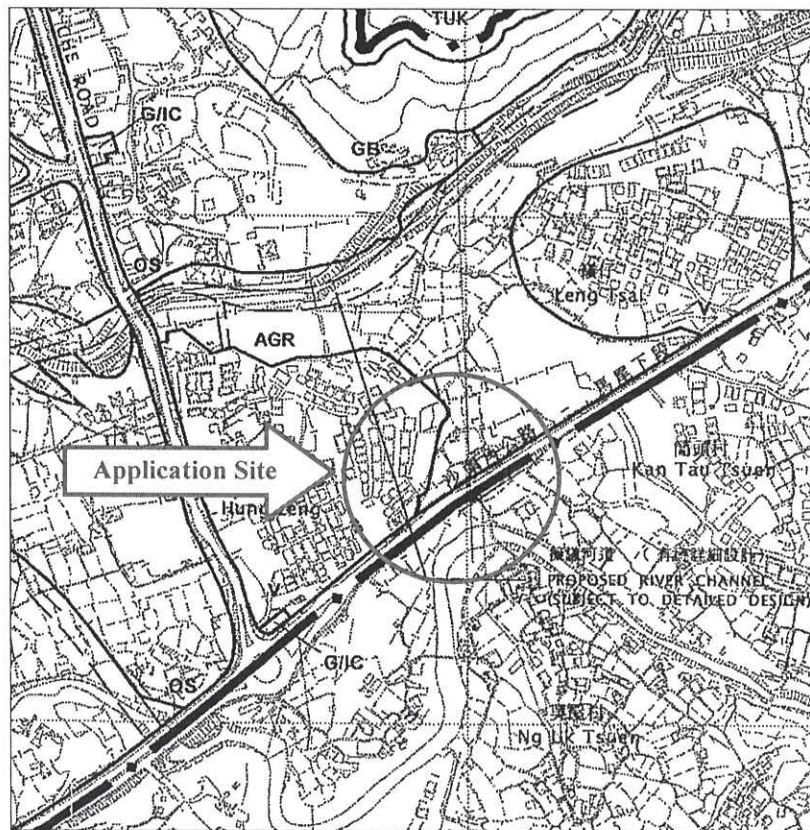


Planning Application  
 Under Section 16  
 of the Town Planning Ordinance  
 (Cap. 131)

**Planning Application for  
 A Temporary Private Vehicle Park (excluding Container Vehicles)  
 for a Period of Three Years  
 At Lot Nos. 1497sBss4 and 1497sBRP in D.D. 76,  
 Hung Leng, Fanling, New Territories**



Prepared by

**LANBASE Surveyors Limited**

January 2024

## EXECUTIVE SUMMARY

The Application Site ('the Site') comprises Lot Nos. 1497sBss4 and 1497sBRP in D.D. 76, Hung Leng, Fanling, New Territories. The Site is located adjacent to the residential settlement at Hung Leng and Sha Tau Kok Road – Ma Mei Ha Section. It is applied for the use "Temporary Private Vehicle Park (excluding Container Vehicles)" on the Site for a period of 3 years. The Site occupies a total site area of 675m<sup>2</sup>. In accordance with the Approved Ping Che and Ta Kwu Leng Outline Zoning Plan (OZP) No. S/NE-TKL/14 dated 12.3.2010, the Site falls within an area zoned "Agriculture" ("AGR"), "Village Type Development ("V") and "Road". According to the Town Planning Board Guidelines for Application for Developments within Deep Bay Area (TPB PG-No.12C), the Site is designated as "Wetland Buffer Area". According to the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13G), the Site is designated as "Category 3" area.

A planning permission is sought to use the Site as "Temporary Private Vehicle Park (excluding Container Vehicles)". Since the Site is small in scale, no adverse traffic, drainage and environmental impacts are anticipated.

The subject application is justified on the following grounds: 1) No Contravention to the Long Term Planning Intention; 2) Meeting the Local Parking Demand; 3) Recent Permission for Public Vehicle Park on "AGR" Zone; 4) Compatible with Surrounding Land Uses; 5) No Adverse Drainage and Environmental Impacts; and 6) No Adverse Traffic Impact.

