

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

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

- (j) the provision of fire service installations and emergency vehicular access, if required, should be appropriate with the scale of the development and in compliance with relevant standards; and
 - (k) all other statutory or non-statutory requirements of relevant Government departments must be met. Depending on the specific land use zoning of the application site, other Town Planning Board guidelines should be observed, as appropriate.
- *i.e. The applicant can demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum.

**Similar s.16 Applications for Proposed House (New Territories Exempted House – Small House) in the vicinity of the application site within the same “R(D)” Zone
in Lin Fa Tei**

Approved Applications

	Application No.	Proposed Development	Date of Consideration
1.	A/YL-SK/139	Proposed House (New Territories Exempted House – Small House)	11.5.2007
2.	A/YL-SK/140	Proposed House (New Territories Exempted House – Small House)	11.5.2007
3.	A/YL-SK/141	Proposed House (New Territories Exempted House – Small House)	11.5.2007
4.	A/YL-SK/198	Proposed House (New Territories Exempted House - Small House)	3.1.2014

Comments from Relevant Government Departments

1. Traffic

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

- no objection to the application; and
- advisory comments are at **Appendix V**.

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

- no objection to the application; and
- advisory comments are at **Appendix V**.

2. Land Administration

Comments of the ~~District Lands Officer~~/*North District Lands Officer/Yuen Long*, Lands Department (~~DLO~~/*NDLO/YL*, LandsD):

- (a) the mother lot of the application sites (the Sites) (i.e. Lot No. 847 S.B in D.D. 112) was an Old Schedule Agricultural Lot held under the Block Government Lease;
- (b) a building licence (i.e. Building Licence No. 774) was firstly granted to the mother lot on 17.10.1975. After that, a modification letter dated 12.5.2004 and a certificate of compliance dated 18.9.2004 relating to the Building Licence No. 774 were respectively issued to the Licensee;
- (c) on 14.7.2005, a modification letter relating to the Building Licence No. 774 was issued to the Licensee for permitting of partition of the mother lot. The Sites were then carved out from Lot No. 847 S.B RP in D.D. 112 by a Deed Poll (Memorial No. 23121901510019) dated 11.12.2023;
- (d) the Sites are still Old Schedule Agricultural Lot held under the Block Government Lease which stipulates that no structures are allowed to be erected without the prior approval of the Government;
- (e) according to his record, apart from (b) and (c) above, there is no other lease modification / land exchange application or building plan submission in relation to the development at the application site approved / under processing;
- (f) Lai Uk Tsuen, Tsang Uk Tsuen, and Tse Uk Tsuen have no VEB because such villages are not recognised villages;
- (g) the relevant numbers of Small House (“SH”) applications approved, under processing and 10-year forecast demand of Lin Fa Tei, Ngau Keng, Shui Tsan Tin and Shui Lau Tin

are shown as follows:

Village	No. of cases approved	No. of case under processing	No. of 10-year SH forecast demand
Lin Fa Tei	361	112	315
Ngau Keng	104	5	80
Shui Tsan Tin	74	22	60
Shui Lau Tin	148	35	380

- (h) the applicants (i.e. Mr. KWOK Cho Shing and Mr. KWOK Kam Wah) had submitted a SH application for the Sites, but the SH applications were rejected on 7.2.2024 and 8.2.2024 respectively due to the Sites had not been carved out for SH development and were outside ‘V’ zone encircling a recognised village without town planning permission from the Town Planning Board. As the Sites are outside a distance of 300 feet from the edge of the last village type house built before the implementation of the SH Policy on 1.12.1972 in a recognised village and outside the ‘V’ zone which encircles a recognised village, SH application should not generally be considered under this situation and the applications are neither defined as ‘Native-village SH application’ nor ‘Cross-village SH application’;
- (i) the status of indigenous villager (“IV”) and eligibilities of the applicants have not yet scrutinised;
- (j) the Sites do not involve any building status / building land under the lease; and
- (k) advisory comments are at **Appendix V**.

3. Drainage

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

- no objection in principle to the applications from public drainage viewpoint.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- in view of the small-scale nature of the proposed development, the applications alone are unlikely to cause major pollution; and
- there was no environmental complaint case concerning the Sites received in the past three years.

5. Landscape

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

- no objection from the landscaping planning perspective;

- according to aerial photo of 2020, the Sites are located in an area of rural inland plains landscape character comprising of temporary structures, open storage, vacant land, and scattered tree groups. The proposed Small Houses are not incompatible with the landscape character within the “R(D)” zone; and
- the Sites are covered by wild grass and no existing tree is observed within the Site boundary. Significant adverse landscape impact on the landscape character and landscape resources is not anticipated.

Recommended Advisory Clauses

- (a) To note that the permission is only given to the development under applications. If provision of an access road is required for the proposed developments, the applicants 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;
- (b) To note the comments of the ~~*District Lands Officer*~~/*North District Lands Officer/Yuen Long*, Lands Department (~~DLO~~/*NDLO*/YL, LandsD) that should Small House applications are received and due for processing, DLO/YL, LandsD will consider the Small House applications acting in the capacity as the landlord at its sole discretion in accordance with the New Territories Small House Policy. There is no guarantee that such Small House applications will be approved. Any Small House application, if approved, will be subject to such terms and conditions including, among others, the payment of premium and / or administrative fees may be imposed by LandsD;
- (c) To note the comments of the Director of Environmental Protection that the septic tank and soakaway system shall be designed and constructed according to the requirements of ProPECC PN 1/23, including requirements for minimum clearance distance, percolation test and certification by Authorised Person (AP);
- (d) To note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that (i) site formation works and drainage works for New Territories Exempted Houses are building works under the control of the Building Ordinance (BO). Before any new site formation and/or drainage works are to be carried out on the application sites (the Sites), the prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works. An AP should be appointed as the co-ordinator for the proposed site formation and/or drainage works in accordance with the BO; and (ii) notwithstanding the above, the Director of Lands may issue a certificate of exemption from prior approval and consent of the BA in respect of site formation works and/or drainage works in New Territories under the Building Ordinance (Application to the New Territories) Ordinance;
- (e) To note the comments of Commissioner for Transport that the Sites are connected to Kam Sheung Road/public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (f) To note the comments of the Director of Fire Services that the applicants should observe 'New Territories Exempted Houses - A Guide to Fire Safety Requirements' published by LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application referred by LandsD;
- (g) To note the comments of the Chief Highway Engineer/New Territories West, Highways Department that the Sites are not accessible by any vehicular track. The applications are

approved on the understanding that there will be no vehicular access to/from the Sites. Adequate drainage measures shall be provided to prevent surface water running from the Sites to the nearby public roads and drains; and

- (h) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Sites. The concerned parties should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

2024年 9月 1 日

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 19 SEP 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

2402032

19/8 By hand

Form No. S16-II 表格第 S16-II 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/YC-SK-1387
	Date Received 收到日期	19 SEP 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

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

KWOK Cho Shing (郭楚誠)

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)

LIT Ying Cheung Edward (列應祥)

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 No. 847 S.B ss.5 in DD 112 Lin Fa Tei, Pat Heung, Yuen Long
(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 167.5 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 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	Approved Shek Kong Outline Zoning Plan No.S/YL-SK/9 (石崗分區計劃大綱核准圖編號S/YL-SK/9)
(e) Land use zone(s) involved 涉及的土地用途地帶	Residential (Group D) " R(D)"
(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

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)	KWOK Cho Shing (郭楚誠)		
(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)	Residential (Group D) " R(D)" 住宅(丁類)		
(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	Proposed number of storeys of each house 每幢房屋的擬議層數	3
(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	Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement (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 <input type="checkbox"/> No 否 <input checked="" type="checkbox"/>	<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)	
(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 type="checkbox"/> No 否 <input checked="" 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 indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置) Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement	

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。

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?

Yes 是 ☐ Please provide details 請提供詳情

No 否 ☒

Does the development proposal involve the operation on the right?
擬議發展是否涉及右列的工程?

Yes 是 ☐

(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)

☐ Diversion of stream 河道改道

☐ Filling of pond 填塘

Area of filling 填塘面積 sq.m 平方米 ☐ About 約

Depth of filling 填塘深度 m 米 ☐ About 約

☒ Filling of land 填土

Area of filling 填土面積 167.43 sq.m 平方米 ☒ About 約

Depth of filling 填土厚度 1.9 m 米 ☒ About 約

☒ Excavation of land 挖土

Area of excavation 挖土面積 167.43 sq.m 平方米 ☒ About 約

Depth of excavation 挖土深度 1.9 m 米 ☒ About 約

No 否 ☐

Would the development proposal cause any adverse impacts?

擬議發展計劃會否造成不良影響?

On environment 對環境

Yes 會 ☐

No 不會 ☒

On traffic 對交通

Yes 會 ☐

No 不會 ☒

On water supply 對供水

Yes 會 ☐

No 不會 ☒

On drainage 對排水

Yes 會 ☐

No 不會 ☒

On slopes 對斜坡

Yes 會 ☐

No 不會 ☒

Affected by slopes 受斜坡影響

Yes 會 ☐

No 不會 ☒

Landscape Impact 構成景觀影響

Yes 會 ☐

No 不會 ☒

Tree Felling 砍伐樹木

Yes 會 ☐

No 不會 ☒

Visual Impact 構成視覺影響

Yes 會 ☐

No 不會 ☒

Others (Please Specify) 其他 (請列明)

Yes 會 ☐

No 不會 ☒

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)

Nil

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。

Please refer to the Planning Statement



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

LIT Ying Cheung Edward

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

19.08.2024

(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	Lot No. 847 S.B ss.5 in DD 112 Lin Fa Tei, Pat Heung, Yuen Long
Site area 地盤面積	167.5 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	Approved Shek Kong Outline Zoning Plan No.S/YL-SK/9 石崗分區計劃大綱核准圖
Zoning 地帶	Residential (Group D) " R(D)" 住宅(丁類)
Applied use/ development 申請用途／發展	New Territories Exempted House 新界豁免管制屋宇及相關的挖土及 with associated Excavation and Filling of Land 填土工程 <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
(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 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"/>
<u>Associated Excavation and Filling of Land Plan</u>		
<hr/>		
<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" 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。



Section 16 Planning Application

Proposed House (New Territories Exempted House)-Small House with Excavation and filling of Land) on Lot No. 847 S.B ss.5 in DD 112 at Lin Fa Tei, Pat Heung, Yuen Long, New Territories.

Planning Statement

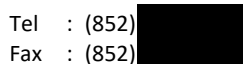
Address:



Prepared by
Man Chi Consultants And Construction Ltd.

August 2024

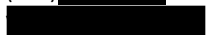
Tel : (852)



Fax : (852)



Email:



EXECUTIVE SUMMARY

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as "the Board") in support of a planning application (hereinafter referred to as "the current application") under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House ("NTEH-Small House") of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as "the proposed use") on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Pat Heung, Yuen Long, New Territories (hereinafter referred to "the application site"). The application site has an area of approximately 167.4 m². The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.

According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the "Village Type Development" (V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible for applying to Lands Department for erection of a Small House under the current Small House Policy.

The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.

The application site currently falls within an area zoned "Residential (Group D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-

- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
- (b) *the applicant's Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and is being actively considered by DLO/YL;*
- (c) *the application site falls within "R(D)" area but is very close to the "Village Type Development" (V) area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*
- (d) *The application site and the footprint of the proposed Small House fall entirely within the village 'environs' of Lin Fa Tei;*
- (e) *the applicant is extremely in need of a Small House to accommodate his family members;*

Address :

地址 :

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- (f) *the proposed site is the sole land lot owned by the applicant;*
- (g) *the application site falls within an area of NTEH residential cluster, thus, the proposed use is compatible with the surrounding area and land use;*
- (h) *the application site falls within "R(D)" zone of the current OZP but several similar proposed uses applications in the close vicinity were also approved by the Town Planning Board;*
- (i) *due to the small size of the application site and also surrounded by a large number of village houses, the application site is no longer a suitable area for large scale R(D) development;*
- (j) *the current application would not set an unfavourable precedent of development within "R(D)" zone due to the fact that it is in the close proximity of the approved Small House Development so the proposed use is compatible with the surrounding environment and only the indigenous villagers of Lin Fa Tei are eligible for erection of Small House thereat;*
- (k) *no significant adverse traffic impact is anticipated as the small development scale of the proposed use and no vehicular access leading to the application site so it would not generate any additional traffic flow;*
- (l) *there is currently no tree or vegetation (only weeds) within the application site. No significant adverse landscape or environmental impacts are anticipated due to the minimal scale of development and the proposed use only confines to its lot boundaries; and*
- (m) *significant adverse drainage or sewage impacts are not anticipated as the site meets the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121. If relevant Certificates of Exemption for Site Formation Works and Drainage Works are unable to be issued by Lands Department, the applicant undertakes that he will apply to Building Authority for obtaining necessary approval in this respect. All the construction works will be supervised by qualified professionals.*

In view of the above and the list of detailed planning justifications in this Planning Statement, it is sincerely hoped that the Board will give sympathetic consideration to approve the current application.

Address : [REDACTED]

地址 : [REDACTED]

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Fax 傳真 : (852) [REDACTED]

Man Chi Consultants And Construction Limited
敏志顧問及建築工程有限公司

行政摘要

此規劃報告書在支持一宗遞交予城市規劃委員會（以下簡稱「城規會」）根據城市規劃條例第 16 段的規劃申請（以下簡稱「該申請」）作擬議興建一幢新界豁免管制屋宇（小型屋宇），面積不超過 65.03 平方米（三層）及高度不超過 8.23 米及挖掘及填土（以下簡稱「擬建用途」）。該申請涉及地點位於新界元朗蓮花地第 112 約第 847 號地段 B 分段第 5 小分段（以下簡稱「申請地點」）。申請地點面積約為 167.5 平方米。此規劃報告書提供該申請的背景及規劃理據以支持擬建用途作城規會考慮。

根據現行小型屋宇政策，一位年滿 18 歲，父系源自 1898 年時為新界認可鄉村的原居民男子，如以前未有接受過當局以任何形式批建小型屋宇，均可向當局申請興建一幢小型屋宇。唯其申請地點必須位於鄉村式規劃發展區及認可鄉村範圍或擴展區內。此乃原居民的一生一次權利。申請人郭楚誠是一位新界認可村落元朗蓮花地的原居村民並符合根據現有小型屋宇政策向地政總署申請興建一幢小型屋宇。

該申請旨在提出「擬建用途」並希望能獲得規劃許可，使申請人能在「申請地點」興建一幢新界豁免管制屋宇（小型屋宇）。

申請地點現時於 2006 年 10 月 27 日刊憲公佈之石崗分區計劃大綱核准圖（編號：S/YL-SK/9）被劃為「住宅（丁類）」地帶。根據「擬建用途」屬於「住宅（丁類）」地帶內第二欄，建議用途須要先向「城規會」提交申請並獲得其規劃許可。此規劃報告書詳細闡述擬建用途的規劃理據，當中包括：

- （一）申請人是新界認可村落蓮花地的原居村民，並已符合條件根據現行小型屋宇政策向地政處申請在自己名下地段興建一座新界豁免管制屋宇（小型屋宇）；
- （二）申請人亦已經於 2023 年 12 月 28 日向地政處呈交小型屋宇申請，地政處現已開始積極處理該申請；
- （三）申請地點雖位於住宅（丁類）用途地帶，但與鄉村式用途地界相距不遠（相距只有 8 米）。而附近的「鄉村式發展」區的土地亦不敷應用；
- （四）申請地點及擬建的新界豁免管制屋宇（小型屋宇）的位置均完全坐落於蓮花地村的村界範圍；
- （五）申請人極度需要一個住所來解決家庭成員的居住問題；
- （六）申請地點乃申請人的唯一土地物業；
- （七）申請地點位於一羣新界豁免管制屋宇羣內，擬建用途實與周邊環境及土地用途相容；
- （八）「申請地點」雖然位於住宅（丁類）用途地帶，但在此地帶內亦有多個同類申請獲得城規會批准；
- （九）因為申請面積太少及已被一羣鄉村屋宇包圍，「申請地點」已經不適宜繼續作為住宅（丁類）用途；
- （十）不會成為不良先例，皆因申請地點的毗鄰已建有大量已獲得批准興建的新界豁免管制屋宇。擬建用途亦與附近環境相符，而只有合資格的蓮花地原居民才能獲得批准興建小型屋宇；
- （十一）不會帶來嚴重的交通影響，皆因擬建用途規模小及沒有車路到該申請地點，故不會帶來額外交通量；
- （十二）現時申請地點內並無樹木或植被（只有野草）。擬建用途只是小規模及只在申請地點內進行，故不

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Fax 傳真 : (852) [REDACTED]	

會造成園境及生態影響；及

(十三) 不會造成嚴重的排水或污水問題，皆因該地段位於較平坦的土地上，能夠符合(香港法例第 121 章) 建築條例(新界適用)內由地政專員發出建築工程，平整地盤工程及渠務工程三份豁免證明書的要求。如不能獲發有關施工豁免證明書，申請人亦承諾會向各有關政府部門(如屋宇署等) 再行申請。而各項目施工，亦會由認可人士監管。

鑒於以上及此規劃報告所提供的詳細規劃理據，懇請城規會各委員批准此申請。

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1. INTRODUCTION

1.1 Purpose

- 1.1.1 This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House (“NTEH”)-Small House of 65.03 sq. m. in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as “the proposed use”) on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to “the application site”). The application site has an area of approximately 167.4 m²(Please refer to **Figure. 6**). Its location is shown on **Figure 1** whilst **Figure 2 & 3** indicate the surrounding area and the private lots in the close vicinity respectively. This Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 1.1.2 According to the current Small House Policy, a male indigenous villager of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the “Village Type Development” (V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under the current Small House Policy.
- 1.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.
- 1.1.4 Prepared on behalf of Mr. KWOK Cho Shing (郭楚誠) who is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, (hereinafter referred to as “the Applicant”), Mr. LIT Ying-cheung Edward has been commissioned to prepare and submit the current application so as to secure a Planning Permission from the Board to allow him to erect an NTEH on the application site.
- 1.1.5 The application site currently falls within an area zoned “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006 (Please refer to **Figure 4**). According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use.
- 1.1.6 The application site and the footprint of the proposed Small House entirely fall within the village ‘environ’ of Lin Fa Tei.

