

**Relevant Interim Criteria for Consideration of Application for  
New Territories Exempted House (NTEH)/Small House in New Territories**  
**(Revised 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 recognized 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 Applications at the Application Site**

**Approved Applications**

<b>Application No.</b>	<b>Proposed Use</b>	<b>Date of Consideration</b>	<b>Approval Condition(s)</b>
A/SK-HC/203	Proposed House (New Territories Exempted House – Small House)	2.9.2011	(1) & (2)
A/SK-HC/261	Proposed House (New Territories Exempted House – Small House)	12.8.2016	(3)

**Approval Condition(s)**

- (1) The submission and implementation of a landscape proposal
- (2) The provision of fire-fighting access, water supplies for fire-fighting and fire service installations
- (3) The provision of septic tank as proposed by the applicant

**Similar Planning Applications for  
Proposed House (New Territories Exempted House (NTEH) - Small House)  
Within/Straddling the Subject “Agriculture” (“AGR”) Zone  
on the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/13**

**Approved Applications**

	<b>Application No.</b>	<b>Proposed Development(s)</b>	<b>Zoning(s)</b>	<b>Date of Consideration</b>	<b>Approval Condition(s)</b>
1.	A/SK-HC/150	Proposed House (NTEH - Small House)	“AGR”	28.9.2007	(a), (b) and (c)
2.	A/SK-HC/151	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	28.9.2007	(a), (b) and (c)
3.	A/SK-HC/153	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	12.10.2007	(a) and (b)
4.	A/SK-HC/154	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	2.11.2007	(a) and (c)
5.	A/SK-HC/155	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	2.11.2007	(a) and (c)
6.	A/SK-HC/156	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	16.11.2007	(c)
7.	A/SK-HC/158	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	7.3.2008	(a), (b) and (c)
8.	A/SK-HC/159	Proposed House (NTEH - Small House)	“AGR”	7.3.2008	(a), (b) and (c)
9.	A/SK-HC/162	Proposed House (NTEH - Small House)	“AGR”	20.6.2008	(a), (b) and (c)
10.	A/SK-HC/164	Proposed House (NTEH - Small House)	“AGR”	19.9.2008	(b) and (c)
11.	A/SK-HC/166	Proposed House (NTEH - Small House)	“AGR”	7.11.2008	(a), (b) and (c)
12.	A/SK-HC/167	Proposed House (NTEH - Small House)	“AGR”	7.11.2008	(a), (b) and (c)
13.	A/SK-HC/171	Proposed House (NTEH - Small House)	“AGR”	6.11.2009	(b) and (c)
14.	A/SK-HC/172	Proposed House (NTEH - Small House)	“AGR”	6.11.2009	(b) and (c)
15.	A/SK-HC/173	Proposed House (NTEH - Small House)	“AGR”	20.11.2009	(b) and (c)
16.	A/SK-HC/179	Proposed House (NTEH - Small House)	“AGR”	23.4.2010	(b)
17.	A/SK-HC/183	Proposed House (NTEH - Small House)	“AGR”	12.11.2010	(b) and (c)
18.	A/SK-HC/184	Proposed House (NTEH - Small House)	“AGR”	24.9.2010	(b) and (c)
19.	A/SK-HC/194	Proposed House (NTEH - Small House)	“AGR”	8.7.2011	(b) and (c)

