

2024年 1月 3 08

此文件在 _____ 收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

This document is received on 30 JAN 2024
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-II
表格第 S16-II 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP. 131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Construction of
“New Territories Exempted House(s)”**

適用於只涉及興建「新界豁免管制屋宇」的建議

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.tpb.gov.hk/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.tpb.gov.hk/tc/plan_application/apply.html

General Note and Annotation for the Form
填寫表格的一般指引及註解

“Current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-7K/793
	Date Received 收到日期	30 JAN 2024

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件(倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.tpb.gov.hk/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載(網址: <http://www.tpb.gov.hk/>), 亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000)(香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱
(<input checked="" type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)
李孟勤 (LEE MANG KAN)

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)
(<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)

3. Application Site 申請地點	
(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	新界大埔龍尾, 丈量約份第 28 約 第 391 地段 A 分段 (SECTION A OF LOT NO. 391 IN D.D. 28 LUNG MEI)
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 162.1 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 195.09 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	NIL sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	TING KOK OUTLINE ZONING PLAN S/NE - TK/19
(e) Land use zone(s) involved 涉及的土地用途地帶	GREEN BELT 綠化地帶
(f) Current use(s) 現時用途	BARE SITE 空置土地. (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☒ is the sole "current land owner" (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」 (請繼續填寫第 6 部分，並夾附業權證明文件)。 *< SEE Appendix A*
- ☐ is one of the "current land owners" (please attach documentary proof of ownership). *Land search Record*
是其中一名「現行土地擁有人」 (請夾附業權證明文件)。
- ☐ is not a "current land owner".
並不是「現行土地擁有人」。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)".
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)".
已取得 名「現行土地擁有人」的同意。

Details of consent of "current land owner(s)" obtained 取得「現行土地擁有人」同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on (DD/MM/YYYY)^{#&}
於 (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on (DD/MM/YYYY)[&]
於 (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on (DD/MM/YYYY)[&]
於 (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on (DD/MM/YYYY)[&]
於 (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Development Proposal 擬議發展計劃

(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	LEE MAN KAN (李孟勤)		
(b) 原居民所屬的原居鄉村 (如適用) The related indigenous village of the indigenous villager(s) (if applicable)	大埔, 沙螺洞李屋		
(c) Proposed gross floor area 擬議總樓面面積195.09..... sq.m 平方米 <input type="checkbox"/> About 約		
(d) Proposed number of house(s) 擬議房屋幢數	1 (ONE)	Proposed number of storeys of each house 每幢房屋的擬議層數	3 (THREE)
(e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積	65.03 sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	8.23 m 米
(f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途	花園 GARDEN (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 No 否	<input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input checked="" type="checkbox"/>	
(h) Can the proposed house(s) be connected to public sewer? 擬議的屋宇發展能否接駁至公共污水渠?	Yes 是 <input checked="" type="checkbox"/> No 否 <input type="checkbox"/>	(Please indicate on plan the sewerage connection proposal. 請用圖則顯示接駁公共污水渠的路線) Please see attached sewerage drainage plan < Appendix B > (Please indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置)	

7. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?</p>	<p>Yes 是 <input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>No 否 <input checked="" type="checkbox"/></p>																														
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?</p>	<p>Yes 是 <input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線，以及河道改道、填塘、填土及/或挖土的細節及/或範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約</p> <p>No 否 <input checked="" type="checkbox"/></p>																														
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
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Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													

8. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

此申請新界小型屋宇的興建地點為第28約地段第391A分段("該地段")。因該地段位於綠化地帶範圍，所以本人需要向城市規劃委員會("下稱"城規會")申請批準書。

本人知悉該地段之前業主曾因相同理由向城規會作出相同之申請並獲城規會發出批核信。

本人現將前業主的申請資料及城規會的批核信件副本呈上作為城規會之參考資料。(見附件 Appendix E1, E2 及 E3)

9. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署

☒ Applicant 申請人 / ☐ Authorised Agent 獲授權代理人

LEE MANG KAN (李孟勤)

Name in Block Letters
姓名(請以正楷填寫)

Position (if applicable)
職位(如適用)

Professional Qualification(s)
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of
代表

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章(如適用)

Date 日期

18-1-2024 (DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.
任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.
申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	新界大埔龍尾, 丈量約份第28約, 第391地段A分段. < SECTION A OF LOT NO. 391 IN D.D. 28, LUNG MEI >		
Site area 地盤面積	162.1	sq. m 平方米	<input type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	汀角分區計劃大綱圖 TING KOK OUTLINE ZONING PLAN S/NE-TK/19		
Zoning 地帶	綠化地帶 GREEN BELT		
Applied use/ development 申請用途/發展	New Territories Exempted House 新界豁免管制屋宇 <input checked="" type="checkbox"/> Small House 小型屋宇		
(i) Proposed Gross floor area 擬議總樓面面積	195.09	sq.m 平方米	<input type="checkbox"/> About 約
(ii) Proposed No. of house(s) 擬議房屋幢數	1 (ONE)		
(iii) Proposed building height/No. of storeys 建築物高度/層數	8.23	m 米	<input checked="" type="checkbox"/> (Not more than 不多於)
	3 (THREE)	Storeys(s) 層	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖/園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Dimension Plan of the Proposed Small House on Lot 1918.A in D.D.28 (see Appendix C)</i>		
<i>Location Plan (申請地點) (see Appendix D)</i>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及/或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>

Note: May insert more than one '✓'. 註：可在多於一個方格內加上「✓」號

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

致香港北角渣華道 333 號

北角政府合署 15 樓

城市規劃委員會秘書收

敬啟者

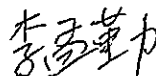
有關：Small House Application on Section A of Lot No.391 in D.D.28

Applicant : Lee Mang Kan (李孟勤)

本人在上述地段申請興建新界小型屋宇，現根據城市規劃條例(第 131 章)第 16 條向貴會申請許可書。

本人隨函了附上列表文件以供貴會考慮。

此致



李孟勤

日期： 18 JAN 2024

通訊地址：

列表文件

1. Form No.S16-II ;
2. 4 copies Land search record (Appendix A);
3. 4 copies Sewerage Drainage Plan (Appendix B);
4. 4 copies Dimension Plan of the Proposed Small House on Section A of Lot No.391 in D.D. 28(Appendix C);
5. 4 copies Location Plan (Appendix D);
6. 4 copies Application for Permission under Section 16 of The Town Planning Ordinance (Application No.A/NE-TK/476) (Appendix E1);
7. 4 copies Approval Letter dated 22nd November 2013 (Appendix E2); and
8. 4 copies Approval Letter dated 22nd November 2013 in Chinese version (Appendix E3).



LEGEND

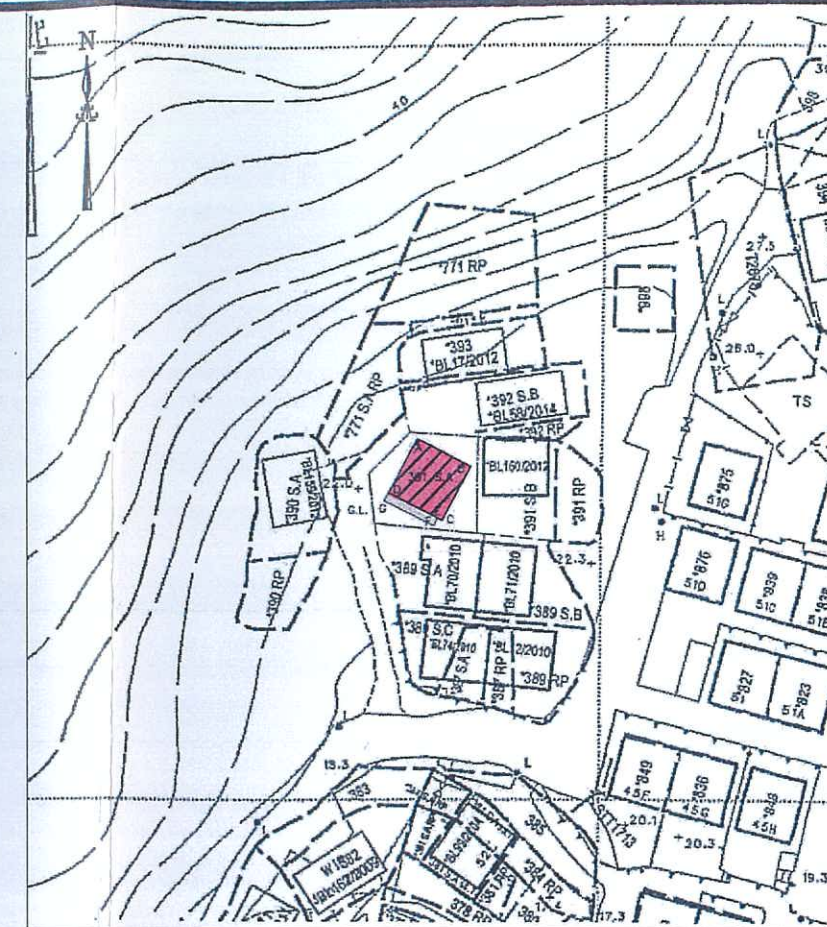
	PROPOSED SITE FORMATION LEVEL
	EXISTING SITE FORMATION LEVEL
	FLOW PATTERN
	SUBJECT LOT BOUNDARY
	SUBJECT BUILDING LINE
	PROPOSED 225mm / 300mm U-CHANNEL with CONC./C.I. COVER
	PROPOSED 225mm STEP CHANNEL
	PROPOSED 75mm UPVC PIPE FOR RAINWATER ROOF FALL
	PROPOSED 150mm PE100 POLYETHYLENE (PE100) PIPE
	PROPOSED 225mm UPVC UNDERGROUND PIPE
	EXISTING STORMWATER MANHOLE
	PROPOSED STORMWATER CATCHPIT
	PROPOSED SEWERAGE MANHOLE
	EXISTING GOVERNMENT SEWERAGE MANHOLE
	PROPOSED SEWERAGE TERMINAL MANHOLE
	COVER LEVEL
	INVERT LEVEL
	DISCONNECTING TRAP LEVEL

GENERAL NOTES

- ALL DIMENSIONS ARE IN MILLIMETERS
- FOUNDATION OF TERMINAL MANHOLE VARIES WITH SITE CONDITION AND SHOULD BE DETERMINED ON SITE BY THE ENGINEER.
- CONCRETE MIX TO BE 30D/20 AND COMPLY WITH CS1.
- BLINDING LAYER TO BE 15P MIX.
- ALL DRAINS FROM VILLAGE HOUSE TO MANHOLE TO BE 100mm PVC PIPE WITH MIN. FALL IN 1 : 40.
- ALL DRAINS FROM TERMINAL MANHOLE TO EXISTING MANHOLE TO BE 200mm PE100 PIPE WITH MIN. FALL IN 1 : 70.
- ALL SEWERAGE TERMINAL MANHOLE SHALL BE PROVIDED WITH 100mm PVC FRESH AIR INLET PIPE AND EXTENDED TO MIN. 2.5m ABOVE GROUND.
- THE PROPOSED SEWERAGE DRAINAGE SYSTEM TO BE MAINTAINED BY THE OWNER AT OWNER'S COST.
- PROPOSED CONNECTION SEWER IS TO BE CONSTRUCTED UNDER FOOTPATH AND CARRIAGEWAY WITH MINIMUM SOIL COVER OF 450mm AND 900mm RESPECTIVELY.
- ALL COVER LEVEL AND INVERT LEVEL OF EXISTING MANHOLE WAS CLERIFIED BY DSD'S PROJECT MANAGEMENT DIVISION.
- AFTER OUR CONSIDERATION, UPVC PIPE IS SUITABLE FOR OUR DRAINAGE WORK.
- THE APPLICANT WILL ENSURE THE RUNOFF WILL NOT BE DRAINED TO THE PUBLIC SEWAGE NETWORK. THE RUNOFF WITHIN THE SUBJECT PREMISES AND SMALL HOUSE WILL BE SERVED BY A DESIGNATED STORMWATER COLLECTION AND DISCHARGES SYSTEM.

COLOUR INDICATION

	PROPOSED STORMWATER WORKS
	PROPOSED SEWERAGE DRAINAGE WORKS
	CONCRETE WORKS
	STEEL WORKS



REVISION	
NO.	DATE

THIS SET OF DRAWING INCLUDES:

DLO Ref:	
Our Ref:	
	NAME DATE
DRAWN	Veronica Chiu 10/2023
CHECKED	Vincent Li 10/2023

PROJECT

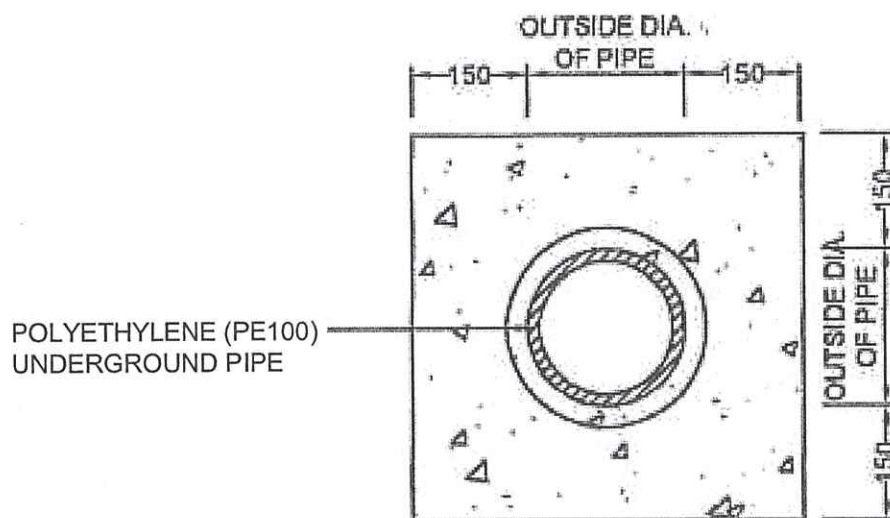
PROPOSED SEWERAGE DRAINAGE WORKS on LOT NO. 391 S.A, in D.D. 28 LUNG MEI, TAI PO, N.T.

DRAWING TITLE

BLOCK PLAN, SEWERAGE DRAINAGE PLAN, DETAILS AND NOTES

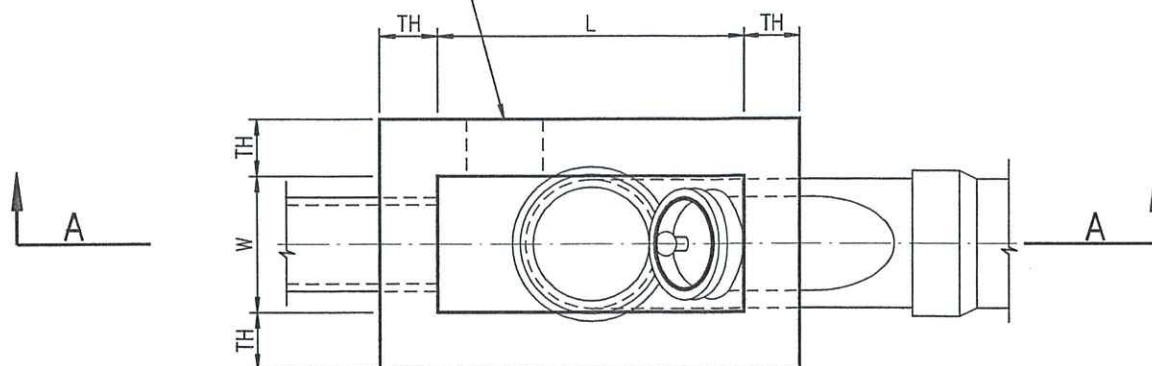
DRAWING NO.	SCALE
SD - 1	AS SHOWN

WINLI
永利建設
CONSULTING
ENGINEERS



TYPICAL DETAIL OF CONCRETE SURROUND (N.T.S.)

