

RNTPC Paper No. A/NE-LYT/847
For Consideration by the
Rural and New Town
Planning Committee
on 6.6.2025

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

APPLICATION NO. A/NE-LYT/847

Applicant : Mr. LAU Kam Fat represented by Miss. TANG Sau Fong

Site : Lot 1587 S.B ss.2 in D.D. 76, Kan Tau Tsuen, Fanling, New Territories

Site Area : About 126m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/19

Zoning : “Agriculture” (“AGR”)

Application : Proposed House (New Territories Exempted House (NTEH) – Small House)

1. The Proposal

1.1 The applicant, who claims himself as an indigenous villager of Hok Tau Wai¹, seeks planning permission to build a NTEH (Small House) at the application site (the Site) in Kan Tau Tsuen, Fanling, which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘House (NTEH only, other than rebuilding of NTEH or replacement of existing domestic building by NTEH permitted under the covering Notes)’ is a Column 2 use within “AGR” zone, which requires planning permission from the Town Planning Board (the Board).

1.2 Details of the proposed Small House are as follows:

Total Floor Area	:	195.09m ²
Number of Storeys	:	3
Building Height	:	8.23 m
Roofed Over Area	:	65.03m ²

¹ The District Lands Officer/North, Lands Department (DLO/N, LandsD) advises that his office has not received any Small House application lodged by the applicant. As such, the applicant’s eligibility for Small House grant is yet to be ascertained at this stage.

- 1.3 The applicant indicates that the uncovered area of the Site will be used as garden. The layout of the proposed Small House (including septic tank) is shown in **Drawing A-1**.
- 1.4 The Site is the subject of a previous application (No. A/NE-LYT/200) submitted by a different applicant for proposed Small House development. Details of the previous application are set out in paragraph 5.1 below.
- 1.5 In support of the application, the applicant has submitted an Application Form with attachment received on 15.4.2025 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**, as summarised below:

- (a) the applicant, who is an indigenous villager and the sole land owner of the Site, is entitled to apply for Small House grant in accordance with the prevailing policy; and
- (b) the Site is the subject of a previously approved application (No. A/NE-LYT/200) for proposed Small House development with the same layout. As there is no major change in the planning circumstances of the Site, the Board should approve the current 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. Assessment Criteria

The set of Interim Criteria for Consideration of Application of NTEH/Small House in New Territories (the Interim Criteria) was first promulgated on 24.11.2000. The latest set of Interim Criteria, which was promulgated on 7.9.2007, is at **Appendix II**.

5. Previous Application

- 5.1 The Site is the subject of a previous application (No. A/NE-LYT/200) for proposed Small House development submitted by a different applicant². The application was approved with conditions by the Rural and New Town Planning Committee (the Committee) on 19.5.2000 mainly on the sympathetic considerations that the proposed Small House development was considered not incompatible with the surrounding rural landscape character; the Site was located close to the village cluster of Kan Tau Tsuen; it would unlikely generate significant adverse impacts on the surroundings; and there was a general shortage of land within “V” zone in

² Application No. A/NE-LYT/200 was submitted by Mr. LEE Ah Ting.

meeting the Small House demand at the time of consideration. The validity of the planning permission was up to 19.5.2003. Whilst the relevant Building Licence (BL) was issued by LandsD on 15.11.2001, the proposed Small House development has not materialised. Subsequently, the BL was revoked on 9.3.2012. Compared with the previous application, the major development parameters and footprint of the proposed Small House are generally the same.

- 5.2 Details of the previous application is summarised at **Appendix III** and its location is shown on **Plans A-1** and **A-2a**.

6. Similar Applications

- 6.1 There were 55 similar applications involving 35 sites for proposed House(s) (NTEH(s) – Small House(s)) within the same “AGR” zone in the vicinity of the Site since the first promulgation of the Interim Criteria on 24.11.2000.
- 6.2 Among the 52 approved applications, 23 (applications No. A/NE-LYT/238, 242, 367, 407, 473 to 476, 478 to 486, 494, 513 to 515, 545 and 557) were approved with conditions by the Committee between July 2002 and January 2015, prior to the formal adoption of a more cautious approach in considering Small House application by the Board in August 2015³. Since then, 29 applications (No. A/NE-LYT/583, 592, 600, 604 to 616, 629, 630, 644, 665 to 667, 715, 716, 727, 769, 787, 808 and 831) were approved by the Committee, with or without conditions, between December 2015 and July 2024, mainly on sympathetic considerations that the site was the subject of previous approval which was submitted by the same applicant(s); and/or there were Small House applications approved in the vicinity at different stages of development nearby which is forming new village clusters in the locality.
- 6.3 For the three rejected applications, two (No. A/NE-LYT/417 and 440) were rejected by the Committee and the Board upon review in 2010 and 2011 respectively, mainly on the grounds of not complying with the Interim Criteria in that the footprint of the proposed Small House largely or entirely fell outside the ‘VE’ and ‘V’ zone of Kan Tau Tsuen; and land was still available within the ‘V’ zone of Kan Tau Tsuen for Small House development.
- 6.4 For the remaining application No. A/NE-LYT/821, it was rejected by the Board upon review in 2024 on the grounds that land was still available within the ‘V’ zone for Small House development; and there were no specific circumstances to justify the application for sympathetic consideration as the application site, being the subject of a previously approved application, could not be regarded as an infill site among existing NTEHs/Small Houses and the processing of the Small House grant was not at an advance stage.
- 6.5 Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-2a**.

³ Amongst others, in considering whether there is a general shortage of land in meeting Small House demand, more weighting should be put on the number of outstanding Small House applications provided by LandsD.

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

7.1 The Site is:

- (a) currently occupied by active farmland with some plants;
- (b) located at the southeastern fringe of Kan Tau Tsuen and to the immediate north of an existing Small House; and
- (c) without vehicular access.

7.2 The surrounding areas are of rural character predominated by village houses/domestic structures, active/fallow farmlands, unused lands covered by scatter tree groups or vegetated areas and vacant lands. To the immediate east, west⁴ and south of the Site are vacant areas. To the further southeast of the Site is the Tan Shan River.

8. **Planning Intention**

The planning intention of the “AGR” zone is 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.

9. **Comments from Relevant Government Departments**

9.1 The application has been assessed against the assessment criteria at **Appendix II**. The assessment is summarised in the following table:

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
1.	Within “V” zone? - Footprint of the proposed Small House - The Site	- -	100% 100%	The Site and footprint of the proposed Small House fall entirely within the “AGR” zone.
2.	Within ‘VE’? - Footprint of the proposed Small House - The Site	100% 100%	- -	DLO/N, LandsD advises that the Site and the footprint of the proposed Small House fall entirely within the ‘VE’ of Kan Tau Tsuen.

⁴ The concerned site (i.e. Lot 1587 S.B ss. 3 in D.D. 76) is the subject of an application No. A/NE-LYT/202 for proposed Small House development, which was approved with conditions by the Committee on 19.5.2000 (i.e. before the promulgation of the Interim Criteria on 24.11.2000).

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
3.	Sufficient land in “V” zone to meet Small House demand (outstanding Small House applications plus 10-year Small House demand)?		✓	<u>Land Required</u> - Land required to meet Small House demand in Kan Tau Tsuen: about 4.08ha (equivalent to 163 Small House sites). The outstanding Small House applications is 33 ⁵ while the 10-year Small House demand is 130.
	Sufficient land in “V” zone to meet outstanding Small House applications?	✓		<u>Land Available</u> - Land available to meet the Small House demand within the “V” zone of Kau Tau Tsuen: about 1.69ha (equivalent to about 67 Small House sites) (Plan A-2b).
4.	Compatible with the planning intention of “AGR” zone?		✓	The Director of Agriculture, Fisheries and Conservation (DAFC) does not support the application from agricultural perspective as the Site is being used for farming. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.
5.	Compatible with surrounding area/development?	✓		The Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) considers that the proposed Small House development is not incompatible with the surrounding areas mainly comprising active/fallow farmlands, village houses/domestic structures, rivers, scattered tree groups and vegetated areas.
6.	Within Water Gathering Grounds (WGGs)?		✓	The Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) has no objection to the application.
7.	Environmental and sewerage impact?		✓	The Director of Environmental Protection (DEP) advises that in view of the small scale of the proposed development, the application alone is unlikely to cause major pollution.

⁵ Among the 33 outstanding Small House applications, 14 fall within the “V” zone, and 19 straddle or fall outside the “V” zone. For those 19 applications straddling or falling outside the “V” zone, 11 of them have obtained valid planning approvals from the Board.

