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 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 S.16 Applications

Approved Applications

	Application No.	Use /Development	Date of Consideration
1	A/NE-MUP/91	Proposed House (New Territories Exempted House - Small House)	9.5.2014
2	A/NE-MUP/165	Proposed House (New Territories Exempted House - Small House)	20.5.2022

Similar S.16 Applications for Proposed House
(New Territories Exempted House - Small House)
in the vicinity of the application site within the "Agriculture" zone
in the Man Uk Pin Area

Approved Applications

	Application No.	Use /Development	Date of Consideration
1.	A/NE-MUP/56[1]	Proposed House (New Territories Exempted House - Small House)	18.7.2008
2.	A/NE-MUP/57[2]	Proposed 4 Houses (New Territories Exempted House - Small Houses)	5.6.2009
3.	A/NE-MUP/58[2]	Proposed 2 Houses (New Territories Exempted House - Small Houses)	5.6.2009
4.	A/NE-MUP/59[3]	Proposed House (New Territories Exempted House - Small House)	23.10.2009
5.	A/NE-MUP/60	Proposed House (New Territories Exempted House - Small House)	23.10.2009
6.	A/NE-MUP/61	Proposed House (New Territories Exempted House - Small House)	23.10.2009
7.	A/NE-MUP/62	Proposed 2 Houses (New Territories Exempted Houses - Small Houses)	25.2.2011
8.	A/NE-MUP/64	Proposed House (New Territories Exempted House (NTEH) - Small House)	18.2.2011
9.	A/NE-MUP/81[4]	Proposed 2 Houses (New Territories Exempted Houses - Small Houses)	11.1.2013
10.	A/NE-MUP/88[5]	Proposed House (New Territories Exempted House - Small House)	25.4.2014
11.	A/NE-MUP/89[6]	Proposed House (New Territories Exempted House - Small House)	9.5.2014
12.	A/NE-MUP/90[3]	Proposed House (New Territories Exempted House - Small House)	9.5.2014
13.	A/NE-MUP/92[7]	Proposed House (New Territories Exempted House - Small House)	9.5.2014

14.	A/NE-MUP/93[8]	Proposed House (New Territories Exempted House - Small House)	9.5.2014
15.	A/NE-MUP/94[9]	Proposed House (New Territories Exempted House - Small House)	9.5.2014
16.	A/NE-MUP/95	Proposed House (New Territories Exempted House - Small House)	26.9.2014
17.	A/NE-MUP/96[10]	Proposed House (New Territories Exempted House - Small House)	17.10.2014
18.	A/NE-MUP/97[11]	Proposed House (New Territories Exempted House - Small House)	17.10.2014
19.	A/NE-MUP/98[12]	Proposed House (New Territories Exempted House - Small House)	31.10.2014
20.	A/NE-MUP/115	Proposed House (New Territories Exempted House - Small House)	22.5.2015
21.	A/NE-MUP/116	Proposed House (New Territories Exempted House - Small House)	5.6.2015
22.	A/NE-MUP/117	Proposed House (New Territories Exempted House - Small House)	5.6.2015
23.	A/NE-MUP/118	Proposed House (New Territories Exempted House - Small House)	3.7.2015
24.	A/NE-MUP/119[1]	Proposed House (New Territories Exempted House - Small House)	7.8.2015
25.	A/NE-MUP/127[4]	Proposed 2 Houses (New Territories Exempted Houses - Small Houses)	28.4.2017
26.	A/NE-MUP/162[11]	Proposed House (New Territories Exempted House - Small House)	10.12.2021
27.	A/NE-MUP/163[12]	Proposed House (New Territories Exempted House - Small House)	10.12.2021
28.	A/NE-MUP/164[10]	Proposed House (New Territories Exempted House - Small House)	10.12.2021
29.	A/NE-MUP/184	Proposed House (New Territories Exempted House - Small House)	19.5.2023

30.	A/NE-MUP/189[8]	Proposed House (New Territories Exempted House - Small House)	25.8.2023
31.	A/NE-MUP/190[5]	Proposed House (New Territories Exempted House - Small House)	25.8.2023
32.	A/NE-MUP/191[9]	Proposed House (New Territories Exempted House - Small House)	25.8.2023
33.	A/NE-MUP/195[6]	Proposed House (New Territories Exempted House - Small House)	8.12.2023
34.	A/NE-MUP/196[7]	Proposed House (New Territories Exempted House - Small House)	8.12.2023
35.	A/NE-MUP/201[1]	Proposed House (New Territories Exempted House - Small House)	10.5.2024
36.	A/NE-MUP/221[10]	Proposed House (New Territories Exempted House - Small House)	6.2.2026
37.	A/NE-MUP/222[12]	Proposed House (New Territories Exempted House - Small House)	6.2.2026
38.	A/NE-MUP/223[11]	Proposed House (New Territories Exempted House - Small House)	6.2.2026

Remarks

[1] : Applications No. A/NE-MUP/119, A/NE-MUP/201 and A/NE-MUP/206 (rejected application) were within portion of A/NE-MUP/56.