1.2 Objective

- 1.2.1 The current application serves to achieve the following objectives:-

- (a) To give an opportunity to the applicant to utilise the application site to erect an NTEH -Small House for accommodation of his family members under the current Small House Policy;
- (b) To supplement the serious shortage of “V” Zone land for development of Small House by the indigenous villagers of Lin Fa Tei, Pat Heung;
- (c) To improve the living standard of the indigenous villagers thereat and respect their once-in-a-life time right for erection of a Small House under the current Small House Policy;
- (d) To induce no adverse environmental nor traffic impacts on its surroundings by providing adequate protection and mitigation measures.

1.3 Background

- 1.3.1 The applicant, Mr. KWOK Cho Shing (郭楚誠) is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, who is also eligible for erection of an NTEH-Small House on his one and only one private lot (i.e. the application site) under the current Small House Policy.
- 1.3.2 The application site of an area of 167.4 sq. metres is currently a vacant fallow agricultural land. It situates on a flatted land (Please refer to **Illustration 1**).
- 1.3.3 The applicant submitted his Small House application for Small House to District Lands Officer, Yuen Long (hereinafter referred as “DLO/YL”) on 28.12.2023 at **Appendix 1** and the said application was rejected due to the site is outside “V” zone (Please refer to the DLO/YL’s Letter dated 7.2.2024. at **Appendix 2**).
- 1.3.4 The application site and the footprint of the proposed NTEH-Small House currently fall within an area zoned “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use (Please refer to **Figure 4 & 5**).
- 1.3.5 The application site and the footprint of the proposed Small House entirely fall within the village ‘environ’ of Lin Fa Tei.

1.4 Structure of the Planning Statement

- 1.4.1 This Planning Statement is divided into 6 chapters. **Chapter 1** is the above introduction outlining the purpose and background of the current application. **Chapter 2** gives background details of the application site in terms of the current land-use characteristics and neighbouring developments. Planning context of the application site is reviewed in **Chapter 3** whilst **Chapter 4** provides details of the proposed use. A full list of planning justifications is given in **Chapter 5** whilst **Chapter 6** summarizes the concluding remarks for the proposed use.

2. SITE PROFILE

2.1 Location and Current Condition of the Application Site

- 2.1.1 The application site is situated at Lin Fa Tei, Pat Heung, Yuen Long, New Territories. As shown on **Figure 7**, the application site is accessible via a small village footpath from Kam Sheung Road. The application site is currently a fallow vacant flatted land. The current situation of the application site is shown in **Illustration 1**.

2.2 Surrounding Land-use Characteristics

- 2.2.1 The application site and the footprint of the proposed NTEH-Small House currently fall within an area zoned "Residential (D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006.. It is located only at a distant of about 8m from the nearest boundaries of the "V" zone. However, due to the shortage of "V" zone land in this area, a number of Small House applications for erection of NTEH- (Small House) at the "R(D)" use land were approved by the Board. Small House applications were approved at the immediate adjacent lots of the application site, such as Lot Nos. 848 S.A in DD 112 (Application No. A/YL-SK139), Lot Nos. 848 S.B in DD 112 (Application No. A/YL-SK140), Lot Nos. 848 S.C in DD 112 (Application No. A/YL-SK141) and Lot Nos. 848 S.D in DD 112 (Application No. A/YL-SK198 & A/YL-SK198-1) (now known as 848 S.D RP in DD 112),etc (Please refer to **Appendix 3**). As a result, new NTEH clusters are found thereat with quiet living environment. The NTEHs are all for non-industrial/residential purposes.
- 2.2.2 The proposed site is a vacant flatted land.
- 2.2.3 Given that similar uses are found in the surrounding areas (Please refer to **Appendix 3**), the proposed use is considered not incompatible with the surrounding areas.

3. PLANNING CONTEXT & LAND MATTERS

3.1 The Current OZP

- 3.1.1 The application site and the footprint of the proposed NTEH-Small House currently fall within an area zoned "Residential (D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. (Please refer to **Figure 4 & 5**).

3.2 New Territories Exempted House (NTEH)/ Small House in New Territories

- 3.2.1 There is a general shortage of land in meeting the Small House development in the "Village Type Development" zone in Lin Fa Tei.
- 3.2.2 Despite the fact that the application site and the footprint of the proposed Small House fall within "R(D)" area but they entirely fall within the Village 'Environs' ('VE') of Lin Fa Tei so the current application generally complies with the 'Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories'.
- 3.2.3 Similar applications for erection of NTEH-Small House at "R(D)" use zone on the current OZP but fall within village of 'environ' of Lin Fa Tei have been approved by the Board. **Table 1** below shows some of the successful applications for reference. A location plan showing the previous approved applications and the application site is at **Appendix 3** for easy reference.

3.2.4 **Table 1:** Similar Applications Approved by the TPB.

Similar Applications Approved By TPB					
Application No.	Proposed Use	Site Area	No. of Houses	No. of Storeys	Date of TPB Decision
A/YL-SK/139	NTEH-Small House	133sq. m	1	3	11.05.2007
A/YL-SK/140	NTEH-Small House	191sq.m	1	3	11.05.2007
A/YL-SK/141	NTEH-Small House	152sq.m	1	3	11.05.2007
A/YL-SK/198	NTEH-Small House	174.2sq.m	1	3	03.01.2014
A/YL-SL/198-1	NTEH-Small House	Minor amendments & Extension			22.12.2017

4. Development Proposal

4.1 Site Configuration, Layout & Operation

4.1.1 The application site has a site area of approximately 167.4 sq. metres. The proposed use is to facilitate the erection an NTEH-Small House of 65.03 sq. m in area (3-storey) and with a height not more than 8.23m. on the application site (please refer to the layout plan of the proposed NTEH-Small House in **Figure 6**). The Dimension Plan of the proposed NTEH-Small House to be built on the application site is in **Figure 6**.

4.1.2 The major development parameters of the proposed use are in **Table 2**.

Table 2: Proposed Key Development Parameters

Item	Design Parameter(s)
Total Site Area	167.5 sq. m
No. of Structure	1
GFA	195.09 sq. m.
Building Height	8.23m
No of Storeys	3
Built-over-area	65.03 sq. m.
No. of Canopy	1(Projecting 1.22m from the NTEH and falls within the Lot Boundaries)
No. of Balcony	2(Projecting 1.22m from the NTEH and falls within the Lot Boundaries)
No. of Stairhood	1 (7.44 sq. m in area with the height of 2.14 m)

4.1.3 As the proposed site is situated on a generally flatted land, it is reasonably anticipated that the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121 can be met.

4.2 Transport Consideration

4.2.1 The application site is currently accessible by an existing village footpath from Kam Sheung Road (Please refer to the **Figure 7**). When the NTEH-Small House is completed to the satisfaction of Lands Department, the applicant will only travel to and from the application site on foot.

4.2.2 Due to the small development scale of the proposed use, the traffic generation and attraction is anticipated to be very minimal.

4.2.3 As the application site is only accessible by an existing village footpath from Kam Sheung Road, hence, parking space is not required.

4.3 Environmental Consideration

4.3.1 The Applicant is well aware that the application site is located within "R(D)" zone and is thus committed to minimise the environmental impacts of the development. During the construction period, appropriate hoarding will be erected at the site

boundary to protect the adjacent environment whilst the construction works will only be carried out within the application site by means of labour-intensive construction methods.

- 4.3.2 Septic tank and soakaway system under the guidelines from the prospective Building Licence or Environment Protection Department (EPD) will properly be constructed to the satisfaction of the appropriate Authority.

4.4 Landscape and Vision Impact

- 4.4.1 The application site is a vacant flat land. Neither natural nor manmade slope is found in the vicinity.
- 4.4.2 The proposed standard Small House-NTEH thereat will not impose any unsightly vision impact on the environment. After the completion of the NTEH-Small House on the application site, the building will harmoniously merge with the existing NTEHs thereat and becomes NTEH cluster so its impact to the vision of the surrounding area is very minimal.
- 4.4.3 The remaining area of the application site would be retained as agricultural/garden purposes under the prospective Building Licence issued by Lands Department. The applicant would also carry out simple landscape gardening works to beautify the remaining area of the lot. Thus, no adverse landscape or vision impact on this area is anticipated.

4.5 Drainage Impact

- 4.5.1 Due to the fact that the application site is situated on a flatted land, the applicant is confident that Certificate of Drainage Works can be issued by the DLO/YL under Building Ordinance (Application to New Territories), Hong Kong Ordinance Chapter 131. Standard drain channels will be constructed to collect rain water and surface runoff from the proposed NTEH-Small House. As the site is not located in a flood prone area and all the agricultural activities in the vicinity have ceased for decades, drainage impact to the surrounding area is not anticipated.

4.6 Land Use Compatibility

- 4.6.1 The application site falls within the "R(D)" zone of the current OZP. However, the application site together with the other adjacent private lots falling within this area have been left vacant and could not be arable for decades. The proposed use falls within "R(D)" zone, NTEH development falls within Column 2 use. The current application would not have any significant adverse implication to the surrounding area.
- 4.6.2 Given the fact that a number of similar rezoning applications in the close vicinity have been approved by the Board (Please refer to **Table 1**), the proposed use is considered not incompatible with the surrounding area.

4.7 Excavation and Filling of Land

- 4.6.3 The application site currently falls within an area zoned "Residential (D)" ("R(D)") use on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to Remarks (e) of the covering notes of the said OZP, any filling or excavation of land, including that to effect a change of use to any or those specified in Columns 1 and 2 of the use or developments always permitted under the covering notes shall not be undertaken or continued without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- 4.6.4 The site formation works together with ancillary drainage / sewage works/soakaway system on the application site involve excavation / filling of land, therefore, permission of filling / excavation of land is essential to the development of NTEH. In this connection, the applicant wishes to seek permission of excavation and filling of land from the Town Planning Board. The excavation / filling of land will be confined within the lot boundaries only.

5. PLANNING JUSTIFICATIONS

5.1 Village Housing Demand for NTEH-Small House in Village/Heung

- 5.1.1 The Small House Policy was introduced in 1972. After the development for almost 52 years, the suitable small house sites within "V" zone are almost exhausted. Moreover, only a few Indigenous villagers with sufficient financial support are able to locate and purchase suitable private land within the "V" zone or "Village Environ" to erect an NTEH-Small House for improving their standard of living. Thus, the need to expand the "V" area on the current OZP is reasonably required.
- 5.1.2 The application site is the only landed property of the applicant. However, it falls within the "R(D)" zone but is entirely within the village 'environ' of Lin Fa Tei and is so close to the boundaries of the designed "V" zone of the current OZP. The applicant has no alternative but to use this piece of private land for erection of an NTEH-Small House to accommodate his family members as well as to improve their standard of living.

5.2 The scale of works is kept to Minimal

- 5.2.1 The proposed use only confines to the application site. The affected area is only 65.03 square metres in area. That is to say only standard NTEH-Small House of built-over-area not more than 65.03 square metres in area (3-storey) and with a height of not more than 8.23 metres will be built on the application site and the remaining area of the application site be still retained for agricultural/ garden purposes.
- 5.2.2 The excavation and filling works will adopt a labour-intensive method. Manpower will

be used for transportation of the soil / construction materials onto site by trolley or wheelbarrow etc. Concrete delivery will be achieved by using concrete pump.

5.3 Relatively Low Landscape and Ecological Values within the Application Site

5.3.1 The application site falls within "R(D)" zone of the current OZP. The landscape and ecological value of the application site are not so significant as it is currently a vacant fallow land covered with weeds but it has been abandoned for several decades not to mention any cultivation. As the proposed use is only small in scale and would only confine to the proposed site, the impact to the surrounding environment would be minimal.

5.4 Unique and Exceptional Merit rather than Being an Undesirable Precedent

5.4.1 The current application would not set an undesirable precedent of development within "R(D)" zone area. The proposed site is all along a deserted vacant fallow land. The applicant can fully utilize his landed property if the current application is able to be approved by the Board. It will undoubtedly ease the acute Small House need of the indigenous villagers of Lin Fa Tei, Yuen Long.

5.4.2 As only Indigenous Villagers of Lin Fa Tei or within same Heung who had acquired private lands in this area are eligible for erection of Small House thereat, approving the current application should therefore not entail to the approval of other similar applications under any circumstances.

5.4.3 Similar applications for erection of NTEH-(Small House) at land for "R(D)" use from the indigenous villagers of Lin Fa Tei have been approved by the Board (Please refer to **Table 1**).

5.5 No Adverse Traffic nor Environmental Impacts

5.5.1 The current application involves works only confining within the application site and the method of construction is basically labour-intensive works. Due to the small development scale, the traffic generation and attraction of the proposed use is anticipated to be very minimal. Moreover, appropriate environmental mitigation measures would be applied during the construction and operation period to ensure no adverse environmental and drainage impacts would be generated.

5.6 Villagers' Perception and Reaction

5.6.1 The applicant is confident that the proposed use will be welcomed by the Indigenous villagers and the residents thereat because the brotherhood and camaraderie among themselves have been inherent and cultivated into the bottom of their hearts for several generations. Thus, it is anticipated that there will be no objection to the proposed use.

6. CONCLUSION

- 6.1.1 This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House (“NTEH”)-Small House of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m (hereinafter referred to as “the proposed use”) on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to “the application site”). The application site has an area of approximately 167.4 sq.m. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 6.1.2 According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the “Village Type Development”(V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village . This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under current Small House Policy.
- 6.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.
- 6.1.4 The application site currently falls within an area zoned “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-
- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
 - (b) *the applicant’s Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and was rejected due to the site is outside “V” zone;*
 - (c) *the application site falls within “Residential (D)” “(R(D))” area but is very close to the” Village Type Development” (V) zone area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*
 - (d) *the application site and the footprint of the proposed Small House fall entirely within the village ‘environ’ of Lin Fa Tei;*
 - (e) *the applicant is extremely in need of a Small House to accommodate his family members;*
 - (f) *the proposed site is the sole land lot owned by the applicant;*
 - (g) *the application site falls within an area of NTEH residential cluster, thus, the proposed use is compatible with the surrounding area and land use;*
 - (h) *the application site falls within “R(D)” zone of the current OZP but several similar*

proposed uses applications in the close vicinity were also approved by the Town Planning Board;

- (i) due to the small size of the application site and also surrounded by a large number of village houses, the application site is no longer a suitable area for R(D) development;*
- (j) the current application would not set an unfavourable precedent of development within "R(D)" zone due to the fact that it is in the close proximity of the approved Small House Development so the proposed use is compatible with the surrounding environment and only the indigenous villagers of Lin Fa Tei are eligible for erection of Small House thereat;*
- (k) no significant adverse traffic impact is anticipated as the small development scale of the proposed use would not generate any additional traffic flow;*
- (l) there is currently no tree or vegetation (only weeds) within the application site. No significant adverse landscape or environmental impacts are anticipated due to the minimal scale of development and the proposed use only confines to its lot boundaries; and*
- (m) significant adverse drainage or sewage impacts are not anticipated as the site meets the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121. If relevant Certificates of Exemption for Site Formation Works and Drainage Works are unable to be issued by Lands Department, the applicant undertakes he will apply to Building Authority for obtaining necessary approval in this respect. All the construction works will be supervised by qualified professionals.*

In view of the above and the list of detailed planning justifications in this Planning Statement, it is sincerely hoped that the Board will give sympathetic consideration to approve the current application.