100 DIA. FRESH AIR INLET CONNECTED
TO AIR VENTILATION PIPE



PLAN

DEPTH FROM GROUND LEVEL TO DISCONNECTING TRAP LEVEL (DEPTH TO DTL)	MAX. DIA. OF OUTLET PIPE (D)	THICKNESS OF WALL (TH)	INTERNAL LENGTH (L)	INTERNAL WIDTH (W)	DIA. OF RODDING ARM
390 < DEPTH TO DTL ≤ 520	150	75	400	180	100
520 < DEPTH TO DTL ≤ 1 000	150	125	450	450	100
1 500 MAX.	225	150	600	600	150

NOTES:

- ALL DIMENSIONS ARE IN MILLIMETRES.
- USED IN : CONNECTIONS IN AREAS WHERE THE WORKING SPACE IS NOT ADEQUATE FOR THE CONSTRUCTION OF TERMINAL MANHOLES TYPE T1_1 & T2_1.
- FOUNDATION : FOUNDATION OF MANHOLE VARIES WITH SITE CONDITION. THEREFORE, IT SHOULD BE DETERMINED ON SITE BY THE ENGINEER.
- CONCRETE MIX : GRADE 30/20
- FOR DEPTH TO DTL GREATER THAN 520, BENCHING SHOULD BE PROVIDED.
- FOR DEPTH TO DTL GREATER THAN 1 000, DETAILS OF STEP IRONS & COVER SHOULD BE SAME AS TERMINAL MANHOLE TYPE T1_1
- EACH TERMINAL MANHOLE SHOULD BE PROPERLY AIR VENTED IN ORDER TO AVOID BUILDING UP OF GASES INSIDE THE TERMINAL MANHOLE. THE FRESH AIR INLET OF THE MANHOLE CAN ONLY BE OMITTED IF OTHER ACCEPTABLE ARRANGEMENTS THAT SERVE THE PURPOSE OF AIR VENTILATION ARE PROVIDED IN THE UPSTREAM INTERNAL SEWERAGE.

	NEW ISSUE	ORIGINAL SIGNED	13.1.2016
REV.	DESCRIPTION	SIGNATURE	DATE

**TERMINAL MANHOLE
TYPE T10_1**

DRAINAGE SERVICES DEPARTMENT

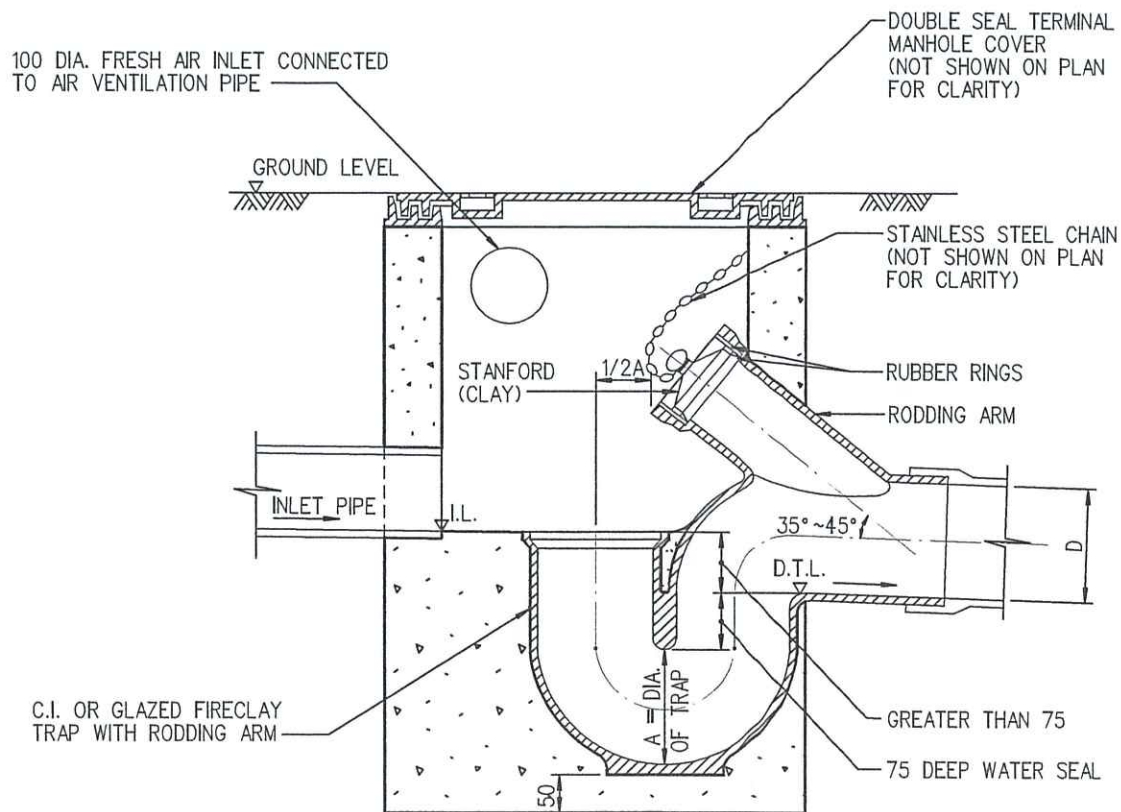
REFERENCE

DRAWING No.

SCALE

1 : 10

DS 1094
(SHEET 1 OF 2)



SECTION A-A

**TERMINAL MANHOLE
TYPE T10_1**

	NEW ISSUE	ORIGINAL SIGNED	13.1.2016
REV.	DESCRIPTION	SIGNATURE	DATE
DRAINAGE SERVICES DEPARTMENT			
REFERENCE		DRAWING No.	
SCALE		DS 1094	
1:10		(SHEET 2 OF 2)	

(Appendix C)

Dimension Plan of the Proposed Small House on Lot 391 S.A in D.D. 28 Tai Po



Coloured Pink Area 65.03 Square Metres (About)
Scale 1 : 1000

Balcony
to be connected to the Public Sewage

Side	Bearing ° ' "	Distance in Metres	Pt	Co-ordinate Data (1980 Datum)		Remarks
				N	E	
A - B	117 12 20	8.064	A	837247.788	841875.553	
B - C	207 12 20	8.064	B	837244.100	841882.725	
C - D	297 12 20	8.064	C	837236.928	841879.038	
D - A	27 12 20	8.064	D	837240.614	841871.866	
Co-ordinates of the balcony						
D - E	117 12 20	7.320	D	837240.614	841871.866	
E - F	207 12 20	1.220	E	837237.268	841878.376	
F - G	297 12 20	7.320	F	837236.183	841877.819	
G - D	27 12 20	1.220	G	837239.529	841871.308	



T.H. & ASSOCIATES LIMITED
(陳 德 慶 測 量 有 限 公 司)

Approved By

(Signature)
T.H.CHAN (ALS, MHKIS, MRICS, RPS(LS))
Authorized Land Surveyor

Tel: 26577726 Fax: 26588757 e-mail: thchan_survey@yahoo.com

Survey Sheet No.: 3-SE-18D/23B

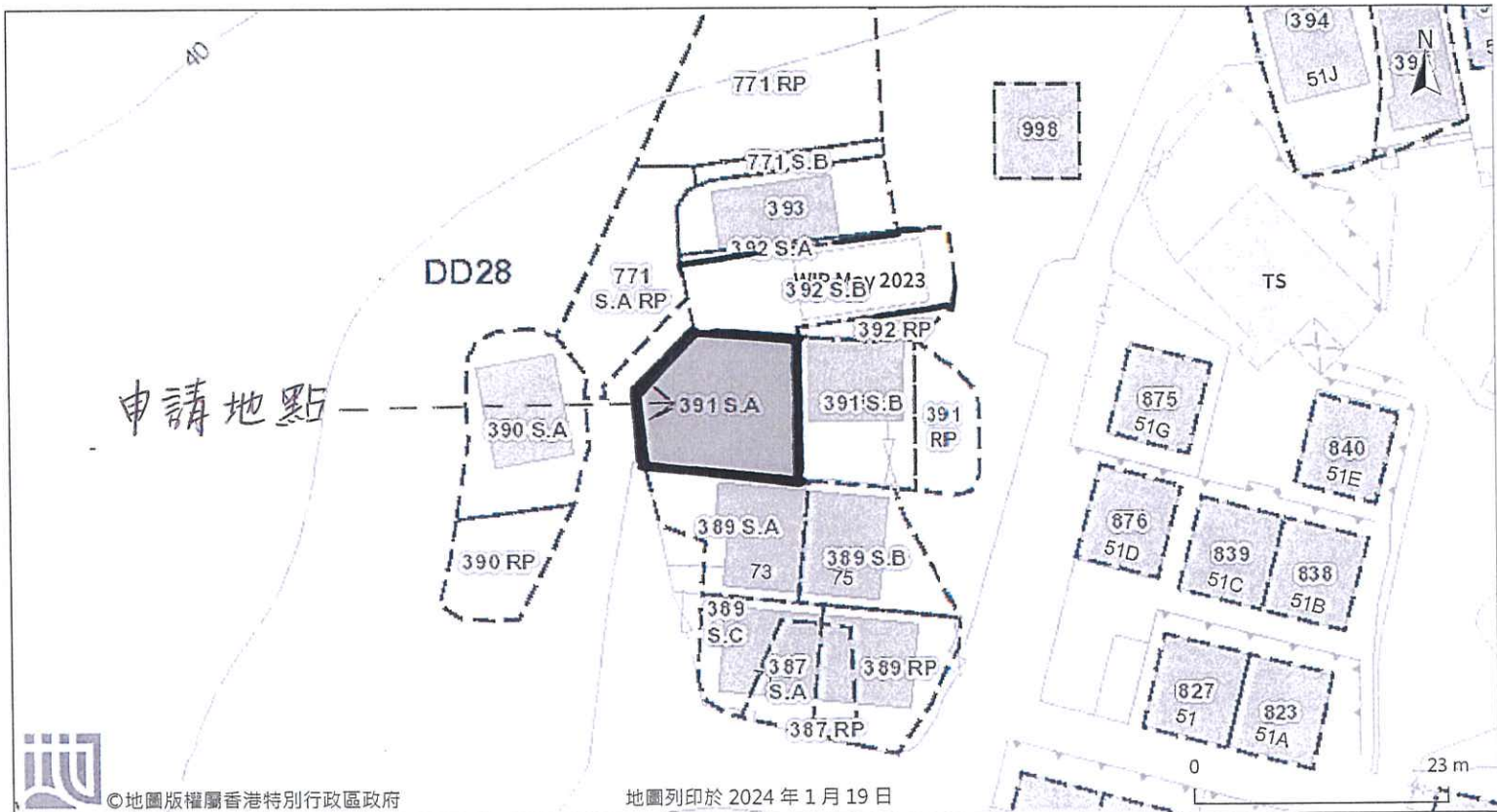
Plan No.: TP/28/391A-SH1

Date: 12-10-2023

LOCATION Plan

GEOINFO MAP
地理資訊地圖

前往地圖: <https://www.map.gov.hk/gm/geo:22.4747,114.2311?z=564>



由「地理資訊地圖」網站提供: <https://www.map.gov.hk>

注意: 使用此地圖受「地理資訊地圖」的使用條款及條件以及知識產權告示約束。

RNTPC Paper No. A/NE-TK/476
For Consideration by the
Rural and New Town Planning
Committee on 8.11.2013

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/476

<u>Applicant</u>	Mr. Lee Kwok Kuen represented by Mr. Man Sau Keung
<u>Site</u>	Lots 391 S.A in D.D. 28, Lung Mei, Tai Po, N.T.
<u>Site Area</u>	About 162.1 m ²
<u>Lease</u>	Old Schedule Agricultural Lot held under Block Government Lease (a) to expire on 30.6.2047 (b) restricted to agricultural purpose
<u>Plan</u>	Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/17
<u>Zoning</u>	"Green Belt" ("GB")
<u>Application</u>	Proposed House (New Territories Exempted House (NTEH) - Small House)

1. The Proposal

1.1 On 13.9.2013, the applicant, owner of the application site (the Site) and an indigenous villager of San Tau Kok Village as confirmed by the Indigenous Inhabitant Representative (IIR) of the same village, sought planning permission to build a NTEH (Small House) on the Site. According to the Notes of the OZP, the proposed NTEH (Small House) within "GB" zone requires planning permission from the Town Planning Board (the Board).

1.2 Details of the proposed NTEH (Small House) are as follows:

Covered Area	:	65.03m ²
Total Domestic GFA	:	195.09m ²
No. of Storeys	:	3
Building Height	:	8.23m

The uncovered area of the Site will be used for garden purpose.

1.3 In support of the application, the applicant has submitted application form and attachments (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Enclosure E of the application form at **Appendix I**. They can be summarized as follows:

- (a) the Site has been granted planning permission on 14.12.2007, the validity of which was up to 14.12.2011;
- (b) the Geotechnical Engineering Office of the Civil Engineering and Development Department (GEO, CEDD) has accepted the Natural Terrain Hazard Study (Enclosure G of **Appendix I**);
- (c) the applicant has already submitted all relevant information to the Tai Po District Lands Office (DLO) and learnt that all application formalities are settled. However, the Tai Po DLO could not issue the licence for construction of the Small House as the planning permission has lapsed; and
- (d) as the submission of relevant information and the processing by relevant Government departments take time, it cannot be completed within the validity of the last planning permission.

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

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

4. Town Planning Board Guidelines

The Town Planning Board Guidelines No. 10 (TPB-PG No. 10) for ‘Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance’ is relevant to this application. The relevant assessment criteria are summarized as follows:

- (a) there is a general presumption against development in the “GB” zone;
- (b) applications for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning ground. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas. With the exception of NTEHs, a plot ratio up to 0.4 for residential development may be permitted;
- (c) applications for NTEHs with satisfactory sewage disposal facilities and access arrangements may be approved if the application sites are in close proximity to existing villages and in keeping with the surrounding uses, and where the development is to meet the demand from indigenous villagers;

- (d) the design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment;
- (e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- (f) the proposed development should not overstrain the overall provision of Government, institution and community facilities in the general area; and
- (g) any proposed development on a slope or hillside should not adversely affect slope stability.

5. 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 and had been amended four times on 30.3.2001, 23.8.2002, 21.3.2003 and 7.9.2007. On 23.8.2002, criterion (i) which requires that the application site should be able to be connected to the existing or planned sewerage system in the area was incorporated. The latest set of Interim Criteria with criterion (i) remained unchanged was promulgated on 7.9.2007 and is at **Appendix II**.

6. Previous Application

The Site is the subject of a previous application No. A/NE-TK/243 for the same use at the same site submitted by a different applicant. This previous application was approved with conditions by the Committee on 14.12.2007 mainly on the ground that the proposed development complied with the Interim Criteria in that the Site fell entirely within the village 'environs' ('VE') and there was a general shortage of land in meeting the Small House demand. Details of the application are summarized at **Appendix III** and the location is shown on **Plan A-1**.

7. Similar Applications

- 7.1 There are 33 similar applications for Small House development within the "GB" zone in the vicinity of the Site since the first promulgation of the Interim Criteria on 24.11.2000. Among them, 28 applications (No. A/NE-TK/140, 192, 211, 213, 226, 259, 260, 261, 262, 275, 276, 277, 278, 327, 328, 344, 362, 363, 367, 373, 375, 392, 393, 425, 440, 450 and 473) were all approved between 2002 and 2013 mainly on consideration of compliance with the Interim Criteria in that more than 50% of the footprints of the proposed Small Houses fell within the 'VE'; and that there was not sufficient land within the "V" zone to satisfy the Small House demand. Six applications (No. A/NE-TK/258, 263, 273, 274, 279 and 426) were rejected by the Committee/the Board on review mainly for the reasons of not being in line with the planning intention of the "GB" zone and not complying with the TPB PG-No. 10 in that the proposed development would involve extensive clearance of existing

natural vegetation and affect the existing natural landscape on the surrounding environment.