[2] : Applications No. A/NE-MUP/57 and A/NE-MUP/58 involved the same site.

[3] : Applications No. A/NE-MUP/61 and A/NE-MUP/90 involved the same site.

[4] : Applications No. A/NE-MUP/81 and A/NE-MUP/127 involved the same site.

[5] : Applications No. A/NE-MUP/88 and A/NE-MUP/190 involved the same site.

[6] : Applications No. A/NE-MUP/89 and A/NE-MUP/195 involved the same site.

[7] : Applications No. A/NE-MUP/92 and A/NE-MUP/196 involved the same site.

[8] : Applications No. A/NE-MUP/93 and A/NE-MUP/189 involved the same site.

[9] : Applications No. A/NE-MUP/94 and A/NE-MUP/191 involved the same site.

[10] : Applications No. A/NE-MUP/96, A/NE-MUP/164 and A/NE-MUP/221 involved the same site.

[11] : Applications No. A/NE-MUP/97, A/NE-MUP/162 and A/NE-MUP/223 involved the same site.

[12] : Applications No. A/NE-MUP/98, A/NE-MUP/163 and A/NE-MUP/222 involved the same site.

Rejected Application

Application No.	Uses/ Development	Date of Consideration	Rejection Reasons
A/NE-MUP/206[1]	Proposed House (New Territories Exempted House)	4.10.2024	R1 & R2

Rejection Reasons

R1 The proposed development was not in line with the planning intention of the "Agriculture" zone in the Man Uk Pin area which was 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 was no strong planning justification in the submission for a departure from the planning intention.

R2 Land was still available within the "Village Type Development" ("V") zone of Man Uk Pin which is 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 infrastructures 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' of Man Uk Pin;
- the Small House application for Lot 328 S.A in D.D. 37 was received on 20.8.2013, and departmental circulation is still in progress;
- the applicant claimed himself as an indigenous villager of Man Uk Pin. His eligibility for Small House grant has yet to be ascertained;
- the Site is not covered by any Modification of Tenancy/Building Licence; and
- the Site is an Old Schedule Agricultural Lot held under the Block Government Lease.

2. Agriculture and Natural Conservation

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

Agriculture

- the Site falls within the "Agriculture" zone and is generally abandoned. 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. As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective;

Nature Conservation

- the Site is currently covered by herbaceous plants. A natural stream, which is the downstream section of the Ecologically Important Stream at Man Uk Pin, is located to the east of the Site. Noting the applicant's proposed measures, he has no comment on the application from nature conservation perspective; and
- his advisory comments are at **Appendix VI**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application;
- in view of the small scale of the proposed development, the application alone is unlikely to cause major pollution;
- no environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix VI**.

4. Fire Safety

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

- no in-principle objection to the application at this stage 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

- his advisory comments are at **Appendix VI**.

5. Traffic

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

- no objection to the application;

- the application only involves the construction of one Small House, and she considers that the application can be tolerated on traffic grounds;

- although additional traffic generated by the proposed development is not significant, the permission of developments outside the "Village Type Development" zone will however set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact has to be reviewed on a case-by-case basis in the future; and

- her advisory comments are at **Appendix VI**.

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

- no in-principle objection to the application; and

- his advisory comments are at **Appendix VI**.

6. Drainage

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

- no objection to the application from the public drainage viewpoint;

- 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;

- the applicant should check and ensure that the existing drainage system to which the proposed connections will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Sites. The applicant should also ensure that the flow from the Site will not overload the existing drainage system; and

- the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewerage impact assessment and sewage treatment/disposal facilities for the proposed development.