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Figure 1- The Location Plan




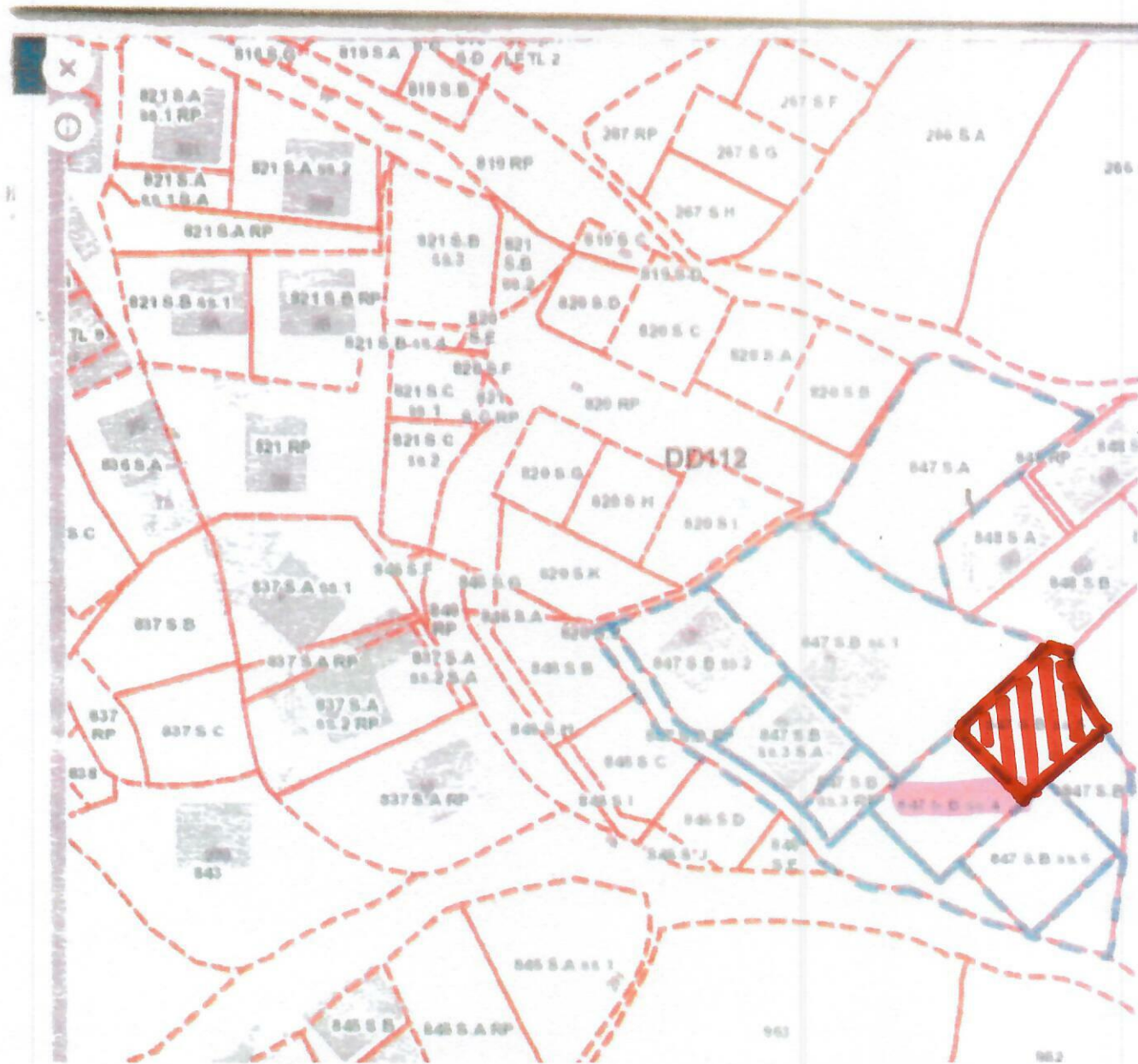
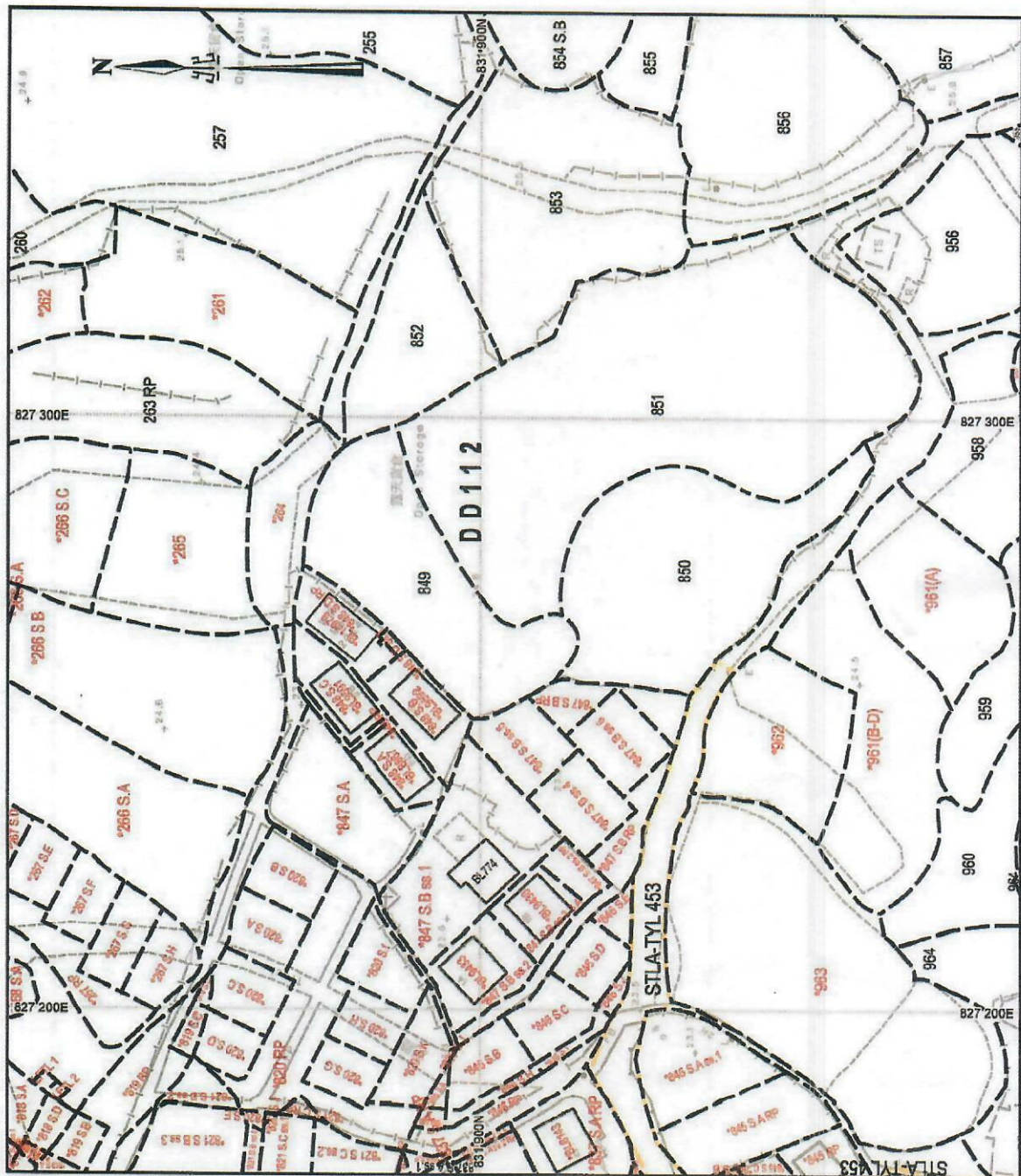
 Application Site Lot 847 S.B ss.5 in DD 112

Figure 2- Plan Showing the Surrounding Area



Application Site - Lot 847 No. S.B ss.5 in DD 11

Figure 3 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 1:1000
metres 10 0 10 20 30 40 50 metres



Locality :

Lot Index Plan No. : ags_S00000131578_0001

District Survey Office : Land Information Centre

Date : 17-Aug-2024

Reference No. : 8-NE-19A

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Explanatory notes : This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the backdrop. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that: (1) the information shown on this plan is subject to update without prior notification; (2) there may be time lag between an update and the related changes taken place; and (3) the graphical boundaries as shown are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor.

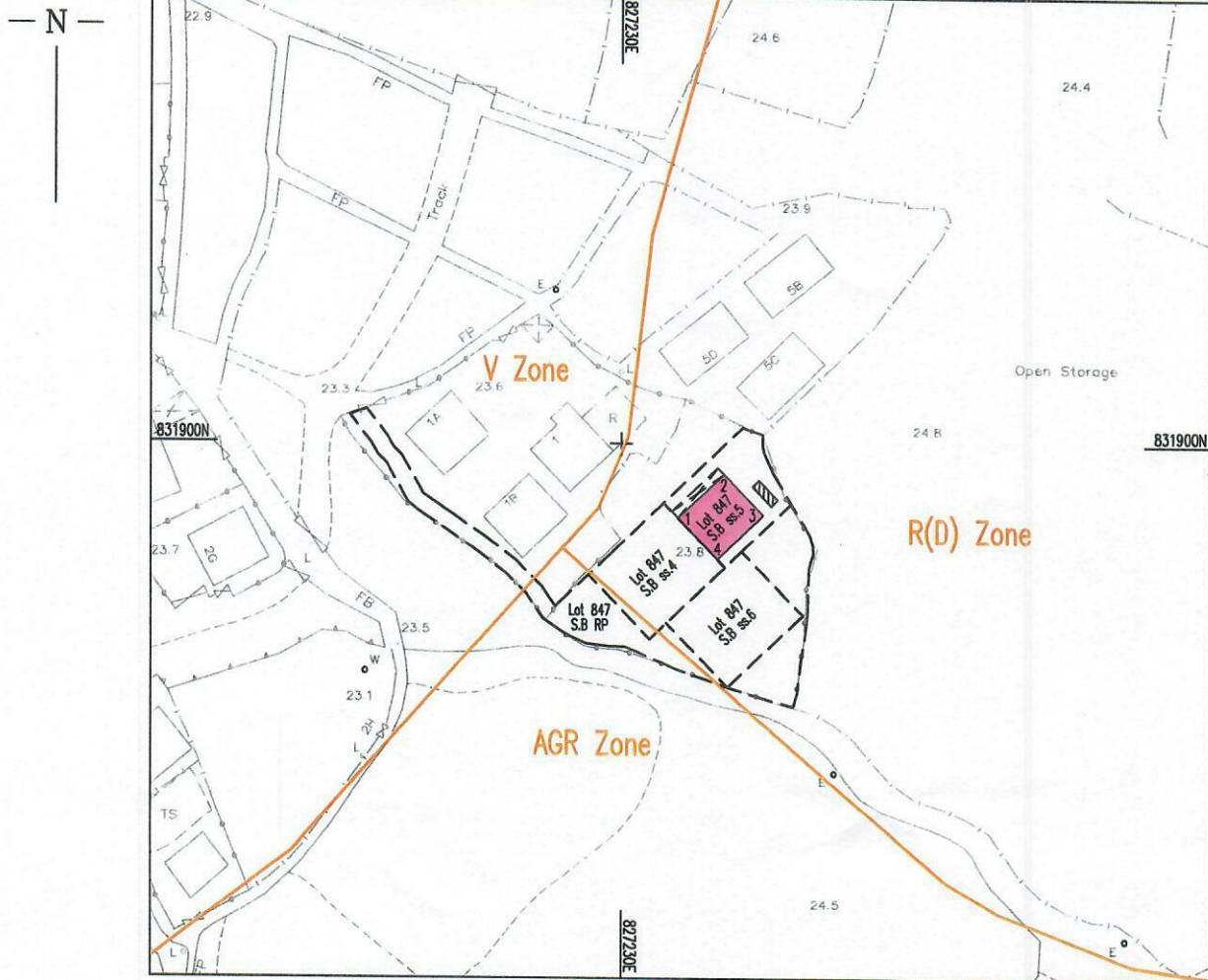
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Figure 4- Extract of Approved Shek Kong Outline Zoning Plan No. YL/SK/9



Proposed House on Lot 847 S.B ss.5 in D.D.112 Lin Fa Tei, Yuen Long

Figure 5- Plan Showing the current Zoning and Location of the Septic Tank and Soakaway System



Scale 1 : 1000

Plan No. : HPL3265/H2A
Location : Lin Fa Tei, Yuen Long
Project : Proposed House Location

Note:

1. Hong Kong Geodetic Datum 1980 Grid
2. All levels refer to Principal Datum Hong Kong
3. All units in metres
4. Lot boundary refer to SRP/YL/061/03265/D1
5. The boundaries of V Zone, AGR Zone and R(D) Zone shown herewith for reference.

Proposed House on Lot 847 S.B ss.5 in D.D.112:

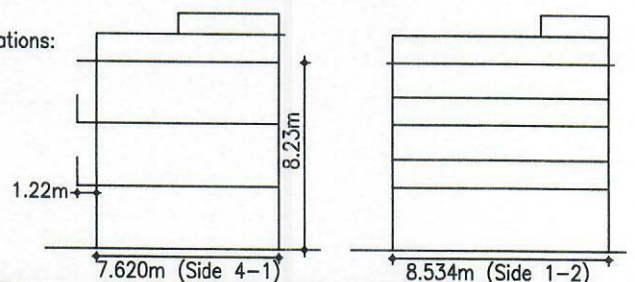
Side	Bearing	Distance	Northing	Easting	Point
1-2	46 15 58	8.534	831890.061	827237.663	1
2-3	136 15 58	7.620	831895.961	827243.829	2
3-4	226 15 58	8.534	831890.455	827249.097	3
4-1	316 15 58	7.620	831884.555	827242.931	4

Coloured Pink Area 65.03m² (About)

Legend:

-  Proposed House
  Balcony (1.22mx8.534m)
  Septic Tank

Elevations:



Prepared by
Helen Chan Professional Land Survey Limited




CHAN YUEN KI
 ALS, MRICS, MHKIS, RPS(LS)
 Date: 20th February 2024

Figure 6- Proposed House on Lot 847 S.B ss.5 in D.D.112
Lin Fa Tei, Yuen Long



Scale 1 : 1000

Plan No. : HPL3265/H2
 Location : Lin Fa Tei, Yuen Long
 Project : Proposed House Location

Note:

1. Hong Kong Geodetic Datum 1980 Grid
2. All levels refer to Principal Datum Hong Kong
3. All units in metres
4. Lot boundary refer to SRP/YL/061/03265/D1

Prepared by
 Helen Chan Professional Land Survey Limited

CHAN YUEN KI
 ALS, MRICS, MHKIS, RPS(LS)
 Date: 18th December 2023

Proposed House on Lot 847 S.B ss.5 in D.D.112:

Side	Bearing	Distance	Northing	Easting	Point
1-2	46 15 58	8.534	831890.061	827237.663	1
2-3	136 15 58	7.620	831895.961	827243.829	2
3-4	226 15 58	8.534	831890.455	827249.097	3
4-1	316 15 58	7.620	831884.555	827242.931	4

Coloured Pink Area 65.03m² (About)

Legend:

- Proposed House
 Balcony (1.22mx8.534m)
 Septic Tank

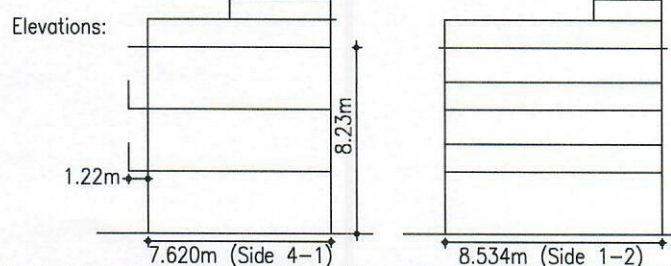


Figure 7-Plan Showing the Existing footpath to and from the Application



Illustration 1- Aerial Photo Showing the Current Situation of the Application Site



Application Site
Indicative Only

Appendix 1- Small House Application to District Lands Officer, Yuen Long

興建小型屋宇申請表
(本綜合申請表共6頁)



致：元朗地政專員

第I部份

郭楚誠 (申請人姓名) 是新界 元朗 (區) 蓮花地 (村) 的男性原居民。

擬建的小型屋宇將建於： 政府土地(近) ☐
或
私人土地 ☒

(丈量約份第 112 約地段第 8475.B ss.5 號)

擬建的小型屋宇位於：新界 元朗 (區) 蓮花地 (村)

以申請人名義註冊並位於其鄉村範圍內的土地的詳情： _____

- [附註：
1. 根據新界小型屋宇政策，申請人應盡可能申請建屋牌照，以便在位於其鄉村範圍內的私人土地上興建小型屋宇。
 2. 申請人不可與任何人士或多名人士訂定任何安排或協議，以轉移、讓與、處置或以其他方式處理其本人對有關地段的權利，包括但不限於依據政府批予的任何批約或批准發展有關地段的權利。此規定已納入相關批約/建屋牌照條款內。若發現承批人/建屋牌照持有人違反該條款，地政處將會採取執行契約條款行動。
 3. 申請人可於分區測量處購買顯示地段界線大概位置的地段索引圖及(如有的話)顯示認可鄉村範圍界線的鄉村範圍界線圖。]

☐ 請在適當的方格內填上(√)號

Please quote our reference in response to this letter

電話 Tel: 2443 3167
圖文傳真 Fax: 2473 3134
本函檔號 Our Ref: (8) in DL OYL 5/YLT/2024
來函檔號 Your Ref:

道

地政司署
元朗地政處
DISTRICT LANDS OFFICE, YUEN LONG
LANDS DEPARTMENT

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.

