

Urgent Return receipt Expand Group Restricted Prevent Copy

From: [REDACTED]
Sent: 2025-12-31 星期三 17:10:22
To: [REDACTED]
Subject: 有關 A/YL-PH/1067 規劃申請覆核補充資料
Attachment: 申請覆核理由.pdf

煩請閣下檢閱，並以本次補充資料內容為準，謝謝。

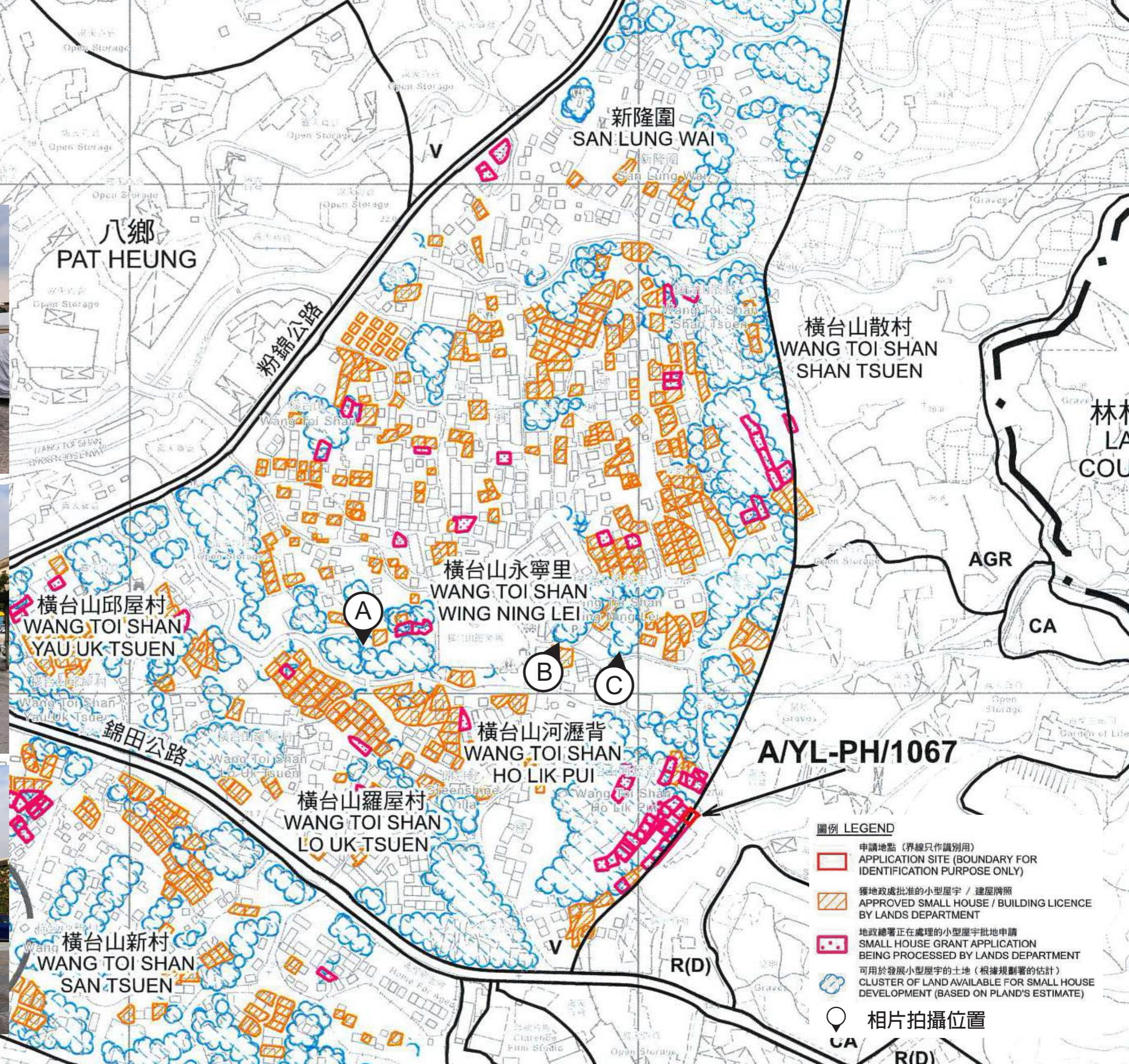
申請覆核理由：

1. 申請地點是本人擁有的唯一地段，雖然村中還有其他鄉村式發展用地，但那些地塊都是私人土地，本人無權使用，同時村中其他位置的鄉村式發展大多已發展作小型屋宇和康樂設施，可以作新的小型屋宇申請已為數不多，剩下的小量閒置土地是山陵和樹林地，無法發展作建屋用途。
2. 申請地點原先是本人所屬祖堂的土地，自 2010 年開始祖堂已在橫台山物色符合小型屋宇建屋標準的地塊，給予祖堂子孫建屋自住，最終選定了申請地點及附近範圍，並透過抽籤形式分配給祖堂子孫。祖堂的子孫人數眾多，本人僥幸中籤得到配額，因此在支付了一定金額予祖堂後買下申請地點位置，本人已再無餘款，無法負擔購買其他地方的私人土地或政府土地。
3. 本人橫台山永寧里鄧氏後人支脈，在覓地建屋上只能選擇橫台山永寧里的地塊，如果去其他村落建屋就會失去作為橫台山永寧里鄧氏後人的資格，而且其他村落的土地並不是本人所屬鄧氏祖堂擁有，其祖堂多為「羅」、「劉」、「毛」、「廖」、「駱」等姓氏，他們本身可用的建屋土地已經非常緊張，因此不會容許其他外來人進行相關土地買賣。
4. 申請地點所屬村落中的其他鄉村式發展用途地帶土地，大部份都已經被開發作小型屋宇用途，餘下的地方已被開發作為小巴士站、停車場、遊樂場等社區配套設施，已無多餘土地可以供給作小型屋宇發展。
5. 本人進行是次小型屋宇規劃申請，是因為元朗地政處處處理本人的申請已經用時超過 10 年，並歷經多任地政主任接手，因此希望委員可以酌情處理本人的申請。

由於申請地點是本人唯一擁有和可用作建屋的土地，因此懇請有關政府部門和委員，可以酌情處理本人的申請。

申請人： 鄧啓駿

日期： 2025 年 12 月 29 日



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

**(A) Explanatory Notes on NTEH/Small House Development Exempted from
Planning Application**

- (a) for NTEH/Small House development on a site straddling the “Village Type Development” (“V”) zone and other land use zones, planning permission will not be required if the proposed NTEH/Small House footprint falls wholly within the “V” zone;
- (b) planning permission will also not be required if not less than 50% of the footprint of a Small House falls within the “V” zone and the village ‘environs’ (‘VE’) of a recognized village;
- (c) the above exemption from planning application is not applicable to any NTEH/Small House development on a site encroaching on:
 - (i) conservation-related zones (such as “Coastal Protection Area”, “Conservation Area”, “Site of Special Scientific Interest”) and “Country Park”;
 - (ii) “Green Belt” zone;
 - (iii) “Open Space” (“O”) zone involving Government land, or where the proposed NTEH/Small House footprint encroaching on the “O” zone;
 - (iv) water gathering grounds; and
 - (v) area shown as ‘Road’.
- (d) notwithstanding (c) above, if only a very minor portion of the site (5% or 10m², whichever is the less) falls outside the “V” zone (regardless of the other zoning(s) involved), it will be regarded as minor boundary adjustment always permitted under the covering Notes of the relevant Outline Zoning Plan/Development Permission Area Plan provided that no tree felling is involved and no adverse impacts are envisaged.

(B) Assessment Criteria for Planning Application

- (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.