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
8.	Encroachment onto planned road networks and public works boundaries?		✓	
9.	Need for provision of fire service installations and emergency vehicular access (EVA)?		✓	The Director of Fire Services (D of FS) has no in-principle objection to the application. The applicant is reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD.
10.	Traffic impact?	✓		The Commissioner for Transport (C for T) advises that Small House developments should be confined within the "V" zone as far as possible. Though additional traffic generated by the proposed development is not expected to be significant, such type of development outside the "V" zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial. Notwithstanding the above, the application only involves the development of one Small House and could be tolerated.
11.	Drainage impact?		✓	The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) has no objection to the application.
12.	Landscaping impact?		✓	CTP/UD&L, PlanD has no adverse comments from landscape planning perspective. The Site is occupied by active farmland with some plants. Significant adverse impact on the landscape character and the existing landscape resources within the Site arising from the proposed development is not anticipated.
13.	Local objections conveyed by DO?		✓	

9.2 Comments from the following government departments have been incorporated in paragraph 9.1 above. Details of comments from government departments are at **Appendix V**.

- (a) DLO/N, LandsD;
- (b) DAFC;
- (c) C for T;
- (d) DEP;
- (e) CE/MN, DSD;
- (f) D of FS;
- (g) CE/C of WSD; and
- (h) CTP/UD&L, PlanD.

9.3 The following government departments have no objection to/no comment on the application:

- (a) District Officer (North), Home Affairs Department (DO(N), HAD);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Director of Electrical and Mechanical Services (DEMS); and
- (d) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD).

10. Public Comments Received During Statutory Publication Period

On 22.4.2025, the application was published for public inspection. During the statutory public inspection period, five public comments were received (**Appendix VII**). Four comments from the Chairman and the 1st Vice-chairman of Fanling District Rural Committee, the Chairman of Lung Shan Area Committee as well as an individual object to the application mainly on the grounds that the applicant is not an indigenous villager of Kan Tau Tsuen; and the Site is an Old Schedule Agricultural Lot instead of a Building Lot for Small House development. The remaining one comment from a member of North District Council indicates no comment on the application.

11. Planning Considerations and Assessments

11.1 The application is for proposed Small House development at the Site zoned “AGR” on the OZP (**Plan A-2a**). The proposed development is not in line with the planning intention of the “AGR” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. DAFC does not support the application from the agricultural development perspective as the Site is being used for farming. There are active agricultural activities in the vicinity, and agricultural infrastructures such as road access and water source are also available. There is no strong planning justification in the current submission for a departure from the planning intention.

11.2 The Site, which is located at the southeastern fringe of Kan Tau Tsuen, is currently

occupied by active farmlands with some plants (**Plan A-4**). The proposed development is not incompatible with the surrounding areas which mainly comprise active/fallow farmlands, village houses/domestic structures, rivers, scattered tree groups and vegetated areas (**Plans A-2 to A-4**). CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective as significant adverse impact on the landscape character and existing landscape resources within the Site arising from the proposed Small House development is not anticipated. C for T considers that while Small House developments should be confined within the “V” zone as far as possible, the application could be tolerated from traffic impact perspective given that it involves one Small House only. Other relevant government departments consulted, including DEP, CE/MN, DSD, D of FS and CE/C, WSD have no objection to or no adverse comment on the application.

- 11.3 Regarding the Interim Criteria (**Appendix II**), the footprint of the proposed Small House falls entirely within the ‘VE’ of Kan Tau Tsuen (**Plan A-2a**). According to DLO/N, LandsD, the number of outstanding Small House applications for Kan Tau Tsuen is 33 while the 10-year Small House demand forecast is 130. Based on PlanD’s latest estimate, about 1.69ha (equivalent to about 67 Small House sites) is available within the “V” zone concerned (**Plan A-2b**). While the amount of land available within the “V” zone of Kan Tau Tsuen is insufficient to fully meet the future Small House demand, it is sufficient to accommodate the outstanding Small House applications. It should be noted that the Board has formally adopted a more cautious approach in considering applications for Small House development since August 2015. Among others, in considering whether there is a general shortage of land in meeting Small House demand, more weighting has been put on the number of outstanding Small House applications provided by LandsD. As such, it is considered more appropriate to concentrate the proposed Small House development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.
- 11.4 Though the Site is the subject of a previously approved application (No. A/NE-LYT/200) for proposed Small House development, it was submitted by a different applicant and the planning permission was lapsed. It should be noted that according to the Interim Criteria (**Appendix II**), application with previous planning permission lapsed will be considered on its own merits and sympathetic consideration may be given if there are specific circumstances to justify the cases. The Site could not be regarded as an infill site among existing NTEHs/Small Houses as there are vacant areas to the immediate east, west and south of the Site (**Plans A-2a to A-4**). Besides, noting that DLO/N, LandsD advises that his office has not received any Small House application lodged by the applicant so far, the processing of Small House grant could not be regarded as an advance stage. In this regard, there are no specific circumstances to justify the current application for sympathetic consideration under the Interim Criteria.
- 11.5 There are 55 similar applications for Small House developments in the vicinity of the Site (**Plan A-2a**), 29 of which were approved by the Committee between December 2015 and July 2024 after the Board’s formal adoption of a more cautious approach mainly on sympathetic consideration that the site was the subject of previous approvals submitted by the same applicant(s) and/or there were Small House applications approved in the vicinity at different stages of development nearby which formed a new village clusters in the locality. The

planning circumstances of the current application are different from those of the approved applications.

- 11.6 Regarding the public comments on the application, government departments' comments and planning assessments above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments in paragraph 10 above, the Planning Department does not support the application for the following reasons:

- (a) the proposed development is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the "V" zone of Kan Tau Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the "V" zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.

- 12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 6.6.2029, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The recommended advisory clauses are at **Appendix VI**.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, 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 date when the validity of the permission should expire.

14. Attachments

Appendix I
Appendix II

Application Form with Attachments received on 15.4.2025
Relevant Extracts of the Interim Criteria for Consideration of
Application for NTEH/Small House in New Territories

Appendix III	Previous Application
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2a	Site Plan
Plan A-2b	Estimated Amount of Land Available for Small House Development within the "V" zone of Kan Tau Tsuen
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JUNE 2025**

2025年 4月 1 5日

Appendix I of

此文件在 收到 城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

RNTPC Paper No. A/NE-LYT/847

Form No. S16-II
表格第 S16-II 號

This document is received on 15 APR 2025
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP. 131)

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

Applicable to Proposal Only Involving Construction of
“New Territories Exempted House(s)”

適用於只涉及興建「新界豁免管制屋宇」的建議

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.tpb.gov.hk/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.tpb.gov.hk/tc/plan_application/apply.html

General Note and Annotation for the Form
填寫表格的一般指引及註解

“Current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-LYT/847
	Date Received 收到日期	15 APR 2025

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有)，送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會 (下稱「委員會」) 秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.tpb.gov.hk/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張，然後填寫此表格。該份文件可從委員會的網頁下載 (網址：<http://www.tpb.gov.hk/>)，亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話：2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線：2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全，委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

劉金發 LAU KAM FAT

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☒ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

鄧秀芳 TANG SAU FONG

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lot 1587 S.B ss.2 in D.D. 76, Kan Tau Tsuen, Fanling, N.T. 新界粉嶺簡頭村
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 126 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 195.09 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有) sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	龍躍頭及軍地南分區計劃大綱核准圖 S/NE-LYT/19
(e) Land use zone(s) involved 涉及的土地用途地帶	農業
(f) Current use(s) 現時用途	空置 (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☒ is the sole "current land owner"^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。
- ☐ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。
- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)^{#&}
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Development Proposal 擬議發展計劃			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	劉金發 LAU KAM FAT		
(b) 原居民所屬的原居鄉村 (如適用) The related indigenous village of the indigenous villager(s) (if applicable)	粉嶺鶴藪圍		
(c) Proposed gross floor area 擬議總樓面面積	195.09 sq.m 平方米 <input checked="" type="checkbox"/> About 約		
(d) Proposed number of house(s) 擬議房屋幢數	1	Proposed number of storeys of each house 每幢房屋的擬議層數	3
(e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積	65.03 sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	8.23 m 米
(f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途	花園 (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 No 否	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input type="checkbox"/>	
(h) Can the proposed house(s) be connected to public sewer? 擬議的屋宇發展能否接駁至公共污水渠?	Yes 是 <input type="checkbox"/> No 否 <input checked="" type="checkbox"/>	(Please indicate on plan the sewerage connection proposal. 請用圖則顯示接駁公共污水渠的路線) (Please indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置)	

7. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?</p>	<p>Yes 是 <input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>No 否 <input checked="" type="checkbox"/></p>																														
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?</p>	<p>Yes 是 <input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線，以及河道改道、填塘、填土及/或挖土的細節及/或範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約</p> <p>No 否 <input checked="" type="checkbox"/></p>																														
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>.....</p> <p>.....</p> <p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>N.A.</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
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Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													

8. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.