新界元朗橋樑坊二號元朗政府合署十樓至十一樓
7/F - 11/F, Yuen Long Government Offices
No. 2 Kin Lok Square, Yuen Long, N.T.
網址 Website: www.landed.gov.hk

針灸と九龍と

郭楚誠先生

郭先生：

申請興建小型屋宇
元朗八鄉蓮花地
丈量約份第 112 約地段第 847 號 B 分段第 5 小分段

本函與題述小型屋宇申請有關。

現謹告知，本處不能處理上述小型屋宇申請，理由如下：

申請建屋地段尚未分割並劃分以作小型屋宇發展。

此外，根據規劃署資料顯示，你申請興建小型屋宇的地點位於「鄉村式發展」地帶以外；因此，在你獲得有關規劃許可前，本處不能處理你的申請。

題述小型屋宇申請已被拒絕。然而，考慮到你可能需要時間跟進上述問題，以及提供所需資料用作處理你的小型屋宇申請，本處給予你由本函發出日起計三個月的寬限期，以便你跟進及回覆本處。

如在上述限期內沒有接獲你的回覆，本處會假設你沒有興趣繼續申請小型屋宇，並會停止處理相關個案。本處必須強調，任何其後提出的小型屋宇申請都會視作新的個案處理，並會獲編配新的輪候次序。

如有任何查詢，請致電 2443 3167 與本函代行人聯絡。

元朗地政專員

(黃章圓)

章黃

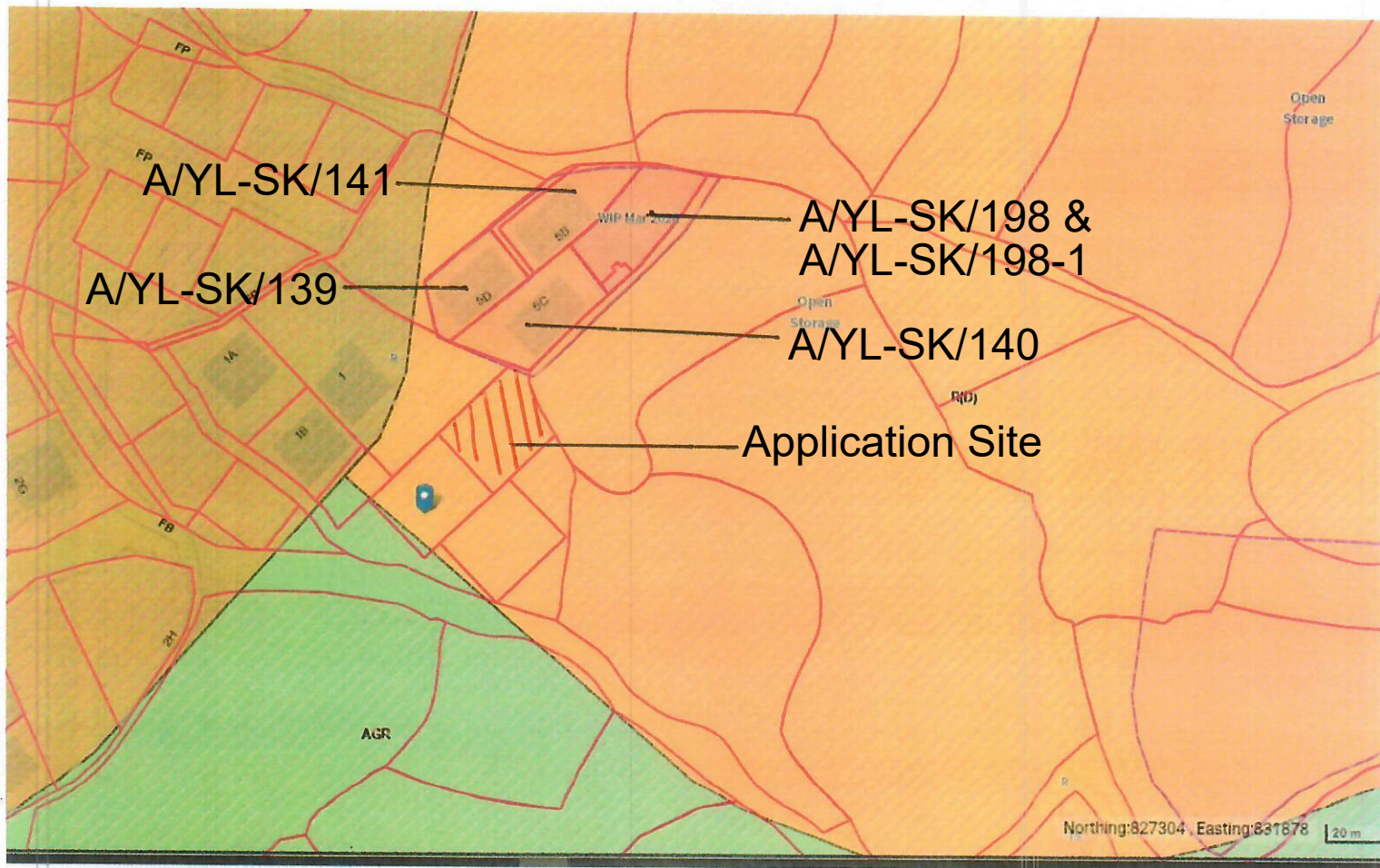
代行)

2024 年 2 月 7 日

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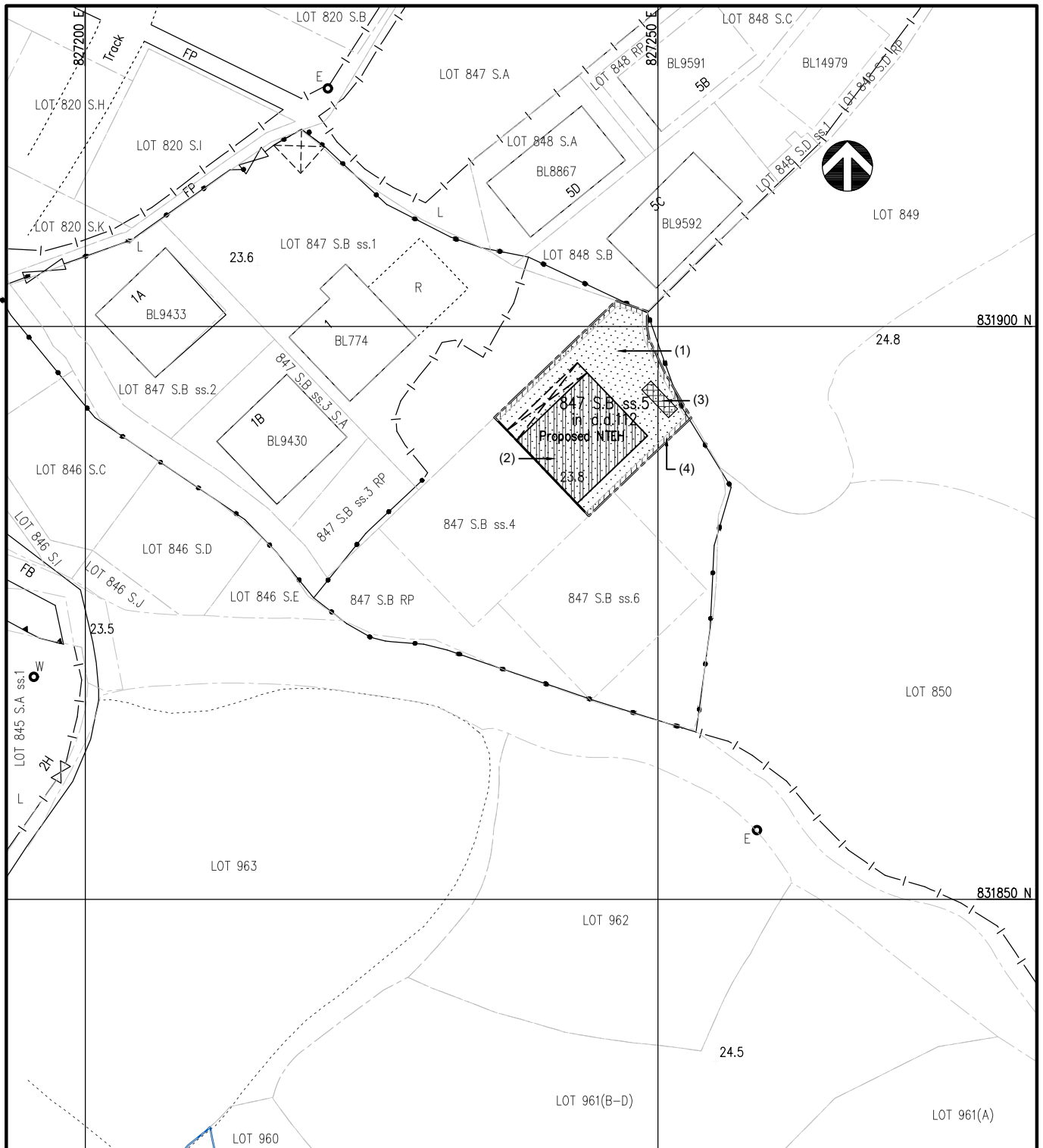
Appendix 3

Location Plan showing the Previous Approved Similar Applications Nearby



Application Site - Lot 847 SB ss.5 in DD 112

Associated Excavation and Filling of Land
Proposed House on Lot No. 847 S.B ss.5 in D.D.112
Lin Fa Tei, Yuen Long



Associated Excavation and Filling of Land

- (1) Site Formation Excavation and Filling Area = 167.43 m², Depth = 1.2 m
- (2) Foundation Excavation and Filling Area = 65.00 m², Depth = 1.2 m
- (3) Septic Tank and Soakaway Pit Excavation and Filling Area = 3.75 m², Depth = 1.9 m
- (4) Drainage System Excavation and Filling Area = 15.80 m², Depth = 0.3 m

2024年 9月 2 日

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。
20 SEP 2024

This document is received on _____
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

2402031

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/YL-SK/388
	Date Received 收到日期	20 SEP 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

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

KWOK Kam Wah (郭錦華)

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)

LIT Ying Cheung Edward (列應祥)

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 No. 847 S.B ss.4 in DD 112 Lin Fa Tei, Pat Heung, Yuen Long
(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 167.5 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 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	Approved Shek Kong Outline Zoning Plan No.S/YL-SK/9 (石崗分區計劃大綱核准圖編號S/YL-SK/9)
(e) Land use zone(s) involved 涉及的土地用途地帶	Residential (Group D) "R(D)" and Agriculture "(AGR)"
(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

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)	KWOK Kam wah (郭錦華)		
(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)	Lin Fa Tei Village, Heung Heung, Yuen Long 元朗八鄉蓮花地村		
(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	Proposed number of storeys of each house 每幢房屋的擬議層數	3
(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	Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement (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 type="checkbox"/> No 否 <input checked="" 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 indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置) Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement	

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>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 checked="" type="checkbox"/> Filling of land 填土 166.75 Area of filling 填土面積 sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of filling 填土厚度 1.9 m 米 <input checked="" type="checkbox"/> About 約</p> <p><input checked="" type="checkbox"/> Excavation of land 挖土 166.75 Area of excavation 挖土面積 sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of excavation 挖土深度 1.9 m 米 <input checked="" type="checkbox"/> About 約</p> <p>No 否 <input 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>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>..... Nil</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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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。

Please refer to the Planning Statement

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


LIT Ying Cheung Edward

Name in Block Letters
姓名（請以正楷填寫）

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

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

19.08.2024 (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	Lot No. 847 S.B ss.4 in DD 112 Lin Fa Tei, Pat Heung, Yuen Long
Site area 地盤面積	167.5 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	Approved Shek Kong Outline Zoning Plan No.S/YL-SK/9 石崗分區計劃大綱核准圖
Zoning 地帶	Residential (Group D) " R(D)" "(住宅(丁類))" Agriculture "(AGR)" "(農業)"
Applied use/ development 申請用途／發展	New Territories Exempted House 新界豁免管制屋宇及相關的挖土及 <input checked="" type="checkbox"/> with associated Excavation and Filling of Land 填土工程 <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
(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
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 checked="" 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"/>
Associated Excavation and Filling of Land Plan		
<hr/>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" 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。



Section 16 Planning Application

Proposed House (New Territories Exempted House)-Small House with Excavation and filling of Land) on Lot No. 847 S.B ss. 4 in DD 112 at Lin Fa Tei, Pat Heung, Yuen Long, New Territories.

Planning Statement

Address:



Tel : (852)

Fax : (852)

Email:



Prepared by

Man Chi Consultants And Construction Ltd.

August 2024

EXECUTIVE SUMMARY

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as "the Board") in support of a planning application (hereinafter referred to as "the current application") under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House ("NTEH-Small House") of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as "the proposed use") on Lot No. 847 S.B ss.4 in DD 112, Lin Fa Tei, Pat Heung, Yuen Long, New Territories (hereinafter referred to "the application site"). The application site has an area of approximately 167.5 m². The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.

According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the "Village Type Development" (V) zone area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Kam Wah (郭錦華), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible for applying to Lands Department for erection of a Small House under the current Small House Policy.

The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.

The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone ("AGR") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. However, the footprint of the proposed Small House is totally falling within the "Residential (D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-

- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
- (b) *the applicant's Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and is being actively considered by DLO/YL;*
- (c) *the application site falls within "R(D)" area but is very close to the "Village Type Development" (V) area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*

<p>Address : [REDACTED]</p> <p>地址 [REDACTED]</p> <p>Tel 電話 : (852) [REDACTED] Email 電郵 : [REDACTED]</p> <p>Fax 傳真 : (852) [REDACTED]</p>	<p>Man Chi Consultants And Construction Limited 敏志顧問及建築工程有限公司</p>
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- (d) *The application site and the footprint of the proposed Small House fall entirely within the village 'environs' of Lin Fa Tei;*
- (e) *the applicant is extremely in need of a Small House to accommodate his family members;*
- (f) *the proposed site is the sole land lot owned by the applicant;*
- (g) *the application site falls within an area of NTEH residential cluster, thus, the proposed use is compatible with the surrounding area and land use;*
- (h) *the application site falls within "R(D)" zone of the current OZP but several similar proposed uses applications in the close vicinity were also approved by the Town Planning Board ;*
- (i) *due to the small size of the application site and also surrounded by a large number of village houses, the application site is no longer a suitable area for large scale R(D) development;*
- (j) *the current application would not set an unfavourable precedent of development within "R(D)" zone due to the fact that it is in the close proximity of the approved Small House Development so the proposed use is compatible with the surrounding environment and only the indigenous villagers of Lin Fa Tei are eligible for erection of Small House thereat;*
- (k) *no significant adverse traffic impact is anticipated as the small development scale of the proposed use and no vehicular access leading to the application site so it would not generate any additional traffic flow;*
- (l) *there is currently no tree or vegetation (only weeds) within the application site. No significant adverse landscape or environmental impacts are anticipated due to the minimal scale of development and the proposed use only confines to its lot boundaries; and*
- (m) *significant adverse drainage or sewage impacts are not anticipated as the site meets the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121. If relevant Certificates of Exemption for Site Formation Works and Drainage Works are unable to be issued by Lands Department, the applicant undertakes that he will apply to Building Authority for obtaining necessary approval in this respect. All the construction works will be supervised by qualified professionals.*

In view of the above and the list of detailed planning justifications in this Planning Statement, it is sincerely hoped that the Board will give sympathetic consideration to approve the current application.

Address : [REDACTED]	Man Chi Consultants And Construction Limited 敏志顧問及建築工程有限公司
地址 : [REDACTED]	
Tel 電話 : (852) [REDACTED] Email 電郵 : [REDACTED]	
Fax 傳真 : (852) [REDACTED]	

行政摘要

此規劃報告書在支持一宗遞交予城市規劃委員會（以下簡稱「城規會」）根據城市規劃條例第 16 段的規劃申請（以下簡稱「該申請」）作擬議興建一幢新界豁免管制屋宇（小型屋宇），面積不超過 65.03 平方米（三層）及高度不超過 8.23 米及挖掘及填土（以下簡稱「擬建用途」）。該申請涉及地點位於新界元朗蓮花地第 112 約第 847 號地段 B 分段第 4 小分段（以下簡稱「申請地點」）。申請地點面積約為 167.5 平方米。此規劃報告書提供該申請的背景及規劃理據以支持擬建用途作城規會考慮。

根據現行小型屋宇政策，一位年滿 18 歲，父系源自 1898 年時為新界認可鄉村的原居民男子，如以前未有接受過當局以任何形式批建小型屋宇，均可向當局申請興建一幢小型屋宇。唯其申請地點必須位於鄉村式規劃發展區及認可鄉村範圍或擴展區內。此乃原居民的一生一次權利。申請人郭錦華是一位新界認可村落元朗蓮花地的原居村民並符合根據現有小型屋宇政策向地政總署申請興建一幢小型屋宇。

該申請旨在提出「擬建用途」並希望能獲得規劃許可，使申請人能在「申請地點」興建一幢新界豁免管制屋宇（小型屋宇）。

申請地點位於現時於 2006 年 10 月 27 日刊憲公佈之石崗分區計劃大綱核准圖（編號：S/YL-SK/9）被劃為「住宅（丁類）」地帶及「農業」地帶。但是擬議興建一幢新界豁免管制屋宇（小型屋宇）的位置完全位於現時於 2006 年 10 月 27 日刊憲公佈之石崗分區計劃大綱核准圖（編號：S/YL-SK/9）被劃為「住宅（丁類）」地帶內。而根據「擬建用途」屬於「住宅（丁類）」地帶內第二欄，建議用途須要先向「城規會」提交申請並獲得其規劃許可。此規劃報告書詳細闡述擬建用途的規劃理據，當中包括：

- （一）申請人是新界認可村落蓮花地的原居村民，並已符合條件根據現行小型屋宇政策向地政處申請在自己名下地段興建一座新界豁免管制屋宇（小型屋宇）；
- （二）申請人亦已經於 2023 年 12 月 28 日向地政處呈交小型屋宇申請，地政處現已開始積極處理該申請；
- （三）申請地點雖位於住宅（丁類）用途地帶，但與鄉村式用途地界相距不遠（相距只有 8 米）。而附近的「鄉村式發展」區的土地亦不敷應用；
- （四）申請地點及擬建的新界豁免管制屋宇（小型屋宇）的位置均完全坐落於蓮花地村的村界範圍；
- （五）申請人極度需要一個住所來解決家庭成員的居住問題；
- （六）申請地點乃申請人的唯一土地物業；
- （七）申請地點位於一羣新界豁免管制屋宇羣內，擬建用途實與周邊環境及土地用途相容；
- （八）「申請地點」雖然位於住宅（丁類）用途地帶，但在此地帶內亦有多個同類申請獲得城規會批准；
- （九）因為申請面積太少及已被一羣鄉村屋宇包圍，「申請地點」已經不適宜繼續作為住宅（丁類）用途；
- （十）不會成為不良先例，皆因申請地點的毗鄰已建有大量已獲得批准興建的新界豁免管制屋宇。擬建用途亦與附近環境相符，而只有合資格的蓮花地原居民才能獲得批准興建小型屋宇；
- （十一）不會帶來嚴重的交通影響，皆因擬建用途規模小及沒有車路到該申請地點，故不會帶來額外交通

