

Sha Tin, Tai Po and North District

[Mr Ryan C.K. Ho and Ms Ivy C.W. Wong, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), Mr Timothy W.P. Wu, Town Planner/Shan Tin, Tai Po and North (TP/STN), and Mr Peter P.L. Ngan, Assistant Town Planner/Shan Tin, Tai Po and North (ATP/STN), were invited to the meeting at this point.]

Agenda Items 11 and 12

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/862 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” and “Village Type Development” Zones, Lot 691 S.D in
D.D. 83, Kwan Tei Village, Fanling

A/NE-LYT/863 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 691 S.E in D.D. 83, Kwan Tei Village,
Fanling
(RNTPC Paper No. A/NE-LYT/862 and 863)

41. The Committee agreed that as the two applications each for a proposed house (New Territories Exempted Houses (NTEH) – Small Houses (SH)) were similar in nature and the application sites (the Sites) were located adjacent to each other within the same “Agriculture” zone, they could be considered together.

Presentation and Question Sessions

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

43. Noting that there were existing SHs and SH grant/NTEH redevelopment applications approved by the Lands Department (LandsD) in the vicinity of the Sites as

shown on Plans A-2a and A-4 of the Paper, a Member enquired about the rationale for not regarding the Sites as infill sites, and whether the application site of application No. A/NE-LYT/863 would be considered an infill site if application No. A/NE-LYT/862 had been approved.

44. In response, Mr Ryan C.K. Ho, STP/STN, with the aid of some plans and the Interim Criteria for consideration of application for NTEH/SH in the New Territories (the Interim Criteria), explained that according to criterion (d) of the Interim Criteria, an application for NTEH/SH with previous planning permission lapsed would be assessed on its own merits. In general, proposed developments which were not in line with the criteria would normally not be allowed. However, sympathetic consideration might be granted if there were specific circumstances to justify the cases, such as the site being an infill site among existing NTEHs/SHs or the processing of SH grant being at an advance stage. For application No. A/NE-LYT/862, a domestic structure and a vacant site (the application site of application No. A/NE-LYT/863) could be observed to its immediate north and south respectively. For application No. A/NE-LYT/863, vacant sites were observed to its immediate north, west and south. The northern site was the application site of application No. A/NE-LYT/862, while the western and southern sites were the subjects of two previously approved applications (No. A/NE-LYT/858 and 832 respectively), with SH grant applications being processed by LandsD and remaining vacant at the time. Hence, the Sites could not be regarded as infill sites. As there were no existing NTEHs/SHs to the immediate west and south of the application site of application No. A/NE-LYT/863, it could not be regarded as an infill site even if the proposed NTEH/SH of application No. A/NE-LYT/862 to its north was built. Each application for NTEH/SH would be considered individually, taking into account the latest planning circumstances including the most recent developments in the surrounding area.

Deliberation Session

45. After deliberation, the Committee decided to reject each of the applications. 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 Kwan Tei which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

~~**Agenda Items 13 and 14**~~

~~**Section 16 Applications**~~

~~[Open Meeting (Presentation and Question Sessions Only)]~~

~~A/NE-LYT/864 Proposed Five Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 966 S.A, 966 S.B, 966 S.C, 967 S.A and 967 S.B in D.D. 83, Tung Kok Wai, Lung Yeuk Tau, Fanling (RNTPC Paper No. A/NE-LYT/864)~~

~~A/NE-LYT/865 Proposed Two Houses (New Territories Exempted Houses - Small Houses) in “Agriculture” Zone, Lots 978 S.A and 978 S.B in D.D. 83, Tung Kok Wai, Lung Yeuk Tau, Fanling (RNTPC Paper No. A/NE-LYT/865)~~

~~46. The Committee agreed that as the two applications for proposed five houses (New Territories Exempted Houses (NTEHs) – Small Houses (SHs)) (No. A/NE-LYT/864) and proposed two houses (NTEHs – SHs) (No. A/NE-LYT/865) were similar in nature and the application sites were located adjacent to each other within the same “Agriculture” zone, they could be considered together.~~

~~**Presentation and Question Sessions**~~

~~47. With the aid of some plans, Mr Peter P.L. Ngan, ATP/STN, briefed Members on~~