現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

1. 申請人劉金發為新界原居民，根據地政總署新界小型屋宇政策，原居民可以獲政府批准興建一座小型屋宇。

2. 申請地段曾獲城規會批准規劃許可申請檔號：TPB/A/NE-LYT/200 (LYT/200)，而是次申請一切狀況是依照LYT/200的規劃許可向 貴會申請，不論申請地段、屋型呎吋、屋角座標、地理地形、現場環境，現在跟以往均沒有任何改變。換句話說，是次申請一切狀況與城規會檔號LYT/200批出規劃許可時一模一樣。申請人當時並獲得各部門接納批准規劃許可附帶條件。

9. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature

簽署

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

TANG SAU FONG

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)

專業資格

☐ Member 會員 / ☐ Fellow of 資深會員☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會☐ RPP 註冊專業規劃師

Others 其他

on behalf of

代表

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

28 MAR 2025

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
- (b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)	
Location/address 位置/地址	Lot 1587 S.B ss.2 in D.D. 76, Kan Tau Tsuen, Fanling, N.T. 新界粉嶺簡頭村	
Site area 地盤面積	126 (includes Government land of 包括政府土地	sq. m 平方米 <input checked="" type="checkbox"/> About 約 sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	S/NE-LYT/19	
Zoning 地帶	農業	
Applied use/ development 申請用途/發展	New Territories Exempted House 新界豁免管制屋宇 <input checked="" type="checkbox"/> Small House 小型屋宇	
(i) Proposed Gross floor area 擬議總樓面面積	195.09	sq.m 平方米 <input type="checkbox"/> About 約
(ii) Proposed No. of house(s) 擬議房屋幢數	1	
(iii) Proposed building height/No. of storeys 建築物高度/層數	8.23	m 米 <input type="checkbox"/> (Not more than 不多於)
	3	Storeys(s) 層

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

	<u>Chinese</u> 中文	<u>English</u> 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>

Reports 報告書

Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>

Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

Dimension Plan of the Proposed Small House on
Lot 1587 S.B ss.2 in D.D. 76
Kan Tau Tsuen, North



(P) Coloured Pink Area 65.03 Square Meters (About)
Scale 1:1000

Balcony

Septic Tank (3.6m x 1.2m)(About)

Side	Bearing ° ' "	Distance in Meters	Pt	Co-ordinate Data	
				N	E
A-B	53 1 34	10.668	A	841613.069	835957.972
B-C	143 1 34	6.096	B	841619.485	835966.494
C-D	233 1 34	10.668	C	841614.615	835970.161
D-A	323 1 34	6.096	D	841608.199	835961.638

**Relevant Interim Criteria for Consideration of Application for
New Territories Exempted House (NTEH)/Small House in New Territories
(promulgated on 7.9.2007)**

- (a) sympathetic consideration may be given if not less than 50% of the proposed NTEH/Small House footprint falls within the village ‘environs’ (‘VE’) of a recognised village and there is a general shortage of land in meeting the demand for Small House development in the “Village Type Development” (‘V’) zone of the village;
- (b) if more than 50% of the proposed NTEH/Small House footprint is located outside the ‘VE’, favourable consideration could be given if not less than 50% of the proposed NTEH/Small House footprint falls within the “V” zone, provided that there is a general shortage of land in meeting the demand for Small House development in the “V” zone and the other criteria can be satisfied;
- (c) development of NTEH/Small House with more than 50% of the footprint outside both the ‘VE’ and the “V” zone would normally not be approved unless under very exceptional circumstances (e.g. the application site has a building status under the lease, or approving the application could help achieve certain planning objectives such as phasing out of obnoxious but legal existing uses);
- (d) application for NTEH/Small House with previous planning permission lapsed will be considered on its own merits. In general, proposed development which is not in line with the criteria would normally not be allowed. However, sympathetic consideration may be given if there are specific circumstances to justify the cases, such as the site is an infill site among existing NTEHs/Small Houses, the processing of the Small House grant is already at an advance stage;
- (e) if an application site involves more than one NTEH/Small House, application of the above criteria would be on individual NTEH/Small House basis;
- (f) the proposed development should not frustrate the planning intention of the particular zone in which the application site is located;
- (g) the proposed development should be compatible in terms of land use, scale, design and layout, with the surrounding area/development;
- (h) the proposed development should not encroach onto the planned road network and should not cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surrounding areas. Any such potential impacts should be mitigated to the satisfaction of relevant Government departments;
- (i) the proposed development, if located within water gathering grounds, should be able to be connected to existing or planned sewerage system in the area except under very special circumstances (e.g. the application site has a building status under the lease or the applicant can demonstrate that the water quality within water gathering grounds will not be affected by the proposed development*);
- (j) the provision of fire service installations and emergency vehicular access, if required, should be appropriate with the scale of the development and in compliance with relevant standards; and
- (k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.

- *i.e. the applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

Previous s.16 Application

Approved Application

Application No.	Uses/ Development	Date of Consideration
A/NE-LYT/200	Proposed House (New Territories Exempted House – Small House)	19.5.2000

**Similar S.16 Applications
for Proposed House (New Territories Exempted House – Small House)
within the “Agriculture” zone in the vicinity of the Application Site
on the approved Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/19**

Approved Applications

Application No.	Uses/ Development	Date of Consideration
A/NE-LYT/238	Proposed House (New Territories Exempted House – Small House)	12.7.2002
A/NE-LYT/242	Proposed House (New Territories Exempted House – Small House)	13.9.2002
A/NE-LYT/367	Proposed House (New Territories Exempted House – Small House)	12.10.2007
A/NE-LYT/407	Proposed House (New Territories Exempted House – Small House)	29.1.2010
A/NE-LYT/473 ^[1]	Proposed House (New Territories Exempted House – Small House)	24.8.2012
A/NE-LYT/474 ^[2]	Proposed House (New Territories Exempted House – Small House)	24.8.2012
A/NE-LYT/475 ^[3]	Proposed House (New Territories Exempted House – Small House)	24.8.2012
A/NE-LYT/476 ^[4]	Proposed House (New Territories Exempted House – Small House)	24.8.2012
A/NE-LYT/478 ^[5]	Proposed House (New Territories Exempted House – Small House)	24.8.2012
A/NE-LYT/479 ^[6]	Proposed House (New Territories Exempted House – Small House)	24.8.2012
A/NE-LYT/480 ^[7]	Proposed House (New Territories Exempted House – Small House)	24.8.2012
A/NE-LYT/481 ^[8]	Proposed House (New Territories Exempted House – Small House)	7.9.2012
A/NE-LYT/482 ^[9]	Proposed House (New Territories Exempted House – Small House)	7.9.2012
A/NE-LYT/483 ^[10]	Proposed House (New Territories Exempted House – Small House)	7.9.2012
A/NE-LYT/484 ^[11]	Proposed House (New Territories Exempted House – Small House)	7.9.2012

Application No.	Uses/ Development	Date of Consideration
A/NE-LYT/485 ^[12]	Proposed House (New Territories Exempted House – Small House)	7.9.2012
A/NE-LYT/486 ^[13]	Proposed House (New Territories Exempted House – Small House)	7.9.2012
A/NE-LYT/494	Proposed House (New Territories Exempted House – Small House)	21.12.2012
A/NE-LYT/513	Proposed House (New Territories Exempted House – Small House)	6.9.2013
A/NE-LYT/514	Proposed House (New Territories Exempted House – Small House)	6.9.2013
A/NE-LYT/515	Proposed House (New Territories Exempted House – Small House)	19.7.2013
A/NE-LYT/545 ^[14]	Proposed Three Houses (New Territories Exempted House – Small House)	22.8.2014
A/NE-LYT/557 ^[15]	Proposed House (New Territories Exempted House – Small House)	16.1.2015
A/NE-LYT/583 ^[16]	Proposed Two Houses (New Territories Exempted Houses – Small Houses)	18.12.2015
A/NE-LYT/592 ^[17]	Proposed House (New Territories Exempted House – Small House)	10.6.2016
A/NE-LYT/600 ^[18]	Proposed House (New Territories Exempted House – Small House)	14.9.2016
A/NE-LYT/604 ^[2]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/605 ^[7]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/606 ^[6]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/607 ^[5]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/608 ^[11]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/609 ^[10]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/610 ^[9]	Proposed House (New Territories Exempted House – Small House)	17.2.2017