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量；

(十二) 現時申請地點內並無樹木或植被(只有野草)。擬建用途只是小規模及只在申請地點內進行，故不會造成園境及生態影響；及

(十三) 不會造成嚴重的排水或污水問題，皆因該地段位於較平坦的土地上，能夠符合(香港法例第 121 章) 建築條例(新界適用)內由地政專員發出建築工程，平整地盤工程及渠務工程三份豁免證明書的要求。如不能獲發有關施工豁免證明書，申請人亦承諾會向各有關政府部門(如屋宇署等) 再行申請。而各項目施工，亦會由認可人士監管。

鑒於以上及此規劃報告所提供的詳細規劃理據，懇請城規會各委員批准此申請。

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1. INTRODUCTION

1.1 Purpose

- 1.1.1 This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House (“NTEH”)-Small House of 65.03 sq. m. in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as “the proposed use”) on Lot No. 847 S.B ss.4 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to “the application site”). The application site has an area of approximately 167.5 m²(Please refer to **Figure. 6**). Its location is shown on **Figure 1** whilst **Figure 2 & 3** indicate the surrounding area and the private lots in the close vicinity respectively. This Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 1.1.2 According to the current Small House Policy, a male indigenous villager of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the “Village Type Development” (V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Kam Wah (郭錦華), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under the current Small House Policy.
- 1.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.
- 1.1.4 Prepared on behalf of Mr. KWOK Kam Wah (郭錦華) who is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, (hereinafter referred to as “the Applicant”), Mr. LIT Ying-cheung Edward has been commissioned to prepare and submit the current application so as to secure a Planning Permission from the Board to allow him to erect an NTEH on the application site.
- 1.1.5 The application site currently falls within an area zoned “Residential (D)” (“R(D)”) and the Agriculture Zone “(AGR)” on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. However, the footprint of the proposed Small House is totally falling within the “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006 (Please refer to **Figure 4 and Figure 5**). According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use.
- 1.1.6 The application site and the footprint of the proposed Small House entirely fall within the village ‘environ’ of Lin Fa Tei.

1.2 Objective

1.2.1 The current application serves to achieve the following objectives:-

- (a) To give an opportunity to the applicant to utilise the application site to erect an NTEH -Small House for accommodation of his family members under the current Small House Policy;
- (b) To supplement the serious shortage of "V" Zone land for development of Small House by the indigenous villagers of Lin Fa Tei, Pat Heung;
- (c) To improve the living standard of the indigenous villagers thereat and respect their once-in-a-life time right for erection of a Small House under the current Small House Policy;
- (d) To induce no adverse environmental nor traffic impacts on its surroundings by providing adequate protection and mitigation measures.

1.3 Background

- 1.3.1 The applicant, Mr. KWOK Kam Wah (郭錦華) is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, who is also eligible for erection of an NTEH-Small House on his one and only one private lot (i.e. the application site) under the current Small House Policy.
- 1.3.2 The application site of an area of 167.5 sq. metres is currently a vacant fallow agricultural land. It situates on a flatted land (Please refer to **Illustration 1**).
- 1.3.3 The applicant submitted his Small House application for Small House to District Lands Officer, Yuen Long (hereinafter referred as "DLO/YL") on 28.12.2023 at **Appendix 1** and the said application was rejected due to the site is outside "V" zone (Please refer to the DLO/YL's Letter dated 8.2.2024. at **Appendix 2**).
- 1.3.4 The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone "(AGR)" on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. However, the footprint of the proposed Small House is totally falling within the "Residential (D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use (Please refer to **Figure 4 & 5**).
- 1.3.5 The application site and the footprint of the proposed Small House entirely fall within the village 'environ' of Lin Fa Tei.

1.4 Structure of the Planning Statement

- 1.4.1 This Planning Statement is divided into 6 chapters. **Chapter 1** is the above introduction outlining the purpose and background of the current application. **Chapter 2** gives background details of the application site in terms of the current land-use characteristics and neighbouring developments. Planning context of the application site is reviewed in **Chapter 3** whilst **Chapter 4** provides details of the

proposed use. A full list of planning justifications is given in **Chapter 5** whilst **Chapter 6** summarizes the concluding remarks for the proposed use.

2. SITE PROFILE

2.1 Location and Current Condition of the Application Site

- 2.1.1 The application site is situated at Lin Fa Tei, Pat Heung, Yuen Long, New Territories. As shown on **Figure 7**, the application site is accessible via a small village footpath from Kam Sheung Road. The application site is currently a fallow vacant flatted land. The current situation of the application site is shown in **Illustration 1**.

2.2 Surrounding Land-use Characteristics

- 2.2.1 The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone "(AGR)" on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. However, the footprint of the proposed NTEH-Small House is totally falling within the "R(D)" area of the current OZP. It is located only at a distant of about 8m from the nearest boundaries of the "V" zone. However, due to the shortage of "V" zone land in this area, a number of Small House applications for erection of NTEH- (Small House) at the "R(D)" use land were approved by the Board. Small House applications were approved at the immediate adjacent lots of the application site, such as Lot Nos. 848 S.A in DD 112 (Application No. A/YL-SK139), Lot Nos. 848 S.B in DD 112 (Application No. A/YL-SK140), Lot Nos. 848 S.C in DD 112 (Application No. A/YL-SK141) and Lot Nos. 848 S.D in DD 112 (Application No. A/YL-SK198 & A/YL-SK198-1) (now known as 848 S.D RP in DD 112),etc (Please refer to Appendix 3). As a result, new NTEH clusters are found thereat with quiet living environment. The NTEHs are all for non-industrial/residential purposes.
- 2.2.2 The proposed site is a vacant flatted land.
- 2.2.3 Given that similar uses are found in the surrounding areas (Please refer to **Appendix 3**), the proposed use is considered not incompatible with the surrounding areas.

3. PLANNING CONTEXT & LAND MATTERS

3.1 The Current OZP

- 3.1.1 The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone "(AGR)" on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. However, the footprint of the proposed NTEH-Small House is totally falling within the "R(D)" area of the current OZP. It is located only at a distant of about 8m from the nearest boundaries of the "V" zone of the Approved Skek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. (Please refer to **Figure 4 & 5**).

3.2 New Territories Exempted House (NTEH)/ Small House in New Territories

- 3.2.1 There is a general shortage of land in meeting the Small House development in the "Village Type Development" zone in Lin Fa Tei.
- 3.2.2 Despite the fact that the application site and the footprint of the proposed Small House fall within "R(D)" area but they entirely fall within the Village 'Environs' ('VE') of Lin Fa Tei so the current application generally complies with the 'Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories'.
- 3.2.3 Similar applications for erection of NTEH-Small House at "R(D)" use zone on the current OZP but fall within village of 'environ' of Lin Fa Tei have been approved by the Board. **Table 1** below shows some of the successful applications for reference. A location plan showing the previous approved applications and the application site is at **Appendix 3** for easy reference.

3.2.4 **Table 1:** Similar Applications Approved by the TPB.

Similar Applications Approved By TPB					
Application No.	Proposed Use	Site Area	No. of Houses	No. of Storeys	Date of TPB Decision
A/YL-SK/139	NTEH-Small House	133sq. m	1	3	11.05.2007
A/YL-SK/140	NTEH-Small House	191sq.m	1	3	11.05.2007
A/YL-SK/141	NTEH-Small House	152sq.m	1	3	11.05.2007
A/YL-SK/198	NTEH-Small House	174.2sq.m	1	3	03.01.2014
A/YL-SL/198-1	NTEH-Small House	Minor amendments & Extension			22.12.2017

4. Development Proposal

4.1 Site Configuration, Layout & Operation

4.1.1 The application site has a site area of approximately 167.5 sq. metres. The proposed use is to facilitate the erection an NTEH-Small House of 65.03 sq. m in area (3-storey) and with a height not more than 8.23m. on the application site (please refer to the layout plan of the proposed NTEH-Small House in **Figure 6**). The Dimension Plan of the proposed NTEH-Small House to be built on the application site is in **Figure 6**.

4.1.2 The major development parameters of the proposed use are in **Table 2**.

Table 2: Proposed Key Development Parameters

Item	Design Parameter(s)
Total Site Area	167.5 sq. m
No. of Structure	1
GFA	195.09 sq. m.
Building Height	8.23m
No of Storeys	3
Built-over-area	65.03 sq. m.
No. of Canopy	1(Projecting 1.22m from the NTEH and falls within the Lot Boundaries)
No. of Balcony	2(Projecting 1.22m from the NTEH and falls within the Lot Boundaries)
No. of Stairhood	1 (7.44 sq. m in area with the height of 2.14 m)

4.1.3 As the proposed site is situated on a generally flatted land, it is reasonably anticipated that the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121 can be met.

4.2 Transport Consideration

4.2.1 The application site is currently accessible by an existing village footpath from Kam Sheung Road (Please refer to the **Figure 7**). When the NTEH-Small House is completed to the satisfaction of Lands Department, the applicant will only travel to and from the application site on foot.

4.2.2 Due to the small development scale of the proposed use, the traffic generation and attraction is anticipated to be very minimal.

4.2.3 As the application site is only accessible by an existing village footpath from Kam Sheung Road, hence, parking space is not required.

4.3 Environmental Consideration

4.3.1 The Applicant is well aware that the application site is located within "R(D)" zone and is thus committed to minimise the environmental impacts of the development. During the construction period, appropriate hoarding will be erected at the site

boundary to protect the adjacent environment whilst the construction works will only be carried out within the application site by means of labour-intensive construction methods.

- 4.3.2 Septic tank and soakaway system under the guidelines from the prospective Building Licence or Environment Protection Department (EPD) will properly be constructed to the satisfaction of the appropriate Authority.

4.4 Landscape and Vision Impact

- 4.4.1 The application site is a vacant flat land. Neither natural nor manmade slope is found in the vicinity.
- 4.4.2 The proposed standard Small House-NTEH thereat will not impose any unsightly vision impact on the environment. After the completion of the NTEH-Small House on the application site, the building will harmoniously merge with the existing NTEHs thereat and becomes NTEH cluster so its impact to the vision of the surrounding area is very minimal.
- 4.4.3 The remaining area of the application site would be retained as agricultural/garden purposes under the prospective Building Licence issued by Lands Department. The applicant would also carry out simple landscape gardening works to beautify the remaining area of the lot. Thus, no adverse landscape or vision impact on this area is anticipated.

4.5 Drainage Impact

- 4.5.1 Due to the fact that the application site is situated on a flatted land, the applicant is confident that Certificate of Drainage Works can be issued by the DLO/YL under Building Ordinance (Application to New Territories), Hong Kong Ordinance Chapter 131. Standard drain channels will be constructed to collect rain water and surface runoff from the proposed NTEH-Small House. As the site is not located in a flood prone area and all the agricultural activities in the vicinity have ceased for decades, drainage impact to the surrounding area is not anticipated.

4.6 Land Use Compatibility

- 4.6.1 The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone "(AGR)" on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. However, the footprint of the proposed NTEH-Small House is totally falling within the "R(D)" area of the current OZP. It is located only at a distant of about 8m from the nearest boundaries of the "V" zone of the Approved Skek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. However, the application site together with the other adjacent private lots falling within this area have been left vacant and could not be arable for decades. The proposed use falls within "R(D)" zone, NTEH development falls within Column 2 use. The current application would not have any significant adverse implication to the surrounding area.
- 4.6.2 Given the fact that a number of similar rezoning applications in the close vicinity have

been approved by the Board (Please refer to **Table 1**), the proposed use is considered not incompatible with the surrounding area.

4.7 Excavation and Filling of Land

- 4.6.3 The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone "(AGR)" on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to Remarks (e) of the covering notes of the said OZP, any filling or excavation of land, including that to effect a change of use to any or those specified in Columns 1 and 2 of the use or developments always permitted under the covering notes shall not be undertaken or continued without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- 4.6.4 The site formation works together with ancillary drainage/sewage/septic tank and soakaway system works on the application site involve excavation / filling of land, therefore, permission of filling / excavation of land is essential to the development of NTEH. In this connection, the applicant wishes to seek permission of excavation and filling of land from the Town Planning Board. The excavation/filling of land will be confined to the lot boundaries only.

5. PLANNING JUSTIFICATIONS

5.1 Village Housing Demand for NTEH-Small House in Village/Heung

- 5.1.1 The Small House Policy was introduced in 1972. After the development for almost 52 years, the suitable small house sites within "V" zone are almost exhausted. Moreover, only a few Indigenous villagers with sufficient financial support are able to locate and purchase suitable private land within the "V" zone or "Village Environ" to erect an NTEH-Small House for improving their standard of living. Thus, the need to expand the "V" area on the current OZP is reasonably required.
- 5.1.2 The application site is the only landed property of the applicant. The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone "(AGR)" on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006 but it is entirely within the village 'environ' of Lin Fa Tei and is so close to the boundaries of the designed "V" zone of the current OZP. In particular, the footprint of the proposed small house is totally falling within the "R(D)" zone of the current OZP. The applicant has no alternative but to use this piece of private land for erection of an NTEH-Small House to accommodate his family members as well as to improve their standard of living.

5.2 The scale of works is kept to Minimal

- 5.2.1 The proposed use only confines to the application site. The affected area is only 65.03 square metres in area. That is to say only standard NTEH-Small House of built-over-area not more than 65.03 square metres in area (3-storey) and with a height of not more than 8.23 metres will be built on the application site and the remaining area of the application site be still retained for agricultural/ garden purposes.
- 5.2.2 The excavation and filling works will adopt a labour-intensive method. Manpower will be used for transportation of the soil / construction materials onto site by trolley or wheelbarrow etc. Concrete delivery will be achieved by using concrete pump.

5.3 Relatively Low Landscape and Ecological Values within the Application Site

- 5.3.1 The application site is the only landed property of the applicant. The application site currently falls within an area zoned "Residential (D)" ("R(D)") and the Agriculture Zone "(AGR)" on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006 The landscape and ecological value of the application site are not so significant as it is currently a vacant fallow land covered with weeds but it has been abandoned for several decades not to mention any cultivation. As the proposed use is only small in scale and would only confine to the proposed site, the impact to the surrounding environment would be minimal.

5.4 Unique and Exceptional Merit rather than Being an Undesirable Precedent

- 5.4.1 The current application would not set an undesirable precedent of development within "R(D)" zone area. The proposed site is all along a deserted vacant fallow land. The applicant can fully utilize his landed property if the current application is able to be approved by the Board. It will undoubtedly ease the acute Small House need of the indigenous villagers of Lin Fa Tei, Yuen Long.
- 5.4.2 As only Indigenous Villagers of Lin Fa Tei or within same Heung who had acquired private lands in this area are eligible for erection of Small House thereat, approving the current application should therefore not entail to the approval of other similar applications under any circumstances.
- 5.4.3 Similar applications for erection of NTEH-(Small House) at land for "R(D)" use from the indigenous villagers of Lin Fa Tei have been approved by the Board (Please refer to **Table 1**).

5.5 No Adverse Traffic nor Environmental Impacts

- 5.5.1 The current application involves works only confining within the application site and the method of construction is basically labour-intensive works. Due to the small development scale, the traffic generation and attraction of the proposed use is anticipated to be very minimal. Moreover, appropriate environmental mitigation measures would be applied during the construction and operation period to ensure no adverse environmental and drainage impacts would be generated.

5.6 Villagers' Perception and Reaction

- 5.6.1 The applicant is confident that the proposed use will be welcomed by the Indigenous villagers and the residents thereat because the brotherhood and camaraderie among themselves have been inherent and cultivated into the bottom of their hearts for several generations. Thus, it is anticipated that there will be no objection to the proposed use.