- 7.2 Details of the applications are summarized at **Appendix IV** and their locations are shown on **Plan A-1**.

8. The Site and Its Surrounding Areas (Plans A-1, A-2 and photo on Plan A-3)

8.1 The Site is:

- (a) a piece of vacant land covered with grasses;
- (b) within the 'VE' of Lung Mei, Wong Chuk Tsuen and Tai Mei Tuk Villages; and
- (c) accessible via local track and Tai Po Lung Mei Road off Ting Kok Road.

8.2 The surrounding areas are mainly rural in character. The village proper of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen is located to its south and east separated by a local track. To its north and west, there are natural slopes overgrown with trees and shrubs,

9. Planning Intention

The planning intention of the "GB" zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

10. Comments from Relevant Government Departments

10.1 The application has been assessed against the assessment criteria in **Appendix II**. The application meets the Interim Criteria as more than 50% of the Site falls within the 'VE' and there is a general shortage of land in meeting the demand for Small House development. The assessment is summarized in the following table:

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
1.	Within "V" zone? - Footprint of the Small House - Application site		✓ ✓	The Site falls entirely within the "GB" zone.

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
2.	Within 'VE'? - Footprint of the Small House - Application site	100% 100%	- -	The District Lands Officer/Tai Po, LandsD (DLO/TP, LandsD) has no objection to the application as the Site falls entirely within the 'VE' of Lung Mei, Wong Chuk Tsuen and Tai Mei Tuk.
3.	Sufficient land in "V" zone to satisfy outstanding Small House applications and 10-year Small House demand?		✓	- Land required to meet Small House demand: 287 Small House sites (about 7.18 ha) - Land available to meet Small House demand: 156 Small House sites (about 3.91 ha)
4.	Compatible with the planning intention of "GB" zone?		✓	There is a general presumption against development within the "GB" zone. The Director of Agriculture, Fisheries and Conservation (DAFC) has no strong view on the application from nature conservation point of view having considered that the Site is covered with common grasses and shrubs.
5.	Compatible with surrounding area/development?	✓		
6.	Within Water Gathering Ground (WGG)?		✓	Public sewerage connection is available in the vicinity of the Site. Both the Director of Environmental Protection (DEP) and the Chief Engineer/ Development(2), Water Supplies Department (CE/Dev(2), WSD) have no objection to the application. The applicant should be advised to connect the proposed Small House to the sewerage system at his own cost.
7.	Encroachment onto planned road networks and public works boundaries?		✓	
8.	Need for provision of fire services		✓	The Director of Fire Services (D of FS) has no in-principle objection to the

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
	installations and emergency vehicular access (EVA)?			application.
9.	Traffic impact?		✓	The Commissioner for Transport (C for T) has reservation on the application. Such type of development should be confined within the "V" zone as far as possible. Notwithstanding, the subject application only involves construction of one Small House, he considers that the application can be tolerated unless it is rejected on other grounds.
10.	Drainage and sewerage impact?		✓	The Chief Engineer/Mainland North, Drainage Services Department (CE/MN of DSD) has no objection to the application and advises that as there is no public drain in the vicinity of the Site, approval condition on drainage proposal is required.
11.	Landscape impact?		✓	<p>The Chief Town Planner, Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) has no objection to the application in view that the landscape character of the area is expected to be altered as a number of similar applications adjacent to the Site have been approved, the proposed village house is not located close to the edge of the existing trees on the hillside slope and the proposed village house is considered tolerable within the surrounding landscape context.</p> <p>Should the application be approved, landscape condition is recommended.</p>
12.	Geotechnical impact?		✓	
13.	Local objections conveyed by DO?		✓	

10.2 Comments from the following Government departments have been incorporated in paragraph 10.1 above. Other detailed comments are at **Appendix V**.

- (a) District Lands Officer/Tai Po, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Engineer/Mainland North, Drainage Services Department;
- (d) Director of Environmental Protection;
- (e) Chief Engineer/Development(2), Water Supplies Department;
- (f) Director of Fire Services;
- (g) Director of Agriculture, Fisheries and Conservation;
- (h) Chief Town Planner/Urban Design and Landscape, Planning Department; and
- (i) Head of Geotechnical Engineering Office, Civil Engineering and Development Department.

10.3 The following Government departments have no comment on the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) District Officer/Tai Po, Home Affairs Department; and
- (c) Project Manager/New Territories North and West, Civil Engineering and Development Department.

11. **Public Comments Received During Statutory Publication Period**

On 24.9.2013, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 15.10.2013, four public comments were received from Lung Mei Tsuen Rural Committee, Kadoorie Farm & Botanic Garden, Designing Hong Kong Limited and a citizen (**Appendix VI**). The commenters object to the application mainly for the following reasons:

- (a) the proposed development is not in line with the planning intention of “GB” zone and does not comply with the TPB Guidelines No. 10;
- (b) approval of the application will set an undesirable precedent for similar applications and the potential cumulative impacts of these development would affect the nearby wildlife and the natural habitats ecologically linked to the Pat Sin Leng Country Park and cause cumulative adverse impacts on the access road, public sewerage and parking facilities in the area;
- (c) approval of individual application would result in chaotic Small House development, damage the natural environment and affect maximum land utilization for Small House developments in the area; and
- (d) approval of the application in the “GB” zone would sacrifice public interest to the applicant/developer.

12. Planning Considerations and Assessments

- 12.1 The Site falls entirely within “GB” zone. The proposed development is not in line with the planning intention of the “GB” zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 12.2 According to the DLO/TP, LandsD’s record, the total number of outstanding Small House applications for Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen villages is 80 while the 10-year Small House demand forecast for the same villages is 206. Based on the latest estimate by the PlanD, about 3.91 ha (or equivalent to about 156 Small House sites) of land are available within the “V” zone of the concerned villages. Therefore, the land available cannot fully meet the future Small House demand of about 7.18 ha (or equivalent to about 287 Small House sites). The DLO/TP of LandsD has no objection to the application.
- 12.3 Although the proposed development is not in line with the planning intention of the “GB” zone, the proposed Small House complies with the Interim Criteria in that more than 50% of the application site falls within the ‘VE’ and there is a general shortage of land in meeting the demand for Small House development in the “V” zone of the concerned villages. Sympathetic consideration could be given to the application.
- 12.4 The proposed Small House is considered not incompatible with the village proper of Wong Chuk Tsuen located to the south-east of the Site. The proposed development is surrounded by ten approved Small House developments which have not yet been constructed. The Site is currently vacant covered with grasses and shrubs. No significant adverse impact on existing landscape resources is anticipated. Relevant Government departments consulted including DAFC, CTP/UD&L of PlanD and Head (GEO) of CEDD have no adverse comment on the application. The proposed Small House development meets the TPB PG-No. 10 for development within “GB” zone in that the Site is in close proximity to existing villages and not incompatible with the surrounding rural environment, and the proposed development would not involve felling of trees and adversely affect slope stability.
- 12.5 The Site is the subject of a previous application No. A/NE-TK/243 submitted by a different applicant for development of a NTEH (Small House) which was approved with conditions on 14.12.2007 but the planning permission lapsed on 14.12.2011. According to the applicant, the application for construction of the Small House was already at the advance stage but the DLO/TP could not issue the licence as the planning permission had lapsed. Compared with the previously approved application, the current application is exactly the same in development details except being submitted by a different applicant. There is no change in the planning circumstances since the approval of the previous application by the Committee in 2007.

- 12.6 There are four public comments against the proposed development raising concern on the potential adverse impacts on the "GB" zone. Regarding their environmental, car parking and sewage concerns, the concerned Government departments have no adverse comment on the application. The concerns of the commenter could be addressed through imposition of relevant approval conditions to minimize the potential adverse impacts on the surrounding area.

13. Planning Department's Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 8.11.2017, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (b) submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory clauses

- (a) the applicant is required to register, before execution of Small House grant documents, a relevant Deed of Grant of Easement annexed with a plan for construction, operation and maintenance of sewage pipes and connection points on the lot(s) concerned in the Land Registry against all affected lot(s);
- (b) to note the comments of the Director of Environmental Protection to connect the proposed Small House to the public sewer at the applicant's own cost;
- (c) to note the comments of the Director of Drainage Services that there is no public drain in the vicinity of the Site. The applicant/owner is required to maintain the drainage systems properly and rectify the drainage system if it is found to be inadequate or ineffective during operation. The applicant/owner shall be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the system;

- (d) to note the comments of the Chief Engineer/Development(2), Water Supplies Department (WSD) that the applicant may need to extend his/her inside services to the nearest suitable Government water mains for connection for provision of water supply to the proposed development and shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards. The water mains in the vicinity of the Site cannot provide the standard pedestal hydrant;
- (e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department that the access road from Ting Kok Road to the Site is not maintained by Highways Department;
- (f) to note the comments of the Director of Fire Services that the applicant is reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by Lands Department. Detailed fire safety requirements will be formulated during land grant stage; and
- (g) 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 permission from the Town Planning Board where required before carrying out the road works.

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 "GB" zoning for the area which is to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses 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 and attachments
Appendix II	Interim Criteria
Appendix III	Previous planning application covering the site
Appendix IV	Similar planning applications within the same "GB" zone
Appendix V	Government departments' detailed comments
Appendix VI	Public Comments
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Site photo

**PLANNING DEPARTMENT
NOVEMBER 2013**

Form No. SI6-2

表格SI6-2

此文件在 2013年 9月 13日

received on 13 SEP 2013

The Planning Board will formally acknowledge
the receipt of the application only upon receipt
of all the required information and documents.

Lot No. 391 S.A in D.D. 28

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE (CAP. 131)**

**Applicable to Proposal Only Involving
Construction of "New Territories Exempted House(s)"**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

適用於只涉及興建「新界豁免管制屋宇」的建議

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-TK/476
	Date Received 收到日期	13 SEP 2013

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board, 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件（倘有），送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Town Planning Board's (the Board's) website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel.: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張，然後填寫此表格。這份文件可從城市規劃委員會（下稱「委員會」）的網頁下載（網址：<http://www.info.gov.hk/tpb/>），亦可向委員會秘書處（香港北角渣華道 333 號北角政府合署 15 樓 - 電話：2231 4810 或 2231 4835）及規劃署的規劃資料查詢處（熱線：2231 5000）（香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓）索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters, preferably in both English and Chinese. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格，填寫的資料宜中英文兼備。如果申請人所提交的資料或文件副本不齊全，委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱
(Mr./Mrs./Miss/Ms./Company/Organization* 先生/夫人/小姐/女士/公司/機構*)
LEE KWOK KUEN 李國權

2. Name of Authorized Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)
(Mr./Mrs./Miss/Ms./Company/Organization* 先生/夫人/小姐/女士/公司/機構*)
MAN SAU KEUNG 文壽強

3. Application Site 申請地點	
(a) Full address/Location 詳細地址/地點	LUNG MEI, TAI PO, NEW TERRITORIES 新界, 大埔, 龍尾
(b) Demarcation District and Lot no. (if applicable) 丈量約份及地段號碼 (如適用)	Lot No. 391 S.A in D.D.28 大埔丈量約份第28約391S.A號地段 (Appendix A & B)
(c) Site area 地盤面積	162.1 sq. m. 平方米
(d) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	NIL sq. m. 平方米

* Delete as appropriate

Please fill "NA" for inapplicable item

* 請刪去不適用者

請在不適用的項目填寫「不適用」

3. Application Site (Continued) 申請地點 (續)	
(e) Name and no. of the related statutory plan 有關法定圖則的名稱及編號	Ting Kok Outline Zoning Plan 汀角分區計劃大綱圖 S/NE-TK/17.
(f) Land use zone(s) involved 涉及的土地用途地帶	"Green Belt" 綠化地帶
(g) Current use(s) 現時用途	Vacant Land 空置土地 (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and total floor area 如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」
<p>The applicant 申請人：</p> <p><input checked="" type="checkbox"/> is the sole "current land owner" (please proceed to Part 7 and attach documentary proof of ownership). 是唯一的「現行土地擁有人」(請繼續填寫第 7 部分，並夾附業權證明文件)。</p> <p><input type="checkbox"/> is one of the "current land owners" (please attach documentary proof of ownership). 是其中一名「現行土地擁有人」(請夾附業權證明文件)。</p> <p><input type="checkbox"/> is not a "current land owner". 並不是「現行土地擁有人」。</p> <p style="text-align: right;">(Appendix D)</p>

5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述
<p>(a) According to the record(s) of the Land Registry as at 9/9/2013, this application involves a total of "current land owner(s)". 根據土地註冊處截至 2013 年 9 月 9 日的記錄，這宗申請共牽涉 1 名「現行土地擁有人」。</p> <p>(b) The applicant has 申請人：</p> <p><input type="checkbox"/> obtained consent(s) of "current land owner(s)". 已取得 名「現行土地擁有人」的同意。</p> <p><input type="checkbox"/> notified "current land owner(s)". 已通知 名「現行土地擁有人」。</p>

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made. 「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人。

✓ at the appropriate box 請在適當的方格內加上「✓」號

Parts 3 (Continued), 4 and 5 第 3 (續)、第 4 及第 5 部分

就土地擁有人的同意/通知土地擁有人的陳述 (續)

(Please use separate sheets if the space of any box below is insufficient 如下列任何方格的空間不足，請另頁說明)

Lot no./address of premises shown in the record of the Land Registry 根據土地註冊處記錄的 地段號碼／處所地址	(e.g. Lot No. 47 in D.D. 123, Yuen Long) (例子：元朗第 1 2 3 約地段第 4 7 號)		(e.g. Lot No. 48 in D.D. 123, Yuen Long) (例子：元朗第 1 2 3 約地段第 4 8 號)	
Total number of "current land owner(s)" 「現行土地擁有人」的總數				
<u>Consent obtained</u> 已取得的同意	no. 數目	date of consent obtained 取得同意的日期	no. 數目	date of consent obtained 取得同意的日期
<u>Notification given</u> 已發出的通知	no. 數目	date and means of notification given 發出通知的日期和方式	no. 數目	date and means of notification given 發出通知的日期和方式

為取得土地擁有人的同意或向該人發給通知而採取的其他步驟的詳情

(please use separate sheets if the space below is insufficient 如下列的空間不足，請另頁說明)

Please specify the date(s) of action(s) taken 請註明行動日期

[illegible]

* Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.
申請人須就申請涉及的每一地段(倘適用)及處所(倘有)分別提供資料。

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

7. Development Proposal 擬議發展計劃			
Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)		LEE KWOK KWEN 李國權	
Proposed total floor area 擬議總樓面面積		195.09 sq. m. 平方米	
Proposed number of house(s) 擬議房屋幢數	ONE	Proposed number of storeys of each house 每幢房屋的擬議層數	3
Proposed building height of each house 每幢房屋的擬議建築物高度		8.23 m.	
Proposed roofed over area of each house 每幢房屋的擬議上蓋面積		65.03 sq. m. 平方米	
Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途		Garden 花園	
		Whether any car parking space is included? 是否有包括停車位? Yes 是 <input type="checkbox"/> (Please illustrate on plan, and specify the total number and dimension of each space) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度) No 否 <input checked="" type="checkbox"/>	
Any vehicular access to the site? 是否有車路通往申請地點?		Yes 是 <input type="checkbox"/> There is an existing access. 有一條現有車路。 <input type="checkbox"/> There is a proposed access. 有一條擬議車路。 (please illustrate on plan and specify the width) (請在圖則顯示, 並註明車路的闊度) No 否 <input checked="" type="checkbox"/>	

Please fill "NA" for inapplicable item
「✓」 at the appropriate box

於在不適用的項目填寫「不適用」
請在適當的方格內加上「✓」號

Part 7 第7部分

8. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to provide justifications and/or measures to minimize possible adverse impacts. 如需要的話，請另頁提供理由及/或盡量減少可能出現不良影響的措施。

<p>Does the development proposal involve alteration or extension of existing building? 擬議發展計劃是否包括現有建築物的改動或擴建?</p>	<p>Yes 是 <input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>No 否 <input checked="" type="checkbox"/></p>																								
<p>Does the development proposal involve land filling/pond filling/excavation/diversion of streams/site formation*? 擬議發展計劃是否需要進行填土/填塘/挖土/河道改道/地盤平整* 工程?</p>	<p>Yes 是 <input type="checkbox"/> Please specify the details, and indicate on site plan(s) the extent of site formation (including land/pond filling), the filling/excavation level(s) and the existing ground levels, and the particulars of diversion of stream 請註明詳情，以及在地盤平面圖上示明地盤平整工程（包括填土/填塘）的範圍、填土/挖土的深度和現時地面高度及河道改道工程的細節</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>No 否 <input checked="" type="checkbox"/></p>																								
<p>Would the development proposal involve felling of trees and/or cause damage to branches and roots of trees? 擬議發展計劃是否需要砍伐樹木及/或是否會對樹枝和樹根造成破壞?</p>	<p>Yes 是 <input type="checkbox"/> Please state the number, diameters at breast height and species of the affected trees (if possible) and whether there are any replanting/landscaping proposals 請說明受影響樹木的數目、及胸高度的樹幹直徑、品種(倘知)及有否重新植樹/美化環境計劃</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>No 否 <input checked="" type="checkbox"/></p>																								
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>Please state measure(s) to minimize the impact(s) 請註明盡量減少影響的措施</p> <p>.....</p> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																							
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Visual impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																							

* Delete as appropriate

Please fill "NA" for inapplicable item

「✓」 at the appropriate box

* 請刪去不適用者

請在不適用的項目填寫「不適用」

請在適當的方格內加上「✓」號

9. Justifications 理由

The applicant is invited to provide justifications in support of the application. (Preferably not more than 500 words in English and/or Chinese. Use separate sheets if necessary.)