7. 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;

- based on the aerial photo taken in 2024, the Site was located in an area of rural inland plain landscape character comprising village houses, farmlands, vegetated areas, tree clusters and woodlands. The proposed development is considered not incompatible with the surrounding environment;

- with reference to the above aerial photo, site photos taken on 22.9.2026 and site visit conducted on 28.9.2026, the Site was largely covered with wild plants. No trees were observed on it. According to the Application Form, no tree felling will be involved;

- in view of the above, significant adverse landscape impact arising from the application is not anticipated; and

- her advisory comments are at **Appendix VI**.

8. Demand and Supply of Small House Sites

According to DLO/N, LandsD's records, the number of outstanding Small House applications for Man Uk Pin is 52 while the 10-year Small House demand forecast is 448. According to the latest estimate by PlanD, about 2.15 ha (equivalent to 86 Small House sites) of land are available within the "Village Type Development" ("V") zone of Man Uk Pin for Small House development. There is insufficient land in the "V" zone of Man Uk Pin to meet the future demand of land for Small House development (i.e. about 12.5 ha of land which is equivalent to 500 Small House sites).

9. Other Departments

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

- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

- Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);

- Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD); and

- District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

(a) to liaise with the concerned owner(s) of the access road leading to the application site (the Site);

(b) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that a natural stream, which is the downstream section of the Ecologically Important Stream at Man Uk Pin, is located to the east of the Site. The applicant should implement mitigation/preventive measures to avoid adverse impacts on the stream and to avoid polluting it;

(c) to note the comments of the Director of Environmental Protection (DEP) that septic tank and soakaway pit is an acceptable means for collection, treatment and disposal of 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 is duly certified by an Authorized Person;

(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 administered by the Lands Department (LandsD). Detailed fire safety requirements would be formulated upon receipt of formal application via LandsD;

(e) to note the comments of the Commissioner for Transport (C for T) that the local village access leading to the Site from Wo Keng Shan Road is not managed by the Transport Department (TD);

(f) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:

  (i) the proposed access arrangement of the Site should be commented and approved by TD;

  (ii) HyD shall not be responsible for the maintenance of proposed access connecting the Site; and

  (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;

(g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:

  (i) 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;

  (ii) the applicant should check and ensure that the existing drainage system to which the proposed connections 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) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewerage impact assessment and sewage treatment/disposal facilities for the proposed development;

(h) 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 felling. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of the works; and

(i) 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-MUP/240

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 _____

簽署 Signature _____ 日期 Date 2026. 9. 24

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號 Reference Number:	261007-175308-88189
提交限期 Deadline for submission:	13/10/2026
提交日期及時間 Date and time of submission:	07/10/2026 17:53:08
有關的規劃申請編號 The application no. to which the comment relates:	A/NE-MUP/240
「提意見人」姓名/名稱 Name of person making this comment:	先生 Mr. Chung

意見詳情
Details of the Comment :

The subject site has no legal access. There is no approval from the adjacent lot owners to allow the applicant to access onto the subject site via their lots. The applicant failed to demonstrate or failed to provide any consent document from owners who own the access onto the subject Site. The applicant should be asked to obtain consent from adjacent owners to use the access onto the subject Site. Without the consent, TPB should not approve the application.

□Urgent □Return receipt □Expand Group □Restricted □Prevent Copy □Confidential

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tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年10月13日星期二 0:53
收件者: tpbpd/PLAND
主旨: A/NE-MUP/240 DD 37 Man Uk Pin Village

類別: Internet Email

Dear TPB Members,

This NET house was originally approved 9 May 2014. High time for a restriction on the number of repeat applications allowed.

Use it or lose it. After all the adminstration is always banging on about making good use of scarce land resources.

Mary Mulvihill

From: [redacted]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Thursday, April 21, 2022 2:14:53 AM
Subject: A/NE-MUP/165 DD 37 Man Uk Pin Village

A/NE-MUP/165

Lot 328 S.A in D.D. 37, Man Uk Pin Village, Sha Tau Kok

Site area : About 163.4sq.m

Zoning : "Agriculture"

Applied development : NET House

Dear TPB Members,

Instead of seeking ways to diminish public participation in the planning process, the focus should be on curtailing abuse of the system via deferments and new applications that are approved because of history rather than merit. This is an example.

This process hinders progressive development and ignores changing times and circumstances.

□Urgent □Return receipt □Expand Group □Restricted □Prevent Copy □Confidential
Mary Mulvihill

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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
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By Fax : 2877 0245 or 2522 8426
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有關的規劃申請編號 The application no. to which the comment relates
A/NE-MUP/240

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

沒有意見

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

簽署 Signature _____ 日期 Date 13/10/2026