6. CONCLUSION

- 6.1.1 This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House (“NTEH”)-Small House of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m (hereinafter referred to as “the proposed use”) on Lot No. 847 S.B ss.4 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to “the application site”). The application site has an area of approximately 167.5 sq.m. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 6.1.2 According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the “Village Type Development”(V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village . This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Kam Wah (郭錦華), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under current Small House Policy.
- 6.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.
- 6.1.4 The application site is the only landed property of the applicant. The application site currently falls within an area zoned “Residential (D)” (“R(D)”) and the Agriculture Zone “(AGR)” on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. However, the footprint of the proposed Small House is totally falling within the “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-
- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
 - (b) *the applicant’s Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and was rejected due to the site is outside “V” zone;*
 - (c) *the application site falls within “Residential (D)” “(R(D))” area but is very close to the” Village Type Development” (V) area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*
 - (d) *the application site and the footprint of the proposed Small House fall entirely within the village ‘environ’ of Lin Fa Tei;*
 - (e) *the applicant is extremely in need of a Small House to accommodate his family members;*
 - (f) *the proposed site is the sole land lot owned by the applicant;*

- (g) the application site falls within an area of NTEH residential cluster, thus, the proposed use is compatible with the surrounding area and land use;*
- (h) the application site falls within "R(D)" zone of the current OZP but several similar proposed uses applications in the close vicinity were also approved by the Town Planning Board;*
- (i) due to the small size of the application site and also surrounded by a large number of village houses, the application site is no longer a suitable area for R(D) development;*
- (j) the current application would not set an unfavourable precedent of development within "R(D)" zone due to the fact that it is in the close proximity of the approved Small House Development so the proposed use is compatible with the surrounding environment and only the indigenous villagers of Lin Fa Tei are eligible for erection of Small House thereat;*
- (k) no significant adverse traffic impact is anticipated as the small development scale of the proposed use would not generate any additional traffic flow;*
- (l) there is currently no tree or vegetation (only weeds) within the application site. No significant adverse landscape or environmental impacts are anticipated due to the minimal scale of development and the proposed use only confines to its lot boundaries; and*
- (m) significant adverse drainage or sewage impacts are not anticipated as the site meets the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121. If relevant Certificates of Exemption for Site Formation Works and Drainage Works are unable to be issued by Lands Department, the applicant undertakes he will apply to Building Authority for obtaining necessary approval in this respect. All the construction works will be supervised by qualified professionals.*

In view of the above and the list of detailed planning justifications in this Planning Statement, it is sincerely hoped that the Board will give sympathetic consideration to approve the current application.

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List of Illustration

Illustration 1 Aerial Photo showing the current situation of the Application Site

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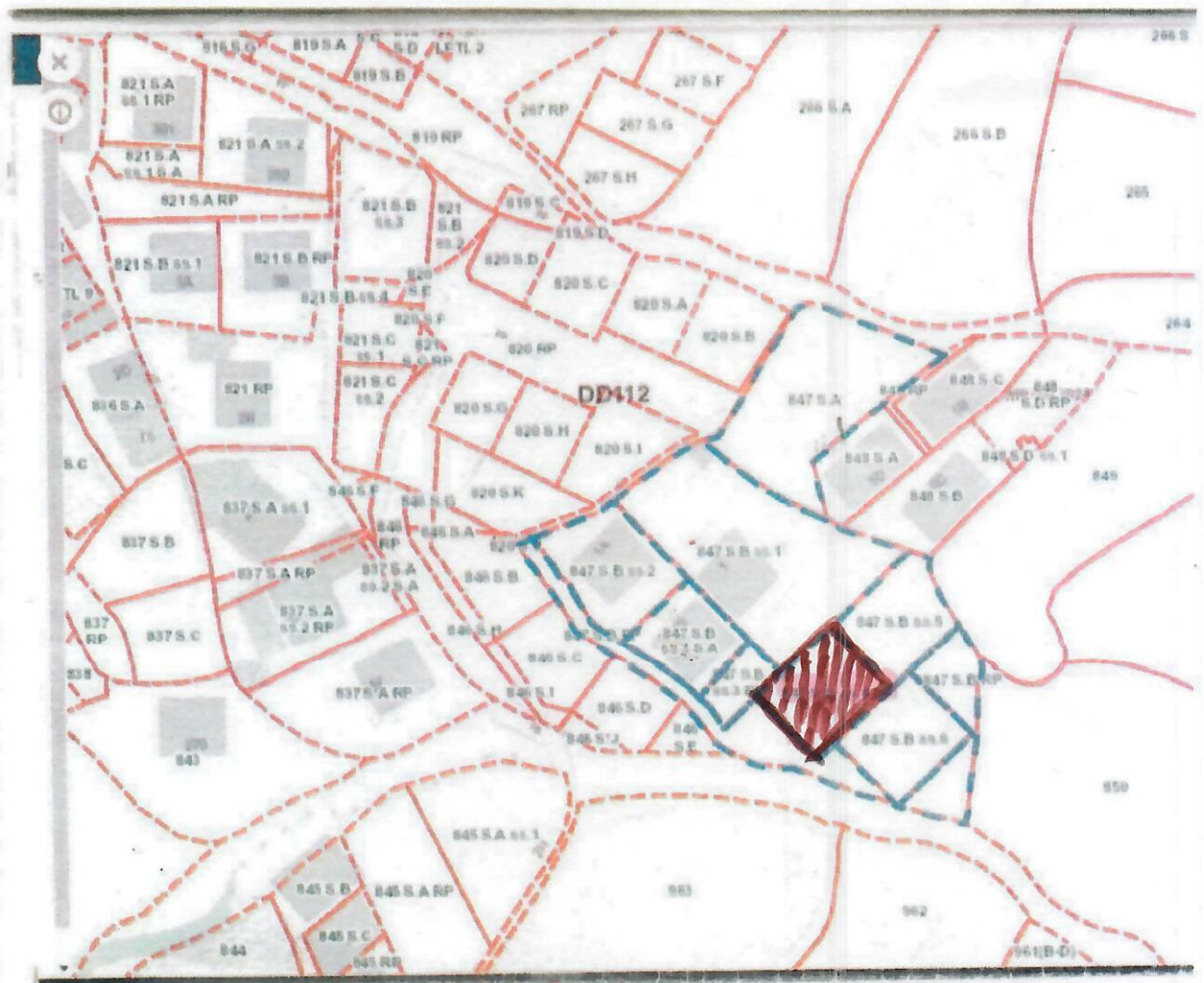
- | | |
|------------|--|
| Appendix 1 | Photo-copy of the Application for Small House dated 28.12.2023 to District
Lands Officer, Yuen Long |
| Appendix 2 | Photo-copy of the Letter dated 08.02.3034 from District Lands Officer, Yuen Long |
| Appendix 3 | Location Plan Showing the Previous Approved Similar Applications Nearby |

Figure 1- The Location Plan



 Application Site Lot 847 S.B ss.4 in DD 112

Figure 2- Plan Showing the Surrounding Area




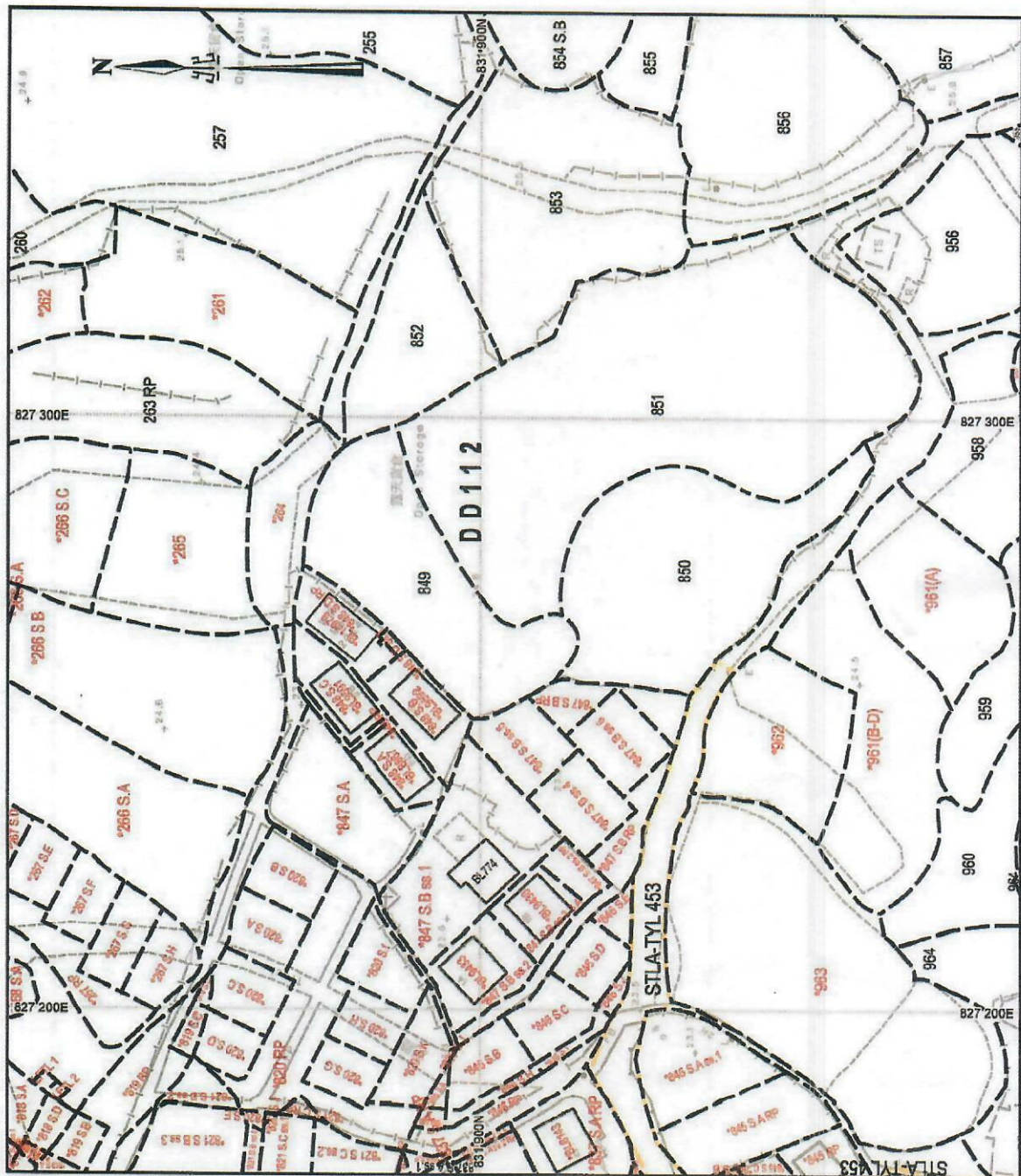
 Application Site- Lot No. 847 S.B ss.4 in DD 112

Figure 3 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 1:1000

metres 10 0 10 20 30 40 50 metres



Locality :

Lot Index Plan No. : ags_S00000131578_0001

District Survey Office : Land Information Centre

Date : 17-Aug-2024

Reference No. : 8-NE-19A

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SMO-P01 20240817112527 10

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Explanatory notes : This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the backdrop. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that: (1) the information shown on this plan is subject to update without prior notification; (2) there may be time lag between an update and the related changes taken place; and (3) the graphical boundaries as shown are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor.

Disclaimer : The Government shall not be responsible for any loss or damage howsoever arising from the use of this plan or in reliance upon its correctness, completeness, timeliness or accuracy.

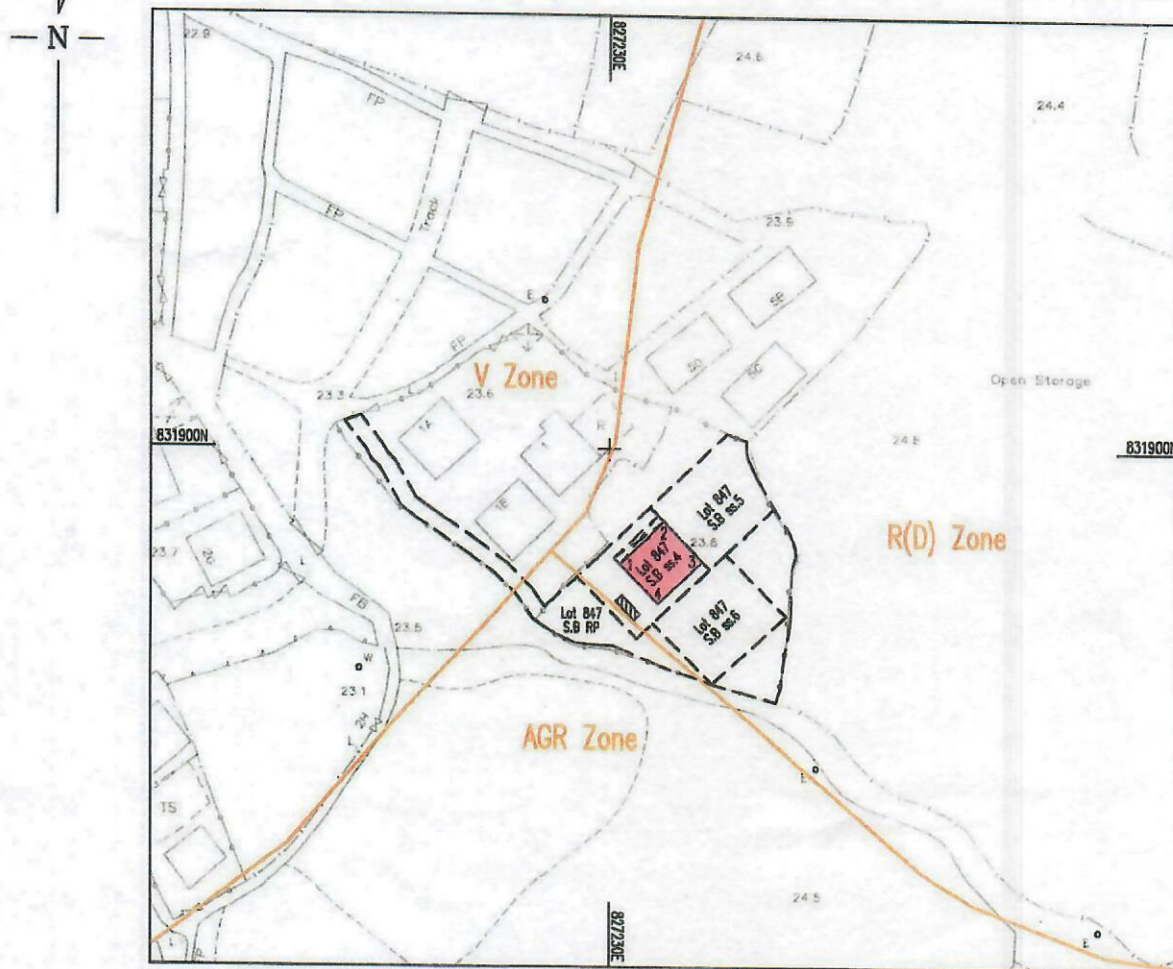
Figure 4- Extract of Approved Shek Kong Outline Zoning Plan No. YL/SK/9



Proposed House on Lot 847 S.B ss.4 in D.D.112

Lin Fa Tei, Yuen Long

Figure 5- Plan Showing the current Zoning and Location of the Septic Tank and Soakaway System



Scale 1 : 1000

Plan No. : HPL3265/H1A
Location : Lin Fa Tei, Yuen Long
Project : Proposed House Location

Note:

1. Hong Kong Geodetic Datum 1980 Grid
2. All levels refer to Principal Datum Hong Kong
3. All units in metres
4. Lot boundary refer to SRP/YL/061/03265/D1
5. The boundaries of V Zone, AGR Zone and R(D) Zone shown herewith for reference.

Prepared by
Helen Chan Professional Land Survey Limited

CHAN YUEN KI
ALS, MRICS, MHKIS, RPS(LS)
Date: 20th February 2024

Proposed House on Lot 847 S.B ss.4 in D.D.112:

Side	Bearing	Distance	Northing	Easting	Point
1-2	46 15 58	8.534	831884.162	827231.497	1
2-3	136 15 58	7.620	831890.061	827237.663	2
3-4	226 15 58	8.534	831884.555	827242.931	3
4-1	316 15 58	7.620	831878.656	827236.764	4

Coloured Pink Area 65.03m² (About)

Legend:

-  Proposed House
  Balcony (1.22mx8.534m)
  Septic Tank

Elevations:

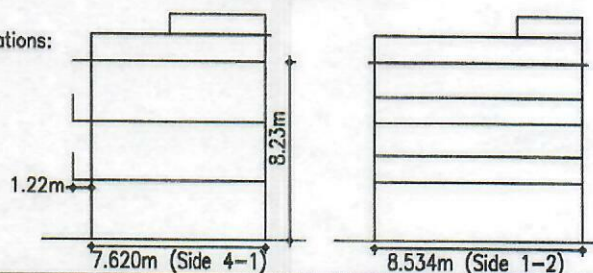
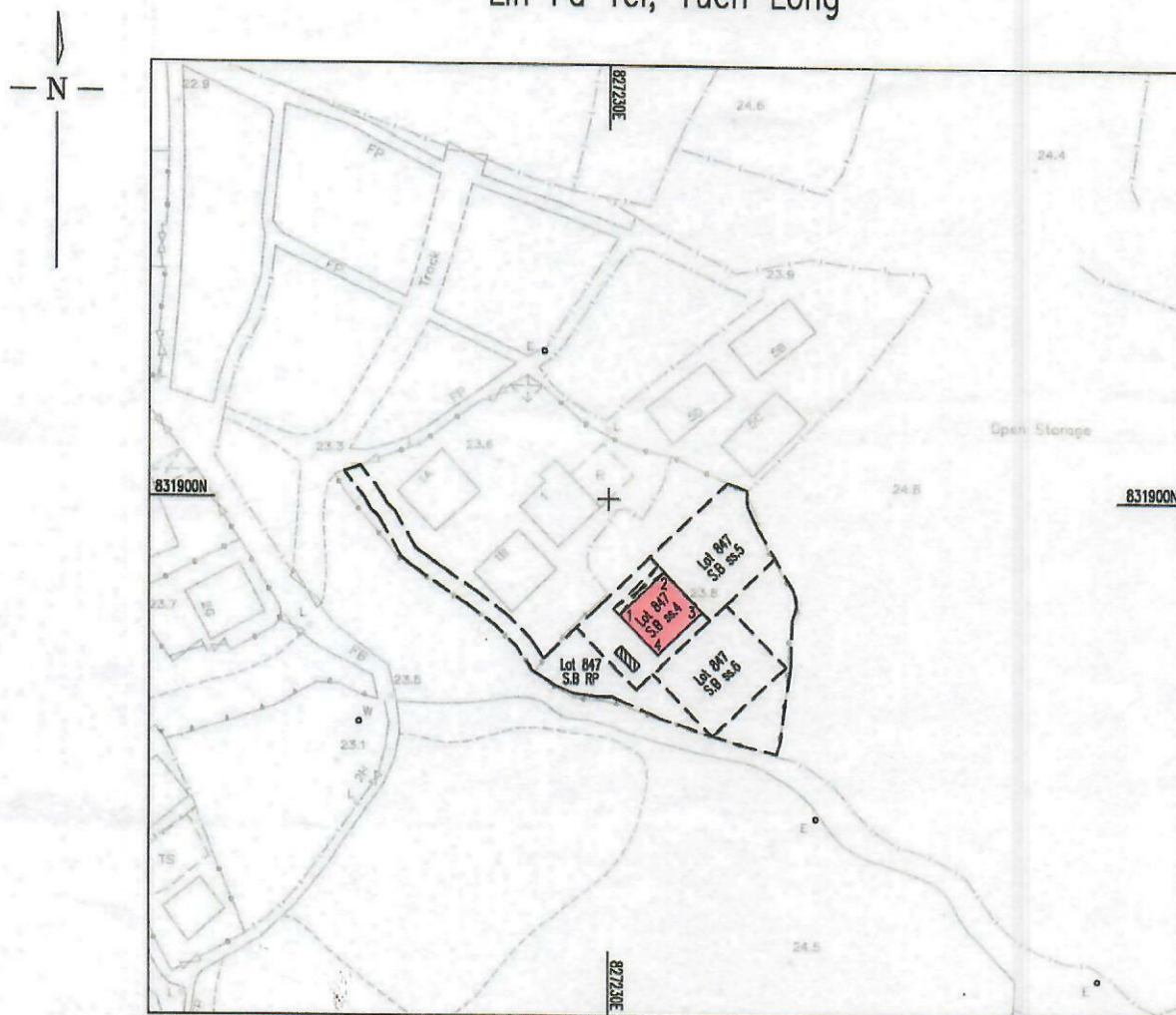


