

此文件在 2021年 4月 29日 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 29 APR 2021.
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.info.gov.hk/tpb/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.info.gov.hk/tpb/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/TM-SKW/111
	Date Received 收到日期	29 APR 2021

- 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.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。該份文件可從委員會的網頁下載 (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. 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

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

CHING, HOI WAH

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

GENDER CONSULTANTS LIMITED

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)	Lot 399RP & 412RP in DD378
(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 125.4 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) 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	S/TM-SKW/13
(e) Land use zone(s) involved 涉及的土地用途地帶	Green Belt
(f) Current use(s) 現時用途	Vacant (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)。
- ☐ 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)。
- ☐ 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

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，請另頁表示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>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"/>
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"/>																													

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。

1. We act for the subject lot owner to apply s.16 relaxation;
2. The subject lot owner owns this piece of land since 2018 and he intends to live in the village for the rest of his lives;
3. He knows the subject lot falls within "V" zone and has no idea on "GB" because he is a layman, that is why he wants us to assist him in this application;
4. He hopes the Board (TPB) would approve this application because that is the small piece of land he owns in the village and he does not want to live outside the village because renting a small flat outside the village is too high of which he cannot afford.

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 an application to the Board 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


.....
HUDSON YEUNG

Name in Block Letters
姓名（請以正楷填寫）

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



Director

Position (if applicable)
職位（如適用）



Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

- ☐ 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

GENDER CONSULTANTS LIMITED

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

Date 日期

14.4.2021

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in an application to the Board 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 deposited 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存放於規劃署規劃資料查詢處以供一般參閱。)

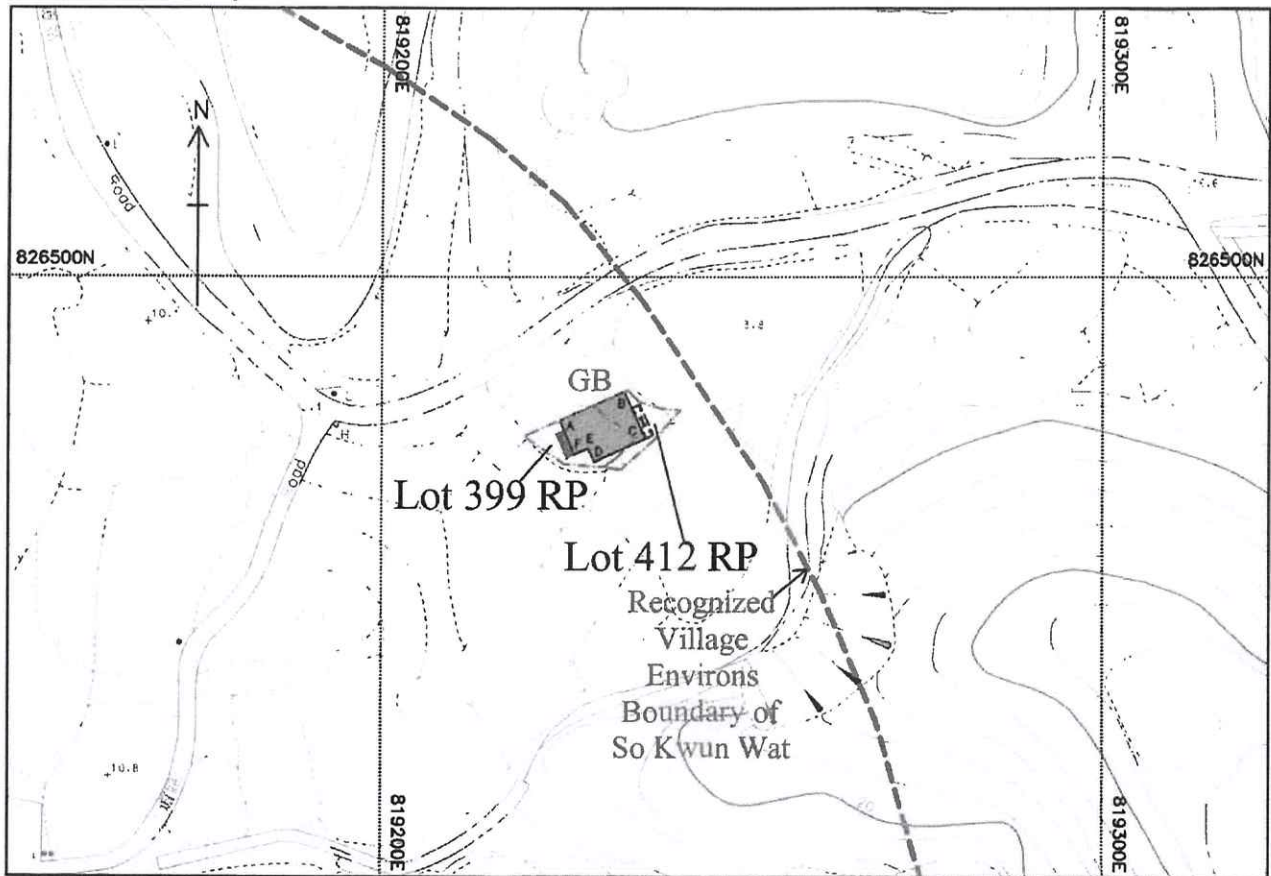
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置／地址	Lot 399RP & 412RP in DD378		
Site area 地盤面積	125.4	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	S/TM-SKW/13		
Zoning 地帶	Green 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 checked="" type="checkbox"/> About 約
(ii) Proposed No. of house(s) 擬議房屋幢數	1		
(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 Storeys(s) 層		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>
<hr/>		
<hr/>		
<u>Reports 報告書</u>		
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"/>
<hr/>		
<hr/>		
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。