現請申請人提供申請理由及支持其申請的資料(篇幅宜不超過500個英文字及/或中文字,如有需要,請另頁說明。)

Appendix E

10. Plans, Drawings and Documents 圖則、繪圖及文件

Please list location plans, site plans, other relevant plans, drawings and other documents submitted with the application. 請列明連同申請一併遞交的位置圖、地盤平面圖、其他相關圖則、繪圖及其他文件。

Appendix A (Lot Index Plan - lot 391 S.A in D.D.28)
 Appendix B (Proposed Small House Plan)
 Appendix C (Power of Attorney)
 Appendix D (Ownership of the Lot)
 Appendix E (Justification)
 Appendix F (Application Detail Information)
 Appendix G (Certification of Exemption)

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

11. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief. 本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

Signature
簽署

MR MAN SAU KEUNG

Name in Block Letters 姓名 (以正楷填寫)

Applicant / Authorized Agent*
申請人 / 獲授權代理人*

(Appendix C)

Position (if applicable) 職位 (如適用)

Professional

Qualification(s) 專業資格

Member 會員 / Fellow 資深會員* of

☐ HKIP ☐ HKIA ☐ HKIS ☐ HKIE ☐ HKILA

Others 其他

on behalf of
代表

Company/Organization Name and Chop (if applicable)
公司 / 機構名稱及蓋章 (如適用)

Date
日期 11 September 2013

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.
任何人在明知或故意的情况下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
- (b) facilitating communication between the applicant and the Secretary of the Board/Government departments in accordance with the provisions of the Town Planning Ordinance and the relevant Town Planning Board Guidelines.

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) 處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
- (b) 方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角道第 333 號北角政府合署 15 樓。

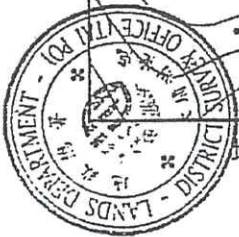
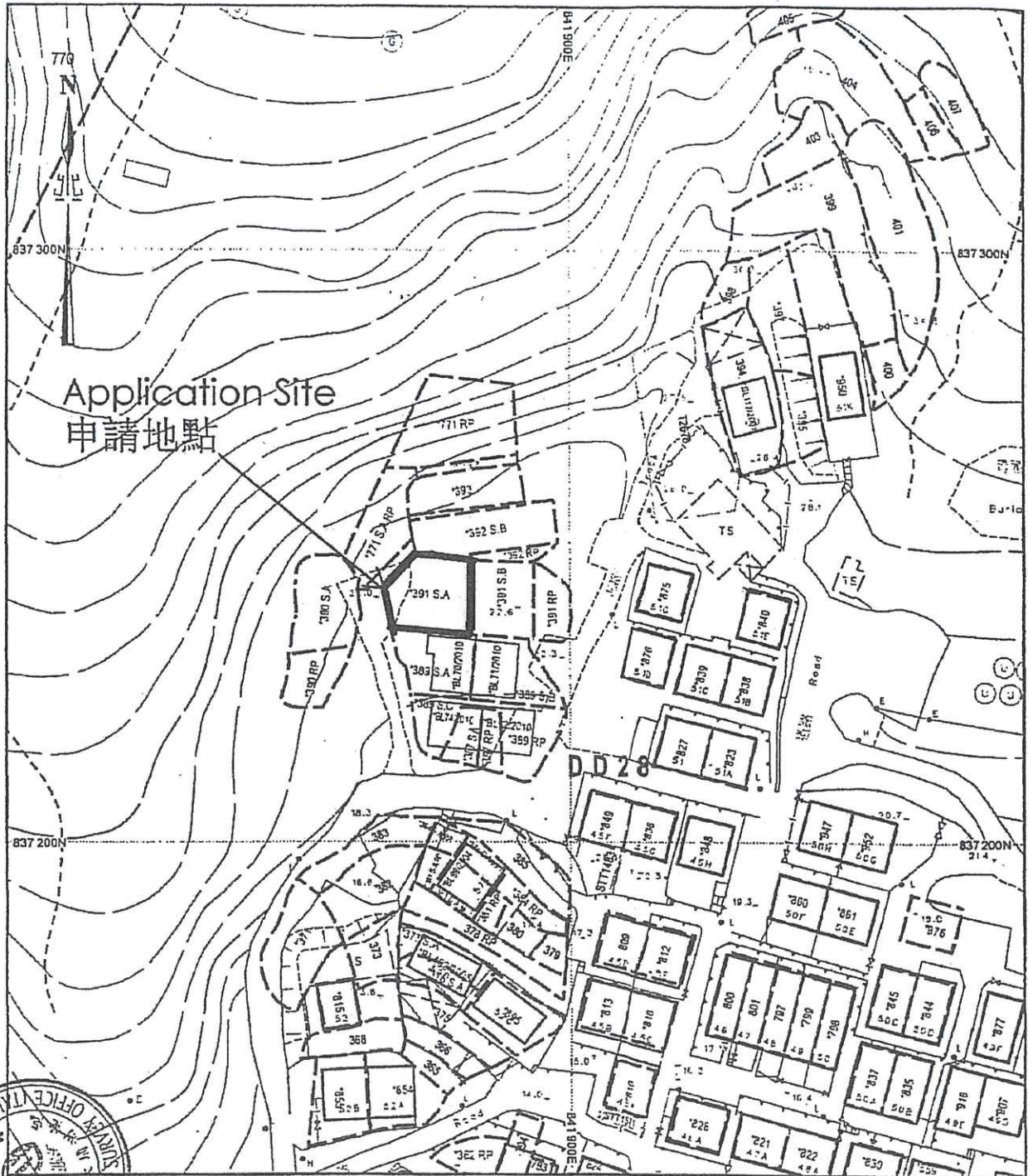
* Delete as appropriate

Please fill "NA" for inapplicable item
「✓」 at the appropriate box

* 請刪去不適用者

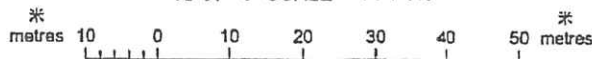
請在不適用的項目填寫「不適用」
請在適當的方格內加上「✓」號

地段索引圖 LOT INDEX PLAN



地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1 000



Locality :D.D.28

Lot Index Plan No. : TP0443082013

District Survey Office :Tai Po

Date : 29-Aug-2013

Reference No. : 3-SE-18D,3-SE-23B

香港特別行政區政府 一 版權所有
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SMO-P01 20130829121950 10

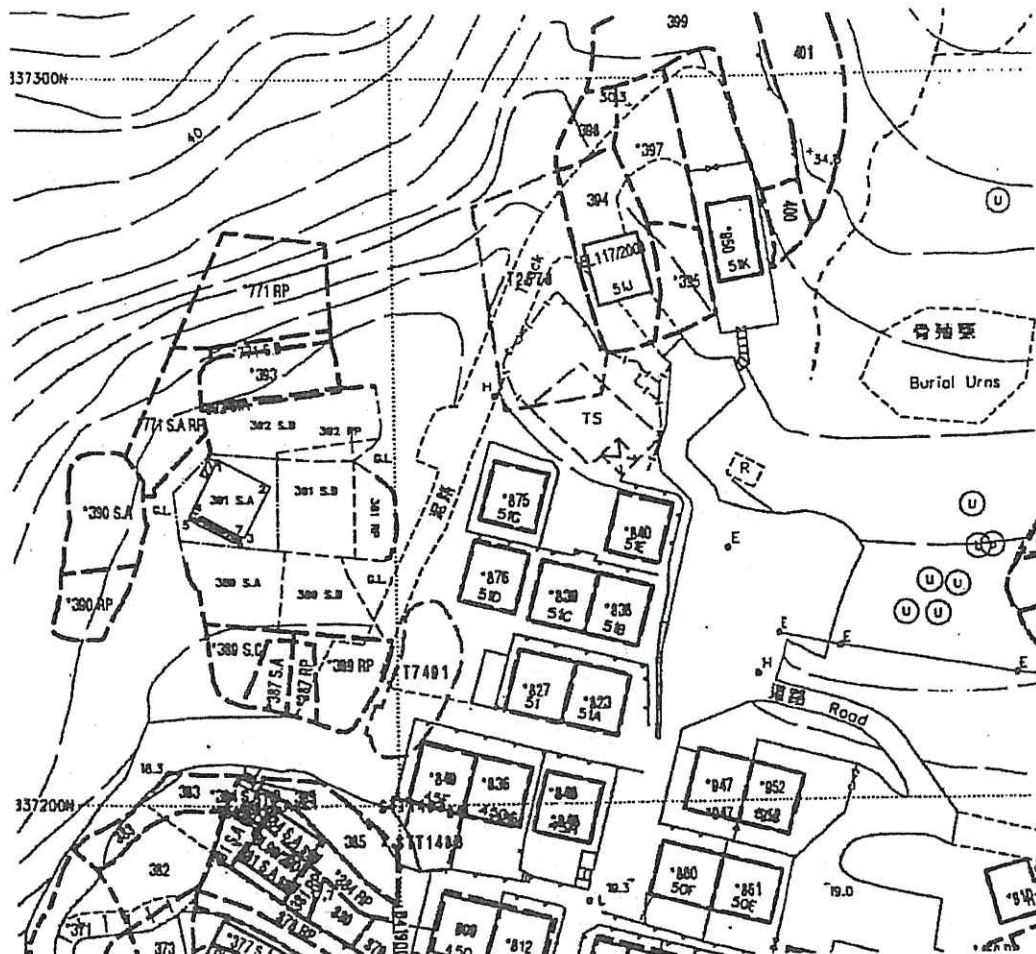
免責聲明

本圖則乃地段索引圖的複本，顯示地段界線的大概位置，包括現或政府撥地、臨時政府撥地、臨時租約及政府土地租用牌照而臨時佔用土地的位置。臨時佔用土地的位置可隨時短期出現或終止，因此應向有關的分區地政專員作查詢。圖則所帶的資料必須透過實地測量予以核實，如有更佳或新的地理資料，該地段索引圖可能會隨修訂而須事先通知。

Disclaimer

This plan is a copy of the lot index plan showing the approximate location of lot boundaries including the temporary occupation of land under Government Land Allocations, Temporary Government Land Allocations, Short Term Tenancies and Government Land Licences. The temporary occupation of land may be created or terminated at short notice and should be confirmed with the District Lands Officer. The information shown on this plan MUST be verified by field survey. The lot index plan may be revised with all the information as better or new boundary evidence becomes available.

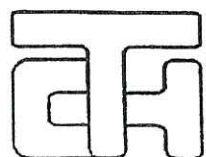
Dimension Plan of The Proposed Small House on Lot 391 S.A in D.D. 28 Lung Mei Village, Tai Po



Balcony
 Septic Tank

Coloured Pink Area 65.03 Square Metres (About)
Scale 1 : 1000

Side	Bearing ° ' "	Distance in Metres	Pt	Co-ordinate Data (1980 Datum)		Remarks
				N	E	
1 - 2	117 12 20	8.064	1	837247.788	841875.553	
2 - 3	207 12 20	8.064	2	837244.100	841882.725	
3 - 4	297 12 20	8.064	3	837236.928	841879.038	
4 - 1	27 12 20	8.064	4	837240.614	841871.866	
Co-ordinates of the balcony						
4 - 7	117 12 20	7.320	4	837240.614	841871.866	
7 - 6	207 12 20	1.220	7	837237.268	841878.376	
6 - 5	297 12 20	7.320	6	837236.183	841877.819	
5 - 4	27 12 20	1.220	5	837239.529	841871.308	



T.H. & ASSOCIATES LIMITED

(陳德慶測量有限公司)

Approved By

T.H.CHAN (ALS, MHKIS, MRICS, RPS(LS))

Authorized Land Surveyor

Date: 17-02-2011

Survey Sheet No: 3-SE-18D/23B

Adopted Plan No: SRP/TP/047/6311 D1

PLAN No: TP/28/391A-SH

敬啟者：

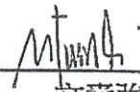
有關向貴會申請之地段，在 2007 年 12 月 14 日已獲貴會批出規劃許可，有效期至 2011 年 12 月 14 日止。本人就上述個案向貴會匯報申請進度。

- (一) 已接獲大埔地政處發出之信件，得悉土木工程拓展署已接納本人委託之認可人士提交之天然山坡風險報告書。現隨函呈交該信件給貴會審閱 (附件 G)。
- (二) 本申請已完成向大埔地政處提交發展相關資料，亦得悉已完成審批之一切手續。但因貴會批出之規劃許可有效期已逾時，故此未能獲得該處發出建屋牌照。

上述發展地段，因提交相關資料及有關政府部門審核需時，故此未能在貴會批出之規劃許可有效期內完成相關手續，本人深感歉意。現懇請貴會能再次批出上述地段之規劃許可。

感謝貴會幫忙！

授權人：


文蔚強

日期：2013 年 9 月 11 日

關於申請編號A/NE-TK/243的擬議用途/發展的概括發展規範
Broad Development Parameters of the Applied Use/Development
in respect of Application No. A/NE-TK/243