## 申請摘要

申請場地乃新界粉嶺孔嶺丈量約份第76約地段第1497號B段第4小分段及第1497號B段餘段。申請場地鄰近孔嶺住宅區及沙頭角路-馬尾下段。現申請用作三年「臨時私家停車場(不包括貨櫃車)」用途。申請地段佔地共675平方米。是項申請地段位於坪輦及打鼓嶺分區計劃大綱核准圖編號S/NE-TKL/14(發表於2010年3月12日)內之「農業」、「鄉村式發展」及「道路」地帶。根據城市規劃委員會規劃指引編號12C「擬在后海灣地區內進行發展」，申請場地被列作「濕地緩衝區」。根據城市規劃委員會規劃指引編號13G「擬作露天貯物及港口後勤用途」，申請場地被列作第4類別。

是項臨時許可申請把場地申請用作「臨時私家停車場(不包括貨櫃車)」。由於場地規模細小，相信並不會引致不良的交通、渠務及環境影響。

是項申請的理由如下：1)沒有違反長遠之規劃意向；2)符合地區的泊車需求；3)在「農業」地帶已有公眾停車場的規劃申請獲批准；4)與附近的土地用途相融；5)沒有不良的渠務及環境影響；及6)沒有不良的交通影響。

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## 1. INTRODUCTION

- 1.1 The Application Site ('the Site') comprises Lot Nos. 1497sBss4 and 1497sBRP in D.D. 76, Hung Leng, Fanling, New Territories. The Site is located adjacent to the residential settlement at Hung Leng and Sha Tau Kok Road – Ma Mei Ha Section. According to the Approved Ping Che and Ta Kwu Leng Outline Zoning Plan (OZP) No. S/NE-TKL/14 dated 12.3.2010, the Site falls within an area zoned "Agriculture" ("AGR"), "Village Type Development" ("V") and "Road". Please refer to an extract of the OZP and its relevant notes at **Appendix 1**, Location Plan at **Appendix 2** and Site Plan at **Appendix 3**.
- 1.2 The current application is applied for the use of "Temporary Private Vehicle Park (excluding Container Vehicles)".
- 1.3 The Applicant has commissioned Lanbase Surveyors Limited on his behalf to submit a planning application for the use of "Temporary Private Vehicle Park (excluding Container Vehicles)" for a period of 3 years, or a period as considered appropriate by the Board under Section 16 of the Town Planning Ordinance (Cap. 131).
- 1.4 The Planning Statement serves to describe the existing condition of the Site and its surrounding land uses, to give details of the proposed development, and to provide justifications for the Board's consideration.

## 2. SITE CONTEXT

### 2.1 Application Site

2.1.1 The Application Site ('the Site') comprises Lot Nos 1497sBss4 and. 1497sBRP in D.D. 76, Hung Leng, Fanling, New Territories. The Site occupies a site area of about 675m<sup>2</sup>. Please refer to Location Plan at **Appendix 2** and Site Plan at **Appendix 3**.

2.1.2 The Site has been paved and is currently vacant. No land filling work is required for the current application.

### 2.2 Lease Particulars

The subject lots are held under Block Crown Lease and demised as agricultural land. The lease is virtually unrestricted, apart from offensive trade clause and will expire on 30<sup>th</sup> June 2047.

### 2.3 Surrounding Land Uses

2.3.1 The Site is located adjacent to the residential settlement at Hung Leng and Sha Tau Kok Road – Ma Mei Ha Section.

2.3.2 The subject area is predominantly occupied by residential settlements, public vehicle parks and open storages.

### 2.4 Accessibility

2.4.1 The Site is accessible from a local track connecting to Sha Tau Kok Road – Ma Mei Ha Section.

2.4.2 The subject area is served by various modes of public transport including franchised buses, minibuses and taxis along Sha Tau Kok Road – Ma Mei Ha Section.