Plan of Proposed House on Lot Nos. 399 RP and 412 RP in D.D.378



0 20 40 60 80 100 m

SCALE 1 : 1000

HOUSE DIMENSIONS & COORDINATES:

Legend	VEB
Septic Tank (1.22m x 3.66m)	Boundary
Balcony (1.219m x 4.658m)	Proposed House

SIDE	BEARING ° ' "	DISTANCE	POINT	N	E	AREA
A-B	65 50 23	9.707	A	826480.075	819224.650	65.03m ² (About)
B-C	155 50 23	7.111	B	826484.048	819233.507	
C-D	245 50 23	7.707	C	826477.560	819236.417	
D-E	335 50 23	2.000	D	826474.406	819229.386	
E-F	245 50 23	2.000	E	826476.231	819228.567	
F-A	335 50 23	5.111	F	826475.412	819226.742	

LOCATION PLAN



Scale 1:25,000

Survey District:

Tuen Mun

Survey Sheet No.:

6-SW-13D

Location:

So Kwun Wat San Tsuen

Plan No.:

LSC/TM/4273/H1

Ref. SRP No.:

SRP/TM/053/4273/D1&
SRP/TM/053/4274/D1, TMM2849

Date:

26/02/2021



Leung Shou Chun Land Surveying Consultants Ltd.

Main Office: Unit E, 3/F, 461-463 Castle Peak Road, Cheung Sha Wan, Kowloon, Hong Kong

Tel: (852) 29603186, (852) 29603187, (852) 29603297, Fax: (852) 29603010

Yuen Long Branch Office: 6/F, No.144, Tai Kai Road, Tai Tong Road, Yuen Long, New Territories

Tel: (852) 24431197, Fax: (852) 24431134

Plan Approved by:

(Signature)

Tang Wing Lun FRICS, FHKIS, RPS(LS)

Authorized Land Surveyor

地段索引圖 LOT INDEX PLAN

摘要說明：本地段索引圖在其背景的地形圖上標示了各種永久和短期持有的土地，以及其界線。這些土地包括私人地段、政府地塊、短期租約地塊，以及其他作非農業用途的土地。請注意：(1)本索引圖上的資料會按不時更新而不作準則；(2)索引圖的更新或修訂後，應徵詢專業土地測量師的意見；(3)本索引圖中顯示的界線僅供參考之用，資料是否準確可靠，應徵詢專業土地測量師的意見；(4)免責聲明：如因使用本索引圖，或因所依據的本索引圖資料出錯，而造成損失或損害，政府概不承擔任何法律責任。

Explanatory notes: This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the background. The land holdings as shown may include private lots, government land allocated for short term tenancies and other permitted uses of land. It must be noted that: (1) information shown on this plan is subject to update without prior notification; (2) the graphical boundaries as shown are for identification purposes only and interpretation of their accuracy and reliability requires the advice from professional land surveyors. (3) Disclaimer: The Government shall not be responsible for any loss or damage, however arising from the use of this plan or in reliance upon its correctness, completeness, timeliness or accuracy.



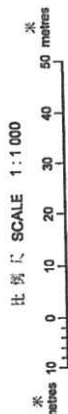
地政總署測繪處 Survey and Mapping Office Lands Department