Application No.	Uses/ Development	Date of Consideration
A/NE-LYT/611 ^[8]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/612 ^[13]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/613 ^[12]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/614 ^[1]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/615 ^[4]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/616 ^[3]	Proposed House (New Territories Exempted House – Small House)	17.2.2017
A/NE-LYT/629 ^[19]	Proposed House (New Territories Exempted House – Small House)	23.6.2017
A/NE-LYT/630	Proposed House (New Territories Exempted House – Small House)	23.6.2017
A/NE-LYT/644	Proposed House (New Territories Exempted House – Small House)	26.1.2018
A/NE-LYT/665 ^[14]	Proposed House (New Territories Exempted House – Small House)	5.10.2018
A/NE-LYT/666 ^[14]	Proposed House (New Territories Exempted House – Small House)	6.7.2018
A/NE-LYT/667 ^[14]	Proposed House (New Territories Exempted House – Small House)	6.7.2018
A/NE-LYT/715	Proposed House (New Territories Exempted House – Small House)	29.11.2019
A/NE-LYT/716	Proposed House (New Territories Exempted House – Small House)	29.11.2019
A/NE-LYT/727	Proposed House (New Territories Exempted House – Small House)	1.9.2020
A/NE-LYT/769 ^[17]	Proposed House (New Territories Exempted House – Small House)	23.9.2022
A/NE-LYT/787 ^[15]	Proposed Four Houses (New Territories Exempted Houses – Small Houses)	13.1.2023
A/NE-LYT/808 ^[16]	Proposed Two Houses (New Territories Exempted Houses – Small Houses)	27.10.2023

Application No.	Uses/ Development	Date of Consideration
A/NE-LYT/831 ^[18]	Proposed House (New Territories Exempted House – Small House)	19.7.2024

Remarks

- ^[1] Applications No. A/NE-LYT/473 & A/NE-LYT/614 are at the same location.
- ^[2] Applications No. A/NE-LYT/474 & A/NE-LYT/604 are at the same location.
- ^[3] Applications No. A/NE-LYT/475 & A/NE-LYT/616 are at the same location.
- ^[4] Applications No. A/NE-LYT/476 & A/NE-LYT/615 are at the same location.
- ^[5] Applications No. A/NE-LYT/478 & A/NE-LYT/607 are at the same location.
- ^[6] Applications No. A/NE-LYT/479 & A/NE-LYT/606 are at the same location.
- ^[7] Applications No. A/NE-LYT/480 & A/NE-LYT/605 are at the same location.
- ^[8] Applications No. A/NE-LYT/481 & A/NE-LYT/611 are at the same location.
- ^[9] Applications No. A/NE-LYT/482 & A/NE-LYT/610 are at the same location.
- ^[10] Applications No. A/NE-LYT/483 & A/NE-LYT/609 are at the same location.
- ^[11] Applications No. A/NE-LYT/484 & A/NE-LYT/608 are at the same location.
- ^[12] Applications No. A/NE-LYT/485 & A/NE-LYT/613 are at the same location.
- ^[13] Applications No. A/NE-LYT/486 & A/NE-LYT/612 are at the same location.
- ^[14] Applications No. A/NE-LYT/545 covers A/NE-LYT/665, A/NE-LYT/666 & A/NE-LYT/667.
- ^[15] Applications No. A/NE-LYT/557 & A/NE-LYT/787 are at the same location.
- ^[16] Applications No. A/NE-LYT/583 & A/NE-LYT/808 are at the same location.
- ^[17] Applications No. A/NE-LYT/592 & A/NE-LYT/769 are at the same location.
- ^[18] Applications No. A/NE-LYT/600 & A/NE-LYT/831 are at the same location.
- ^[19] Applications No. A/NE-LYT/629 & A/NE-LYT/821 are at the same location.

Rejected Applications

Application No.	Uses/ Development	Date of Consideration	Rejection Reasons
A/NE-LYT/417	Proposed House (New Territories Exempted House – Small House)	19.3.2010	R1 to R3
A/NE-LYT/440	Proposed House (New Territories Exempted House – Small House)	9.9.2011 [on review]	R4 & R5
A/NE-LYT/821 ^[19]	Proposed House (New Territories Exempted House – Small House)	31.5.2024 [on review]	R6 & R7

Remarks

^[19] Applications No. A/NE-LYT/629 & A/NE-LYT/821 are at the same location.

Rejection Reasons:

- R1 The application did not comply with the ‘Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories’ (the Interim Criteria) as the footprint of the proposed Small House largely fell outside the village ‘environs’ (‘VE’) of the Kan Tau Tsuen and there was no shortage of land in meeting the demand for Small House development in the “Village Type Development” (‘V’) zone of the village.
- R2 Small House should be developed within the “V” zone so as to ensure an orderly development pattern, efficient use of land and provision of infrastructure and services.
- R3 The application which did not comply with the Interim Criteria might set an undesirable precedent for other similar applications in the “Agriculture” (‘AGR’) zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- R4 The application did not comply with the Interim Criteria in that the footprint of the proposed Small House fell entirely outside the ‘VE’ and “V” zone of Kan Tau Tsuen.
- R5 Approval of the application which did not comply with the Interim Criteria would set an undesirable precedent for other similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would cause adverse landscape impacts to the area.
- R6 The proposed development was not in line with the planning intention of the “AGR” zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention. The application site was not considered an infill site among existing NTEH/Small Houses, nor was the processing of the Small House grant at an advance stage.

- R7 Land was still available within the “V” zone of Kan Tau Tsuen which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- the application site (the Site) falls within the village 'environ' ('VE') of Kan Tau Tsuen;
- his office does not receive any Small House application lodged by the applicant;
- the Site is an Old Schedule Agricultural Lot held under Block Government Lease; and
- the Site is currently not covered by Modification of Tenancy/Building Licence.

2. Traffic

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

- no objection to the application from traffic engineering perspective;
- Small House developments should be confined within the "Village Type Development" ("V") zone as far as possible. Though additional traffic generated by the proposed development is not expected to be significant, such type of development outside the "V" zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact has to be reviewed on case-by-case basis in the future. Nevertheless, she considers that the application could be tolerated on traffic ground as it only involves the construction of one Small House; and
- her advisory comments are at **Appendix VI**.

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no comment on the application from highways maintenance perspective; and
- his advisory comments are at **Appendix VI**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- in view of the small scale of the proposed development, the application is unlikely to cause major pollution; and
- septic tank and soakaway system is an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements of the ProPECC PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' and are duly certified by an Authorised Person.

4. **Drainage**

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from public drainage perspective;
- the Site is in an area where public sewerage connection is not available; and
- her advisory comments are at **Appendix VI**.

5. **Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no objection in principle to the application at this stage provided that the proposed Small House would not encroach on any existing Emergency Vehicular Access (EVA) or planned EVA under application in accordance with LandsD's record; and
- his advisory comments are at **Appendix VI**.

6. **Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comment on the application from landscape planning perspective; and
- the Site is located in an area of rural inland plains landscape character comprising active/fallow farmlands, village houses/domestic structures, rivers, scattered tree groups and vegetated areas. The proposed development is considered not incompatible with its surrounding environment; and
- based on the site photos taken on 22.4.2025 (**Plan A-4**), the Site is currently occupied by active farmland with some plants of *Musa sp* (蕉屬). Significant adverse impact on the landscape character and existing landscape resources within the Site arising from the proposed development is not anticipated.

7. **Agriculture**

Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- does not support the application from agricultural perspective as the Site is being used for farming; and
- the Site, which is generally under active cultivation, falls within an area zoned "Agriculture". The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.

8. **Water Supplies**

Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- no objection to the application; and
- his advisory comments are at **Appendix VI**.

9. **Demand and Supply of Small House Sites**

According to the DLO/N, LandsD's records, the total number of outstanding Small House applications for Kan Tau Tsuen is 33 while 10-year Small House demand forecast for the same village is 130. According to the latest estimate by PlanD, about 1.69ha (equivalent to about 67 Small House sites) of land are available within the "V" zone of Kan Tau Tsuen for Small House development. There is insufficient land in the "V" zone of Kan Tau Tsuen to meet the future demand of land for Small House development (i.e. about 4.08ha of land which is equivalent to 163 Small House sites).

10. **Other Departments**

The following government departments have no objection to/no comment on the application:

- (a) District Officer (North), Home Affairs Department (DO(N), HAD);
- (b) Director of Electrical and Mechanical Services (DEMS); and
- (c) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD).