### 3. TOWN PLANNING

- 3.1 The Site falls within an area zoned “Agriculture” (“AGR”), “Village Type Development” (“V”) and “Road” on the Approved Ping Che and Ta Kwu Leng Outline Zoning Plan (OZP) No. S/NE-TKL/14 dated 12.3.2010. Extract of the OZP are attached at **Appendix 1**.
- 3.2 As stipulated in the Notes of the OZP, a planning permission is required by the Town Planning Board (the “Board”) for the proposed temporary use in the “AGR”, “V” and “Road” zones.
- 3.3 In accordance with the Town Planning Board Guidelines No. 13G (**TPB PG-NO. 13G**) for Application for Open Storage and Port Back-up Uses, the Site is classified as “Category 3” area, which could be granted on a temporary basis up to a maximum period of 3 years subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions.



## 4. PROPOSED DEVELOPMENT

### 4.1 Applied Use

It is proposed to apply for the use of “Temporary Private Vehicle Park (excluding Container Vehicles)” for a period of three years in support of the local residents in a private residential development, Victory Villa (百勝山莊).

### 4.2 Site Area

The Site has an area of about 675m<sup>2</sup>.

### 4.3 Operation Hours

The proposed “Temporary Private Vehicle Park (excluding Container Vehicles)” would be operated 24 hours a day and 7 days a week including Sundays and public holidays during the planning approval period.

### 4.4 Site Layout

There would be 10 private car parking spaces provided on Site. The proposed Layout Plan is provided at **Appendix 4**.

### 4.5 Traffic

Due to small scale of the Site serving the local residents, only limited traffic flow would be generated.

### 4.6 Drainage

The Applicant will provide proper drainage facilities at the Site. Approval condition for provision of drainage facilities is acceptable.

### 4.7 Landscape

As there is no existing tree and no additional open area for tree planting, no tree preservation and planting are required.

4.8 Fire Precaution Measures

The Applicant will provide proper fire service installations at the Site. Approval condition for provision of the fire service installations is acceptable.

## 5. JUSTIFICATIONS

### 5.1 No Contravention to the Long Term Planning Intention

The site partially falls within “V” zone. Some commercial, community and recreational uses may be permitted on application to the Town Planning Board. In addition, the proposed “Temporary Private Vehicle Park (excluding Container Vehicles)” is to provide support to the local residents of Victory Villa, and approval of the proposed use on a temporary basis that will not prejudice the future long term planning of the area. Therefore, the proposed development is considered not contravene to the long-term planning intention.

### 5.2 Meeting the Local Parking Demand

There are about 66 nos. of residential units in 22 nos. of residential blocks of Victory Villa but there is no car parking provision within the development. In addition, there is a lack of public car park in the locality to serve the local residents in Hung Leng. The proposed “Temporary Private Vehicle Park (excluding Container Vehicles)” will definitely meet the parking demands of Victory Villa.

### 5.3 Recent Permission for Public Vehicle Park on “AGR” Zone

5.3.1 There is Planning Application No. A/NE-LYT/749 approved on 25.6.2021 for the use of “Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles” for a period of 3 years.

5.3.2 Given that they are located in the close vicinity of the Site, the permission granted by the Board for the similar use revealed that the proposed “Temporary Private Vehicle Park (excluding Container Vehicles)” should be suitable on the Site.

### 5.4 Compatible with Surrounding Land Uses

In fact, the locality of the Site has been generally occupied by local parking area, and open storages. The proposed “Temporary Private Vehicle Park (excluding Container Vehicles)” is considered compatible with the surrounding uses in the area.

### 5.5 No Adverse Drainage and Environmental Impacts

The proposed “Temporary Private Vehicle Park (excluding Container Vehicles)” is only a small-scaled operation serving the local villagers and the Site has been well paved ready for use without involving any construction works. In addition, appropriate drainage facilities would be provided on Site. In this respect, no adverse drainage and environmental impacts are anticipated.

### 5.6 No Adverse Traffic Impact

The current application is only for the small-scaled “Temporary Private Vehicle Park (excluding Container Vehicles)” serving the local residents in a private residential development, Victory Villa. Therefore, low traffic demand and no adverse traffic impact is anticipated.