香港特別行政區政府 — 版權所有
© Copyright reserved — Hong Kong SAR Government

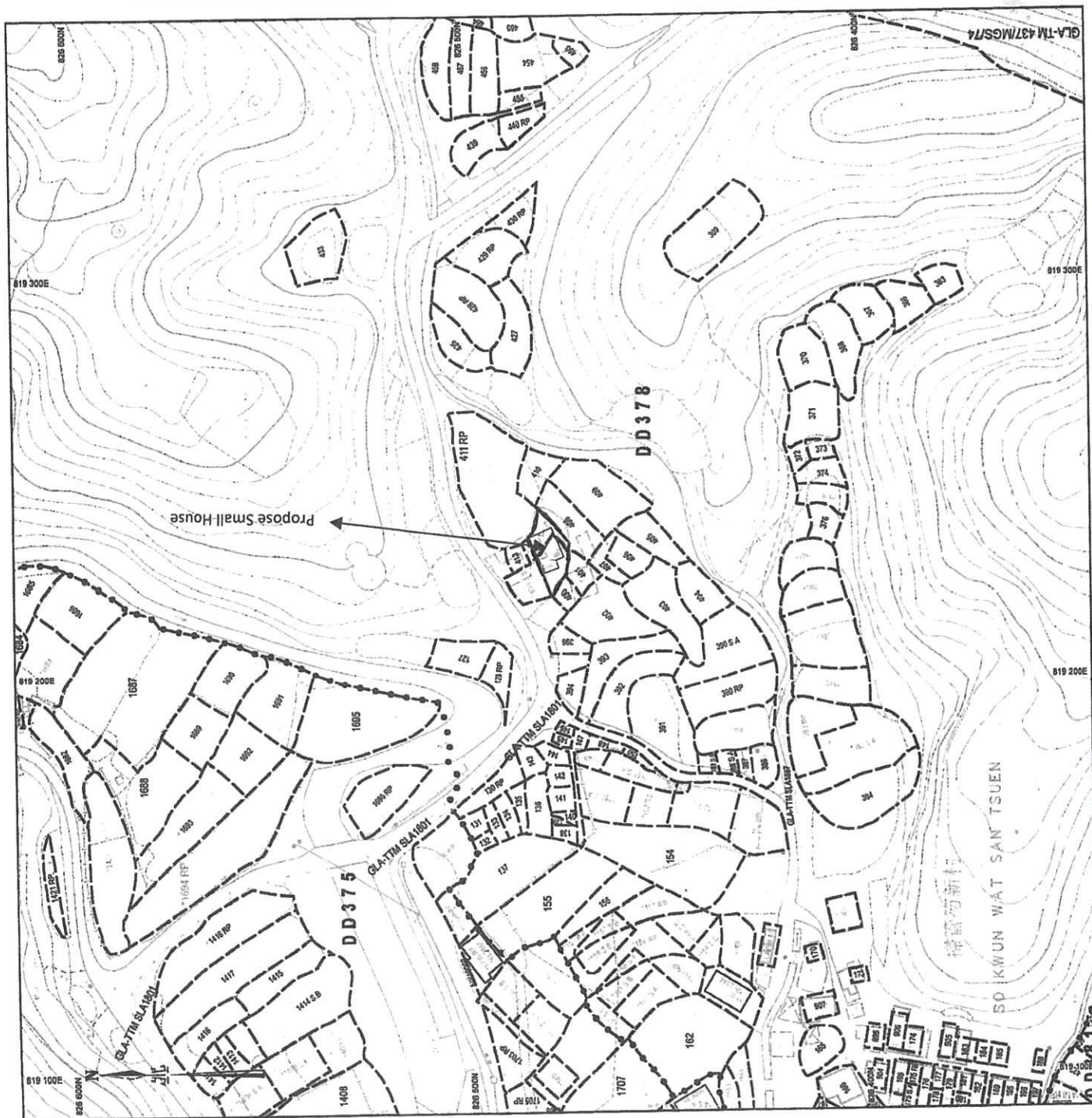
Legend

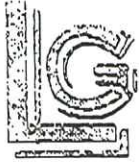


Propose Small House



Locality :
Lot Index Plan No. : ags_S00000070440_0001
District Survey Office : Lands Information Center
Date : 29-Mar-2021
Reference No. : S-W-13D-6-SW-188





祥達顧問有限公司
Gender Consultants Limited

RECEIVED

2021 JUL 21 A 9:14

TOWN PLANNING BOARD

Town Planning Board
15/F., North Point Government Offices,
333 Java Road, North Point,
Hong Kong
Ref: TPB/A/TM-SKW/111
Attn.: Ms. Cherry CHAN

Dear Ms. CHAN,

20 July 2021

Section 16 Application No. A/TM-SKW/11
Lot Nos. 399RP & 412RP in D.D.378
So Kwun Wat Tsuen, Tuen Mun, N.T.

We, refer to your letter dated 23.6.2021 and the Planning Decision dated 25.6.2021 concerning the captioned.

2. We, herewith append the supplementary information vide **Appendix I** for your ease of reference and necessary action, should you require any information, please feel free to contact the undersigned directly.

Yours Faithfully,

(Hudson YEUNG)

Director

Tel: [REDACTED]



Encl.

Appendix I Supplementary Information

Responses-to-Comments

Proposed House (New Territories Exempted House - Small House) in "Green Belt" Zone,
Lot 399 RP and 412 RP in D.D 378, So Kwun Wat, Tuen Mun, New Territories

(Application No. A/TM-SKW/111)

A RtoC Table

Departmental Comments		Applicant's Responses
1. Comments of Commissioner for Transport (Contact Person: Mr. Victor MA; Tel: 2399 2225)		
(2)	In examining S.16 Application, traffic impact of the proposed development on existing and committed transport in infrastructures should be carefully assessed. While the traffic impact caused by small scale individual private development might appear tolerable, the application may set an undesirable precedence for similar in the future. The cumulative traffic impact of such development may overload the existing/planned transport infrastructure provided in the area.	Noted.
(3)	Regarding parking provision of the development, according to the HKPSG, up to 1 parking space for each standard NTEH should and the provision shall generally be in communal parking area within the village environs. As the proposal does not include a parking space for each of the NTEH, the applicant is required to demonstrate how the parking demand would be addressed so as not to induce illegal parking and hence adverse traffic impact in the vicinity. Key considerations may include: availability of surplus parking spaces in the communal parking area or in other appropriate	So Kwun Wat Road is located at the west of the application site, which is served with public transport services, i.e. green minibus route No. 43. The nearest minibus stop is located 750m (about) west of the Site (Appendix I). The applicant will be able to access the Site by public transport to So Kwun Wat Road then walk to the Site via a local access.