Recommended Advisory Clauses

- (a) to note the comments of the Commissioner for Transport (C for T) that the local village access leading to the application site (the Site) from Sha Tau Kok Road – Ma Mei Ha is not managed by the Transport Department (TD);
- (b) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public road and drains; and
 - (ii) his office is not/shall not be responsible for the maintenance of any access connecting the Site and the nearby public road;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department (EPD) should be consulted regarding the sewage treatment/disposal facilities for the proposed development;
 - (ii) the applicant should check and ensure that the existing drainage channel downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system; and
 - (iii) adequate stormwater drainage collection and disposal facilities shall be provided to deal with the surface runoff of the Site or the same flowing on to the Site from the adjacent areas;
- (d) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe ‘New Territories Exempted Houses – A Guide to Fire Safety Requirements’ which is administrated by the Lands Department (LandsD). Detailed fire safety requirements will be formulated upon receipt of formal application via LandsD;
- (e) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
 - (i) for the provision of water supply to the proposed development, the applicant may need to extend his inside services to the nearest suitable government water mains for connection; and
 - (ii) 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 standard;
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant should be advised that approval of the application does not imply approval of tree works such as pruning, transplanting and compensatory/new tree planting. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works; and

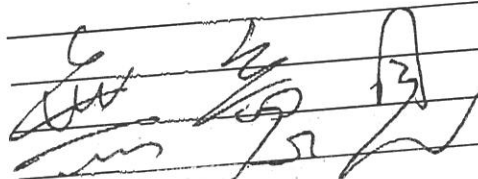
- (g) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permissions from the Town Planning Board where required before carrying out the road works.

致城市規劃委員會秘書：
專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓
傳真：2877 0245 或 2522 8426
電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board
By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
By Fax : 2877 0245 or 2522 8426
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates
A/NE-LYT/847

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強議員

簽署 Signature  日期 Date 2015.4.29

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

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意見詳情 (如有需要，請另頁說明)

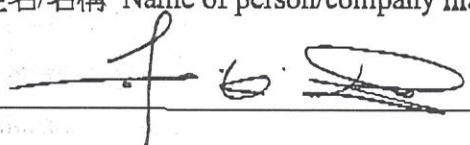
Details of the Comment (use separate sheet if necessary)

反對此申請，原因如下：
1) 申請人非簡頭村原居民；
2) 申請地段是農地而非建屋地段

「提意見人」姓名/名稱 Name of person/company making this comment

龍山分區委員會主席 葉榮成

簽署 Signature



日期 Date

21-4-2025 OK

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

3 to 4
p. 13

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意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

議會附頁反對資料

「提意見人」姓名/名稱 Name of person/company making this comment

簽署 Signature



日期 Date

6-5-2011

粉嶺區鄉事會

FDRC

香港新界粉嶺區鄉事委員會

Hong Kong Fanling District Rural Committee

3, Lucn Fat Street, Lucn Wo Market, Fanling, N.T., Hong Kong 香港新界粉嶺聯和墟聯發街三號
電話/Tel: (852) 26755277 圖文傳真/ Fax: (852) 26699687

敬啟者：


貴處檔號：TPB/A/NE-LYT-847

新界粉嶺簡頭村丈量約份第76約地段第1587號B分段第2小分段
擬議屋宇（新界豁免管制屋宇 - 小型屋宇）
（申請編號：A/NE-LYT/847）

本會接獲簡頭村村民求助，他們投訴上述申請人不是簡頭村原居民，
所以村民 極力反對 上述申請。懇請 貴處理解村民投訴及審慎處理。

此致
規劃署沙田、大埔
及北區規劃專員

粉嶺區鄉事委員會主席


敬上
(李國鳳)



2025年5月6日

粉嶺區鄉事會

FDRC

香港新界粉嶺區鄉事委員會

Hong Kong Fanling District Rural Committee

3, Luen Fat Street, Luen Wo Market, Fanling, N.T., Hong Kong 香港新界粉嶺聯和墟聯發街三號
電話/Tel: (852) 26755277 圖文傳真/ Fax: (852) 26699687

敬啟者：

貴處檔號：TPB/A/NE-LYT-847

新界粉嶺簡頭村丈量約份第76約地段第1587號B分段第2小分段
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此致
規劃署沙田、大埔
及北區規劃專員

粉嶺區鄉事委員會首副主席

劉永安

敬上

（劉永安）



2025年5月6日

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-LYT/847

意見詳情 (如有需要，請另頁說明)

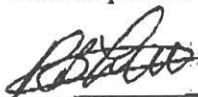
Details of the Comment (use separate sheet if necessary)

申請人非簡頭村原居民
此地段為農地而且超建可建小型屋宇範圍

「提意見人」姓名/名稱 Name of person/company making this comment

劉筆文


簽署 Signature




日期 Date

6/5/2025

[illegible]