	<b>Application No.</b>	<b>Proposed Development(s)</b>	<b>Zoning(s)</b>	<b>Date of Consideration</b>	<b>Approval Condition(s)</b>
20.	A/SK-HC/195	Proposed House (NTEH - Small House)	“AGR”	8.7.2011	(b) and (c)
21.	A/SK-HC/196	Proposed House (NTEH - Small House)	“AGR”	8.7.2011	(b) and (c)
22.	A/SK-HC/198	Proposed House (NTEH - Small House)	“AGR”	5.8.2011	(b) and (c)
23.	A/SK-HC/199	Proposed House (NTEH - Small House)	“AGR”	5.8.2011	(b) and (c)
24.	A/SK-HC/200	Proposed House (NTEH - Small House)	“AGR” and “V”	5.8.2011	(b) and (c)
25.	A/SK-HC/201	Proposed House (NTEH - Small House)	“AGR”	19.8.2011	(b) and (c)
26.	A/SK-HC/202	Proposed House (NTEH - Small House)	“AGR”	19.8.2011	(b) and (c)
27.	A/SK-HC/206	Proposed House (NTEH - Small House)	“AGR”	20.1.2012	(b) and (c)
28.	A/SK-HC/207	Proposed House (NTEH - Small House)	“AGR”	10.2.2012	(b) and (c)
29.	A/SK-HC/208	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	24.2.2012	(b) and (c)
30.	A/SK-HC/209	Proposed House (NTEH - Small House)	“AGR”	30.3.2012	(b) and (c)
31.	A/SK-HC/210	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	20.4.2012	(b) and (c)
32.	A/SK-HC/211	Proposed House (NTEH - Small House)	“AGR”	18.5.2012	(b) and (c)
33.	A/SK-HC/212	Proposed House (NTEH - Small House)	“AGR”	18.5.2012	(b) and (c)
34.	A/SK-HC/214	Proposed House (NTEH - Small House)	“AGR”	1.6.2012	(b) and (c)
35.	A/SK-HC/215	Proposed House (NTEH - Small House)	“AGR”	1.6.2012	(b) and (c)
36.	A/SK-HC/217	Proposed House (NTEH - Small House)	“AGR”	7.9.2012	(b)
37.	A/SK-HC/218	Proposed House (NTEH - Small House)	“AGR”	21.9.2012	(b) and (c)
38.	A/SK-HC/222	Proposed House (NTEH - Small House)	“AGR” and “V”	8.2.2013	(c)
39.	A/SK-HC/228	Proposed House (NTEH - Small House)	“AGR”	3.1.2014	(c)
40.	A/SK-HC/229	Proposed House (NTEH - Small House)	“AGR”	3.1.2014	(c)
41.	A/SK-HC/230	Proposed House (NTEH - Small House)	“AGR”	7.3.2014	(c)

	<b>Application No.</b>	<b>Proposed Development(s)</b>	<b>Zoning(s)</b>	<b>Date of Consideration</b>	<b>Approval Condition(s)</b>
42.	A/SK-HC/237	Proposed Four Houses (NTEHs - Small Houses)	“AGR”	14.11.2014	(c) and (d)
43.	A/SK-HC/238	Proposed Four Houses (NTEHs - Small Houses)	“AGR”	12.12.2014	(c) and (d)
44.	A/SK-HC/240	Proposed House (NTEH - Small House)	“AGR”	16.1.2015	(c) and (d)
45.	A/SK-HC/243	Proposed House (NTEH - Small House)	“AGR”	5.6.2015	(c) and (d)
46.	A/SK-HC/246	Proposed House (NTEH - Small House)	“AGR”	21.8.2015	(c) and (d)
47.	A/SK-HC/254	Proposed House (NTEH - Small House)	“AGR”	8.1.2016	(d)
48.	A/SK-HC/255	Proposed House (NTEH - Small House)	“AGR”	8.1.2016	(d)
49.	A/SK-HC/258	Proposed House (NTEH - Small House)	“AGR”	12.8.2016	(d)
50.	A/SK-HC/259	Proposed House (NTEH - Small House)	“AGR”	12.8.2016	(d)
51.	A/SK-HC/260	Proposed House (NTEH - Small House)	“AGR”	12.8.2016	(d)
52.	A/SK-HC/263	Proposed House (NTEH - Small House)	“AGR”	30.9.2016	(d)
53.	A/SK-HC/267	Proposed House (NTEH - Small House)	“AGR”	12.5.2017	(d)
54.	A/SK-HC/268	Proposed House (NTEH - Small House)	“AGR”	12.5.2017	(d)
55.	A/SK-HC/270	Proposed House (NTEH - Small House)	“AGR”	25.8.2017	(c) and (d)
56.	A/SK-HC/272	Proposed House (NTEH - Small House)	“AGR”	27.10.2017	(c) and (d)
57.	A/SK-HC/273	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	27.10.2017	(c) and (d)
58.	A/SK-HC/274	Proposed House (NTEH - Small House)	“AGR”	27.10.2017	(c) and (d)
59.	A/SK-HC/275	Proposed House (NTEH - Small House)	“AGR”	27.10.2017	(d)
60.	A/SK-HC/276	Proposed House (NTEH - Small House)	“AGR”	27.10.2017	(d)
61.	A/SK-HC/277	Proposed House (NTEH - Small House)	“AGR”	27.10.2017	(c) and (d)
62.	A/SK-HC/280	Proposed House (NTEH - Small House)	“AGR”	22.12.2017	(d)
63.	A/SK-HC/293	Proposed House (NTEH - Small House)	“AGR”	6.7.2018	(d)