(a) 申請編號 Application no. :	A/NE-TK/243		
(b) 申請地點位置/地址 Location/Address of application site :	大埔汀角路龍尾村丈量約份第28約地段第391號A分段 Lot 391S.A in D.D. 28, Lung Mei Village, Ting Kok Road, Tai Po		
(c) 地盤面積 Site area :	162.1	平方米 m ²	
(d) 圖則 Plan :	汀角分區計劃大綱草圖編號S/NE-TK/13/17 Draft Ting Kok Outline Zoning Plan No. S/NE-TK/13/17		
(e) 地帶 Zoning :	“Green Belt” 「綠化地帶」		
(f) 申請用途/發展 Applied Use/Development :	擬議屋宇 (新界豁免管制屋宇 - 小型屋宇) Proposed House (New Territories Exempted House - Small House)		
(g) 總樓面面積及/或地積比率: Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio
	住用 Domestic :	195.09	-
	非住用 Non-domestic	-	-
	- 辦公室 office :	-	不適用 N.A.
	- 酒店 hotel :	-	
	- 零售 retail :	-	
	- 其他 (請說明) others (please specify) :	-	不適用 N.A.
(h) 幢數 No. of block :	住用 Domestic :	1	
	非住用 Non-domestic :	-	
	住用 Domestic :	3 層 storey (s)	8.23 米 m
		- 米 (主水平基準以上) mPD	
(i) 層數/建築物高度 No. of storeys/building height	非住用 Non-domestic :	- 層 storey (s)	- 米 m
		- 米 (主水平基準以上) mPD	
		- 層 storey (s)	- 米 m
		- 米 (主水平基準以上) mPD	
(j) 單位/酒店客房數目 No. of units/hotel guestrooms :	-		
(k) 休憩用地 Open Space :	私人 Private :	-	平方米 m ²
	公眾 Public :	-	平方米 m ²
(l) 停車位及上落客貨車位數目 No. of parking spaces and loading/unloading spaces	私家車車位 car parking spaces :	-	
	貨車車位 lorry parking spaces :	-	
	旅遊車車位 coach parking spaces :	-	
	電單車車位 motorcycle parking spaces :	-	
	上落客貨車位 loading/unloading spaces :	-	

* 有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

詳加說明 > 總結 > 規劃許可申請 > A/NE-TK/243 > 作出決定的日期
(日/月/年)：14/12/2007

**詳細資料**

經商議後，小組委員會決定按照申請人向城市規劃委員會(下稱「城規會」)所提交申請的內容，批准這宗申請。這項規劃許可的有效期至二零一一年十二月十四日止。除非在該日期前，現時批准的發展已經展開或許可已獲續期，否則許可會於該日期後停止生效。有關許可須附加下列條件：

- (a) 按建議摘要(文件附錄VI)所述提交土力規劃檢討報告，以評估天然山坡災害，以及在有需要時實施紓緩措施，而有關報告和情況必須符合土木工程拓展署署長或城規會的要求；
- (b) 提交並落實適當的排水設施建議，而有關建議和情況必須符合渠務署署長或城規會的要求；
- (c) 提交並落實美化環境建議，而有關建議和情況必須符合規劃署署長或城規會的要求；以及
- (d) 提供消防通道、滅火水源和消防裝置，而有關情況必須符合消防處處長或城規會的要求。

附件
ENCLOSURE(S) 6

附件
ENCLOSURE(S) 6

地政總署
大埔地政處

DISTRICT LANDS OFFICE/
TAI PO
LANDS DEPARTMENT

Tel: 2654 1218

Fax: 2650 9896

Email: gendlotp@landsd.gov.hk

Our Ref: (6) in DLO/TP 388/TLT/87

Your Ref: C552/L3, C552/L5

來函請註明本署檔號

Please quote our reference in your reply

我們矢志努力不懈，提供盡善盡美的土地行政服務。
We strive to achieve excellence in land administration.

新界大埔汀角路一號大埔政府合署一樓
1/F, TAI PO GOVERNMENT OFFICES BUILDING,
1 TING KOK ROAD, TAI PO, NEW TERRITORIES.
網址 Website: www.landsd.gov.hk

Lau Chee Sing, AP

平穩地盤發展信

5 July 2012

Dear Sirs,

Application for Certificate of Exemption in respect of Site Formation Works
Lots Nos. 391A, 391B & 392 RP in D.D. 28
Lung Mei, Tai Po, N.T.
(2 Cases)

I refer to your letter ref. C552/L3 dated 19 March 2012 enclosing the Site Formation Report (Mar 2012), Site Formation Plan (drawing no. SF-01) and Natural Terrain Hazard Study (NTHS) Report submitted to this office in respect of the captioned Small House Developments.

2. The submissions have been forwarded to Geotechnical Engineering Office (GEO) of Civil Engineering and Development Department for comments. GEO has the following comments.

- (i) According to GEO's records, a NTHS had been carried out for the adjacent Lot 390 S.A, 392 S.A & 393 and 771 S.A RP in D.D. 28 and that NTHS had been accepted by GEO in 2009. The NTHS for Lot Nos. 390 S.A, 392 S.A & 393 and 771 S.A RP in D.D. 28 indicated that further NTHS study is not required for the catchment above the lots. GEO notes that subject two sites are located to the south of Lot Nos. 390 S.A, 392 S.A & 393 and 771 S.A RP in D.D. 28 and further away from the natural hillside. As the study area and the conclusion made in the NTHS Report for the subject two sites are the same as that in the NTHS accepted by GEO in 2009, GEO will not provide comments on the NTHS Report.
- (ii) In response to GEO's queries, your office submitted revised Site Formation Report (Rev. A, June 2012) and Site Formation Plan (drawing no. SF-01, Rev. A) via the letter ref. C552/L5 dated 5.6.2012 to this office and copied to GEO. Based on the revised Site Formation Report (Rev. A, June 2012) and Site Formation Plan (drawing no. SF-01 Rev. A), GEO has no geotechnical objection to the issue of a Certificate of Exemption (CoE) in respect of site formation works (SFW) to the applicant. In accordance with PNAP No. APP-

56. the CoE/SFW should be issued with the following conditions:-

- (a) No retaining walls terrace walls higher than 1.5m shall be constructed. The combined height of retaining wall and slope constructed shall also not exceed 1.5m.
 - (b) The retaining height-to-breath ratio of retaining walls constructed shall not be greater than two. The retaining walls shall be constructed of masonry or concrete.
 - (c) No slopes steeper than 30 degrees nor higher than 1.5m shall be constructed.
- (iii) In addition, GEO also reminds the applicants that the issue of CoE/SFW are also subject to the following condition:
- (a) The site formation works should be carried out in accordance with the details as shown in revised Site Formation Report (Rev. A, June 2012) and Site Formation Plan (drawing no. SF-01 Rev. A), which was submitted to District Lands Office / Tai Po (DLO/TP) on 5.6.2012 under the letter from the AP ref. C552/L5. In particular, the ground platform level shall be at +22.5mPD or the maximum level permitted by DLO/TP (whichever is lower), and the maximum excavation depth for the site formation works shall be at +21.2 mPD. When change of site conditions is found or change of the proposed works is required, the AP/geotechnical consultants should submit the revised Geotechnical Assessment/plans to DLO/TP for approval.
- (iv) GEO also advises the applicants on the following:
- (a) An adequate surface drainage system connected to a proper discharge point shall be provided on site during and after construction works.
 - (b) Record plans with surveyed spot-levels and photographs showing satisfactory completion of SFW should be submitted to DLO/TP for record.
 - (c) It is advisable that the SFW is carried out under the supervision of a Registered Professional Engineer (G) although this is not mandatory requirement.
 - (d) The applicant should seek separate approvals from the adjacent lot owners/DLO/Buildings Department or other authorities as appropriate for carrying any permanent or temporary excavation/filling works (including haul road/construction access) outside the lot.

3. For enquiry, please contact me at 2654 1218.

Yours faithfully,


(LEUNG Sum-ping)

for District Lands Officer, Tai Po

**Relevant Revised Interim Criteria for Consideration of
Application for 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 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) 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 Application covering the application site

Approved Application

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/243	Proposed House (New Territories Exempted House – Small House)	04/12/2007	A1 – A5

Approval Conditions

- A1. The permission shall cease to have effect on DD/MM/YYYY unless prior to the said date either the development hereby permitted is commenced or this permission is renewed.
- A2. The provision of fire fighting access, water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB
- A3. The provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- A4. The submission and implementation of landscape proposals to the satisfaction of the Director of Planning or of the TPB.
- A5. The submission of a Geotechnical Planning Review Report to assess the natural terrain hazard as set out in the Advice Note (Appendix VI of the Paper), and the provision of mitigation measures, if necessary, to the satisfaction of the Director of Civil Engineering and Development or of the TPB.

Similar s. 16 Applications
Within the “Green Belt” Zone on the
Approved Ting Kok Outline Zoning Plan No. S/NE-TK/17

Approved Applications

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/140	Proposed House (New Territories Exempted House – Small House)	31/05/2002	A1 – A3
A/NE-TK/192	Proposed House (New Territories Exempted House – Small House)	24/06/2005	A1 , A3
A/NE-TK/211	Proposed House (New Territories Exempted House – Small House)	04/08/2006	A7 – A8
A/NE-TK/213	Proposed House (New Territories Exempted House – Small House)	04/08/2006	A7 – A8
A/NE-TK/226	Proposed House (New Territories Exempted House – Small House)	09/03/2007	A2, A8
A/NE-TK/243	Proposed House (New Territories Exempted House – Small House)	04/12/2007	A1 – A5
A/NE-TK/259	Proposed House (New Territories Exempted House – Small House)	05/09/2008	A1 – A4
A/NE-TK/260	Proposed House (New Territories Exempted House – Small House)	05/09/2008	A1 – A4
A/NE-TK/261	Proposed House (New Territories Exempted House – Small House)	05/09/2008	A1 – A4
A/NE-TK/262	Proposed House (New Territories Exempted House – Small House)	05/09/2008	A1 – A4
A/NE-TK/275	Proposed House (New Territories Exempted House – Small House)	8/5/2009	A1 – A4
A/NE-TK/276	Proposed House (New Territories Exempted House – Small House)	08/05/2009	A1 -A4, A6

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/277	Proposed House (New Territories Exempted House – Small House)	08/05/2009	A1 -A4, A6
A/NE-TK/278	Proposed House (New Territories Exempted House – Small House)	08/05/2009	A1 -A4, A6
A/NE-TK/327	Proposed House (New Territories Exempted House – Small House)	26/11/2010	A1 – A4, A6
A/NE-TK/328	Proposed House (New Territories Exempted House – Small House)	26/11/2010	A1 – A4, A6
219 A/NE-TK/344 390A	Proposed House (New Territories Exempted House – Small House)	04/03/2011	A1 – A4, A6
A/NE-TK/362	Proposed House (New Territories Exempted House – Small House)	22/07/2011	A1 – A4
A/NE-TK/363	Proposed House (New Territories Exempted House – Small House)	22/07/2011	A1 – A4
A/NE-TK/367	Proposed House (New Territories Exempted House – Small House)	02/09/2011	A1, A2, A7, A8
A/NE-TK/373	Proposed House (New Territories Exempted House – Small House)	16/12/2011	A1, A2,A4,A6,A8
A/NE-TK/375	Proposed House (New Territories Exempted House – Small House)	06/01/2012	A1, A2,A4,A8
A/NE-TK/392	Proposed House (New Territories Exempted House – Small House)	19/10/2012	A1-A4
A/NE-TK/393	Proposed House (New Territories Exempted House – Small House)	19/10/2012	A1-A4
A/NE-TK/425	Proposed House (New Territories Exempted House – Small House)	25/1/2013	A1, A8
A/NE-TK/440	Proposed House (New Territories Exempted House – Small House)	03/05/2013	A1, A4,A8

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-TK/450	Proposed House (New Territories Exempted House – Small House)	19/07/2013	A1, A4 & A8
A/NE-TK/473	Proposed House (New Territories Exempted House – Small House)	25/10/2013	A4 & A8

Approval Conditions

- A1. The permission shall cease to have effect on DD/MM/YYYY unless prior to the said date either the development hereby permitted is commenced or this permission is renewed.
- A2. The provision of fire fighting access, water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.
- A3. The provision of drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- A4. The submission and implementation of landscape proposals to the satisfaction of the Director of Planning or of the TPB.
- A5. The submission of a Geotechnical Planning Review Report to assess the natural terrain hazard as set out in the Advice Note (Appendix VI of the Paper), and the provision of mitigation measures, if necessary, to the satisfaction of the Director of Civil Engineering and Development or of the TPB.
- A6. The submission of a natural terrain hazard study and the implementation of the mitigation measures identified therein to the satisfaction of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department or of the TPB.
- A7. The submission and implementation of landscape and tree preservation proposal to the satisfaction of the Director of planning or the TPB.
- A8. The submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.

Rejected Applications

Application No.	Proposed Development	Date of Consideration	Reasons for Rejection
A/NE-TK/258	Proposed New Territories Exempted House (NTEH) (Small House)	02/01/2009	R1-R2
A/NE-TK/263	Proposed New Territories Exempted House (NTEH) (Small House)	02/01/2009	R1-R2

Application No.	Proposed Development	Date of Consideration	Reasons for Rejection
A/NE-TK/273	Proposed New Territories Exempted House (NTEH) (Small House)	08/05/2009	R3-R4
A/NE-TK/274	Proposed House (New Territories Exempted House) (NTEH) (Small House)	08/05/2009	R3-R4
A/NE-TK/279	Proposed House (New Territories Exempted House) (NTEH) (Small House)	08/05/2009	R3-R4
A/NE-TK/426 (S.17)	Proposed 8 Houses (New Territories Exempted Houses – Small Houses)	09/08/2013	R5-R7

Reasons for Rejection

- R1. The proposed developments were not in line with the planning intention of the "GB" zoning for the area which were to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone. There was insufficient information in the submissions to justify a departure from this planning intention.
- R2. The applications did not comply with the Town Planning Board Guidelines for Application for Development within "GB" zone under section 16 of the Town Planning Ordinance in that it would involve clearance of natural vegetation, affect the existing natural landscape of the surrounding environment. There was insufficient information in the submission to demonstrate that the proposed development would not have any adverse landscape impacts on the surrounding areas.
- R3. The application did not comply with the Town Planning Board Guidelines for Application for Development within "Green Belt" zone under section 16 of the Town Planning Ordinance in that it would likely involve site formation and slope stabilisation works resulting in clearance of natural vegetation and damage of the existing landscape of the surrounding area. There was insufficient information in the submission to demonstrate that the proposed development would not have any adverse landscape impacts on the surrounding areas.
- R4. The approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.
- R5. The proposed development was not in line with the planning intention of the "Green Belt" zoning for the area which was to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone.

- R6. The proposed development did not comply with the Town Planning Board Guidelines No. 10 for Application for Development within "Green Belt" zone under section 16 of the Town Planning Ordinance in that the proposed development would involve extensive clearance of existing natural vegetation and affect the existing natural landscape on the surrounding environment.
- R7. The proposed development did not comply with the interim criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape and sewerage impacts on the surrounding areas.

Other Comments from Relevant Government Departments

1. Land Administration

Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;
- (b) the application site falls wholly within the 'VE' of Lung Mei/Wong Chuk Tsuen & Tai Mei Tuk. Wong Chuk Tsuen is not a recognized village;
- (c) the applicant is an indigenous villager of San Tau Kok Village as confirmed by the Indigenous Inhabitant Representative (IIR) of the same village. Under the current N.T. Small House policy, the applicant is eligible to apply for building a Small House within his village or a village within the same 'Heung' provided that there is no local objection;
- (d) the number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follows:

<u>Village</u>	<u>No. of outstanding Small House applications</u>	<u>No. of 10-year Small House demand*</u>
Lung Mei	53	70
Tai Mei Tuk	28	136

(* The figures are estimated and provided by the concerned IIR. The information so obtained has not been verified by his Office.)

- (e) the Small House application was received on 1.4.2011; and
- (f) the Site is not covered by any Modification of Tenancy or Building Licence.

2. Traffic

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

- (a) he has reservation on the application. Such type of 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, such type of development outside "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, he considers that this application can be tolerated unless it is rejected on other grounds.

Comments of the Chief Highway Engineer/NT East, Highways Department (CHE/NTE, HyD):

- No adverse comment on the application from highways viewpoint. The access road from Ting Kok Road to the Site is not maintained by HyD.

3. **Drainage**

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

- (a) no in-principle objection to the application from public drainage viewpoint;
- (b) there is no public drain in the vicinity of the Site. If the application is approved, a condition should be included to request the applicant to submit and implement a drainage proposal for the Site to the satisfaction of DSD to ensure that it will not cause adverse drainage impact to the adjacent area. The applicant/owner is also required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems; and
- (c) public sewerage connection is available in the vicinity of the Site. EPD should be consulted regarding the sewage treatment/disposal aspects of the proposed development.