S.16 Planning Application No. A/TM-SKW/111

	locations and availability of convenient public transport service in the vicinity of the proposed NTEH.	
2.	Comments of the Chief Town Planner, Urban Design and Landscape, Planning Department (Contact Person: Mr. Marco YIP; Tel: 2231 4348)	
	<p>With reference to the site visit conducted by this office on 25.5.2021 and aerial photo of 2020, it is observed that the site is mainly used for farming with an existing temporary structure at the northern portion of the site. Three fruit trees of common species, which are found near the centre of the site would be affected by the proposed development. The site is situated in an area of rural landscape character predominated by woodland to the east and village houses to the west. The proposed use is not entirely incompatible with the surrounding landscape character.</p> <p>Given that there is no similar application previously approved within the same "GB" zone in the vicinity, there is concern that approval of the application may attract other similar applications to the "GB" zone. The cumulative effect of which would result in a general degradation of the landscape quality of the area. Hence, we have <u>reservation</u> on the application from the landscape planning perspective.</p>	<p>Noted.</p> <p>Noted. The Site is located 10m (about) east of the "Village Type Development" ("V") zone of So Kwun Wat San Tsuen, which is intended for development of Small House by indigenous villagers. Given the Site is in close proximity of the "V" zone, the proposed development should not set undesirable precedent within the "Green Belt" zone.</p>

Public Transport Services

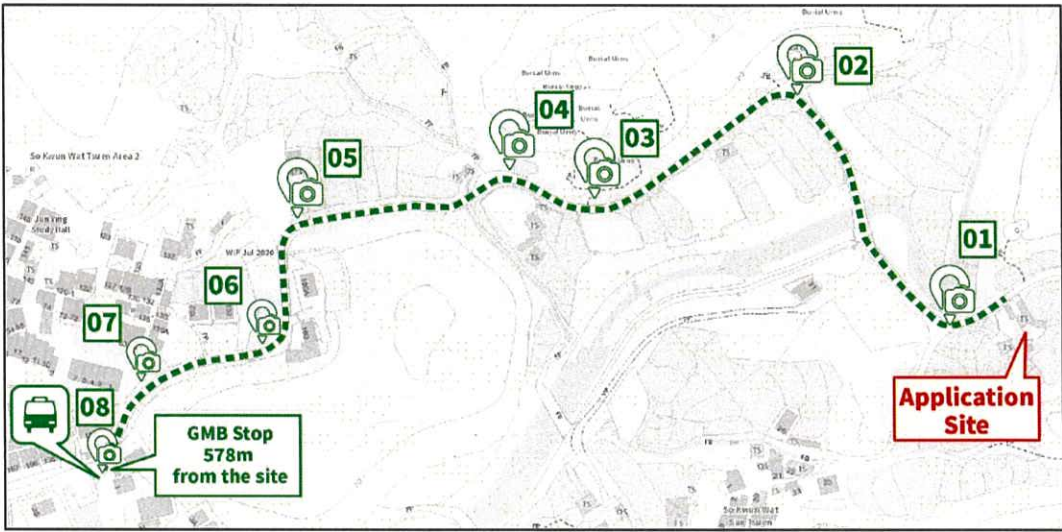
Proposed New Territories Exempted House (Small House)
Lot 399 RP and 412 RP in D.D 378, So Kwun Wat, Tuen Mun, New Territories

(S.16 Application No. A/TM-SKW/111)

Table 1: Public Transport Service

Route No.	Termination Points	
Green Minibus		
43	So Kwun Wat	Tuen Mun Town Centre

Plan 1: Nearest Public Transport Services











祥達顧問有限公司
Gender Consultants Limited

Our Ref. : TPB/DD378/SH/290721

Date : July 29, 2021

Planning Department
Town Planning Board Section
15/F, North Point Government Offices,
333 Java Road,
HONG KONG
(Attn: Miss Cherry CHAN/Town Planning Board)



Dear Miss CHAN,

S.16 Application No. A/TM-SKW/111

Lot Ns.399RP and 412RP in D.D.378

So Kwun Wat Tsuen, Tuen Mun, New Territories

We refer to your email message received on date June 18, 2021 concerning subject application the comments from Chief Town Planner, Urban Design and Landscape, Planning Department (UD&L,PD), we are pleased to tabulate the listed below responses for your ease reference:

Comments	Responses
<p>It is observed that the site is mainly used for farming with an existing temporary structure at the northern portion of the site. The site is situated in an area of rural landscape character predominated by woodland to the east and village houses to the west. The proposed use is not entirely incompatible with the surrounding landscape character.</p> <p>Given that there is no similar application previously approved within the same "GB" zone in the vicinity, there is concern that the approval of the application may attract other similar applications to the "GB" zone. The cumulative effect of which would result in a general degradation quality of the area.</p>	<p>The application site is a piece of farmland covered with weeds, grasses and few trees with an existing temporary structure within the Recognized Village Environs Boundary of So Kwun Wat in Tuen Mun District as shown on Plan No. TMM2849-Sheet 8 from Lands Department.</p> <p>Under the proposed development, the greenery ratio of the site will not be less than 30%. With the adoption of desirable green and landscape features, the proposed development will be compatible with the surrounding environment. It will not lead to degradation of the landscape character and cause adverse landscape impact. Instead, the landscape quality of the area will be enhanced by implementing the landscape plan with proper management and</p>

Room 631, 6/F., Block One, Yip On Factory Building, No.2-6 Wang Hoi Road, Kowloon Bay, Kowloon, Hong Kong

香港九龍九龍灣宏開道 2-6 號業安工廠大廈一期 6 樓 631 室

email : gender.consultant@gmail.com

Telephone: [REDACTED]