	<b>Application No.</b>	<b>Proposed Development(s)</b>	<b>Zoning(s)</b>	<b>Date of Consideration</b>	<b>Approval Condition(s)</b>
64.	A/SK-HC/294	Proposed House (NTEH - Small House)	“AGR”	6.7.2018	(d)
65.	A/SK-HC/305	Proposed House (NTEH - Small House)	“AGR”	17.5.2019	(d)
66.	A/SK-HC/311	Proposed House (NTEH - Small House)	“AGR”	19.7.2019	(d)
67.	A/SK-HC/312	Proposed House (NTEH - Small House)	“AGR”	2.8.2019	(d)
68.	A/SK-HC/313	Proposed House (NTEH - Small House)	“AGR”	2.8.2019	(d)
69.	A/SK-HC/314	Proposed House (NTEH - Small House)	“AGR”	2.8.2019	(d)
70.	A/SK-HC/315	Proposed House (NTEH - Small House)	“AGR” and “V”	20.9.2019	(d)
71.	A/SK-HC/322	Proposed House (NTEH - Small House)	“AGR”	6.11.2020	(d)
72.	A/SK-HC/324	Proposed House (NTEH - Small House)	“AGR”	26.3.2021	(d)
73.	A/SK-HC/325	Proposed House (NTEH - Small House)	“AGR”	24.9.2021	(d)
74.	A/SK-HC/331	Proposed House (NTEH - Small House)	“AGR”	24.9.2021	(d)
75.	A/SK-HC/334	Proposed House (NTEH - Small House)	“AGR”	18.2.2022	-
76.	A/SK-HC/335	Proposed House (NTEH - Small House)	“AGR”	18.2.2022	-
77.	A/SK-HC/337	Proposed House (NTEH - Small House)	“AGR”	18.3.2022	-
78.	A/SK-HC/341	Proposed House (NTEH - Small House)	“AGR”	14.7.2023	-
79.	A/SK-HC/367	Proposed Three Houses (NTEHs - Small Houses)	“AGR”	4.7.2025	-
80.	A/SK-HC/368	Proposed House (NTEH - Small House)	“AGR”	2.5.2025	-
81.	A/SK-HC/369	Proposed House (NTEH - Small House)	“AGR”	7.11.2025	-

Approval Condition(s)

- (a) The submission of an archaeological survey before the commencement of any construction works and rescue excavation should be undertaken should archaeological remains be found
- (b) The provision of fire-fighting access, water supplies for fire-fighting and fire service installations
- (c) The submission and implementation of a landscape proposal
- (d) The provision of septic tank as proposed by the applicant

## **Rejected Applications**

	<b>Application No.</b>	<b>Proposed Development(s)</b>	<b>Zoning</b>	<b>Date of Consideration</b>	<b>Rejection Reason(s)</b>
1.	A/SK-HC/165	Proposed House (NTEH - Small House)	“AGR”	20.2.2009	(1) and (2)
2.	A/SK-HC/174	Proposed House (NTEH - Small House)	“AGR”	18.12.2009	(1), (3) and (4)
3.	A/SK-HC/190	Proposed Two Houses (NTEHs - Small Houses)	“AGR”	6.5.2011	(1)
4.	A/SK-HC/204	Proposed House (NTEH - Small House)	“AGR”	18.11.2011	(1) and (5)
5.	A/SK-HC/290	Proposed House (NTEH - Small House)	“AGR”	15.6.2018	(1), (3) and (5)
6.	A/SK-HC/357	Proposed House (NTEH - Small House)	“AGR”	20.12.2024	(3) and (6)
7.	A/SK-HC/358	Proposed House (NTEH - Small House)	“AGR”	20.12.2024	(3) and (6)
8.	A/SK-HC/359	Proposed House (NTEH - Small House)	“AGR”	20.12.2024	(3) and (6)