Figure 6-Proposed House on Lot 847 S.B ss.4 in D.D.112
Lin Fa Tei, Yuen Long



Scale 1 : 1000

Plan No. : HPL3265/H1
Location : Lin Fa Tei, Yuen Long
Project : Proposed House Location

Note:

1. Hong Kong Geodetic Datum 1980 Grid
2. All levels refer to Principal Datum Hong Kong
3. All units in metres
4. Lot boundary refer to SRP/YL/061/03265/D1

Prepared by
Helen Chan Professional Land Survey Limited

CHAN YUEN KI
ALS, MRICS, MHKIS, RPS(LS)
Date: 18th December 2023

Proposed House on Lot 847 S.B ss.4 in D.D.112:

Side	Bearing	Distance	Northing	Easting	Point
1-2	46 15 58	8.534	831884.162	827231.497	1
2-3	136 15 58	7.620	831890.061	827237.663	2
3-4	226 15 58	8.534	831884.555	827242.931	3
4-1	316 15 58	7.620	831878.656	827236.764	4

Coloured Pink Area 65.03m² (About)

Legend:

- Proposed House
 Balcony (1.22mx8.534m)
 Septic Tank

Elevations:

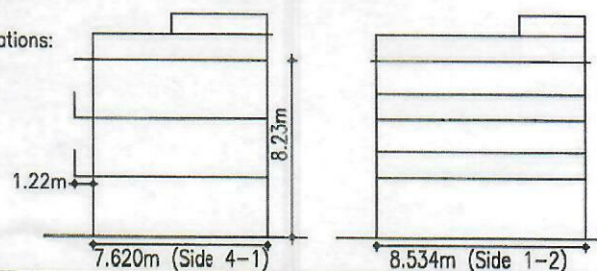


Figure 7-Plan Showing the Existing footpath to and from the Application



Illustration 1- Aerial Photo Showing the Current Situation of the Application Site



Application Site
Indicative only

興建小型屋宇申請表
(本綜合申請表共6頁)



致：元朗地政專員

第I部份

郭錦華 (申請人姓名) 是新界 元朗 (區) 蓮花地 (村) 的男性原居民。

擬建的小型屋宇將建於： 政府土地(近 ☐)
或
私人土地 ☒
(丈量約份第 112 約地段第 847SB.554 號)

擬建的小型屋宇位於：新界 元朗 (區) 蓮花地 (村)

以申請人名義註冊並位於其鄉村範圍內的土地的詳情：

- [附註：
1. 根據新界小型屋宇政策，申請人應盡可能申請建屋牌照，以便在位於其鄉村範圍內的私人土地上興建小型屋宇。
 2. 申請人不可與任何人士或多名人士訂定任何安排或協議，以轉移、讓與、處置或以其他方式處理其本人對有關地段的權利，包括但不限於依據政府批予的任何批約或批准發展有關地段的權利。此規定已納入相關批約/建屋牌照條款內。若發現承批人/建屋牌照持有人違反該條款，地政處將會採取執行契約條款行動。
 3. 申請人可於分區測量處購買顯示地段界線大概位置的地段索引圖及(如有的話)顯示認可鄉村範圍界線的鄉村範圍界線圖。]

☐ 請在適當的方格內填上(√)號

Appendix 2-

Letter dated 08.02.2024 from District Lands Officer Yuen Long

附錄二

Please quote our reference in response to this letter



地政總署
元朗地政處
DISTRICT LANDS OFFICE, YUEN LONG
LANDS DEPARTMENT

電話 Tel: 2443 3167
圖文傳真 Fax: 2473 3134
來函編號 Our Ref: (S) in DL/OYL 25/YLT/2024
來函編號 Your Ref:

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.

新界元朗楊屋場二號元朗政府合署七樓至十一樓
7/F - 11/F, Yuen Long Government Offices
No. 2 Kiu Lok Square, Yuen Long, N.T.

網址 Website: www.landsl.gov.hk



郭錦華先生

掛號服務

郭先生:

申請興建小型屋宇
元朗八鄉蓮花地
丈量約份第 112 約地段第 847 號 B 分段第 4 小分段

本處於 2023 年 12 月 28 日收到你提交新的興建小型屋宇申請表格。

現謹告知，本處不能處理上述小型屋宇申請，理由如下：

申請建屋地段尚未分割並劃分以作小型屋宇發展。

此外，根據規劃署資料顯示，你申請興建小型屋宇的地點位於「鄉村式發展」地帶以外；因此，在你獲得有關規劃許可前，本處不能處理你的申請。

題述小型屋宇申請已被拒絕。然而，考慮到你可能需要時間跟進上述問題，以及提供所需資料用作處理你的小型屋宇申請，本處給予你由本函發出日起計三個月的寬限期，以便你跟進及回覆本處。

如在上述限期內沒有接獲你的回覆，本處會假設你沒有興趣繼續申請小型屋宇，並會停止處理相關個案。本處必須強調，任何其後提出的小型屋宇申請都會視作新的個案處理，並會獲編配新的輪候次序。

如有任何查詢，請致電 2443 3167 與本處代行人聯絡。

元朗地政專員

(黃萃國



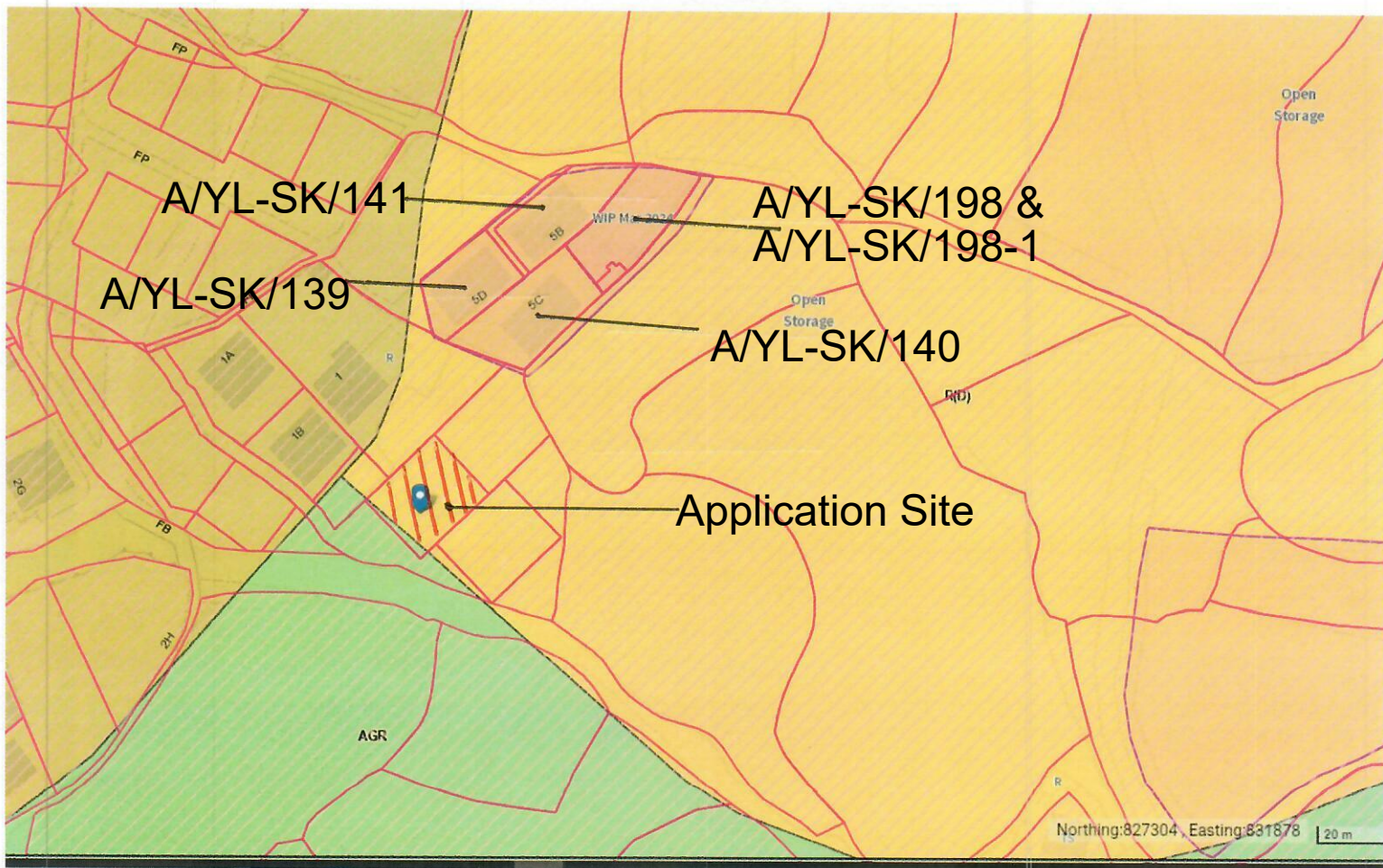
代行)

2024 年 2 月 8 日

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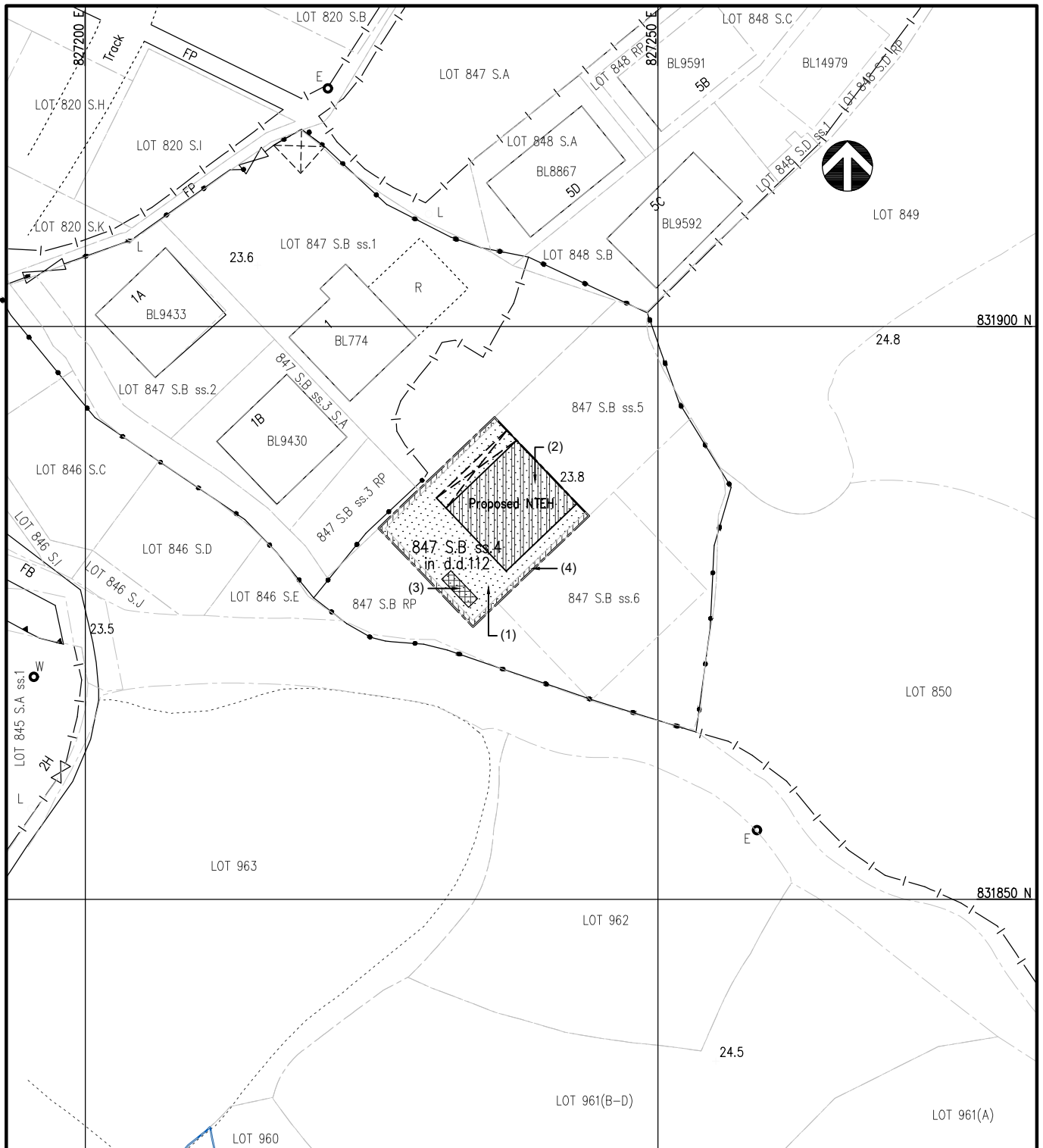
Appendix 3

Location Plan showing the Previous Approved Similar Applications Nearby



Application Site -Lot 847 S.B ss.4 in DD 112

Associated Excavation and Filling of Land
Proposed House on Lot No. 847 S.B ss.4 in D.D.112
Lin Fa Tei, Yuen Long



Associated Excavation and Filling of Land

- (1) Site Formation Excavation and Filling Area = 166.75 m², Depth = 1.2 m
- (2) Foundation Excavation and Filling Area = 65.00 m², Depth = 1.2 m
- (3) Septic Tank and Soakaway Pit Excavation and Filling Area = 3.75 m², Depth = 1.9 m
- (4) Drainage System Excavation and Filling Area = 15.65 m², Depth = 0.3 m

Date : 08.01.2025
Our Ref.:(2) in CMCCL/24/387
The Secretary,
Town Planning Board,
15/F., North Point Government Offices,
333 Java Road, North Point, Hong Kong

By Email

Dear Sir/Madam,

Re: TPB A/YL-SK/387
Section 16 Planning Application for Proposed House
(New Territories Exempted House)-Small House with Associated
Excavation and Filling of Land on Lot No. 847 S.B ss.5 in DD 112
at Lin Fa Tei, Pat Heung, Yuen Long

I refer to the departmental comments from the Transport Department (TD) and would like to provide clarifications and enclose herewith Response-to-Comment -Table and further information to address the abovementioned comments for their consideration.

I write to confirm that the site formation level of the application site is at 23.8m PD. In addition, I forward herewith Replacement Page of P.5 &9 for the S.16 Application Form and 6 replacement pages (i.e. P. 2,7,8,11, &15) of Planning Statement for your necessary action.

Yours sincerely,


(LIT Ying-cheung, Edward)
Encl.

Address: [REDACTED]

Contact: Mr. LIT Ying Cheung Edward
Tel No: [REDACTED]
Fax No: [REDACTED]

Address 地址 :
[REDACTED]

Planning Application No. A/YL-SK/387
Section 16 Planning Application for Proposed Small House Development with Associated Excavation and Filling of Land
Lot No. 847 S.B ss5 in DD 112, Lin Fa Tei

Department	Date	Comments	Responses to Departmental Comments
Transport Department	8.11.2024	The applicant should indicate the entrance / exit and the routing between the local access and the development and shall seek comments from the affected land lot owners accordingly.	The application site is currently accessible by a long existed village footpath of about 1.5m to 2.0m in width from Kam Sheung Road. Plan showing the existing village footpath is attached herewith for your reference. The applicant can only travel to and from the application site on foot. Due to the small scale of the proposed use, the traffic generation and attraction will be very minimal. As the application site is only accessible by an existing village footpath to and from Kam Sheung Road, hence, parking space is not required.
	8.11.2024	The applicant should note the local access between Kam Sheung Road and the site is not managed by the Department.	Noted.

