

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-MUP/237

Applicant : Mr. CHEUNG Chan Lam represented by Honest Land Surveys Company

Site : Lot 661 S.C ss.1 in D.D. 37, Man Uk Pin

Site Area : About 19.2m²

Lease : Block Government Lease (including 0.01 acre of “House Land”)

Plan : Approved Man Uk Pin Outline Zoning Plan (OZP) No. S/NE-MUP/11

Zoning : “Government, Institution or Community” (“G/IC”)

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

1. The Proposal

- 1.1 The applicant seeks planning permission to build a NTEH (not Small House) at the application site (the Site) falling within an area zoned “G/IC” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘House (other than rebuilding of NTEH or replacement of existing domestic building by NTEH permitted under the covering Notes)’ is a Column 2 use within the “G/IC” zone which requires planning permission from the Town Planning Board (the Board). The Site is partly covered with vegetation.
- 1.2 Details of the proposed NTEH are as follows:
- | | | |
|-------------------|---|--------------------------|
| Total Floor Area | : | About 57.6m ² |
| Number of Storeys | : | 3 |
| Building Height | : | 8.23m |
| Roofed Over Area | : | 19.2m ² |
- 1.3 According to the applicant, septic tank will be provided to serve the proposed NTEH. The layout plan submitted by the applicant is shown in **Drawing A-1**.
- 1.4 In support of the application, the applicant has submitted the following documents:
- | | |
|---|------------------------|
| (a) Application Form with attachments received on 9.7.2026 | (Appendix I) |
| (b) Further Information (FI) received on 21.8.2026 [#] | (Appendix Ia) |
- [#]*accepted and exempted from publication and recounting requirements*
- 1.5 The Site is the subject of a previous application No. A/NE-MUP/156 for the same use submitted by the same applicant as the current application, which was approved with

conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 18.12.2020. The planning permission subsequently lapsed on 19.12.2024. Details of the previous application are set out in paragraph 6 below. Compared with the previous application, the layout and development parameters of the proposed NTEH under the current application remain unchanged.

2. Justifications from the Applicant

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

- (a) the subject lot is held under a land lease where construction of a house is permissible;
- (b) the Site is small in size and the proposed development is compatible with the surrounding environment; and
- (c) the Site is a private lot owned by the applicant who has no intention to provide government, institution and community (GIC) facilities at the Site, and there is no known development programme for other parties to provide such facilities at the Site.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Assessment Criteria

The set of Interim Criteria for Consideration of Application for 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. Town Planning Board Guidelines

The Town Planning Board Guidelines for Application for Development/Redevelopment within “G/IC” zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 16A) promulgated by the Board on 6.3.2026 are relevant to the application. Relevant extracts of the Guidelines are at **Appendix III**.

6. Previous Application

- 6.1 The Site is the subject of a previous application No. A/NE-MUP/156 for the same use submitted by the same applicant as the current application, which was approved with conditions by the Committee on 18.12.2020 mainly on the considerations that the Site had building status under lease; the proposed development was considered not incompatible with the surrounding area; and there was no major adverse departmental comment received. The planning permission subsequently lapsed on 19.12.2024. Compared with the previous application, the layout and development parameters and footprint of the proposed NTEH under the current application remain unchanged.

- 6.2 Details of the previous application are summarised at **Appendix IV** and its location is shown on **Plan A-1**.

7. Similar Application

There is no similar application within the same “G/IC” zone in the past five years.

8. The Site and its Surrounding Areas (Plans A-2 to A-4)

8.1 The Site is:

- (a) partly covered with vegetation;
- (b) located within the village ‘environs’ (‘VE’) of Man Uk Pin and to the east of its village proper; and
- (c) not served by direct vehicular access.

8.2 The surrounding areas are of rural character mainly comprising village houses, parking of vehicles and vacant land. The Man Uk Pin Village Office and Man Uk Bin Children’s Playground are located to the west and southwest of the Site respectively.

9. Planning Intention

The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

10. Comments from Relevant Government Departments

10.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

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

- (a) according to the records in the Land Registry, the Site has a registered area of 19.2m², including 0.01 acre House Land; and
- (b) the applicant had submitted an application for redevelopment of NTEH at the Site to his office, but the processing of the application for redevelopment is suspended as there is no valid planning approval. The application will be re-activated when the applicant submits a valid planning permission to his office.

Nature Conservation

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

- (a) it is noted that the Site is the subject of a previous approved application submitted by the same applicant for the same use. He has no specific comment on the subject application from nature conservation perspective; and
- (b) her advisory comments are at **Appendix V**.

Traffic

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

- (a) she has no objection to the application;
- (b) the application only involves the construction of a NTEH. It is considered that the application can be tolerated on traffic grounds;
- (c) although additional traffic generated by the proposed development is not significant, the permission of development outside the “Village Type Development” zone will however set an undesirable precedence case for similar application. The resulting cumulative adverse traffic impact has to be reviewed on a case-by-case basis in the future; and
- (d) her advisory comments are at **Appendix V**.

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

- (a) he has no comment on the application from the highways maintenance point of view; and
- (b) his advisory comments are at **Appendix V**.