Facsimile: 30075335



祥達顧問有限公司
Gender Consultants Limited

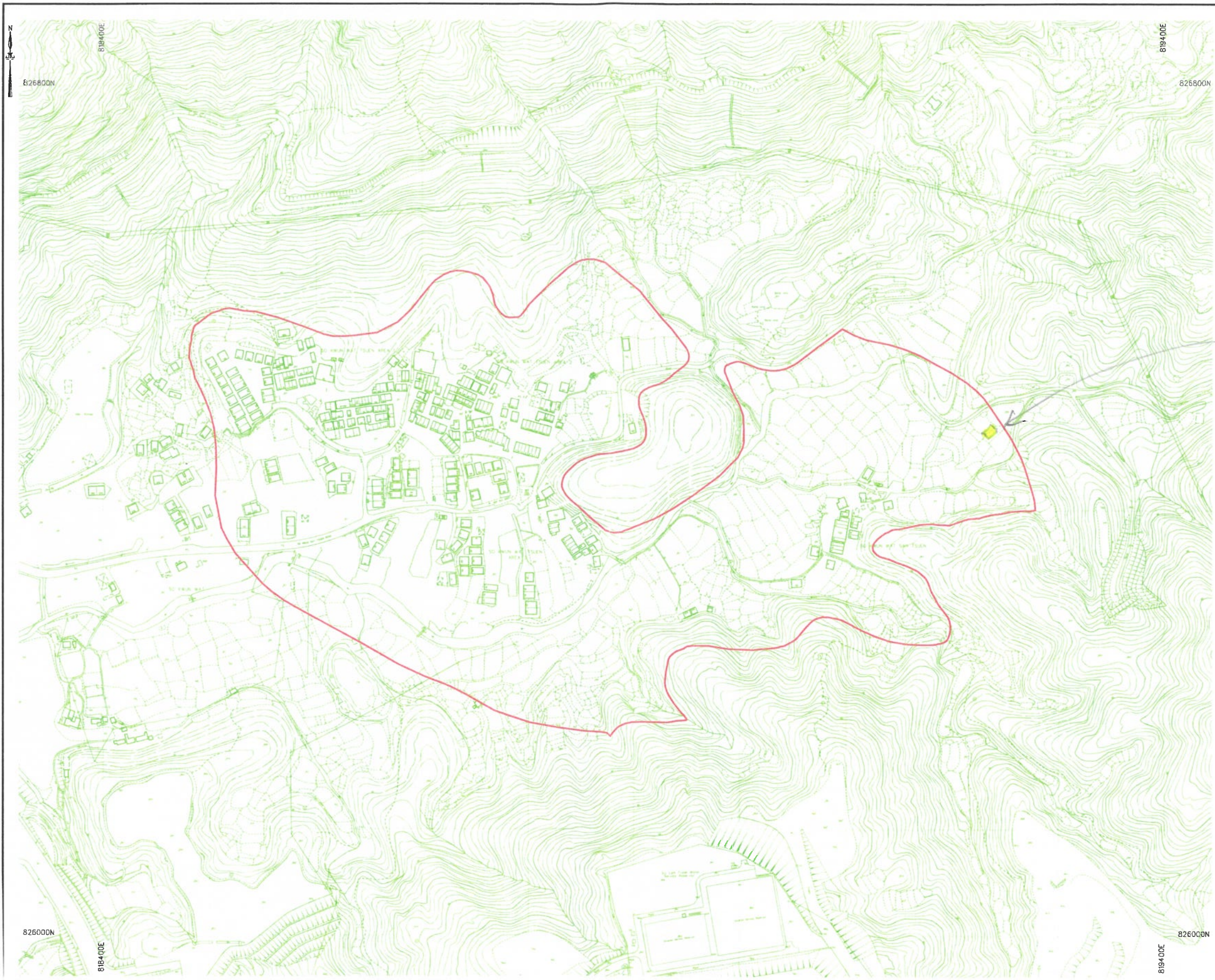
maintenance . Therefore, the application will not set an undesirable precedent to other sites with similar conditions.

Hopefully our explanation can fulfill the requirements as requested. Should you require further information, please feel free to contact undersigned on phone no. [REDACTED] or my colleague, messier Hudson Yeung, on phone no. [REDACTED]

Yours faithfully,



Johnson Shue



Approximate position
of the Proposed
House

鄉村範圍界線
VILLAGE ENVIRONS BOUNDARY

有關資料僅為處理新界小型屋宇申請事宜而繪製，並非供作依據，而且亦不隨附修訂而不作事先通知。香港特別行政區政府（「政府」）是在無須承擔責任的情況下提供該等資料。政府不保證或擔保本圖則所載列或引述的內容準確或完整，亦無須就使用有關內容所引致或與之有關的任何損失或損害負責上法律責任。

The information is drawn up for the sole purpose of administering small house applications and not to be relied on. It is subject to amendment without prior notice and is provided without any responsibility on the part of the Government of the Hong Kong Special Administrative Region (the "Government"). The Government gives no warranty or guarantee, regarding the accuracy or completeness of the content, based or referenced by this plan, and shall not be liable for any loss or damage arising from or related to the use of the content.