4. **Sewerage**

Comments of the Director of Environmental Protection (DEP):

- (a) the Site is located outside Water Gathering Ground;
- (b) in view of the small scale development, the application alone is unlikely to cause major pollution. He has no objection to the proposed development; and
- (c) however, since the Site is within the catchment of Lung Mei Beach, the applicant should be advised to connect the sewer from the development to the public sewer at his own cost when available.

5. **Water Supply**

Comments of the Chief Engineer/Development(2), Water Supplies Department (CE/Dev(2), WSD):

- (a) no objection to the application;
- (b) for provision of water supply to the proposed development, the applicant may need to extend his/her inside services to the nearest suitable Government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be

responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards; and

- (c) the water mains in the vicinity of the Site cannot provide the standard pedestal hydrant.

6. **Fire Safety**

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

- No in-principle objection to the application. The applicant is reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by the LandsD. Detailed fire safety requirements will be formulated during land grant.

7. **Nature Conservation**

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

- Although the Site falls within "GB" zone, it is mainly covered with grasses and shrubs. In view that these plants are common species, he has no strong view on the proposed development from nature conservation point of view.

8. **Landscape**

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

- (a) the Site is zoned "GB" and is the subject of previously approved application (No. A/NE-TK/243 which he did not support from the landscape planning perspective. According to the aerial photo of 1.1.2013, the Site is currently overgrown with shrubs and ground covers. In view that a number of similar applications adjacent to the Site have been approved, the landscape character of the subject flat area at the foot of the wooded hillside is expected to be altered. The proposed house is not located close to the edge of the existing trees on the hillside slope and the proposed village house is considered tolerable within the surrounding landscape context. As such, he has no objection to the application from the landscape planning point of view.
- (b) Should the application be approved by the Committee, approval condition on submission and implementation of a landscape proposal is recommended to be imposed in the planning permission.

9. **Geotechnical**

Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- According to the records, a Natural Terrain Hazard Study (NTHS) for the adjacent Lot Nos. 390 S.A, 392 S.A, 393 and 771 S.A RP in D.D. 28 had been accepted by his Office in 2009, concluding that further study is not required. It is noted that the Site is located further away from the natural hillside and therefore he has no comment on the subject application.

10. Demand and Supply of Small House Sites

According to the DLO/TP, LandsD's record, the total number of outstanding Small House applications for Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen is 81 while the 10-year Small House demand forecast for the same villages is 206. Based on the latest estimate by the PlanD, about 3.91 ha (or equivalent to about 156 Small House sites) of land are available within the "V" zone of the concerned villages. Therefore, the land available cannot fully meet the future Small House demand of about 7.18 ha (or equivalent to about 287 Small House sites).

龍尾村村公所

龍尾村 40E 電話/傳真 2948 2783

城市規劃委員會，
北角政府合署 15/F，
北角渣華道 333 號

覆核申請編號： A/NE-TK/476

敬啟者，

**大埔龍尾丈量約份第 28 約
地段第 391 號 A 分段
擬議屋宇 (新界豁免管制屋宇 -- 小型屋宇)**

上述申請地段正座落本村「綠化地帶」上。但本村正在研究討論詳細及遠久妥善之藍圖，以符合本村未來最佳發展；包括道路，鋪放排污渠，食水喉，電纜，消防龍頭，街燈及電訊光纖等；更重要是保護本村之樹木花草，自然優美環境。在申請發展人仕未有聯絡本村及向本村提交妥善及優化地域自然環境前，本村反對是項申請。申請發展人仕必須先行與本村展開協商；才能達到地盡其用，未來擬建小型屋宇方向盡量劃一，形式風格尋求與地域協調；以減輕過往因應個別獨立申請建造小型屋宇而引來之爭議和弊端。

謹請城市規劃委員會各位尊貴委員，慎重考慮本村所提出之理據及請求，拒絕是項申請，以避免本村出現混亂無章，破壞自然環境而又勾起爭端之個別申請個案，為荷！ 敬祝公安！

此致

城市規劃委員會秘書



張國華

(原居民代表)

謹

陳天送

(原居民代表)

啟

二零一三年九月二十六日

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

參考編號

Reference Number:

131003-133357-27073

提交限期

Deadline for submission:

15/10/2013

提交日期及時間

Date and time of submission:

03/10/2013 13:33:57

有關的規劃申請編號

The application no. to which the comment relates:

A/NE-TK/476

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Mr Lie

意見詳情

Details of the Comment :

The green belt zone is demarcated for environmental protection and green planning for the society at large. Approval of village houses in this precious zone unreasonably sacrifice public interest to those developers and applicants. The policy of entitlement for applying small house by indigenous villagers is basically an administrative mistake years ago and the consequences are now being borne by the general public. In fact, those small houses were approved to be built for sale/rent only and never for the housing needs. This policy should be abolished as soon as possible as it is unfair to other people.



嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.

(Email: tpbpd@pland.gov.hk)

15th October, 2013

By email only

Dear Sir/ Madam,

Proposed House (New Territories Exempted House – Small House),
Lung Mei, Tai Po (A/NE-TK/476)

We would like to express our concerns regarding the captioned application.

The subject site is partially located within the “Green Belt” (GB) zone. We would like to remind the Board that the general intention of a GB zone is for conservation and to act as a buffer between urban settings and natural landscapes. We feel that this principle should be adhered to as a matter of course.

We note that many small house applications have been approved within the GB zone in the locality. We strongly urge the Board to consider the potential cumulative impacts caused by having even more small houses in the GB zone (e.g., over-loading of the ground soak-away system; increasing human impacts upon and worsening the edge effects of the woodland which is ecologically connected to the Pak Sin Leng Country Park).

To conclude, we consider that the proposed small house should not extend into the GB zone as the intention of this zoning is for conservation.

We, therefore, urge the Board to reject this application.

Thank you for your kind attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden
cc. Conservancy Association, Designing Hong Kong, WWF – Hong Kong

香港新界大埔林錦公路
Lam Kam Road, Tai Po, New Territories, Hong Kong
Email: eap@kfbg.org

創建 Designing Hong Kong 香港 .com

Hong Kong, 15 October 2013

Chairman and Members
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong
Fax: 2877 0245;
Email: tpbpd@pland.gov.hk

Dear Sirs,

**Re: Planning Application No. A/NE-TK/476
Proposed House (New Territories Exempted Houses – Small Houses)**

Designing Hong Kong Limited **objects** to the captioned applications for the following reasons:

- ☐ The proposed area is zoned for 'Green Belt'. The zoning intention and character of the area is incompatible with urban sprawl, approval of this case will further degrade the environment. The proposed use and development does not comply with the Town Planning Board Planning Guideline No.10. There is no overriding need for converting the land from its current zoning. Approval of the case will set an undesirable precedent for similar applications.
- ☐ No environmental, traffic, drainage, sewage assessments have been provided.
- ☐ We ask the Board to note the promotional leaflet by the Drainage Services Department (one page attached) which highlights how small houses with only septic tanks but no connection to sewerage system pollute the environment and create hygiene concerns. To allow this situation to continue and to worsen with new small house approvals contravenes the Town Planning Ordinance.
- ☐ Reasonable distribution of properties, quality drainage and waterworks, appropriate street lighting, quality refuse and garbage facilities, public spaces, footpaths, roads, parking and public amenities is required to ensure the health and well-being of current and future residents.
- ☐ Village house are 'New Territories Exempted Houses' generally lack access, public sewerage or detailed oversight to ensure the construction and habitation does not impact the valuable environment – including the country park and the marine park.
- ☐ **The case of Wendy Hui from Kwun Hang Tsuen village in Ma On Shan who was nearly beaten to death (2 May 2012) and the death of two young boys on 27 October 2012 in Pat Heung Upper Village are rare insights into the violence over access and parking in villages, and the dangers caused by lack of access as emergency equipment can't reach the houses in good time. See pictures below.**
- ☐ Arguments that this limits the number of houses that can be built must be disregarded: Most villagers build houses for financial gain, not to live in.

We urge that:

- ☐ The **Town Planning Board** should adjust its practices to safeguard the health and wellbeing of the community – current and future generations. Wendy Hui and the young boys from Pat Heung are stark reminders that the current practices are deadly.
- ☐ The **Town Planning Board** is responsible when planning approval has been given for a small house

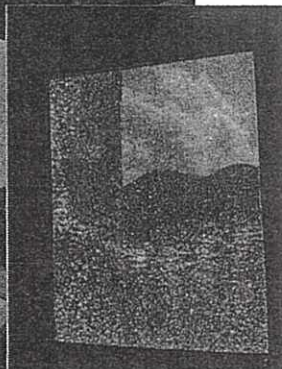
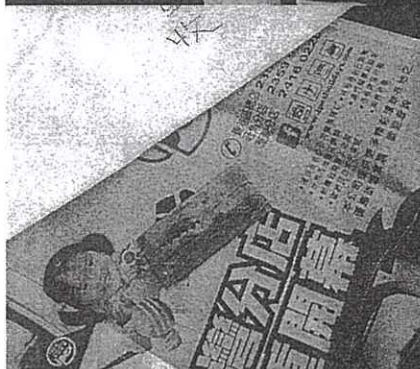
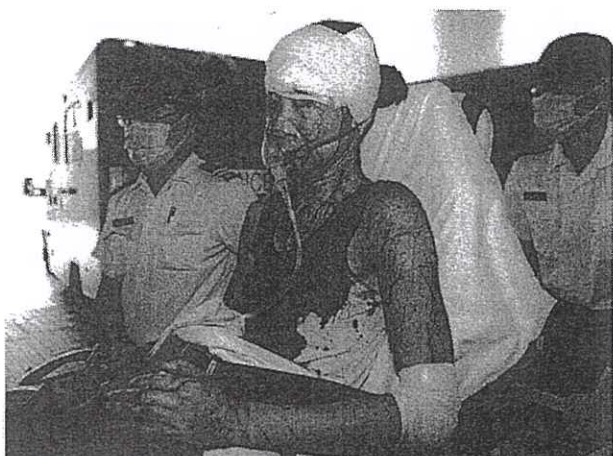
創建 Designing Hong Kong 香港 .com

without first making sure that adequate access and parking is arranged, and approve new small houses only when there is confirmation that adequate access and parking space is available.

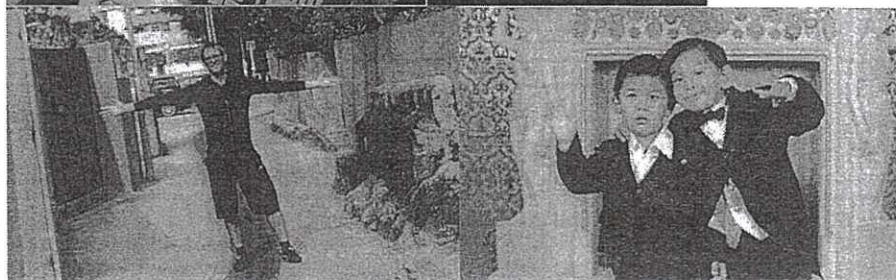
- The **Transport Department** should take responsibility for the fire safety dangers created by the lack of access, make sure the fire engine and ambulance can reach all the village houses.
- **The administrator of the Small House Policy, the Lands Department**, must immediately complete the Small House Policy review, which has been underway for some years, adjusts the administration of the Small House Policy for villages which connect to a public road, and stop continuing land grants for small houses without first ensuring a proper layout of roads, parking and amenities.
- At the same time, the **Home Affairs Department** must review the infrastructure and funding required making sure roads and parking meet the demand for existing houses. They need to work with the Lands Department to resolve the unauthorized occupation of government land for roads and parking in villages.

Here we submit our concerns for your consideration.

Designing Hong Kong Limited
October 2013



2012 in Sheung Sze Wan where a young family received a razor blade in a newspaper with a picture of a young child, and a brick through the window after they stopped pay 'rent' for a car park on Government land.



27 October 2012 Two young boys died in Pat Heung Upper Village – the house was inaccessible for the fire engine.

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"How many more stories do you need before redirecting the process of granting of approvals for small houses?"

Do you have to see a funeral before taking action?"

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化糞池系統所產生的污染及衛生問題

Pollution and Hygiene Problems Caused by Septic Tank System

在未有公共污水渠的鄉村，
村民一般會使用化糞池系統
處理污水。

In the unsewered villages,
villagers usually use septic tank
systems to treat their sewage.

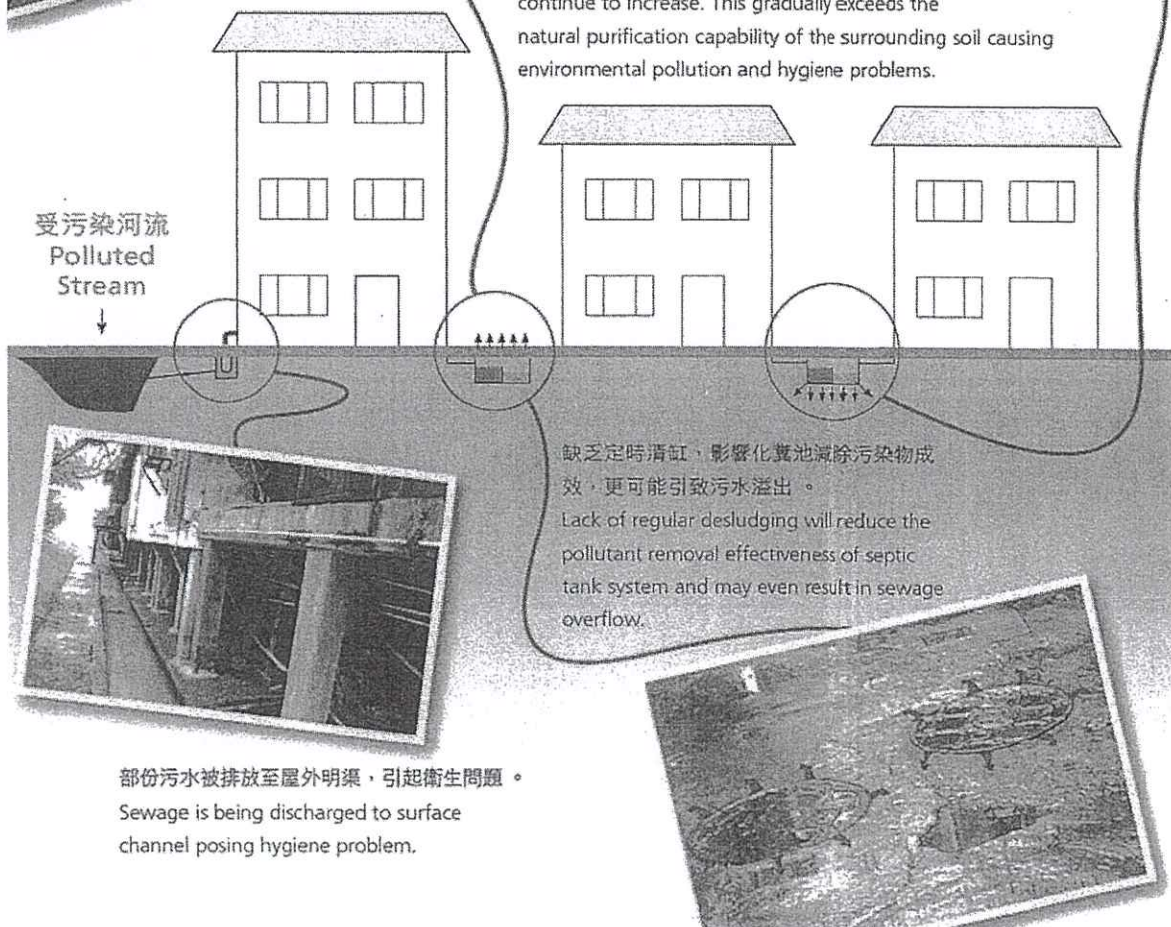


隨著村屋的密度愈趨提高，化糞池的數目及污水排放量亦不斷
增加，漸漸令泥土的天然淨化能力不勝負荷，引致環境污染及
衛生問題。

With the rise in development density of village houses,
the number of septic tanks and quantity of sewage discharge
continue to increase. This gradually exceeds the
natural purification capability of the surrounding soil causing
environmental pollution and hygiene problems.