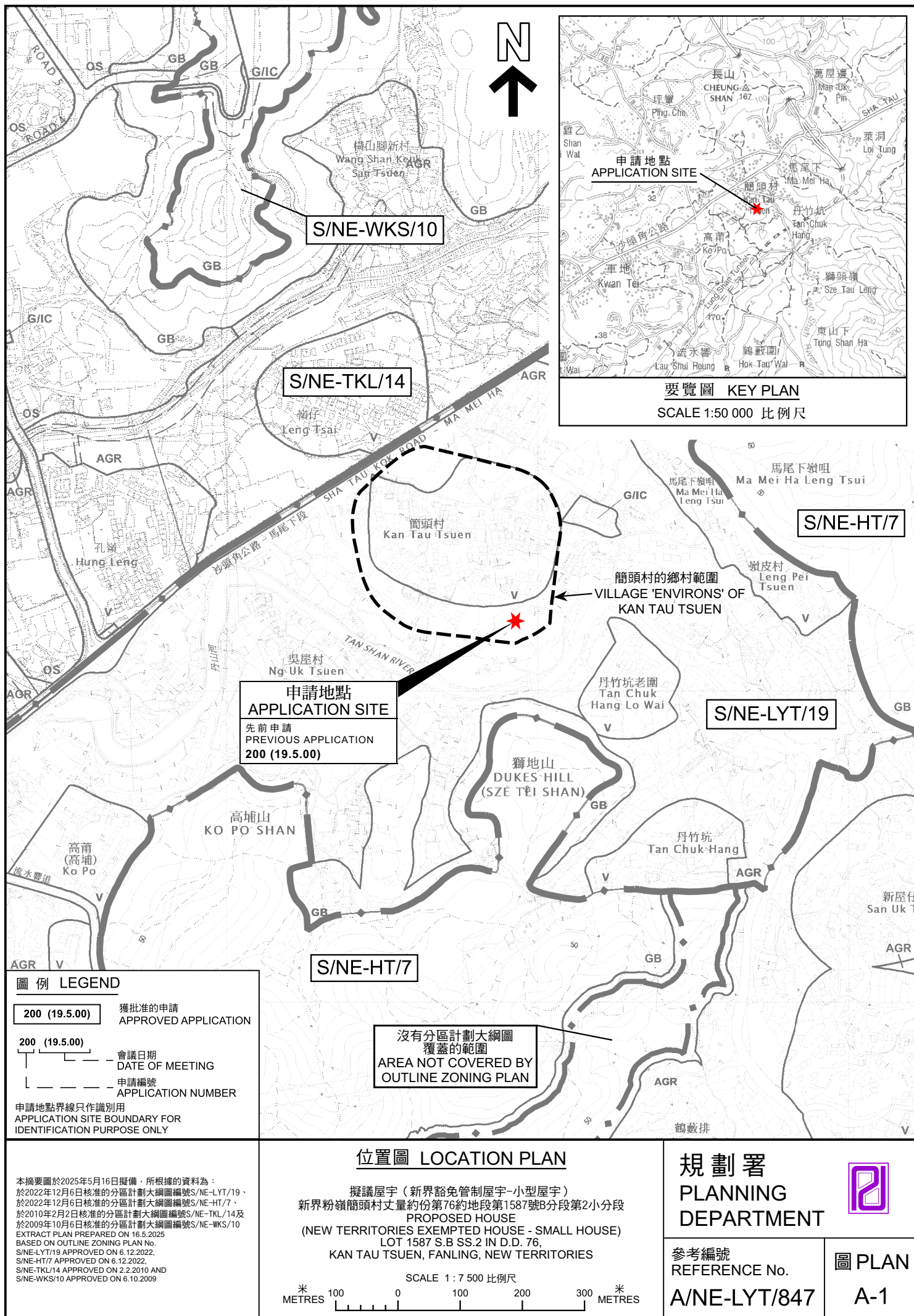
 Balcony

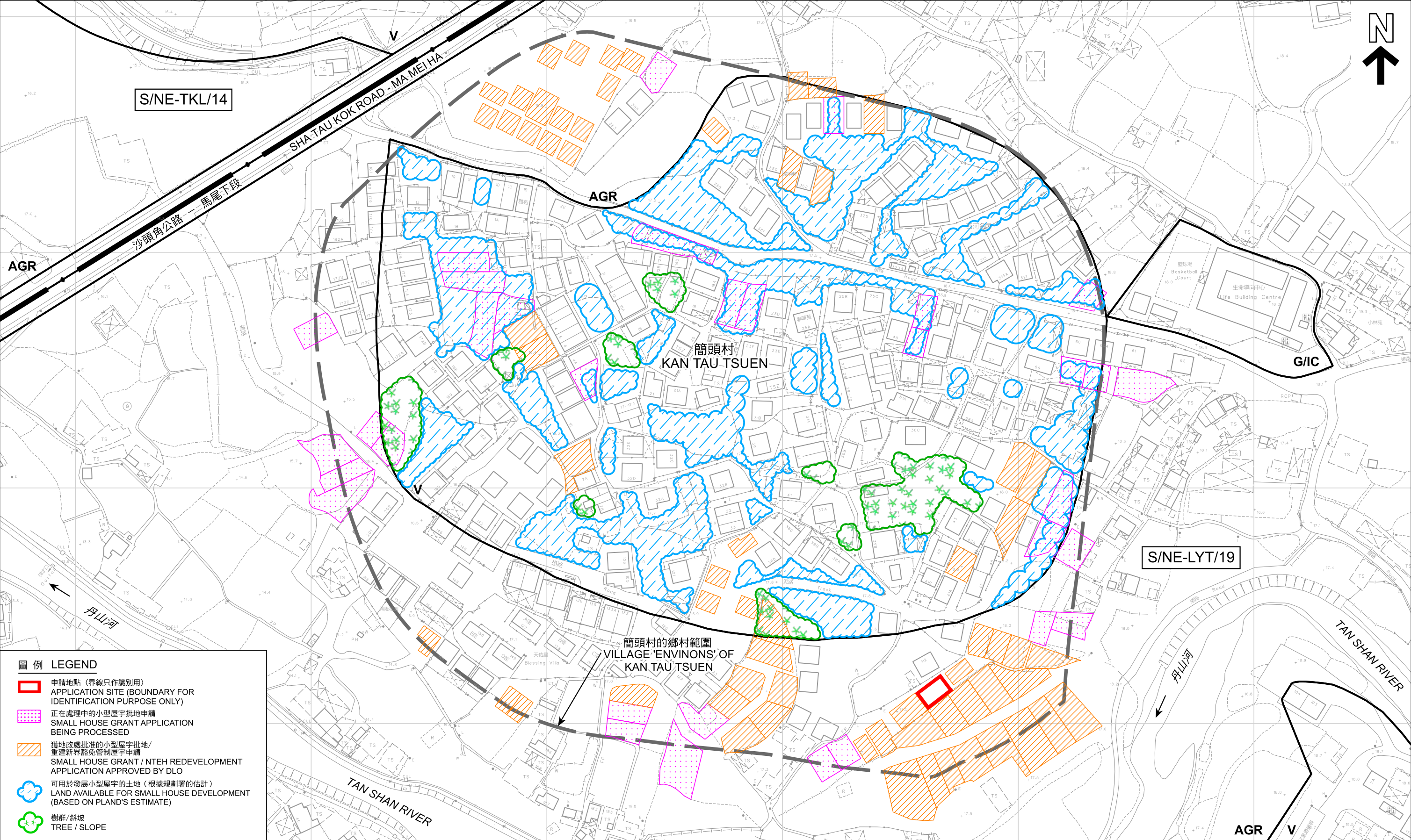
 Septic Tank (3.6m x 1.2m)(About)

Side	Bearing ° ' "	Distance in Meters	Pt	Co-ordinate Data	
				N	E
A-B	53 1 34	10.668	A	841613.069	835957.972
B-C	143 1 34	6.096	B	841619.485	835966.494
C-D	233 1 34	10.668	C	841614.615	835970.161
D-A	323 1 34	6.096	D	841608.199	835961.638

參考編號 REFERENCE No.	A/NE-LYT/847	繪圖 DRAWING A-1
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(來源:申請人於2025年4月15日呈交的規劃申請表內的繪圖)
(SOURCE: DRAWING IN THE APPLICANT'S SUBMITTED
APPLICATION FROM ON 15.4.2025)





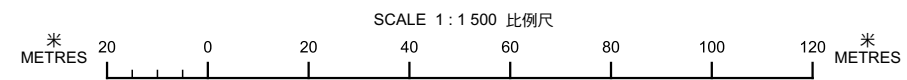
圖例 LEGEND

- 申請地點 (界線只作識別用)
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)
- 正在處理中的小型屋宇批地申請
SMALL HOUSE GRANT APPLICATION BEING PROCESSED
- 獲地政處批准的小型屋宇批地/
重建新界豁免管制屋宇申請
SMALL HOUSE GRANT / NTEH REDEVELOPMENT APPLICATION APPROVED BY DLO
- 可用於發展小型屋宇的土地 (根據規劃署的估計)
LAND AVAILABLE FOR SMALL HOUSE DEVELOPMENT (BASED ON PLAND'S ESTIMATE)
- 樹群/斜坡
TREE / SLOPE

本摘要圖於2025年6月3日擬備，
所根據的資料為測量圖編號
3-SW-4B及5A
EXTRACT PLAN PREPARED ON 3.6.2025
BASED ON SURVEY SHEETS No.
3-SW-4B & 5A

在「鄉村式發展」地帶內預計可供發展小型屋宇的土地數量
ESTIMATED AMOUNT OF LAND AVAILABLE FOR
SMALL HOUSE DEVELOPMENT WITHIN THE "V" ZONE

擬議屋宇 (新界豁免管制屋宇-小型屋宇)
新界粉嶺簡頭村丈量約份第76約地段第1587號B分段第2小分段
PROPOSED HOUSE (NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 1587 S.B SS.2 IN D.D. 76, KAN TAU TSUEN, FANLING, NEW TERRITORIES

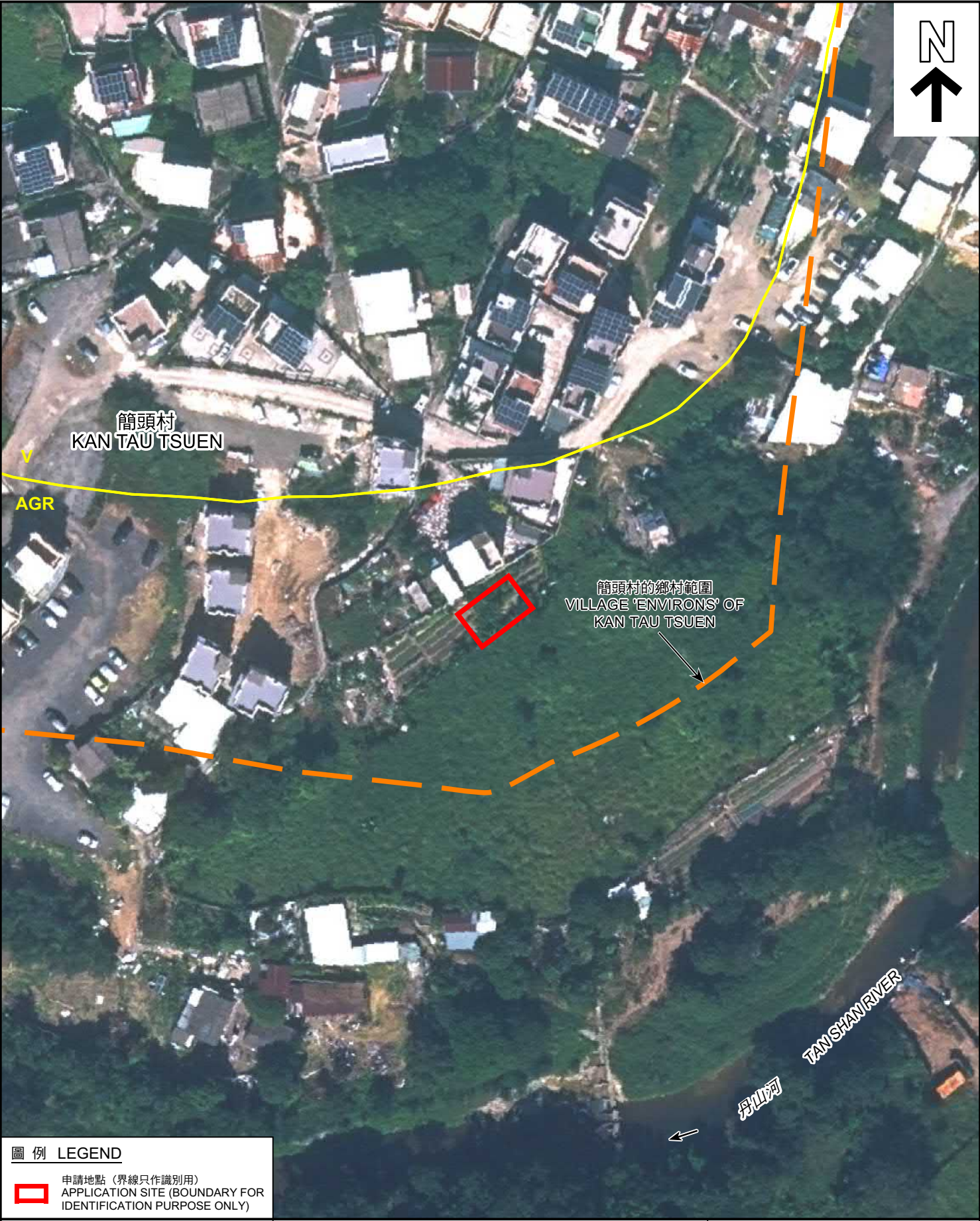


規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-LYT/847

圖 PLAN
A-2b



圖例 LEGEND

 申請地點（界線只作識別用）
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)