比例尺 Scale 1 : 1500
METRES 30 60 90 120 150 METRES

掃管笏
So Kwun Wat

只作識別用途 FOR IDENTIFICATION PURPOSES ONLY
地政處
Lands Department
圖則編製日期
Plan Prepared by District Survey Office, Tuen Mun

屯門區認可鄉村範圍界線圖
Recognized Village Environs Boundary Plan in Tuen Mun District

權號 File No. LD DSO/TM 14/2/24
測量圖編號 Survey Sheet No. 6-26-13618
圖則編號
PLAN No. TMM2849 - Sheet 8
日期 Date : 16/12/2007



祥達顧問有限公司
Gender Consultants Limited

Our Ref. : TPB/DD378/SH/250821

Date : August 25, 2021

Planning Department
Town Planning Board Section
15/F, North Point Government Offices,
333 Java Road, North Point, HONG KONG
(Attn: Miss Cherry CHAN/Town Planning Board)

Dear Miss CHAN,

S.16 Application No. A/TM-SKW/111
Lot Ns.399RP and 412RP in D.D.378
So Kwun Wat Tsuen, Tuen Mun, New Territories

Further to our letter of date 20-07-2021, we would like to supplement the following information,

1. The application site is about 150 meters and 900 meters away from Unnamed Village Road and So Kwun Wat Tsuen Road respectively.
2. No vehicle parking was spotted surrounding the application site.
3. Smooth traffic along So Kwun Wat Tsuen Road was shown as on the photo dated 20-7-2021.
4. The proposed small house will not induce significant traffic impact onto the adjacent road network.

Should you require further information, please feel free to contact undersigned on phone no. [REDACTED] or my colleague, messier Hudson Yeung, on phone no. [REDACTED].

Yours faithfully,

Johnson Shue





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)



25th May, 2021.

By email only

Dear Sir/ Madam,

Proposed House (New Territories Exempted House - Small House)
(A/TM-SKW/111)

1. We refer to the captioned.
2. We object to this application as the proposed use is not in line with the planning intention of Green Belt (GB) zone. We urge the Board to reject this application.
3. We also urge the Board to investigate with relevant authorities as to whether the nearby Village Type Development zone at So Kwun Wat San Tsuen still contains available space for Small House development.
4. Approval of this application would set a precedent for other similar cases in this GB zone. We urge the Board to consider the potential cumulative impact of approving this application on the GB zone.
5. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



世界自然基金會
香港分會

香港新界葵涌葵昌路 8 號
萬泰中心 15 樓
15/F, Manhattan Centre
8 Kwai Cheong Road
Kwai Chung, N.T., Hong Kong

電話 Tel: +852 2526 1011
傳真 Fax: +852 2845 2764
wwf@wwf.org.hk
wwf.org.hk

26 May 2021

Chairman and members
Town Planning Board
15/F North Point Government Offices,
333 Java Road, North Point,
Hong Kong
(E-mail: tpbpd@pland.gov.hk)

By E-mail ONLY

Dear Sir/Madam,

RE: Proposed House (New Territories Exempted House - Small House) in "Green Belt" in So Kwun Wat in Tuen Mun (ATM-SKW/111)

WWF objects to the captioned application.

Not in line with the planning intention of the "Green Belt"

The proposed house development is not in line with the planning intention of the "Green Belt" ("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.

"Destroy first, develop later" approach may have adopted

Comparing to Fig 1, vegetation of the application site had been cleared and paved. Since we now don't have neither the environmental situation inside the application site nor whether the application is currently associated with unlawful development, we would like to ask the Town Planning Board to request government authorities to check whether the application is linked with unresolved unauthorized development including the emerged structures shown in Fig 1. If that was the case, we would like to ask the Town Planning Board to proactively deter such "Destroy first, build later" planning application so as to be consistent with the Government press release on 4 July 2011 which stated that *"the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned"*¹.

together possible™

贊助人：香港特別行政區行政長官
林鄭月娥女士、大紫荊勳賢 GBS
主席：白丹尼先生
署理行政總裁：黃碧茵女士

義務核數師：香港立信德壽會計師事務所有限公司
義務公司秘書：萬信秘書服務有限公司
義務司庫：匯豐銀行
註冊慈善機構

Patron: The Honourable Ms Carrie Lam Cheng Yuet-ngor, GBM, GBS
The Chief Executive of the HKSAR
Chairman: Mr Daniel R Bradshaw
Acting CEO: Ms Nicole Wong

Honorary Auditors: BDO Limited
Honorary Company Secretary:
McCabe Secretarial Services Limited
Honorary Treasurer: HSBC
Registered Charity
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然基金會 World Wide Fund For Nature Hong Kong
(於香港註冊成立的擔保有限公司 Incorporated in Hong Kong with limited liability by guarantee)

Undesirable precedent

Approval of the application will set an undesirable precedent for similar applications within the "GB" zone. Cumulative impacts of approving such applications will result in a general degradation of the environment of the "GB".

We would be grateful if our comments could be considered by the Town Planning Board to reject the captioned.

Sincerely yours,

Tobi Lau (Mr.)

Manager, Local Biodiversity

Fig 1 Aerial view comparison of the application site before and after vegetation cleared and paved



Image source: Google Earth, Accessed on 26 May 2021.

¹ <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>.