受污染河流
Polluted
Stream



缺乏定時清缸，影響化糞池減除污染物成
效，更可能引致污水溢出。

Lack of regular desludging will reduce the
pollutant removal effectiveness of septic
tank system and may even result in sewage
overflow.

部份污水被排放至屋外明渠，引起衛生問題。

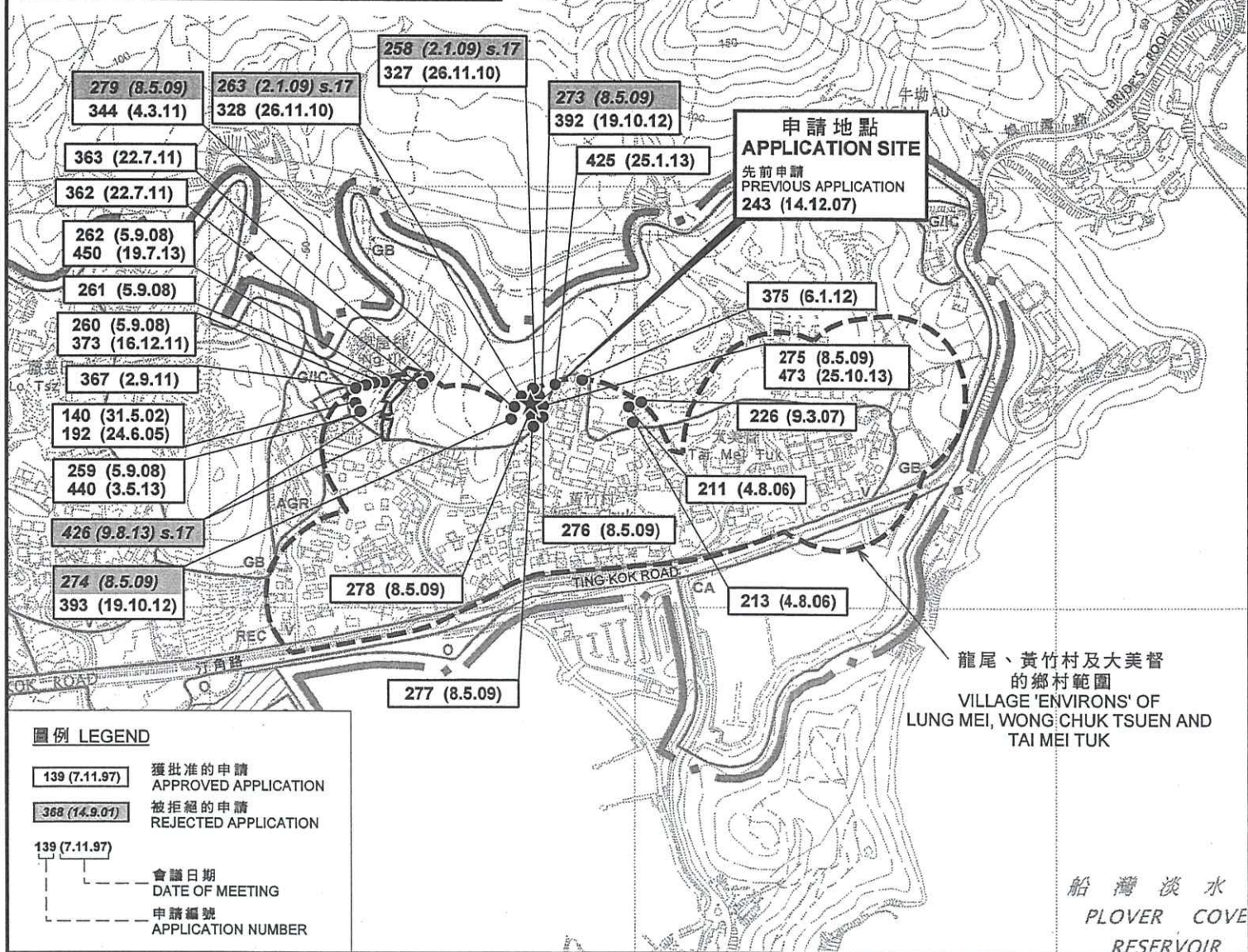
Sewage is being discharged to surface
channel posing hygiene problem.





要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺



圖例 LEGEND

- 139 (7.11.97) 獲批准的申請 APPROVED APPLICATION
- 368 (14.9.01) 被拒絕的申請 REJECTED APPLICATION
- 139 (7.11.97) 會議日期 DATE OF MEETING
- 139 (7.11.97) 申請編號 APPLICATION NUMBER

位置圖 LOCATION PLAN

擬議屋宇 (新界豁免管制屋宇—小型屋宇)
大埔龍尾丈量約份第28約地段第391號A分段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 391 S.A IN D.D. 28,
LUNG MEI, TAI PO

SCALE 1 : 7 500 比例尺
米 100 0 100 200 300 米
METRES

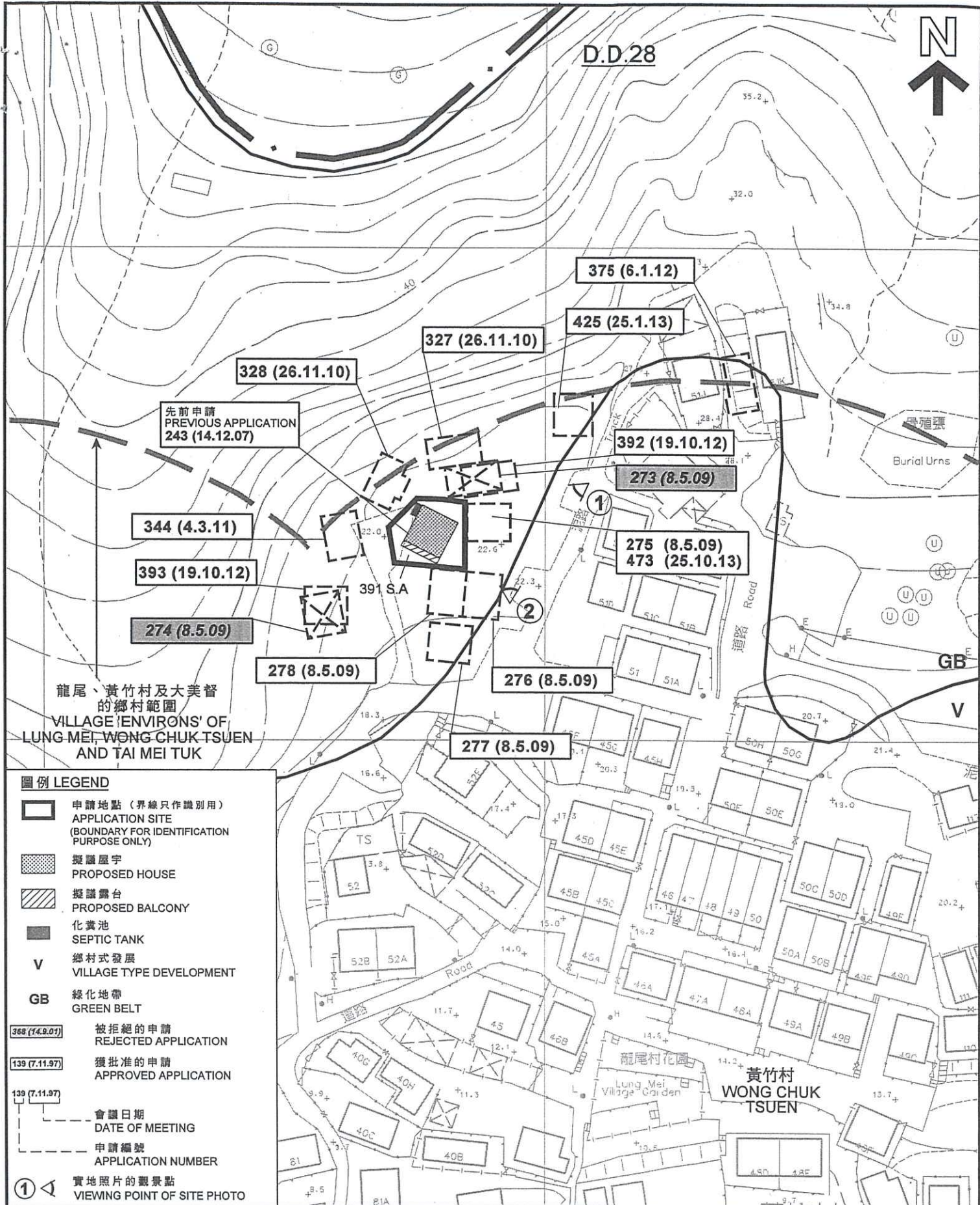
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-TK/476

圖 PLAN
A-1

本摘要圖於2013年10月10日擬備，
所根據的資料為於2011年7月5日核准的
分區計劃大綱圖編號S/NE-TK/17
EXTRACT PLAN PREPARED ON 10.10.2013
BASED ON OUTLINE ZONING PLAN
No. S/NE-TK/17 APPROVED ON 5.7.2011



平面圖 SITE PLAN

擬議屋宇 (新界豁免管制屋宇 - 小型屋宇)
大埔龍尾丈量約份第28約地段第391號A分段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 391 S.A. IN D.D. 28,
LUNG MEI, TAI PO

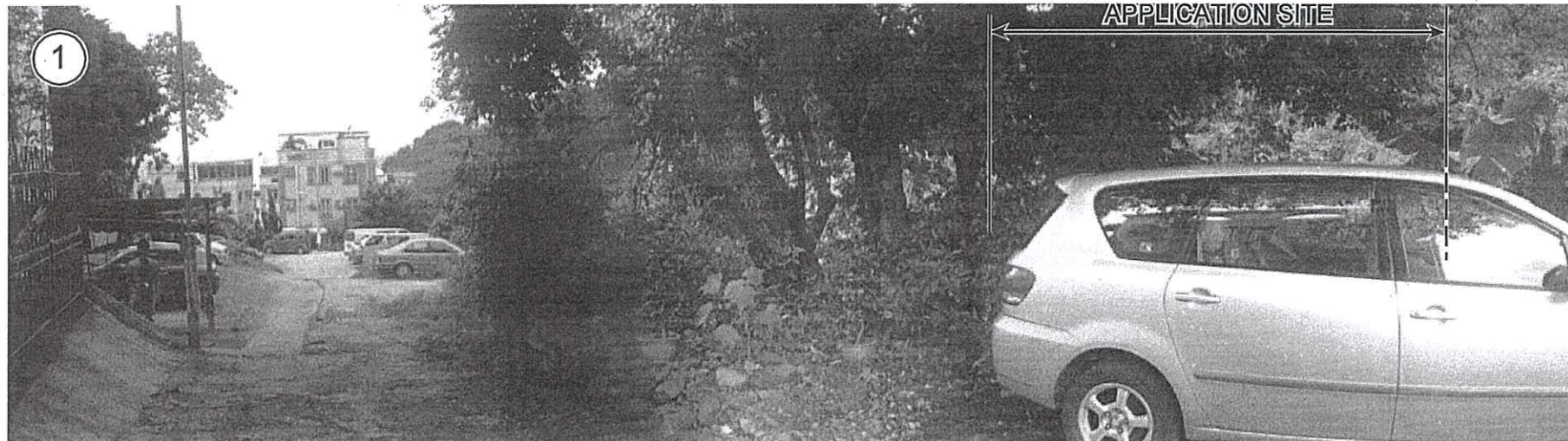
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-TK/476

圖 PLAN
A-2

本摘要圖於2013年10月10日擬備，
所根據的資料為測量圖編號
3-SE-18D、19C、23B及24A
EXTRACT PLAN PREPARED ON 10.10.2013
BASED ON SURVEY SHEETS No.
3-SE-18D, 19C, 23B & 24A



實地照片 SITE PHOTOS

擬議屋宇 (新界豁免管制屋宇 - 小型屋宇)
大埔龍尾丈量約份第28約地段第391號A分段

PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 391 S.A IN D.D. 28,
LUNG MEI, TAI PO

本圖於2013年10月10日擬備，所根據
的資料為攝於2013年9月24日
的實地照片

PLAN PREPARED ON 10.10.2013 BASED ON
SITE PHOTOS TAKEN ON 24.9.2013

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-TK/476

圖 PLAN
A-3

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳真 Fax: 2877 0245 / 2522 8426

電話 Tel: 2231 4810

來函檔號 Your Reference:

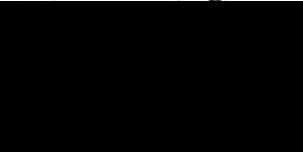
覆函請註明本會檔號

In reply please quote this ref.: TPB/A/NE-TK/476

By Registered Post & Fax ([REDACTED])

22 November 2013

Man Sau Keung



Dear Sir/Madam,

**Proposed House (New Territories Exempted House - Small House)
in "Green Belt" Zone, Lot 391 S.A in D.D. 28, Lung Mei, Tai Po**

I refer to my letter to you dated 23.9.2013.

After giving consideration to the application, the Town Planning Board (the TPB) approved the application for permission under section 16 of the Town Planning Ordinance on the terms of the application as submitted to the TPB. The permission is subject to the following conditions and shall be valid until 8.11.2017; and after the said date, the permission shall cease to have effect unless before the said date either the development hereby permitted is commenced or the permission is renewed :

- (a) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.

The TPB also agreed to advise you of the following :

- (a) you are required to register, before execution of Small House grant documents, a relevant Deed of Grant of Easement annexed with a plan for construction, operation and maintenance of sewage pipes and connection points on the lot(s) concerned in the Land Registry against all affected lot(s);
- (b) to note the comments of the Director of Environmental Protection to connect the proposed Small House to the public sewer at your own cost;
- (c) to note the comments of the Director of Drainage Services that there is no public drain in the vicinity of the site. You/The owner are required to maintain the drainage systems properly and rectify the drainage system if it is found to be inadequate or ineffective during operation. You/The owner shall be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the system;

- (d) to note the comments of the Chief Engineer/Development(2), Water Supplies Department (WSD) that you may need to extend your inside services to the nearest suitable Government water mains for connection for provision of water supply to the proposed development and shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards. The water mains in the vicinity of the site cannot provide the standard pedestal hydrant;
- (e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (HyD) that the access road from Ting Kok Road to the site is not maintained by HyD;
- (f) to note the comments of the Director of Fire Services that you are reminded to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by the Lands Department. Detailed fire safety requirements will be formulated during land grant stage; and
- (g) 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, you 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 permission from the TPB where required before carrying out the road works.

The TPB also agreed to advise you that for the development of a Small House, a concessionary grant from the Land Authority under the Small House Policy will be required and that such grant will only be given to indigenous villagers.

If you wish to seek an extension of the validity of this permission, you may submit an application to the TPB for renewal of the permission no less than six weeks before its expiry. This is to allow sufficient time for processing of the application in consultation with the concerned departments. The TPB will not consider any application for renewal of permission if the time limit for commencement of development specified in the permission has already expired at the time of consideration by the TPB. Please refer to the TPB Guidelines No. 35B and 36A for details. The Guidelines and application forms are available at the TPB's website (www.info.gov.hk/tpb/), the Planning Enquiry Counters (PECs) of the Planning Department (Hotline : 2231 5000) at 17/F, North Point Government Offices, 333 Java Road, North Point; 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin; and the Secretariat of the TPB at 15/F, North Point Government Offices.