**6. CONCLUSION**

6.1 The Applicant seeks the Board’s permission to approve this planning application for providing “Temporary Private Vehicle Park (excluding Container Vehicles)” on the Site under S.16 of the Town Planning Ordinance.

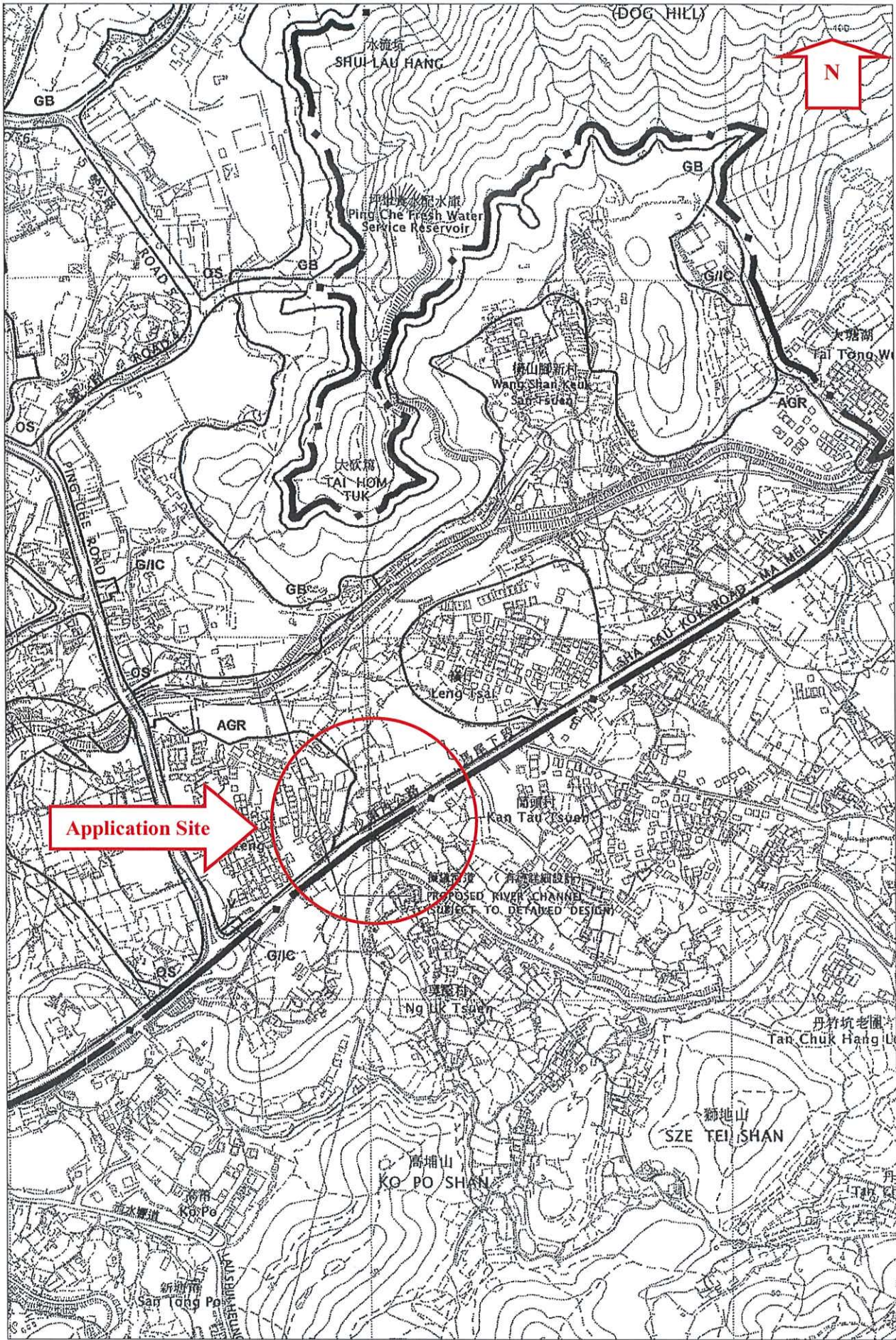
6.2 With regard to the followings:

- no contravention to the long term planning intention;
- meeting the local parking demand;
- recent permission for public vehicle park on “AGR” zone;
- compatible with surrounding land uses;
- no adverse drainage and environmental impacts; and
- no adverse traffic impact,

the Board is recommended to approve the planning application for the use of “Temporary Private Vehicle Park (excluding Container Vehicles)” on the Site for 3 years or a period considered appropriate.

## **APPENDIX 1**

**Extract of Approved Ping Che and Ta Kwu Leng Outline  
Zoning (OZP) Plan No. S/NE-TKL/14 dated 12.3.2010  
and its Relevant Notes**



AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

This zone is intended 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.

Remarks

- (a) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

(Please see next page)



AGRICULTURE (Cont'd)

Remarks (Cont'd)

- (b) Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/10 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:
- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
  - (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) On-Farm Domestic Structure Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Burial Ground Eating Place Government Refuse Collection Point Government Use (not elsewhere specified)# House (not elsewhere specified) Institutional Use (not elsewhere specified)# Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation# Public Vehicle Park (excluding container vehicle) Religious Institution (not elsewhere specified)# Residential Institution# School# Shop and Services Social Welfare Facility# Utility Installation for Private Project

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In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

---

- Eating Place
- Library
- School
- Shop and Services

Planning Intention

The planning intention of this 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 Town Planning Board.

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

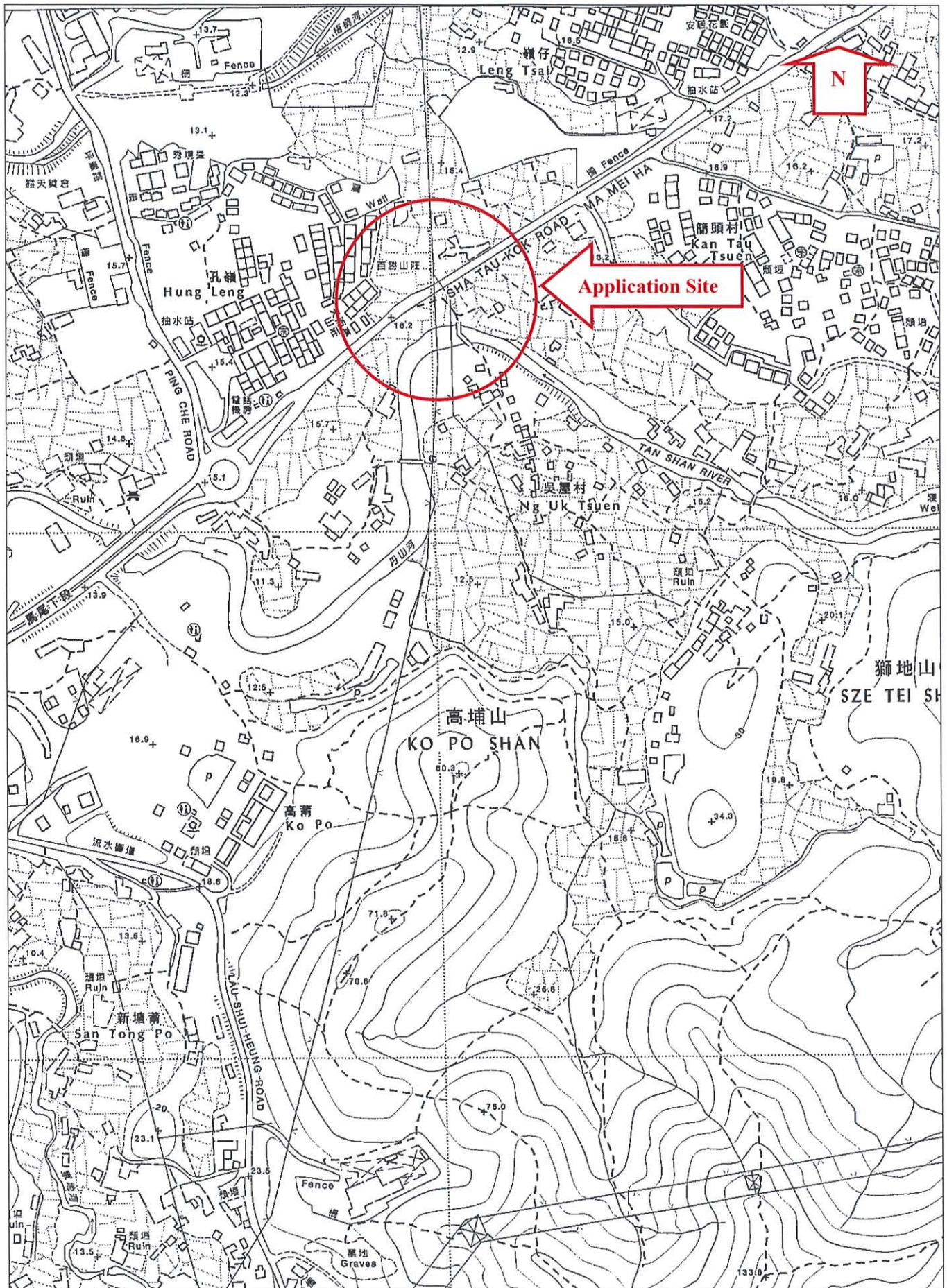
Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