### **Rejection Reason(s)**

- (1) The application did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the applicant fails to demonstrate that the proposed development, located close to a stream course and/or within the water gathering ground, would not cause adverse impact on the water quality of the area.
- (2) 11kV high voltage overhead lines were located within the application site. There was insufficient information to demonstrate that alternative site(s) were available for diversion or replacement of the overhead power lines prior to granting planning approval. No feasible solution had been provided to address the concerns on electrical safety and electricity supply issues.
- (3) The proposed development was not in line with the planning intention of the “AGR” zone which was 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 such planning intention.
- (4) The cumulative impact of approving NTEH development in “AGR” zone might have adverse traffic impact on the local road network.
- (5) The approval of the application would set an undesirable precedent for other similar applications within the water gathering grounds in the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the water quality of the area.
- (6) Land was still available within the “Village Type Development” (“V”) zone of Ho Chung which is primarily for Small House development. It was 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.

**Government Departments' General Comments**

**1. Land Administration**

Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) no objection to the application;
- (b) the Site is within the village 'environs' ('VE') of Ho Chung;
- (c) as advised by the Indigenous Inhabitant Representative (IIR) of Ho Chung, the 10-year (2020-2029) Small House demand forecast for Ho Chung (including Nam Pin Wai) is 480. However, his office is not in a position to verify the forecast;
- (d) the numbers of outstanding Small House applications in Ho Chung (including Nam Pin Wai) falling within "Village Type Development" ("V") zone and outside "V" zone are 44 and 26 respectively;
- (e) the number of approved applications for rebuilding New Territories Exempted House (NTEH) within the 'VEs' of Ho Chung (including Nam Pin Wai) but that the rebuilding of such NTEH has not yet been completed is 4;
- (f) the applicant was certified as an indigenous villager of Ho Chung by the IIR of Ho Chung; and
- (g) if the planning application is approved, the applicant shall apply to his office for a Small House grant at the Site. The Small House application will be considered by the Government in its capacity as a landlord and there is no guarantee that it will eventually be approved.

**2. Traffic**

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

- (a) the proposed Small House development should be confined within the "V" zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, the proposed Small House 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; and
- (b) notwithstanding the above, the subject application only involves development of one Small House and their office consider that this application can be tolerated on traffic grounds.

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

No comment on the application from highway maintenance point of view as the track leading to the Site falls outside the maintenance jurisdiction of his office.

### 3. **Water Supply**

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

The Site is located at the boundary of water gathering grounds. He has no objection to the proposed development provided that the following conditions are complied with:

- (a) all spoils arising from the site formation and building construction works shall be contained and protected to prevent all nearby water courses from being polluted or silting up;
- (b) a septic tank and soakaway pit system shall be provided for foul effluent disposal. The whole system shall be properly maintained and desludged at a regular frequency. All sludge shall be carried away and disposed of outside the water gathering grounds;
- (c) the applicant shall connect the whole of foul/sewage system to the public sewers when they become available;
- (d) since the proposed house itself is less than 30m from the nearest water course, it should be located as far away from the water course as possible;
- (e) the whole of foul effluent shall be conveyed through cast iron pipes or other approved material with sealed joints and hatched boxes from the proposed house to the septic tank and soakaway pit system; and
- (f) the advisory comments are detailed at **Appendix VI**.

### 4. **Drainage**

Comments of the Chief Engineer/Mainland South, Drainage Services Department (DSD):

- (a) no comment on the application;
- (b) there is no public stormwater drainage system adjacent to the concerned area; and
- (c) the advisory comments are detailed at **Appendix VI**.

### 5. **Environment**

Comments of the Director of Environmental Protection (DEP):

- (a) In view of the nature and scale of the proposed development, the application alone is unlikely to cause major pollution; and
- (b) the advisory comments are detailed at **Appendix VI**.