For amendments to the approved scheme that may be permitted with or without application under section 16A, please refer to TPB Guidelines No. 36A for details.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 8.11.2013 are enclosed herewith for your reference. I regret that due to staff shortage, we are not able to provide you with a translation of the Paper and the extract of minutes in Chinese along with this letter. However, translation of the minutes of TPB meetings will be available at the TPB's website in due course. Staff of the Planning Department are also

willing to explain the contents of the documents to you in Chinese. Should you wish to make use of this service, please contact the PECs.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 13.12.2013). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

This permission by the TPB under section 16 of the Town Planning Ordinance should not be taken to indicate that any other government approval which may be needed in connection with the development, will be given. You should approach the appropriate government departments on any such matter.

If you have any queries regarding this planning permission, please contact Mr. C.T. Lau of Sha Tin, Tai Po and North District Planning Office at 2158 6242. In case you wish to consult the relevant Government departments on matters relating to the above approval conditions, a list of the concerned Government officers is attached herewith for your reference.

Yours faithfully,



(Mike LI)
for Secretary, Town Planning Board

(With Chinese Translation)

ML/DY/cl

有關政府部門人員名單

(申請編號 : A/NE-TK/476)

部門 Department	辦事處 / 職位 Office / Post Title	聯絡人姓名 Name of Contact Person	電話號碼 Telephone No.	傳真號碼 Facsimile No.
渠務署 Drainage Services Department	操作維修科 Operations & Maintenance Branch	符彥欣女士 Ms. FU Yin Yan, Jessica	2300 1630	2770 4761

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

Appendix C
TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 or 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/NE-TK/476

掛號及傳真函件([REDACTED])

[REDACTED]
文壽強

先生／女士：

擬在劃為「綠化地帶」的大埔龍尾
第 28 約地段第 391 號 A 分段
興建屋宇(新界豁免管制屋宇－小型屋宇)

我曾於二零一三年九月二十三日發信給你。

城市規劃委員會(下稱「城規會」)在考慮你的申請後，決定根據《城市規劃條例》第 16 條，按照你向城規會所提交申請的內容，批准你的規劃許可申請。這項規劃許可的有效期至二零一七年十一月八日止。除非在該日期前，所批准的發展已經展開或這項許可已續期，否則這項許可會於該日期後停止生效。這項許可須附加下列條件：

- (a) 提交並落實美化環境建議，而有關建議和落實情況必須符合規劃署署長或城規會的要求；以及
- (b) 提交並落實排水建議，而有關建議和落實情況必須符合渠務署署長或城規會的要求。

城規會亦同意告知你下列事宜：

- (a) 你在簽立小型屋宇批地文件前，須就所有受影響的地段向土地註冊處登記相關的地役權批約，該份批約須夾附圖則，顯示在有關地段建造、運作和保養的污水管和接駁點；
- (b) 留意環境保護署署長的意見，你須自費把擬建小型屋宇的排污設施接駁至公共污水渠；
- (c) 留意渠務署署長的意見，申請地點附近沒有公共排水渠。你／擁有人須妥善保養排水系統，如在系統運作期間，發現系統不足或欠妥，須作出補救；如因系統故障而造成損害或滋擾，亦須就所引致的申索和要求承擔責任及作出彌償；
- (d) 留意水務署總工程師／發展(2)的意見，為向發展項目供水，你或須把其項目的內部供水系統伸延，以接駁至最接近而合適的政府水管。你須解決與供水相關的任何土地問題(例如私人地段問題)，並須負責私人地段內的內部供水系統的建造、運作及維修保養，而有關情況必須符合水務署所訂標準。此外，申請地點附近的水管不能裝置標準的柱形消防栓；
- (e) 留意路政署總工程師／新界東的意見，由汀角路通往申請地點的通道並非由路政署維修保養；
- (f) 留意消防處處長的意見，你須遵守地政總署編訂的《新界豁免管制屋宇消防安全規定指引》。消防處會在批地階段制訂詳細的消防安全規定；以及
- (g) 留意這項規劃許可只批給申請所涉的發展項目。倘要為擬議發展項目闢設通道，你須確保有關通道(包括任何必須進行的填土／挖土工程)符合相關法定圖則的規定，並視乎情況所需，在進行道路工程前，向城規會申請規劃許可。

城規會亦同意通知你，根據小型屋宇政策，進行小型屋宇發展，必須獲得地政監督以優惠條件批地，而有關批地只會給予原居村民。

如欲申請延長這項規劃許可的有效期，你可以最遲在有效期屆滿前六個星期，向城規會提交規劃許可續期申請。這安排旨在讓城規會有足夠時間在徵詢有關部門的意見後處理該宗申請。如規劃許可所指定的期限在城規會考慮規劃許可續期申請時已經屆滿，該宗規劃許可續期申請將不獲城規會考慮。有關詳情請參閱城規會規劃指引編號 35B 及 36A。有關規劃指引及申請表格可瀏覽城規會的網頁(網址：www.info.gov.hk/tpb/)，或向規劃署的規劃資料查詢處(查詢熱線：2231 5000；地址：北角渣華道 333 號北角政府合署 17 樓和沙田上禾輦路 1 號沙田政府合署 14 樓)；以及城規會秘書處(地址：北角政府合署 15 樓)索取。

對核准發展作出的修訂，部分無須另行申請批准，部分則須根據《城市規劃條例》第 16A 條向城規會提出申請；詳情請參閱城規會規劃指引編號 36A。

隨函付上就該申請擬備的城規會文件(不包括補充規劃綱領／技術報告(如有者))及二零一三年十一月八日城規會會議記錄的相關摘錄，以供參閱。由於規劃署人手短缺，因此無法隨函提供上述文件和會議記錄摘錄的中譯本，十分抱歉。不過，城規會會於適當時候把會議記錄的翻譯本上載其網站。規劃署的職員亦很樂意用中文向你講解該等文件的內容。如果你需要這項服務，請聯絡規劃署規劃資料查詢處。

根據《城市規劃條例》第 17(1)條，申請人如因城規會的決定而感到受屈，可向城規會申請對有關決定進行覆核。如欲提出覆核申請，你須在本信發出日期起計的 21 天內(即二零一三年十二月十三日或之前)通知我，屆時我會與你聯絡，安排邀請你及／或你的獲授權代表出席城規會的聆訊。城規會須在收到覆核申請的日期起計三個月內考慮覆核申請。所有覆核申請均須予公布，為期三個星期，以供公眾提出意見。

城規會根據《城市規劃條例》第 16 條批給這項規劃許可，並不表示與這項發展有關而須向政府取得的其他許可，也會獲得批給。你必須就有關事宜與適當的政府部門聯絡。

如果你對這項規劃許可有任何疑問，請與沙田、大埔及北區規劃處劉志庭先生聯絡(電話：2158 6242)。為方便你向相關政府部門查詢有關上述規劃許可附帶條件的事宜，隨函另付上有關政府部門人員名單，以供參閱。

城市規劃委員會秘書
(李宏基代行)

二零一三年十一月二十二日

**Relevant Revised Interim Criteria for Consideration of
Application for 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) 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.

**Relevant Extracts of Town Planning Board Guidelines for
Application for Development within Green Belt Zone
under Section 16 of the Town Planning Ordinance
(TPB-PG No. 10)**

- (a) there is a general presumption against development (other than redevelopment) in a “Green Belt” (“GB”) zone;
- (b) an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas;
- (c) applications for NTEH with satisfactory sewage disposal facilities and access arrangements may be approved if the application sites are in close proximity to existing villages and in keeping with the surrounding uses, and where the development is to meet the demand from indigenous villagers;
- (d) the design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment;
- (e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- (f) the proposed development should not overstrain the overall provision of government, institution and community facilities in the general area; and
- (g) the proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution; and
- (h) any proposed development on a slope or hillside should not adversely affect slope stability.

Previous Applications

Approved Applications

Application No.	Use/Development	Date of Consideration
A/NE-TK/243	Proposed Houses (NTEH - Small House)	14.12.2007
A/NE-TK/476	Proposed Houses (NTEH - Small House)	8.11.2013

**Similar Applications in the Vicinity of the Site within the Same “GB” Zone
on the Ting Kok Outline Zoning Plan**

Approved Applications

Application No.	Use/Development	Zoning(s)	Date of Consideration
A/NE-TK/275	Proposed House (NTEH - Small House)	GB and V	8.5.2009
A/NE-TK/276	Proposed House (NTEH - Small House)	GB and V	8.5.2009
A/NE-TK/277	Proposed House (NTEH - Small House)	GB and V	8.5.2009
A/NE-TK/278	Proposed House (NTEH - Small House)	GB	8.5.2009
A/NE-TK/327	Proposed House (NTEH - Small House)	GB	26.11.2010
A/NE-TK/328	Proposed House (NTEH - Small House)	GB	26.11.2010
A/NE-TK/344	Proposed House (NTEH - Small House)	GB	4.3.2011
A/NE-TK/375	Proposed House (NTEH - Small House)	V and GB	6.1.2012
A/NE-TK/392	Proposed House (NTEH - Small House)	GB	19.10.2012
A/NE-TK/393	Proposed House (NTEH - Small House)	GB	19.10.2012
A/NE-TK/425	Proposed House (NTEH - Small House)	GB and V	25.1.2013
A/NE-TK/473	Proposed House (NTEH - Small House)	GB and V	25.10.2013
A/NE-TK/580	Proposed House (NTEH - Small House)	V and GB	15.7.2016
A/NE-TK/618	Proposed House (NTEH - Small House)	GB	11.8.2017
A/NE-TK/664	Proposed House (NTEH - Small House)	GB	22.3.2019

Rejected Applications

Application No.	Use/Development	Zoning(s)	Date of Consideration	Rejection Reasons
A/NE-TK/258	Proposed House (NTEH – Small House)	GB	2.1.2009 (on review)	R1 – R2
A/NE-TK/263	Proposed House (NTEH – Small House)	GB	2.1.2009 (on review)	R1 – R2
A/NE-TK/273	Proposed House (NTEH – Small House)	GB	8.5.2009	R2 – R3
A/NE-TK/274	Proposed House (NTEH – Small House)	GB	8.5.2009	R2 – R3
A/NE-TK/279	Proposed House (NTEH – Small House)	GB	8.5.2009	R2 – R3
A/NE-TK/559	Proposed House (NTEH – Small House)	GB	22.3.2017 (on appeal)	R1 – R2, R4 – R5
A/NE-TK/660	Proposed House (NTEH – Small House)	GB	18.1.2019	R1 – R2, R4 – R5

Rejection Reasons

- R1. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone for the area which was to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone. There was insufficient information in the submission to justify a departure from this planning intention.
- R2. The application did not comply with the TPB Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that it would involve clearance of natural vegetation and affect the existing natural landscape of the surrounding environment. There was insufficient information in the submission to demonstrate that the proposed development would not have any adverse landscape impacts on the surrounding areas.
- R3. The approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.
- R4. The proposed development did not comply with the Interim Criteria in that the proposed development would cause adverse landscape impacts on the surrounding areas.
- R5. Land was still available within the “Village Type Development” zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

Detailed Comments from Relevant Government Departments

1. Land Administration

Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) the applicant, Mr. LEE Mang Kan, claimed himself as an indigenous villager of Sha Lo Tung Lei Uk Village. So far, no valid Small House application has been received from Mr. LEE. Hence, the eligibility of Small House grant of the applicant has yet to be ascertained; and
- (b) the Site is held under Block Government Lease demised for agricultural use and is not covered by Modification of Tenancy or Building Licence. No valid Small House application has been received by his office from the applicant as at 22.2.2024.

2. Traffic

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

- (a) 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, such type of 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 application only involves development of one Small House and can be tolerated on traffic grounds.

3. Environment

Comment of the Director of Environmental Protection (DEP):

- no in-principle objection to the application provided that the applicant will provide adequate sewer connection for disposal of sewage from the Small House to the existing public sewer at his own costs and reserve adequate land for the sewer connection works.

4. Water Supplies

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

- no objection to the application.

5. Fire Safety

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

- no in-principle objection to the application provided that the proposed Small House would not encroach on any existing emergency vehicular access (EVA) or planned EVA under application in accordance with LandsD's record.

6. Nature Conservation

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

- the Site is formed. He has no strong view on the application from nature conservation point of view.

7. Landscape

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

- (a) no objection to the application from landscape planning perspective;
- (b) the Site is situated in an area of settled valleys landscape character surrounded by village houses and dense woodland to the east and north respectively. The proposed use is considered not incompatible with the landscape character of its surroundings; and
- (c) the Site is covered with wild grass with no significant landscape resource observed. Significant adverse impact on existing landscape resources within the Site arising from the proposed use is not anticipated.

8. Demand and Supply of Small House Sites

According to the DLO/TP, LandsD's record, the total number of outstanding Small House applications for Lung Mei and Tai Mei Tuk is 37 while the 10-year Small House demand forecast for the same villages is 212. Based on the latest estimate by the Planning Department, about 1.64ha (or equivalent to about 65 Small House sites) of land are available within the "V" zone of Lung Mei and Tai Mei Tuk. Therefore, the land available cannot fully meet the future demand of 249 Small Houses (or equivalent to about 6.23ha of land).

Recommended Advisory Clauses

- (a) to note the comment of District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that should the application be approved by the Town Planning Board (the Board), his office will process the Small House application when it is received by his office. However, there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is also no guarantee to the grant of a right of way to the Small House concerned or approval of the emergency vehicular access (EVA) thereto;
- (b) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) according to his record, there is a DN150 sewer laid within the Site from the terminal manhole of House 76, Lung Mei Village located to the immediate east of the Site to Manhole No. FMH1036962. The footprint of the proposed Small House development appears to be in conflict with this DN150 sewer. The applicant should verify the alignment of this DN150 sewer on site and liaise with the owner/maintenance party of the sewer if necessary; and
 - (ii) there is no existing DSD maintained public drain available for connection in this area. The applicant should have his own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from the surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary/wall/fence are to be erected. Any existing flow path affected should be re-provided. The proposed development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas. The applicant should maintain the drainage systems properly and rectify the systems if found to be inadequate or ineffective during operation. The applicant should also be liable for and indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (iii) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new drains/channels, and/or modifying/upgrading existing ones in other private lots or on Government Land (when required) outside the Site;
 - (iv) his comments on the sewerage drainage proposal are as follows:
 - (1) stud pipe FTH1010044 has been reserved for the captioned lot at sewer manhole FMH1036963. Please review the sewer connection point; and
 - (2) please specify the fall of the proposed sewer;

- (v) the drainage flow path from the rooftop of the proposed house to the public drainage system/streamcourse/sea/any recognized drainage facilities shown in LandsD map should be provided in association with supporting site photos;
- (vi) the applicant should also note the following general comments/requirements:
 - (1) consideration should be given to adopt polyethylene (PE100) pipe for buried sewage pipe beyond the sewage terminal manhole;
 - (2) a minimum soil cover of 450mm and 900mm should be provided for the connection pipe constructed under footpath and carriageway respectively;
 - (3) the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner at his expense;
 - (4) DSD noticed that the proposed drainage connection(s) to the surrounding/downstream area(s) will run through Government land and/or other private lot(s). The applicant shall demonstrate that the proposed drainage construction/improvement/modification works and the operation of the drainage can be practicably implemented on site;
 - (5) the lot owner/developer is required to rectify/modify the drainage system if it is found to be inadequate or ineffective during operation. The lot owner/developer shall also be liable for and shall indemnify Government against claims and demands arising out of damage or nuisance caused by failure of the system;
 - (6) the lot owner/developer should take all precautionary measures to prevent any disturbance, damage and pollution from the development to any parts of the existing drainage facilities in the vicinity of the lot. In the event of any damage to the existing drainage facilities, the lot owner/developer would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom; and
 - (7) the lot owner/developer should also be advised that the limited desk-top checking by Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity, and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to receive the flows collected from his lot;
- (c) to note the comment of the Chief Engineer/Construction, Water Supplies Department (CE/C,WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (d) to note the comment of the Director of Fire Services (D of FS) that the applicant should observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' administered by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD; and

- (e) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed developments, 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 obtains planning permission from the Board where required before carrying out the road works.