

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

**APPLICATION NO. A/NE-SSH/157**

<b><u>Applicant</u></b>	Mr. LAM Lap Sun represented by Mr. TANG Pun Wah
<b><u>Site</u></b>	Lots 281 S.E RP, 299 RP and 301 RP in D.D. 209, Sai Keng, Sai Kung North, New Territories
<b><u>Site Area</u></b>	About 189.3m <sup>2</sup>
<b><u>Lease</u></b>	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	Approved Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/11
<b><u>Zoning</u></b>	“Government, Institution or Community” (“G/IC”)
<b><u>Application</u></b>	Proposed Temporary Private Car Park (Private Cars Only) for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed temporary private car park (private cars only) for a period of three years at the application site (the Site) which falls within an area zoned “G/IC” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years within “G/IC” zone requires planning permission from the Town Planning Board (the Board). The Site is hard paved. While the western portion (**Photos 1 and 2 at Plan A-4**) is vacant, there is paving work at the eastern portion (**Photo 3 at Plan A-4**).
- 1.2 According to the applicant, the proposed use will provide six private car parking spaces, which will be covered by three car shelters of about 124.4m<sup>2</sup> in size and 4m in height (**Drawing A-1**). The Site is accessible via a local track connecting to Sai Sha Road (**Plan A-1**). The car park layout plan and drainage plan 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 25.4.2024 (**Appendix I**)
  - (b) Further Information (FI) received on 3.6.2024\* (**Appendix Ia**)

- (c) FI received on 14.6.2024\* **(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 the FI at **Appendices I to Ib** as summarized below:

- (a) the Site is located within private lots of Sai Keng Village. The proposed private car park is intended to meet the parking need of the villagers and visitors of Sai Keng Village, and will not be open for the general public;
- (b) the proposed car park will not adversely affect the existing village access nor induce adverse traffic and drainage impacts on the surrounding areas; and
- (c) the applicant will apply to Lands Department for Short Term Tenancy for the proposed temporary shelter structures at the Site upon the approval of the planning application.

## 3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

## 4. **Background**

The Site is not subject to active planning enforcement action.

## 5. **Previous Application**

There is no previous application at the Site.

## 6. **Similar Application**

There is no similar application within the same “G/IC” zone on the OZP.

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

7.1 The Site is :

- (a) hard paved. While the western portion (**Photos 1 and 2 at Plan A-4**) is vacant, there is paving work at the eastern portion (**Photo 3 at Plan A-4**);
- (b) located at the southeastern fringe of the Sai Keng Village; and
- (c) accessible via a local track connecting to Sai Sha Road.

- 7.2 The surrounding areas are predominantly rural in character comprising village houses of Sai Keng Village and clusters of car parks and casual parking. To its further west is Sai Sha Road.

## 8. **Planning Intention**

- 8.1 The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 8.2 According to the Explanatory Statement of the OZP, the subject “G/IC” site is reserved to meet the future needs of local population and weekend visitors.

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

- 9.1 Apart from the government departments 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 II** and **III** respectively.
- 9.2 The following government 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 parking demand in the vicinity;
- (b) the village road connecting the Site to Sai Sha Road is not managed by her office; and
- (c) the applicant shall make their own arrangement with the concerned landowner(s) for using the road, and the land status, management, maintenance responsibilities of it should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes.

## 10. **Public Comment Received During Statutory Publication Period**

On 3.5.2024, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix IV**) questioning why the extensive parking area within the “G/IC” zone has no record of planning approvals.

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

- 11.1 The application is for a proposed temporary private car park (private cars only) for a period of three years at the Site zoned “G/IC” on the OZP (**Plan A-1**), which is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. According to the Explanatory Statement of the OZP, the subject “G/IC” site is reserved to meet the future needs of local population and weekend visitors. While the proposed use is not entirely in line with the planning intention of the “G/IC” zone, there is no known proposal to be implemented at the Site. C for T supports the application in view of parking demand in the vicinity. Taking into account the assessment below, approval of the application on a temporary basis for a period of three years could be tolerated.
- 11.2 The proposed use will provide six private car parking spaces (**Drawing A-1**). The Site is surrounded by village houses of Sai Keng Village and clusters of car parks and casual parking. In terms of the scale and intensity, the proposed use is considered not incompatible with the surrounding environment. Relevant government departments concerned, including Chief Engineer/Mainland North of Drainage Service Department, Director of Environmental Protection and Director of Fire Services have no objection to or no adverse comment on the application. It is anticipated that the proposed use would not cause adverse drainage, environmental and fire safety impacts to the surroundings.
- 11.3 Regarding the public comment as detailed in paragraph 10 above, it is clarified that ‘public vehicle park (excluding container vehicle)’ use is a Column 1 use within the “G/IC” zone which is always permitted, and no planning permission from the Board is required. The subject application is for temporary ‘private vehicle park’ use of not exceeding a period of three years within “G/IC” zone, which requires planning permission from the Board.

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

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10, the Planning Department considers that the proposed temporary use could be tolerated for a period of three 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 three years until **21.6.2027**. The following conditions of approval and advisory clauses are 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 **21.12.2024**;
- (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 21.3.2025;

- (c) in relation to (b) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) 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 21.12.2024;
- (e) in relation to (d) 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 21.3.2025;
- (f) 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
- (g) if any of the above planning condition (a), (b), (d), or (e) 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 III**.

- 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 "G/IC" zone which is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. 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**

<b>Appendix I</b>	Application Form with Attachments Received on 25.4.2024
<b>Appendix Ia</b>	FI received on 3.6.2024
<b>Appendix Ib</b>	FI received on 14.6.2024
<b>Appendix II</b>	Government Department's General Comments
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Appendix IIIa</b>	Requirement of Fireman's Emergency Switch
<b>Appendix IV</b>	Public Comment
<b>Drawing A-1</b>	Location Plan submitted by the applicant
<b>Drawing A-2</b>	Drainage Plan submitted by the applicant
<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  
JUNE 2024**