寄件日期: 2021年05月28日星期五 2:49
收件者: tpbpd
主旨: A/TM-SKW/111 DD 378 So Kwun Wat GB

5-4

A/TM-SKW/111
Lot 399 RP and 412 RP in D.D.378, So Kwun Wat, Tuen Mun
Site area : About 125.4sq.m
Zoning : "Green Belt"
Applied development : NET House

Dear TPB Members,

Strong objections, there are abundant "V" lots available in SKW. This is underlined by the number of applications for other uses on this zoning:

A/TM-SKW/110 - Warehouse / 5 Vehicle Parking – going through
A/TM-SKW/103 - 41 Vehicle Parking – approved 20 Mar 2020 but has not fulfilled conditions to date. Part of the site was subject to planning enforcement action against unauthorised development (UD) involving parking of vehicles.
A/TM/534 - Eating Place / 13 Vehicle Parking - withdrawn

There is clearly no justification for approval of NET development outside the 'V' zone.

Mary Mulvihill

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

參考編號

Reference Number:

210507-151146-04710

提交限期

Deadline for submission:

28/05/2021

提交日期及時間

Date and time of submission:

07/05/2021 15:11:46

有關的規劃申請編號

The application no. to which the comment relates:

A/TM-SKW/111

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAM KA HING

意見詳情

Details of the Comment :

反對，住屋過於密集，引至附近交通阻塞，環境污染，增加引發火警危機，影響村民安全、生活質數及生態環境。

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tuen Mun that the application lots are held under the Block Government Lease and contain the provision that no building structure shall be erected unless prior written approval has been obtained. There is no guarantee that the concerned Small House (SH) application will be approved and LandsD reserve the right to take any action as may be appropriate. The SH would be subject to such any terms and conditions as Government shall deem fit;
- (b) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of section 16 application by the Town Planning Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. Applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval where appropriate;
- (c) to note the comments of the Chief Building Surveyors/ New Territories West, Buildings Department that site formation works and drainage works for New Territories Exempted House (NTEH) are building works under the Building Ordinance (BO). Unless the necessary certificate of exemption is issued by the Director of Lands, before any new site formation and/or drainage works for NTEH is to be carried out, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works;
- (d) to note the comments of the Director of Fire Services that the applicant should observe “New Territories Exempted Houses – A Guide to Fire Safety Requirements” published by LandsD; and
- (e) to note the comments of the Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (AMO) that the applicant is required to inform AMO immediately when any antiquities or supposed antiquities are discovered during the course of works.

**Extract of the Interim Criteria for Consideration of Application for
NTEH/Small House in the New Territories**
(promulgated on 7.9.2007)

- (a) sympathetic consideration may be given if not less than 50% of the proposed NTEH/Small House footprint falls within the village 'environs' ('VE') of a recognized village and there is a general shortage of land in meeting the demand for Small House development in the "Village Type Development" ("V") zone of the village;
- (b) if more than 50% of the proposed NTEH/Small House footprint is located outside the 'VE', favourable consideration could be given if not less than 50% of the proposed NTEH/Small House footprint falls within the "V" zone, provided that there is a general shortage of land in meeting the demand for Small House development in the "V" zone and the other criteria can be satisfied;
- (c) development of NTEH/Small House with more than 50% of the footprint outside both the 'VE' and the "V" zone would normally not be approved unless under very exceptional circumstances (e.g. the application site has a building status under the lease, or approving the application could help achieve certain planning objectives such as phasing out of obnoxious but legal existing uses);
- (d) application for NTEH/Small House with previous planning permission lapsed will be considered on its own merits. In general, proposed development which is not in line with the criteria would normally not be allowed. However, sympathetic consideration may be given if there are specific circumstances to justify the cases, such as the site is an infill site among existing NTEHs/Small Houses, the processing of the Small House grant is already at an advance stage;
- (e) if an application site involves more than one NTEH/Small House, application of the above criteria would be on individual NTEH/Small House basis;
- (f) the proposed development should not frustrate the planning intention of the particular zone in which the application site is located;
- (g) the proposed development should be compatible in terms of land use, scale, design and layout, with the surrounding area/development;
- (h) the proposed development should not encroach onto the planned road network and should not cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surrounding areas. Any such potential impacts should be mitigated to the satisfaction of relevant Government departments;
- (i) the proposed development, if located within water gathering grounds, should be able to be connected to existing or planned sewerage system in the area except under very special circumstances (e.g. the application site has a building status under the lease or the applicant can demonstrate that the water quality within water gathering grounds will not be affected by the proposed development[^]);
- (j) the provision of fire service installations and emergency vehicular access, if required, should be appropriate with the scale of the development and in compliance with relevant standards; and

(k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.

^i.e. the applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

Similar s.16 Applications related to So Kwun Wat Tsuen
Involving “Green Belt” Zone

Approved applications

No.	Application No.	Zoning(s)	Proposed Development	Date of Consideration	Approval Condition(s)
1.	A/TM-SKW/38	“GB”	Proposed House (NTEH – Small House)	16.5.2003	(a), (b)
2.	A/TM-SKW/41	“GB” and “V”	Proposed House (NTEH – Small House)	30.1.2004	(a), (c)
3.	A/TM-SKW/51	“GB”	Proposed House (NTEH – Small House)	29.9.2006	(a), (c), (d)
4.	A/TM-SKW/95	“GB” and “V”	Proposed House (NTEH – Small House)	30.9.2016	(a), (e)

Approval Conditions

- (a) The submission and implementation of landscape proposals
- (b) The submission of stormwater drainage proposals and the provision of drainage facilities
- (c) The submission and implementation of the drainage facilities proposals
- (d) The provision of emergency vehicular access and fire fighting installations
- (e) The provision of a septic tank, as proposed by the applicant

