ping Kong, Sheung Shui, New Territories

**Site Area** : About 2,258.8m<sup>2</sup>

**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** : Proposed Temporary Private Car Park (Private Car and Light Goods Vehicle)  
for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed temporary private car park (private car and light goods vehicle) for a period of three years at the application site (the Site). The Site falls within an area zoned “V” on the approved Ping Kong OZP No. S/NE-PK/11 (**Plan A-1**). According to the Notes of the OZP, temporary use not exceeding a period of three years requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is situated at the north-eastern fringe of Ping Kong Village and is accessible via Ping Kong Road. The proposed development comprises a total of 60 parking spaces (5m (L) x 2.5m (W) each), of which 45 are for private cars and 15 are for light goods vehicles (not more than 3.3 tonnes), as well as a one-storey temporary structure (6.1m (L) x 2.2m (W) x 2.6m (H)) with a covered area of about 13.4m<sup>2</sup> for site office and guard house use. The proposed site layout and vehicular access plans submitted by the applicant are shown in **Drawings A-1 and A-2**.
- 1.3 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with attachments received on **(Appendix I)**  
28.6.2023
  - (b) Further Information (FI) received on 25.9.2023<sup>^</sup> **(Appendix Ia)**
  - (c) FI received on 8.11.2023<sup>^</sup> **(Appendix Ib)**

*^ exempted from publication and recounting requirements*

- 1.4 On 25.8.2023, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months as requested by the applicant.

## **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**, as summarized below:

- (a) although there are already two car parks in Ping Kong Village, there are still insufficient parking spaces for the Village due to increasing needs. Illegal parking is observed near Ping Kong Road causing traffic congestion and pedestrian safety concerns;
- (b) the proposed development would serve residents of Ping Kong Village and nearby residential developments only. The indigenous inhabitants representative (IIR) of Ping Kong Village has lent support to the application;
- (c) the daily vehicular trips to/from the Site are about 15 to 20 at peak hours and adequate manoeuvring space is provided within the Site. It is anticipated that no traffic impact would be incurred on the existing road network;
- (d) no filling of land and tree felling are involved; and
- (e) the proposed development would be connected to the nearby drainage system, and no adverse drainage impact is envisaged.

## **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.31A) by obtaining owners’ consents. Detailed information will be deposited at the meeting for Members’ inspection.

## **4. Background**

The Site is not subject to any active enforcement action.

## **5. Previous Application**

There is no previous application at the Site.

## **6. Similar Applications**

- 6.1 There are four similar applications (No. A/NE-PK/81, 136, 141<sup>1</sup> and 156) for temporary private car park (private cars and light goods vehicles) within the same “V” zone in the vicinity of the Site (**Plan A-1**), which were approved with conditions by the Committee between 2017 and 2021 mainly on the considerations that they would not frustrate the long-term planning intention and would unlikely cause adverse impacts on the surrounding areas.
- 6.2 Details of the similar applications are summarized 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) located at the north-eastern fringe of Ping Kong Village;
  - (b) largely paved with a minor portion covered with self-seeded vegetation; and
  - (c) accessible via Ping Kong Road.
- 7.2 The Site is located in an area of predominantly rural characters comprising village houses, school, tree clusters, vegetated areas 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.

## **9. Comments from Relevant Government Departments**

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisor clauses are provided at **Appendices III** and **IV** respectively.
- 9.2 The following government department has conveyed local views on the application.

---

<sup>1</sup> Applications No. A/NE-PK/81, 136, 141 involved the same application site located to the southwest of the Site.

### District Officer's Comments

#### 9.2.1 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

9.2.1.1 The Resident Representative of Ping Kong Village and the Representative of Ping Kong Area Residents and villagers of Ping Kong object to the application mainly for reasons that there are sufficient parking space in the village; and the proposed use would aggravate traffic congestion problem and cause adverse environmental impacts as well as security concerns.

9.2.1.2 The Chairman of Sheung Shui District Rural Committee, the incumbent North District Councilor of N11 Constituency, the Chairman of Fung Shui Area Committee and the Indigenous Inhabitant Representative (IIR) of Ping Kong have no comment on the application.