本摘要圖於2025年5月14日擬備，
所根據的資料為地政總署
於2023年11月17日拍得的航攝照片
編號E210739C
EXTRACT PLAN PREPARED ON 14.5.2025
BASED ON AERIAL PHOTO No. E210739C
TAKEN ON 17.11.2023 BY
LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

擬議屋宇（新界豁免管制屋宇-小型屋宇）
新界粉嶺簡頭村丈量約份第76約地段第1587號B分段第2小分段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 1587 S.B SS.2 IN D.D. 76,
KAN TAU TSUEN, FANLING, NEW TERRITORIES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-LYT/847

圖 PLAN
A-3



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

本摘要圖於2025年5月13日擬備，
所根據的資料為攝於2025年4月22日
的實地照片
EXTRACT PLAN PREPARED ON 13.5.2025
BASED ON SITE PHOTO
TAKEN ON 22.4.2025

擬議屋宇（新界豁免管制屋宇-小型屋宇）
新界粉嶺簡頭村丈量約份第76約地段第1587號B分段第2小分段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 1587 S.B SS.2 IN D.D. 76,
KAN TAU TSUEN, FANLING, NEW TERRITORIES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-LYT/847

圖 PLAN
A-4

Deliberation Session

23. The Chairperson recapitulated that the application involved minor relaxation of BH restriction from 9m to 11.3m, of which 8m above ground level for residential units while 3.3m at basement level for carport purpose. The proposed PR and SC complied with the relevant restrictions stipulated in the Notes for the “R(C)2” zone. A land exchange application covering the Site was being processed by LandsD.

24. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 6.6.2029, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairperson thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

Sha Tin, Tai Po and North District

[Messrs Ryan C.K. Ho and Jeffrey P.K. Wong, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/847 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1587 S.B ss.2 in D.D. 76, Kan Tau Tsuen,
Fanling
(RNTPC Paper No. A/NE-LYT/847)

Presentation and Question Sessions

25. With the aid of some plans, Mr Ryan C.K. Ho, STP/STN, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

26. Members had no question on the application.

Deliberation Session

27. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Kan Tau Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.”

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

By Post

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/NE-LYT/847

20 June 2025

Tang Sau Fong

Dear Sir/Madam,

**Proposed House (New Territories Exempted House - Small House)
in “Agriculture” Zone, Lot 1587 S.B ss.2 in D.D. 76, Kan Tau Tsuen, Fanling**

I refer to my letter to you dated 17.4.2025.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Kan Tau Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.

A copy of the TPB Paper in respect of the application is available at TPB website at this link (https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/766_rnt_agenda.html). A copy of the TPB Paper in Chinese in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 6.6.2025, in both English and Chinese, are enclosed herewith for your reference.


Under section 17(1) and 17(1A) of the Town Planning Ordinance (the Ordinance), an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. The application must be in writing and must set out the grounds for the review. If you wish to seek a review, you should inform me and provide the grounds for review within 21 days from the date of this letter (on or before 11.7.2025). I will then contact you to arrange a

hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. Ryan Ho of the Sha Tin, Tai Po & North District Planning Office at 2158 6367.

Yours faithfully,



(Leticia LEUNG)
for Secretary, Town Planning Board

(With Chinese Translation)

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/NE-LYT/847

郵遞函件

鄧秀芳

先生／女士：

擬在劃為「農業」地帶的粉嶺簡頭村
第 76 約地段第 1587 號 B 分段第 2 小分段
興建屋宇(新界豁免管制屋宇—小型屋宇)

我曾於二零二五年四月十七日發信給你。

城市規劃委員會(下稱「城規會」)在考慮這宗申請後，
決定拒絕這宗申請，理由是：

- (a) 擬議發展不符合「農業」地帶的規劃意向。「農業」地帶的規劃意向主要是保存和保護良好的農地／農場／魚塘，以便作農業用途，以及保存在復耕及作其他農業用途方面具有良好潛力的休耕農地。申請書內並無有力的規劃理據，以支持偏離此規劃意向；以及
- (b) 簡頭村的「鄉村式發展」地帶內仍有土地可供使用。該地帶內的土地主要預算供興建小型屋宇之用。為使發展模式較具條理，而在土地運用及基礎設施和服務的提供方面較具經濟效益，把擬議的小型屋宇發展集中在「鄉村式發展」地帶內，會較為合適。

就這宗申請擬備的城規會文件，已上載於城規會網站的連結 (https://www.tpb.gov.hk/tc/meetings/RNTPC/Agenda/766_rnt_agenda.html)。現隨函付上就這宗申請擬備的城規會文件中譯本(補充規劃綱領／技術報告(如有的話)除外)及二零二五年六月六日城規會會議記錄的相關摘錄的中英文本，以供參閱。

根據《城市規劃條例》(下稱「條例」)第 17(1)及第 17(1A)條，申請人如因城規會的決定而感到受屈，可以書面方式向城規會申請對有關決定進行覆核，並須列明覆核的理由。如欲提出覆核申請，你須在本信發出日期起計的 21 天內(即二零二五年七月十一日或之前)通知我，並提供覆核的理由。其後，我會與你聯絡，邀請你及／或你的獲授權代表出席城規會的聆聽會議。城規會須在收到覆核申請的日期起計三個月內考慮覆核申請。所有覆核申請均須予公布，為期三個星期，讓公眾提出意見。

根據條例，城規會在覆核聆聽會議上，只可因應申請人的進一步書面及／或口頭申述，重新考慮原來的申請。如你在現階段決定對原來建議作出重大修改，便應根據條例第 16 條就該建議向城規會提交新的申請。

如對上述決定有任何疑問或需要進一步資料，請與沙田、大埔及北區規劃處何子健先生聯絡(電話：2158 6367)。

城市規劃委員會秘書
(梁靜思代行)

二零二五年六月二十日

敬啟者：

擬在劃為「農業」地帶的粉嶺簡頭村 第 76 約地段第 1587 號 B 分段第 2 小分段
興建屋宇(新界豁免管制屋宇 - 小型屋宇)

本人 TANG SAU FONG 為申請人劉金發的獲授權代理人。本人不滿城規會對上述申請的決定，現特函城規會根據《城市規劃條例》第 17(1)及第 17(1A)條提出覆核申請要求重新批准規劃許可。其理如下：