- (6) Any use or development of land or building falling within the boundaries of the Plan but not within the boundaries of the interim development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the first draft outline zoning plan without permission from the Town Planning Board.
- (7) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (8) Road junctions, alignment of roads, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (9) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
  - (a) maintenance, repair or demolition of a building;
  - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
  - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
  - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
  - (e) rebuilding of New Territories Exempted House;
  - (f) replacement of an existing domestic building i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, by a New Territories Exempted House; and
  - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (9)(a) to (9)(d) and (9)(g) above and those specified below require permission from the Town Planning Board:
  - road and on-street vehicle park.

## **APPENDIX 2**

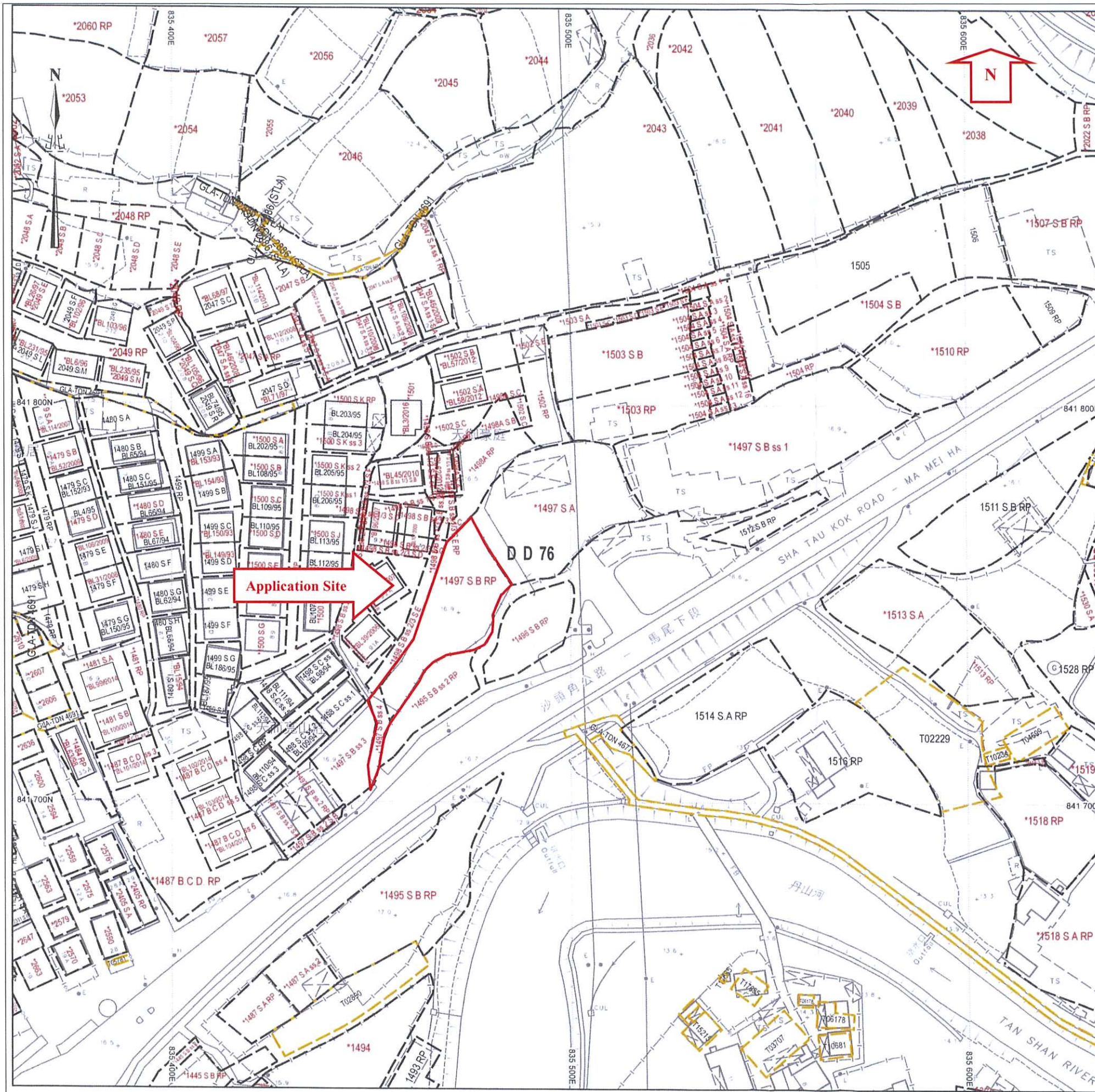
### **Location Plan**



For Identification Only

## **APPENDIX 3**

### **Site Plan (Lot Index Plan)**



# 地段索引圖 LOT INDEX PLAN

摘要說明：本地段索引圖在其背景的地形圖上標示了各種永久和短期持有的土地的圖像界線。這些土地包括私人地段、政府撥地、短期租約批地，以及其他作核准用途的土地。請注意：(1)本索引圖上的資料會被不時更新而不作事先通知；(2)索引圖的更新或會延後於有關資料的實際變更；以及(3)本索引圖中顯示的界線僅供識別之用，資料是否準確可靠，應徵詢專業土地測量師的意見。  
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**Explanatory notes :** This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the backdrop. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that: (1) the information shown on this plan is subject to update without prior notification; (2) there may be time lag between an update and the related changes taken place; and (3) the graphical boundaries as shown are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor.  
**Disclaimer :** The Government shall not be responsible for any loss or damage howsoever arising from the use of this plan or in reliance upon its correctness, completeness, timeliness or accuracy.



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Locality :
Lot Index Plan No. : ags_S00000119995_0001
District Survey Office : Lands Information Center
Date :17-Nov-2023
Reference No. : 3-SW-4B