## 6. **Landscape**

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

- (a) no adverse comment on the application from landscape planning perspective;
- (b) according to aerial photos taken in 2024, the Site is situated in an area of miscellaneous rural fringe landscape characterised by village houses and paved areas;
- (c) from the site photos taken on 10.2.2026, the Site is formed with no distinctive landscape resources; and
- (d) in view of the above, no significant adverse landscape impact arising from the proposed development is anticipated.

## 7. **Agriculture**

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

- (a) the application is not supported from agricultural perspective as the Site possesses potential for agricultural rehabilitation; and
- (b) the Site falls within the “Agriculture” zone and is generally vacant. 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. **Archaeology**

Comment of the Executive Secretary (Antiquities and Monuments)<sup>2</sup>, Antiquities and Monuments Office, Development Bureau (ES(AM)<sup>2</sup>, AMO, DEVB):

The Site falls within the Ho Chung Site of Archaeological Interest (SAI). Having reviewed the location and scope of the proposed works with the findings of the previous archaeological works in the vicinity, ES(AM)<sup>2</sup>, AMO, DEVB has no in-principle objection to the application under the condition that the applicant should notify AMO two weeks prior to the commencement of the proposed works so as to facilitate AMO’s site inspection in the course of excavation at the Site. The applicant is required to sign and return a Deed of Undertaking for the archaeological work upon receipt of the Deed from AMO via DLO, when the applicant applies for the small house development to DLO.

## 9. **Fire Safety**

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

- (a) No objection in-principle to the application provided that the proposed house would not encroach on any existing emergency vehicular access (EVA) or planned EVA under application in accordance with LandsD’s record; and
- (b) the advisory comments are detailed at **Appendix VI**.

## **10. Demand and Supply of Small House Sites**

According to DLO/SK, LandsD, the number of outstanding Small House applications in Ho Chung is 70, while the 10-year Small House demand forecast for the village is 480 (2020-2029) as advised by the IIR of Ho Chung. According to the latest estimate by PlanD, it is estimated that about 3.60ha of land (equivalent to about 144 Small House sites) is available within the “V” zone of Ho Chung. Therefore, the land available in the “V” zone of Ho Chung cannot fully meet the future Small House demand for 550 Small House sites.

**Recommended Advisory Clauses**

- (a) to note the comments of the Director of Environmental Protection that the design and construction of the proposed septic tank and soakaway system shall follow the requirements of the Practice Note for Professional Person (ProPECC) PN 1/23 “Drainage Plans subject to Comment by the Environmental Protection Department” and are duly certified by an Authorised Person;
- (b) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the proposed development, extension of the inside services to the nearest suitable government water mains for connection may be needed. Any land matters (such as private lots) associated with the provision of water supply shall be resolved, and the construction, operation, and maintenance of the inside services within the private lots shall be carried out to WSD’s standards;
- (c) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department (DSD) that the drainage works within the lot boundary should be constructed and maintained by lot owner at their own expense; and
- (d) to note the comments of the Director of Fire Services that the “New Territories Exempted Houses – A Guide to Fire Safety Requirements” , which is administered by the Lands Department (LandsD) should be observed. Detailed fire safety requirements will be formulated upon receipt of formal applications via LandsD.

Urgent Return receipt Expand Group Restricted Prevent Copy

**tpbpd/PLAND**

---

寄件者: [REDACTED]  
寄件日期: 2026年03月01日星期日 2:54  
收件者: tpbpd/PLAND  
主旨: A/SK-HC/371 DD 244 Ho Chung  
類別: Internet Email

A/SK-HC/371

Various Lots in D.D. 244, Ho Chung, Sai Kung

Site area: About 93.7sq.m

Zoning: "Agriculture"

Applied development: NET House

Dear TPB Members,

Strong Objections. Numerous developments have been approved in Ho Chung for conversion of "V" zone to residential units for sale so there is obviously no shortage of land in the area to fulfill demand for NET houses.

The approved 261 12 Aug 2016 was not extended.

The adjacent 276 was, but that approval expired last October.

Under current policy it is considered more appropriate to concentrate Small House development within the V zone for a more orderly development pattern.

This is relevant to the application.

Mary Mulvihill