1. 城規會對於上述申請地段，曾於 02/06/2000 在檔號 TPB/A/NE-LYT/200 批准同一位置即完全“重疊”範圍上的批出規劃許可申請。從城規會曾批出上述地段興建小型屋宇規劃許可的事實證明，上述地段完全適合從原來「農業」地帶的規劃意向轉變為「鄉村式發展」用地或者興建小型屋宇的用途(總之適合興建小型屋宇的用途)，城規會“認可”上述地段適合興建小型屋宇並予以批准！
2. 再者，上述地段申請的北面相連地段有已建成的小型屋宇(簡頭村 112 號)，西面亦有多間已建成的(簡頭村 DD76 Lots 1585S.D, 1585S.E, 1587S.F, 1585S.G)及已簽署建屋牌照的小型屋宇(簡頭村 DD76 Lots 1587S.Bss.5)，東面相連地段亦有已簽署建屋牌照的小型屋宇(簡頭村 DD76 Lots 1587S.Bss.1)及四間已經獲批准規劃許可申請檔號為：A/NE-LYT/787(簡頭村 DD76 Lots 1602 S.A, 1602 S.B, 1602 S.C, 1602 S.D) 的小型屋宇，毗鄰地段近年亦有小型屋宇申請已經獲批(規劃許可申請檔號為：A/NE-LYT/831, A/NE-LYT/808)，上述地段三面的小型屋宇目前均已興建好或預備建屋工程中(均已獲地政部門批出建屋牌照)，所以本人不能理解：為什麼被三面小型屋宇圍夾在中間的上述地段，現階段會比 2000 年 6 月之前從原本城規會已認可的興建小型屋宇用地範圍，更適合重新“倒回”轉化為「農業」意向？
3. 城規會對上述地段相同情況，均予以批准規劃許可，所以城規會 2025/06/20 來函拒絕批准的理由第(a)項是不成立的。據不完全統計，附近地方城規會已批准數個規劃許可申請，例如：同樣是粉嶺簡頭村 A/NE-LYT/787, A/NE-LYT/831, A/NE-LYT/808, A/NE-LYT/638，粉嶺第 76 約 A/NE-LYT/843, A/NE-LYT/818, A/NE-LYT/817, A/NE-LYT/810 已經重新獲得規劃許可。此外，其他地區鄉村涉及「農業」用地，A/NE-TKL/787, A/NE-TKL/788, A/NE-TKL/789, A/NE-TKL/792, A/NE-PK/212, A/NE-PK/211, A/NE-PK/210, A/NE-PK/209, A/NE-PK/208, A/NE-PK/207, A/NE-PK/205, A/NE-PK/204, A/NE-PK/203, A/NE-PK/172, A/NE-PK/164, A/NE-MUP/179, A/NE-MUP/177, A/NE-MUP/163, A/NE-MUP/161, A/NE-MUP/131, A/NE-MUP/127, A/NE-LT/777, A/NE-LT/694, A/YL-TT/698, A/NE-KTS/543, A/SK-HC/202, A/SK-HC/259, A/NE-LYT/844，部份同一鄉村均連續數間小型屋宇申請地段獲得城規會批准規劃許可興建小型屋宇。換句話說，證明城規會小組委員會即使自 2015 年 8 月起仍採取從寬考慮審批申請，城規會依然會在「農業」用地批出規劃許可申請。
4. 上述申請地段是原有已獲批出小型屋宇規劃許可基礎上的「重新申請」(並不是新增小型屋宇的申請)，不論申請地段、屋型呎吋、屋角座標、地理地形、現場環境，現在跟以往均沒有任何改變。換句話說，是次申請一切狀況與城規會檔號 A/NE-LYT/200 批出規劃許可時一模一樣，當時並獲得各部門接納批准規劃許可附帶條件。而由於部門審批小型屋宇因個案眾多需時輪候，城規會規劃許可批准期限已過，申請人需再次就同一申請地點、重新向城規會申請規劃許可，部門方可繼續處理申請。實際上只是行政上履行同一手續而已。

鑑於上述理據，本人要求城規會繼續按照原來的標準批准上述地段的規劃許可申請。謝謝垂注！

此 致
城市規劃委員會 台照

獲授權代理人 TANG SAU FONG 謹上

二零二五年七月十日

Recommended Advisory Clauses

- (a) to note the comments of the Commissioner for Transport (C for T) that the local village access leading to the application site (the Site) from Sha Tau Kok Road – Ma Mei Ha is not managed by the Transport Department (TD);
- (b) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public road and drains; and
 - (ii) his office is not/shall not be responsible for the maintenance of any access connecting the Site and the nearby public road;
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department (EPD) should be consulted regarding the sewage treatment/disposal facilities for the proposed development;
 - (ii) the applicant should check and ensure that the existing drainage channel downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system; and
 - (iii) adequate stormwater drainage collection and disposal facilities shall be provided to deal with the surface runoff of the Site or the same flowing on to the Site from the adjacent areas;
- (d) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe ‘New Territories Exempted Houses – A Guide to Fire Safety Requirements’ which is administrated by the Lands Department (LandsD). Detailed fire safety requirements will be formulated upon receipt of formal application via LandsD;
- (e) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
 - (i) for the provision of water supply to the proposed development, the applicant may need to extend his inside services to the nearest suitable government water mains for connection; and
 - (ii) 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 standard;
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and compensatory/new tree planting. The applicant is

reminded to seek approval for any proposed tree works from relevant department(s) prior to commencement of the works; and

- (g) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permissions from the Town Planning Board where required before carrying out the road works.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

R-1

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-LYT/847

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

意見

「提意見人」姓名/名稱 Name of person/company making this comment 侯志強議員

簽署 Signature



日期 Date

2023.7.26

FAXED

① 24-7-2025
② 寄出正本 - 24-7-2025

致城市規劃委員會秘書：

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P.1/3

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Details of the Comment (use separate sheet if necessary)

請看反對資料 (附頁)

「提意見人」姓名/名稱 Name of person/company making this comment _____

簽署 Signature _____



日期 Date _____

24-7-2025





香港新界粉嶺區鄉事委員會

Hong Kong Fanling District Rural Committee

FAXED

① 24-7-2025
② 寄出正本 - 24-7-2025
P2/3

貴處檔號：TPB/A/NE-LYT-847

R-2

敬啟者：

新界粉嶺簡頭村丈量約份第 76 約地段第 1587 號 B 分段第 2 小分段
擬議屋宇（新界豁免管制屋宇 - 小型屋宇）
（申請編號：A/NE-LYT/847）

本會曾在 2025 年 5 月 6 日第一次接獲簡頭村村民求助及已出反對信
反對標題所述之申請，現在（7 月中）短時間內再次收到貴署寄來第二次申
請諮詢，最後簡頭村原居民堅持 極力反對，原因是：

- 1) 申請人不是簡頭村原居民。
- 2) 引出道路狹窄、阻塞問題，噪音、衛生問題，影響民生。

懇請 貴處理解村民兩次反對聲音，審慎處理。

此致
規劃署沙田、大埔
及北區規劃專員

粉嶺區鄉事委員會主席



敬上

（李國鳳）

2025 年 7 月 24 日



FAXED

① 24-7-2025
② 寄出正本 - 24-7-2025

香港新界粉嶺區鄉事委員會

Hong Kong Fanling District Rural Committee

P-3/3

貴處檔號：TPB/A/NE-LYT-847

P-3

敬啟者：

新界粉嶺簡頭村丈量約份第76約地段第1587號B分段第2小分段
擬議屋宇（新界豁免管制屋宇 - 小型屋宇）
（申請編號：A/NE-LYT/847）

本會曾在2025年5月6日第一次接獲簡頭村村民求助及已出反對信反對標題所述之申請，現在（7月中）短時間內再次收到貴署寄來第二次申請諮詢，最後簡頭村原居民堅持 極力反對，原因是：

- 1) 申請人不是簡頭村原居民。
- 2) 引出道路狹窄、阻塞問題，噪音、衛生問題，影響民生。

懇請 貴處理解村民兩次反對聲音，審慎處理。

此致
規劃署沙田、大埔
及北區規劃專員

粉嶺區鄉事委員會首副主席

劉永安

（劉永安）

敬上



2025年7月24日

From:
Sent: 2025-08-04 星期一 03:49:56
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: A/NE-LYT/847 DD 76 Kan Tau Tsuen

R-4

A/NE-LYT/847

Lot 1587 S.B ss.2 in D.D. 76, Kan Tau Tsuen, Fanling

Site area: About 126sq.m

Zoning: "Agriculture"

Applied Development: NET House

Dear TPB Members,

766th RNTPC MEETING ON 06.06.2025

After deliberation, the Committee decided to reject the application and the reasons are :

(a) the proposed development is not in line with the planning intention of the "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and

(b) **land is still available within the "Village Type Development" ("V") zone of Kan Tau Tsuen** which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the "V" zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.

The Site is the subject of a previous application (No. A/NE-LYT/200) **submitted by a different applicant** for proposed Small House development. The proposed Small House development did not materialised. Subsequently, the BL was revoked on 9.3.2012

Four comments from the Chairman and the 1 st Vice-chairman of Fanling District Rural Committee, the Chairman of Lung Shan Area Committee as well as an individual object to the application mainly on the grounds that **the applicant is not an indigenous villager of Kan Tau Tsuen.**

Clearly no justification to the review.

Mary Mulvihill

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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R-5

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

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有關的規劃申請編號 The application no. to which the comment relates

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意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

反對此申請，理由如下：-

1. 申請人不是範圍村原居民；

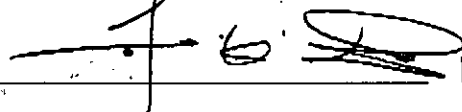
2. 申請地段是農地而非建屋地段；

3. 沒有完善的規劃，如排水渠

「提意見人」姓名/名稱 Name of person/company making this comment

劉山及區委員詹錦棠葉榮成

簽署 Signature



日期 Date

8-8-2015