Landscape

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

- (a) she has no adverse comments on the application from landscape planning perspective;
- (b) the Site is zoned “G/IC” under previously approved planning application No. A/NE-MUP/156;
- (c) based on the aerial photos taken in 2024 and 2026, the Site is located in an area of rural inland plain landscape character comprising village houses, temporary structures, farmlands, vegetated areas and tree

clusters. The proposed development is considered not entirely incompatible with the surrounding environment;

- (d) with reference to the above aerial photos, site photos taken on 20.7.2026 and site visit conducted on 24.7.2026, the Site is largely covered with wild plants, including some common tree species;
- (e) in view of the above, significant adverse landscape impact arising from the application is not anticipated; and
- (f) her advisory comments are at **Appendix V**.

Environment

10.1.6 Comments of the Director of Environmental Protection (DEP):

- (a) in view of the small scale of the proposed development, the application alone is unlikely to cause major pollution;
- (b) 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 Professional Persons Environmental Consultative Committee Practice Note 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' and are duly certified by an Authorized Person; and
- (c) no environmental complaint against the Site was received in the past three years.

Fire Safety

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

- (a) he has no objection in principle to the application at this stage provided that the proposed NTEH would not encroach on any existing emergency vehicular access (EVA) or planned EVA under application in accordance with LandsD's record; and
- (b) his advisory comments are at **Appendix V**.

Drainage

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

- (a) she has no objection to the application from the public drainage viewpoint; and
- (b) her advisory comments are at **Appendix V**.

Water Supplies

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

- (a) he has no objection to the application; and
- (b) his advisory comments are at **Appendix V**.

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

- (a) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (b) Project Manager (North), CEDD (PM(N), CEDD); and
- (c) District Officer (North), Home Affairs Department (DO(N), HAD).

11. Public Comments Received During Statutory Publication Period

On 17.7.2026, the application was published for public inspection. During the statutory public inspection period, three public comments were received (**Appendix VI**). A comment from an individual provides views that the Board should take into account the zoning and accessibility of the Site when considering the application. The remaining two comments from an individual and a member of the North District Council indicate no comment on the application.

12. Planning Considerations and Assessments

- 12.1 The application is for proposed development of a NTEH (not Small House) at the Site falling within an area zoned “G/IC” on the OZP. The proposed NTEH is not in line with the planning intention of the “G/IC” zone. Nevertheless, there is currently no known development proposal for GIC facilities at the Site¹. Taking into account the planning assessments below, sympathetic consideration could be given to the proposed development.
- 12.2 While the Site falls within the “G/IC” zone, which is mainly occupied by the Man Uk Pin Village Office and Man Uk Bin Children’s Playground to the west and southwest of the Site respectively, the Site is also located within the ‘VE’ of Man Uk Pin to the east of its village proper. CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective and considers that the proposed development is not entirely incompatible with the surrounding environment.
- 12.3 In accordance with the Interim Criteria (**Appendix II**), it has been the existing practice of the Board to take into account building status under the lease in considering planning application for NTEH development. As advised by DLO/N, LandsD, the Site possesses 0.01 acre of “House Land”, and the applicant, who is the land owner of the Site, has submitted an application for redevelopment of a NTEH to his office. Though the processing of the application is suspended, it will be re-activated when a valid planning

¹ According to the Explanatory Statement of the OZP, the subject “G/IC” zone (with an area of about 1.22ha) is not reserved for any GIC uses, except for the reprovisioning of the Leng Tsai Kindergarten.

permission is obtained. Hence, sympathetic consideration could be given to the application.

- 12.4 Considerations on applications for development/redevelopment for Column 2 uses within a “G/IC” site are set out in TPB PG-No. 16A (**Appendix III**). Given that the Site is a private lot of small size located in the eastern fringe of the “G/IC” zone and no specific GIC facilities are designated at the Site, the proposed development would not adversely affect the provision of GIC facilities. All relevant government departments consulted, including DEP, C for T, D of FS, H(GEO), CEDD and CE/MN, DSD, have no objection or no adverse comment on the application. In view of the above, it is considered that the application generally does not contravene TPB PG-No. 16A.
- 12.5 The Site is the subject of a previous application No. A/NE-MUP/156 for the same use submitted by the same applicant as the current application, which was approved with conditions by the Committee on 18.12.2020 as detailed in paragraph 6.1 above. Compared with the previous application, the layout and development parameters of the proposed NTEH under the current application remain unchanged. Approval of the current application is in line with the Committee’s previous decision.
- 12.6 Regarding the public comments as detailed in paragraph 11, government departments’ comments and planning assessments above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments as detailed in paragraph 11 above, PlanD has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permissions shall be valid until 28.8.2030, and after the said date, the permissions 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 attached at **Appendix V**.
- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members’ reference:

the proposed development is not in line with the planning intention of the “G/IC” zone which is primarily for the provision of the Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. There is no strong planning justification in the submission for a departure from the planning intention.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions (s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form with attachments received on 9.7.2026
Appendix Ia	FI received on 21.8.2026
Appendix II	Relevant Interim Criteria for Consideration of Application for NTEH/Small House in New Territories
Appendix III	Relevant Extract of TPB PG-No. 16A
Appendix IV	Previous Application
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Proposed NTEH Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
AUGUST 2026**