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## **APPENDIX 4**

### **Proposed Layout Plan**

# 地段索引圖 LOT INDEX PLAN

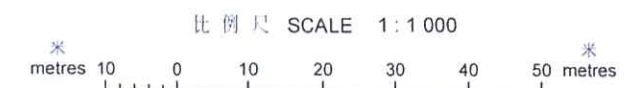
摘要說明：本地段索引圖在其背景的地形圖上標示了各種永久和短期持有的土地的圖像界線。這些土地包括私人地段、政府撥地、短期租約批地，以及其他作核准用途的土地。請注意：(1)本索引圖上的資料會被不時更新而不作事先通知；(2)索引圖的更新或會延後於有關資料的實際變更；以及(3)本索引圖中顯示的界線僅供識別之用，資料是否準確可靠，應徵詢專業土地測量師的意見。  
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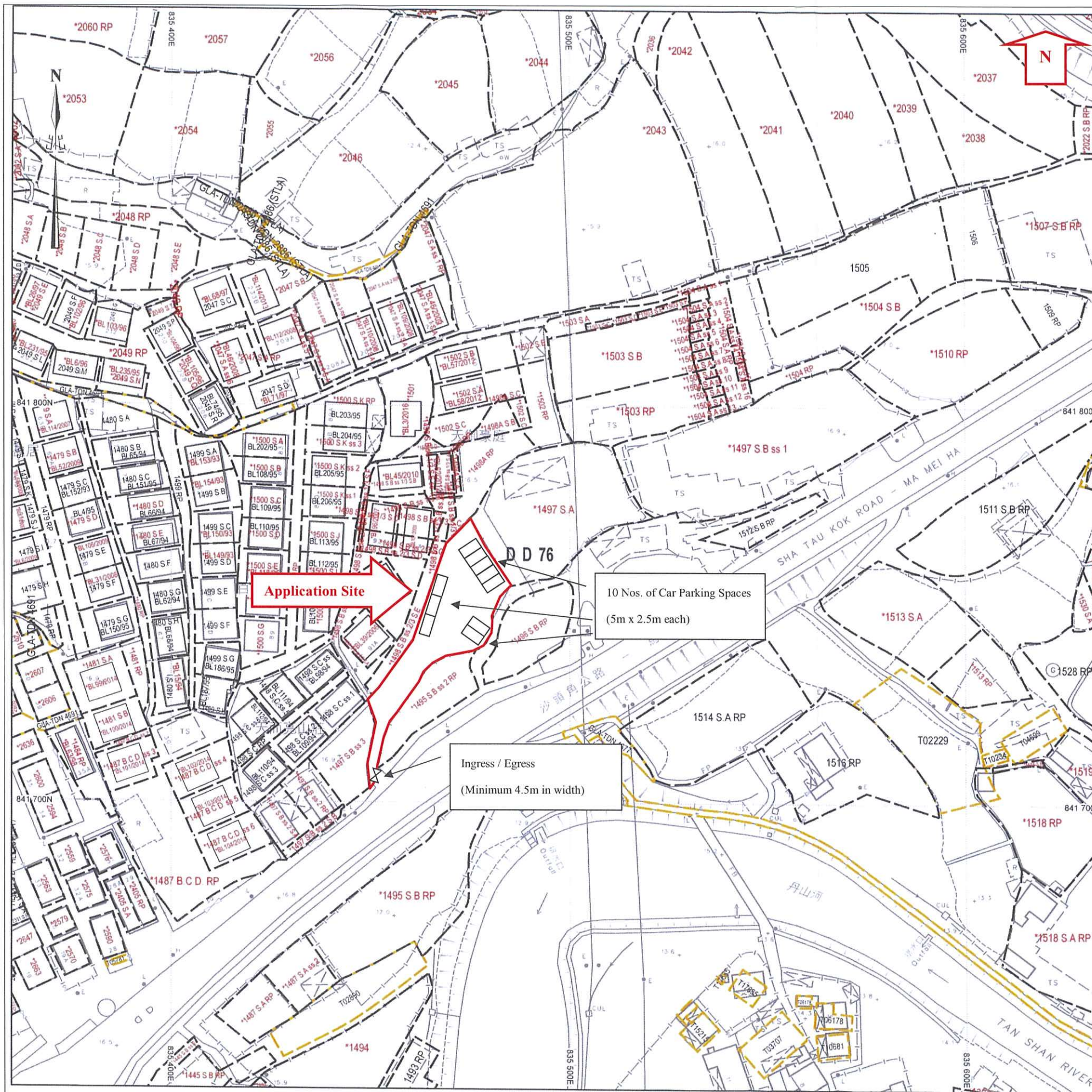


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## **APPENDIX 5**

### **Site Photos**

## Site Photos

### Application Site