Rejected applications

No.	Application No.	Zoning(s)	Proposed Development	Date of Consideration	Rejection Reason(s)
1.	A/TM-SKW/87	“GB”	Proposed House (NTEH – Small House)	8.8.2014	(1) to (4)
2.	A/TM-SKW/88	“GB”	Proposed House (NTEH – Small House)	8.8.2014	(1) to (4)
3.	A/TM-SKW/91	“GB”	Proposed House (NTEH – Small House)	10.4.2015 (Rejected under review)	(1) to (4)
4.	A/TM-SKW/92	“GB”	Proposed House (NTEH – Small House)	10.4.2015 (Rejected under review)	(1) to (4)
5.	A/TM-SKW/96	“GB”	Proposed House (NTEH – Small House)	14.7.2017	(1) to (4)
6.	A/TM-SKW/97	“GB”	Proposed House (NTEH – Small House)	14.7.2017	(1) to (4)

* Applications No. A/TM-SKW/91 and A/TM-SKW/92 were submitted by the same two applicants covering the same two private lots for Small House development as applications No. A/TM-SKW/87 and A/TM-SKW/88. The applications were rejected under review on 10.4.2015 based on the same rejection reasons.

Rejection Reasons

- (1) 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. There is no strong justification in the submission for a departure from the planning intention of the “GB” zone.
- (2) The proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that there are no exceptional circumstances to justify the applications.
- (3) The proposed development does not comply with the ‘Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories’ as land is still available within the “V” zone of So Kwun Wat Tsuen. It is more appropriate to concentrate the proposed Small House development within the “V” zone for an orderly development pattern and efficient use of land and infrastructure.
- (4) The approval of the applications would set an undesirable precedent for similar applications within the “GB” zone. The cumulative impacts of approving such applications would result in a general degradation of the environment and landscape quality of the area.

Detailed Comments from Relevant Government Departments

Land Administration

Comments of District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):

- (a) The Site falls entirely within the “Village Environs” of So Kwun Wat.
- (b) The applicant has submitted a Small House (SH) application and the processing has been suspended in view of the planning application.
- (c) There are no SH application in the vicinity of the Site.
- (d) The indigenous villager (IV) status of the applicant is yet to be verified.
- (e) There are 136 outstanding SH applications in So Kwun Wat and the 10-year SH demand forecast as provided by the Indigenous Inhabitant Representatives of So Kwun Wat Village is 157.
- (f) The application lots are held under the Block Government Lease demised for agricultural use and contain the provision that no building structure shall be erected unless prior written approval has been obtained.
- (g) There is no guarantee that the concerned SH application will be approved and LandsD reserve the right to take any action as may be appropriate. In the event that the SH application is approved, it would be subject to such any terms and conditions as Government shall deem fit.

Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) The proposed building is NTEH under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121) and DLO/TM should be in a better position to comment on the subject application.
- (b) Site formation works and drainage works for New Territories Exempted House (NTEH) are building works under the Building Ordinance (BO). Unless the necessary certificate of exemption is issued by the Director of Lands, before any new site formation and/or drainage works for NTEH is to be carried out, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works.

Traffic

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

He has no comment on the planning application from highways maintenance point of view as the existing road adjacent to the Site is not maintained by HyD.

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

SH development should be confined within the “Village Type Development” (“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. Notwithstanding the above, the subject application only involves development of one small house which can be tolerated on traffic grounds.

Drainage

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

He has no objection in principle to the planning applications from the public drainage viewpoint.

Environment

Comments of the Director of Environmental Protection (DEP):

- (a) He has no objection to the application from the chlorine risk perspectives.
- (b) In view of the small scale of the proposed development, the application alone is unlikely to cause major pollution.

Fire Safety

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

- (a) He has no specific comment on the application.
- (b) The applicant is advised to observe “New Territories Exempted Houses – A Guide to Fire Safety Requirements” published by the LandsD.

Nature Conservation

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

As the Site is paved and is located on the fringe of So Kwun Wat San Tsuen, she has no comment on the application from the nature conservation perspective provided that no tree felling will be required for the SH. Nevertheless, she trusts that the Town Planning Board would take into account the planning intention of the “Green Belt” zone and undesirable precedent effect when considering the applications.

Landscape

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

- (a) He has reservation on the application from landscape planning perspective.

- (b) With reference to the site visit conducted by his office on 25.5.2021 and aerial photo of 2020, the Site is mainly used for farming with an existing temporary structure at the northern portion of the Site. Three fruit trees are found near the centre of the Site. He advises that the proposed use is not entirely incompatible with the surrounding landscape character predominated by woodland to the east and village homes to the west.
- (c) Given that there is no similar application previously approved within the same “GB” zone in the vicinity, the approval of this application may attract similar applications in the “GB” zone and the cumulative effects of these developments would result in a general degradation of landscape quality of the area.
- (d) As there is no major landscape impact arising from the proposed development, should the Board approve the application, it is not necessary to impose a landscape condition.

Antiquities and Monuments

Comments of the Antiquities and Monuments Office, Development Bureau (AMO, DEVB):

While he has no objection in principle to the application from the archaeological and built heritage conservation perspectives, the applicant is required to inform AMO immediately when any antiquities or supposed antiquities are discovered during the course of works.

District Officer's Comments

Comments of District Officer/Tuen Mun, Home Affairs Department (DO/TM, HAD):

He had distributed consultation letters to the locals concerned and understand that the locals would provide their comments (if any) to the Board direct.