TPB A/YL-SK/387

Figure 7-Plan Showing the Existing footpath to and from the Application Site



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)	KWOK Cho Shing (郭楚誠)		
(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)	Lin Fa Tei Village, Pat Heung, Yuen Long 元朗八鄉蓮地村		
(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	Proposed number of storeys of each house 每幢房屋的擬議層數	3
(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	Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement (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 <input type="checkbox"/> No 否 <input checked="" type="checkbox"/>	<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)	
(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 type="checkbox"/> No 否 <input checked="" 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 indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置) Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement	

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	Lot No. 847 S.B ss.5 in DD 112 Lin Fa Tei, Pat Heung, Yuen Long	
Site area 地盤面積	167.5 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	Approved Shek Kong Outline Zoning Plan No.S/YL-SK/9 石崗分區計劃大綱核准圖	
Zoning 地帶	Residential (Group D) " R(D)" 住宅(丁類)	
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	
(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	

EXECUTIVE SUMMARY

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as "the Board") in support of a planning application (hereinafter referred to as "the current application") under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House ("NTEH-Small House") of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as "the proposed use") on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Pat Heung, Yuen Long, New Territories (hereinafter referred to as "the application site"). The application site has an area of approximately 167.5 m². The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.

According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the "Village Type Development" (V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible for applying to Lands Department for erection of a Small House under the current Small House Policy.

The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.

The application site currently falls within an area zoned "Residential (Group D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-

- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
- (b) *the applicant's Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and is being actively considered by DLO/YL;*
- (c) *the application site falls within "R(D)" area but is very close to the "Village Type Development" (V) area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*
- (d) *The application site and the footprint of the proposed Small House fall entirely within the village 'environs' of Lin Fa Tei;*
- (e) *the applicant is extremely in need of a Small House to accommodate his family members;*

Address :

[REDACTED]

地址 :

[REDACTED]

Tel 電話 :

[REDACTED]

Email 電郵 :

[REDACTED]

Fax 傳真 :

[REDACTED]

Man Chi Consultants And Construction Limited
敏志顧問及建築工程有限公司

1. INTRODUCTION

1.1 Purpose

- 1.1.1 This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as "the Board") in support of a planning application (hereinafter referred to as "the current application") under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House ("NTEH")-Small House of 65.03 sq. m. in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as "the proposed use") on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to "the application site"). The application site has an area of approximately 167.5 m²(Please refer to **Figure. 6**). Its location is shown on **Figure 1** whilst **Figure 2 & 3** indicate the surrounding area and the private lots in the close vicinity respectively. This Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 1.1.2 According to the current Small House Policy, a male indigenous villager of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the "Village Type Development" (V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under the current Small House Policy.
- 1.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.
- 1.1.4 Prepared on behalf of Mr. KWOK Cho Shing (郭楚誠) who is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, (hereinafter referred to as "the Applicant"), Mr. LIT Ying-cheung Edward has been commissioned to prepare and submit the current application so as to secure a Planning Permission from the Board to allow him to erect an NTEH on the application site.
- 1.1.5 The application site currently falls within an area zoned "Residential (D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006 (Please refer to **Figure 4**). According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use.
- 1.1.6 The application site and the footprint of the proposed Small House entirely fall within the village 'environ' of Lin Fa Tei.
- ## 1.2 Objective
- 1.2.1 The current application serves to achieve the following objectives:-

- (a) To give an opportunity to the applicant to utilise the application site to erect an NTEH -Small House for accommodation of his family members under the current Small House Policy;
- (b) To supplement the serious shortage of "V" Zone land for development of Small House by the indigenous villagers of Lin Fa Tei, Pat Heung;
- (c) To improve the living standard of the indigenous villagers thereat and respect their once-in-a-life time right for erection of a Small House under the current Small House Policy;
- (d) To induce no adverse environmental nor traffic impacts on its surroundings by providing adequate protection and mitigation measures.

1.3 Background

- 1.3.1 The applicant, Mr. KWOK Cho Shing (郭楚誠) is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, who is also eligible for erection of an NTEH-Small House on his one and only one private lot (i.e. the application site) under the current Small House Policy.
- 1.3.2 The application site of an area of 167.5 sq. metres is currently a vacant fallow agricultural land. It situates on a flatted land (Please refer to **Illustration 1**).
- 1.3.3 The applicant submitted his Small House application for Small House to District Lands Officer, Yuen Long (hereinafter referred as "DLO/YL") on 28.12.2023 at **Appendix 1** and the said application was rejected due to the site is outside "V" zone (Please refer to the DLO/YL's Letter dated 7.2.2024. at **Appendix 2**).
- 1.3.4 The application site and the footprint of the proposed NTEH-Small House currently fall within an area zoned "Residential (D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use (Please refer to **Figure 4 & 5**).
- 1.3.5 The application site and the footprint of the proposed Small House entirely fall within the village 'environ' of Lin Fa Tei.

1.4 Structure of the Planning Statement

- 1.4.1 This Planning Statement is divided into 6 chapters. **Chapter 1** is the above introduction outlining the purpose and background of the current application. **Chapter 2** gives background details of the application site in terms of the current land-use characteristics and neighbouring developments. Planning context of the application site is reviewed in **Chapter 3** whilst **Chapter 4** provides details of the proposed use. A full list of planning justifications is given in **Chapter 5** whilst **Chapter 6** summarizes the concluding remarks for the proposed use.

4. Development Proposal

4.1 Site Configuration, Layout & Operation

4.1.1 The application site has a site area of approximately 167.5 sq. metres. The proposed use is to facilitate the erection an NTEH-Small House of 65.03 sq. m in area (3-storey) and with a height not more than 8.23m. on the application site (please refer to the layout plan of the proposed NTEH-Small House in **Figure 6**). The Dimension Plan of the proposed NTEH-Small House to be built on the application site is in **Figure 6**.

4.1.2 The major development parameters of the proposed use are in **Table 2**.

Table 2: Proposed Key Development Parameters

Item	Design Parameter(s)
Total Site Area	167.5 sq. m
No. of Structure	1
GFA	195.09 sq. m.
Building Height	8.23m
No of Storeys	3
Built-over-area	65.03 sq. m.
No. of Canopy	1(Projecting 1.22m from the NTEH and falls within the Lot Boundaries)
No. of Balcony	2(Projecting 1.22m from the NTEH and falls within the Lot Boundaries)
No. of Stairhood	1 (7.44 sq. m in area with the height of 2.14 m)

4.1.3 As the proposed site is situated on a generally flatted land, it is reasonably anticipated that the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121 can be met.

4.2 Transport Consideration

4.2.1 The application site is currently accessible by an existing village footpath from Kam Sheung Road (Please refer to the **Figure 7**). When the NTEH-Small House is completed to the satisfaction of Lands Department, the applicant will only travel to and from the application site on foot.

4.2.2 Due to the small development scale of the proposed use, the traffic generation and attraction is anticipated to be very minimal.

4.2.3 As the application site is only accessible by an existing village footpath from Kam Sheung Road, hence, parking space is not required.

4.3 Environmental Consideration

4.3.1 The Applicant is well aware that the application site is located within "R(D)" zone and is thus committed to minimise the environmental impacts of the development. During the construction period, appropriate hoarding will be erected at the site

6. CONCLUSION

- 6.1.1 This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as "the Board") in support of a planning application (hereinafter referred to as "the current application") under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House ("NTEH")-Small House of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m (hereinafter referred to as "the proposed use") on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to "the application site"). The application site has an area of approximately 167.5 sq.m. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 6.1.2 According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the "Village Type Development"(V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village . This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under current Small House Policy.
- 6.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.
- 6.1.4 The application site currently falls within an area zoned "Residential (D)" ("R(D)") on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. According to the Schedule of Uses for "R(D)" zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-
- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
 - (b) *the applicant's Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and was rejected due to the site is outside "V" zone;*
 - (c) *the application site falls within "Residential (D)" "R(D)" area but is very close to the "Village Type Development" (V) zone area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*
 - (d) *the application site and the footprint of the proposed Small House fall entirely within the village 'environ' of Lin Fa Tei;*
 - (e) *the applicant is extremely in need of a Small House to accommodate his family members;*
 - (f) *the proposed site is the sole land lot owned by the applicant;*
 - (g) *the application site falls within an area of NTEH residential cluster, thus, the proposed use is compatible with the surrounding area and land use;*
 - (h) *the application site falls within "R(D)" zone of the current OZP but several similar*

Date : 08.01.2025
Our Ref.: (2) in CMCCL/24/388
The Secretary,
Town Planning Board,
15/F., North Point Government Offices,
333 Java Road, North Point, Hong Kong

By Email

Dear Sir/Madam,

Re: TPB A/YL-SK/388

Section 16 Planning Application for Proposed House (New Territories Exempted House)-Small House with Associated Excavation and Filling of Land on Lot No. 847 S.B ss.4 in DD 112 at Lin Fa Tei, Pat Heung, Yuen Long

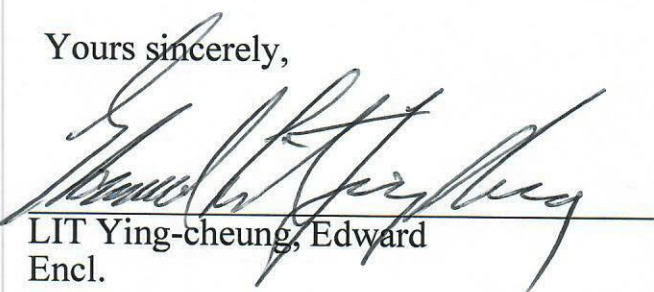
I refer to the departmental comments from the Transport Department (TD) and Agricultural, Fisheries and Conservation Department (AFCD).

I would like to provide clarifications and enclose herewith Response-to Comment Table and further information to address the abovementioned comments for their consideration.

The site formation level of the application site is at 23.8m PD. In addition, I forward herewith Replacement Page of P.9 for the S.16 Application Form for your necessary action.

Thank you for your kind attention and should you have any queries, please do not hesitate to contact the undersigned at [REDACTED].

Yours sincerely,


LIT Ying-cheung, Edward
Encl.

Address 地址 :

[REDACTED]

Planning Application No. A/YL-SK/388
Section 16 Planning Application for Proposed Small House Development with Associated Excavation and Filling of Land
Lot No. 847 S.B ss4 in DD 112, Lin Fa Tei

Department	Date	Comments	Responses to Departmental Comments
Transport Department	8.11.2024	The applicant should indicate the entrance / exit and the routing between the local access and the development and shall seek comments from the affected land lot owners accordingly.	The application site is currently accessible by a long existed village footpath of about 1.5m to 2.0m in width from Kam Sheung Road. Plan showing the existing village footpath is attached herewith for your reference. The applicant can only travel to and from the application site on foot. Due to the small scale of the proposed use, the traffic generation and attraction will be very minimal. As the application site is only accessible by an existing village footpath to and from Kam Sheung Road, hence, parking space is not required.
	8.11.2024	The applicant should note the local access between Kam Sheung Road and the site is not managed by the Department.	Noted.
Agricultural, Fisheries and Conservation Department	8.11.2024	The subject site falls within the "AGR" zone and is generally abandoned. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The subject site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the subject site possesses potential for agricultural rehabilitation, the propose development is not supported from agricultural perspective.	I have to clarify that large majority of the application site falls within the Residential (Group D) "R(D)" on the current OZP. Plan showing the small portion of the application site falling within the Agricultural zone (AGR) on the current OZP is enclosed herewith your reference. The application site has been partly paved and vacant for decades. More importantly, the applicant wishes to use this piece of land for erection of a Small House (NTEH) by way of his once-in-a-life time right to meet his housing need. Under such circumstances, the chance for reactivation of the agricultural activities on the application site is very slim.
	8.11.2024	Nevertheless, we have no comment on the planning application from nature conservation perspective.	Noted.

Figure 7-Plan Showing the Existing footpath to and from the Application

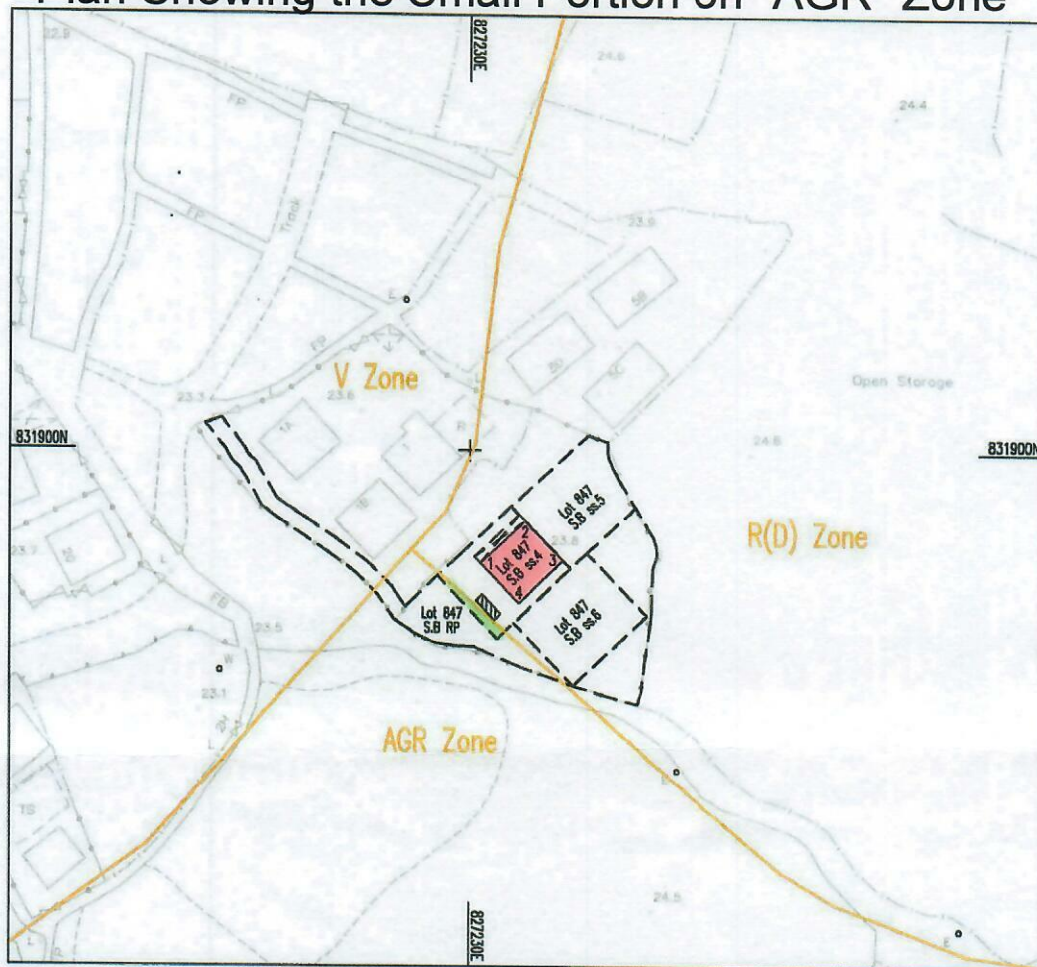


TPB/A/YL-SK/388

Proposed House on Lot 847 S.B ss.4 in D.D.112

Lin Fa Tei, Yuen Long

Plan Showing the Small Portion on "AGR" Zone



Scale 1 : 1000

Legend

Showing the Small Portion on "AGR" Zone

Plan No. : HPL3265/H1A

Location : Lin Fa Tei, Yuen Long

Project : Proposed House Location

Note:

1. Hong Kong Geodetic Datum 1980 Grid
2. All levels refer to Principal Datum Hong Kong
3. All units in metres
4. Lot boundary refer to SRP/YL/061/03265/D1
5. The boundaries of V Zone, AGR Zone and R(D) Zone shown herewith for reference.

Prepared by

Helen Chan Professional Land Survey Limited

CHAN YUEN KI

ALS, MRICS, MHKIS, RPS(LS)

Date: 20th February 2024



Proposed House on Lot 847 S.B ss.4 in D.D.112:

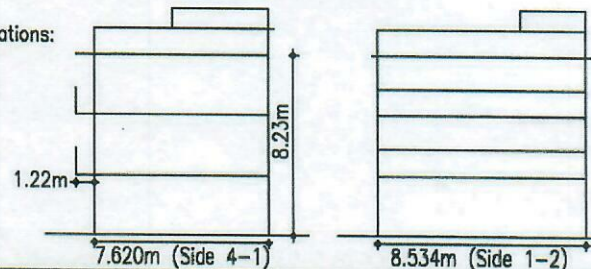
Side	Bearing	Distance	Northing	Easting	Point
1-2	46 15 58	8.534	831884.162	827231.497	1
2-3	136 15 58	7.620	831890.061	827237.663	2
3-4	226 15 58	8.534	831884.555	827242.931	3
4-1	316 15 58	7.620	831878.656	827236.764	4

Coloured Pink Area 65.03m² (About)

Legend:

- Proposed House
- Balcony (1.22mx8.534m)
- Septic Tank

Elevations:



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	Lot No. 847 S.B ss.4 in DD 112 Lin Fa Tei, Pat Heung, Yuen Long		
Site area 地盤面積	167.5	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	Approved Shek Kong Outline Zoning Plan No.S/YL-SK/9 石崗分區計劃大綱核准圖		
Zoning 地帶	Residential (Group D) "R(D)" 住宅(丁類) Agriculture "AGR" "(農業)"		
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		
(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		