### 10. **Public Comments Received During Statutory Publication Period (Appendix V)**

10.1 The application was published for public inspection. During the statutory public inspection period, a total of 61 comments were received, including one comment enclosing with 84 signatures. Among them, 57 are supporting comments, three are objecting comments or comments providing adverse views and one indicating no comment. Extracts of the public comments are at **Appendix V**. A full set of the public comments is deposited at the Board's Secretariat for Members' inspection and reference.

10.2 The 57 supporting comments are submitted by individuals and residents mainly on grounds that there are insufficient car parking spaces in the existing car parks to meet the parking demand of local residents and villagers; and approval of the application could resolve illegal parking problem, improve existing traffic condition and road safety, provide accessibility for people with disabilities and promote economic growth.

10.3 Three objecting comments or comments providing adverse views are submitted by individuals and their objecting grounds/views are that there are adequate parking spaces in Ping Kong Village; and the proposed use would aggravate traffic congestion problem and pose pedestrian safety concerns to pedestrians.

### 11. **Planning Considerations and Assessment**

11.1 The application is for a proposed temporary private car park (private car and light goods vehicle) for a period of three years at the Site zoned "V" on the OZP. The planning intention of the "V" is primarily intended for development of Small Houses by indigenous villagers. Although the proposed use is not entirely in line with the planning intention of "V" zone, it could serve the locals for meeting their car parking needs. According to District Lands Officer/North

of LandsD, there is no outstanding Small House grant application at the Site. In view of the above, it is considered that approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone.

- 11.2 The Site is located at the north-eastern fringe of Ping Kong Village and accessible via Ping Kong Road. The proposed use is not incompatible with the surrounding areas which are predominated by village houses, tree clusters and vacant land. Commissioner for Transport has no objection to the application from traffic engineering point of view. Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to the application and recommend to impose approval conditions requiring the submission and implementation of drainage proposal and proposal for water supplies for fire-fighting and fire service installations. Other relevant departments have no objection to or adverse comment on the application.
- 11.3 There are four similar applications within the same “V” zone in the vicinity of the Site which were approved by the Committee mainly on considerations as set out in paragraph 6.1. The planning circumstances of the approved similar applications are largely applicable to the current application.
- 11.4 Regarding the objecting public comments as detailed in paragraph 10 above, comments of government departments and the planning assessment above are relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the local views conveyed by DO(N) of HAD in paragraph 9.2.1 and public comments mentioned in paragraph 10 above, the Planning Department considers that the proposed use could be tolerated for a period of 3 years.
- 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 3 years until 24.11.2026. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### **Approval Conditions**

- (a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the Site at any time during the planning approval period;
- (b) only private cars and light goods vehicles not exceeding 3.3 tonnes, as proposed by the applicant, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (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 24.5.2024;

- (d) in relation to (c) 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 24.8.2024;
- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a proposal for water supplies for fire-fighting and fire service installations within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.5.2024;
- (g) in relation to (f) above, the provision of water supplies for fire-fighting and fire service installations 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 24.8.2024;
- (h) if any of the above planning condition (a), (b) or (e) 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
- (i) if any of the above planning condition (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 attached 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 development is not in line with the planning intention of the "Village Type Development" zone which 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. There is no strong planning justification in the submission to justify 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**

<b>Appendix I</b>	Application Form with attachments received on 28.6.2023
<b>Appendix Ia</b>	FI received on 25.9.2023
<b>Appendix Ib</b>	FI received on 8.11.2023
<b>Appendix II</b>	Similar applications
<b>Appendix III</b>	Government departments' general comments
<b>Appendix IV</b>	Recommended advisory clauses
<b>Appendix V</b>	Extracts of public comments
<b>Drawing A-1</b>	Layout plan
<b>Drawing A-2</b>	Vehicular access plan
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plan A-4</b>	Site photos

**PLANNING DEPARTMENT  
NOVEMBER 2023**