

Previous Planning Applications

Approved Applications

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/TP/516	Proposed 2 Houses (Redevelopment)	4/5/2012	A1 – A3
A/TP/539	Proposed House (Redevelopment)	22/11/2013	A1 – A3
A/TP/548	Proposed House (Redevelopment)	4/4/2014	A1 – A3
A/TP/661	Proposed House (Redevelopment)	18/1/2019	A1 – A3

Approval Conditions

- A1 The submission and implementation of landscape and tree preservation proposals
- A2 The provision of drainage facilities
- A3 The provision of water supplies for fire fighting and fire service installations

Rejected Application

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/TP/530	Proposed House (Redevelopment)	23/8/2013 (Review)	R1 – R2

Rejected reasons

- R1 The application did not comply with the Town Planning Board Guidelines No. 10 for 'Application for Development within "Green Belt" ("GB") zone' in that the proposed development intensity would exceed that of the existing development. There were no particular planning and design merits to justify the increase in development intensity in the proposed development.
- R2 Approval of the application would set an undesirable precedent for similar developments within the “GB” zone. The cumulative effect of approving such applications would result in a general degradation of the environment in the area.

Summary of Development Proposals under Previous s.16 Applications

	Existing	A/TP/516 (approved on 5.4.2012)	A/TP/530 (rejected on 23.8.2013)	A/TP/539 (approved on 22.11.2013)	A/TP/548 (approved on 4.4.2014)	A/TP/661 (approved on 8.1.2019)	A/TP/664 (current)
Site Area	2,280m ²	2,280m ²	2,280m ²	2,280m ²	2,280m ²	2,280m ²	2,280m ²
Total GFA	398m ² (including 32m ² balcony/ canopy) *	398m ² (including 32m ² balcony/ canopy)	398m ² (including E&M room) with no balcony/ canopy	398m ² (including 32m ² balcony/ canopy)	380m ² ** (including 32m ² balcony/ canopy)	398m ² (including 32m ² balcony/ canopy)	380m ² ** (including 32m ² balcony/ canopy)
Plot Ratio	0.175	0.175	0.175 (including E&M room)	0.175	0.167	0.175	0.167
Site Coverage	5.8%	5.8%	11.8%	5.8%	8.7%	5.8%	8.7%
Building Height	8.23m	9m	8m	9m	7.45m	9m	7.45m
No. of Storeys	3	3	2	3	2	3	2
No. of House(s)	2	2	1	1	1	1	1
No. of Parking Spaces	Nil	2	2	2	2	2	2

Remarks:

- * the balcony and canopy areas of the existing houses are exempted from GFA and roof-over-area calculations under the lease
- ** excluding a GFA of 18m² (14m² of void and 4m² of plant room) proposed to be exempted which would be subject to the Building Authority's approval

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that;
- (i) the applicant is required to apply for lease modification for implementation of the development proposal. However, there is no guarantee that such application will be approved. If it is approved by LandsD acting in its capacity as the landlord at its absolute discretion, it will be subject to such terms and conditions, including, amongst others, payment of premium and administrative fee, as may be imposed by LandsD;
 - (ii) he reserves his comments on the detailed design of the proposed house at building plan submission stage; and
 - (iii) site inspection revealed that boundary walls and fences of the subject lot are erected on the adjoining government land and there is unauthorised occupation of government land. Land control action will be taken according to priority;
- (b) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that;
- (i) there is no public drain managed by DSD in the vicinity of the Site. The proposed house should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and overland flow from surrounding of the Site. The proposed development is located on the unpaved ground which will increase the impervious area, resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk in the area. The applicant should take this into account when preparing the drainage proposal. The applicant/owner is also required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems ;
 - (ii) the applicant should design the drainage proposal based on the actual site conditions for DSD's comment/agreement. DSD would not assist the lot owner/developer on the drainage proposal. In the design, the applicant should consider the workability, the impact to the surrounding environment and seek comments from other concerned parties/departments if necessary. The applicant should make sure no adverse impact will be caused to the area due to the proposed works. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected; and
 - (iii) there is no public sewer connection available in the vicinity of the proposed development;
- (c) to note the comments of the Director of Fire Services (D of FS) that:
- (i) the provision of emergency vehicular access for the proposed development shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by Buildings Department; and

- (ii) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) there is no record of approval by the Building Authority for the structures existing at the Site;
 - (ii) if the existing structures are New Territories Exempted House (NTEH) under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121 or the previous Cap 322), DLO/TP should be in a better position to comment on the application;
 - (iii) before any new building works are to be carried out on the site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO);
 - (iv) if the existing structures are erected on leased land without approval of the BD (not being a NTEH), they are unauthorized under the BO and should not be designated for any approved use under the subject application;
 - (v) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the site under the BO;
 - (vi) in connection with (iii) above, the site shall be provided with means of obtaining access thereto from a street and Emergency Vehicular Access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) at the building plan submission stage;
 - (vii) if the site abuts on a specified street of not less than 4.5m wide, its permitted development intensity shall be within the permissible plot ratio and site coverage as stipulated in the First Schedule of B(P)R. Otherwise, its permitted development intensity shall be determined under B(P)R 19(3) at the building plan submission stage;
 - (viii) the sustainable building design requirements and the pre-requisites under PNAP APP-151 & 152 for GFA concessions would be applicable to the redevelopment. In this connection, any non-mandatory or non-essential plant rooms of the development may be countable for GFA under the BO subject to their compliance with the above PNAPs;
 - (ix) foul water should not be discharged to nearby stream course; and
 - (x) formal submission of any proposed new building works for approval and consent under BO is required. Detailed consideration will be made at the building plan submission stage;
- (e) to note the comments of the Chief Engineer/Constriction, Water Supplies Department (CE/C, WSD) that for the provision of water supply to the proposed development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and

maintenance of the inside services within the private lots to WSD's standards; and

- (f) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that a number of registered features (Slopes No. 7/NW-A/R55, 7NW-A/F48 and 7NW-A/C76) are located close to the Site. The applicant is reminded to submit necessary geotechnical submission to the relevant authority.