

RNTPC Paper No. A/NE-LT/762
For Consideration by the
Rural and New Town Planning
Committee on 12.1.2024

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-LT/762

Applicant : Mr. WONG Oliver Ka Kit

Site : Lot 623 RP in D.D. 8, Ma Po Mei Village, Lam Tsuen, Tai Po, N.T

Site Area : About 175.5m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11

Zoning : “Agriculture” (“AGR”)

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

1. The Proposal

- 1.1 The applicant, who claims himself to be an indigenous villager of Ma Po Mei Village¹, seeks planning permission to build a NTEH (Small House) on the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, ‘House (NTEH only, other than rebuilding of NTEH or replacement of existing domestic building by NTEH permitted under the covering Notes)’ in the “AGR” zone is a Column 2 use requiring planning permission from the Town Planning Board (the Board).
- 1.2 Details of the proposed Small House development are as follows:
- | | | |
|------------------|---|----------------------|
| Total floor area | : | 195.09m ² |
| No. of storeys | : | 3 |
| Building height | : | 8.23m |
| Roofed over area | : | 65.03m ² |
- 1.3 Location and layout of the proposed Small House and the sewerage connection are shown in **Drawings A-1 to A-3**.
- 1.4 The Site is the subject of a previous application (No. A/NE-LT/268) for the same use submitted by a different applicant approved by the Rural and New Town Planning Committee (the Committee) on 7.12.2001 and subsequently lapsed in 2004. Compared with the previous application, the footprint and development parameters of the proposed small house remain the same except that connection to sewerage system instead of septic tank is proposed for the current application. Details of previous application are set out in paragraph 5.1

¹ District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) advises that the applicant’s eligibility of Small House grant has yet to be ascertained.

below

- 1.5 In support of the application, the applicant has submitted an Application Form with attachment received on 15.11.2023 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application stated in Part 8 of the Application Form at **Appendix I** are summarized as follows:

- (a) the Site is the subject of an approved application (No. A/NE-LT/268) submitted by the applicant's father. Subsequent to the approval of the application in 2001, the proposed development was not implemented due to financial problems and the public sewerage system had not been fully established at that time;
- (b) there are difficulties in obtaining land in the "Village Type Development" ("V") zone of Ma Po Mei due to land ownership issue; and
- (c) the proposed Small House will connect to the existing sewerage system.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owners". Detailed information would be deposited at the meeting for Members' inspection.

4. Assessment Criteria

The set of Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria) was first promulgated on 24.11.2000. The latest set of Interim Criteria promulgated on 7.9.2007 is at **Appendix II**.

5. Previous Application

- 5.1 The Site is the subject of a previous application (No. A/NE-LT/268) for proposed Small House submitted by a different applicant. It was approved with conditions by the Committee on 7.12.2001 mainly on considerations that the proposed development was in line with the Interim Criteria that 100% of the proposed Small House footprint was within the village 'environs' ('VE') of Ma Po Mei Village; compatible with the surrounding rural and village environment; and there was a general shortage of land in meeting the demand for Small House development in the concerned "V" zone at the time of consideration.
- 5.2 Details of the above previous application are summarized at **Appendix III** and the location is shown on **Plans A-1** and **A-2a**.

6. Similar Applications

- 6.1 There are seven similar applications for Small House development in the vicinity of the Site within/straddling the same “AGR” zone since the first promulgation of the Interim Criteria, of which one was approved and six were rejected.
- 6.2 Application No. A/NE-LT/465 was approved with conditions by the Committee in 2012 (i.e. before the formal adoption of a more cautious approach by the Board since August 2015²), mainly on the grounds of being in line with the Interim Criteria in that more than 50% of the Small House footprint fell within the “V” zone and ‘VE’; there was a general shortage of land within the “V” zone to meet the demand for Small House development at the time of consideration; and being able to be connected to the planned sewerage system.
- 6.3 The remaining six applications (No. A/NE-LT/291, 360, 411, 412, 422 and 656) were rejected by the Committee/ the Board on review between 2003 and 2019 mainly on the grounds that the proposed Small House developments were not in line with the planning intention of the “AGR” zone; and/or the applicants failed to demonstrate that the proposed developments located within the water gathering ground (WGG) would be able to be connected to the existing or planned sewerage system and would not cause adverse impact on the water quality in the area. Application No. A/NE-LT/656 was rejected also on the grounds of not complying with the Interim Criteria in that the applicant failed to demonstrate that the proposed development would not have adverse geotechnical impact on the surrounding area, and land was still available within the concerned “V” zone for Small House development.
- 6.4 Details of the above similar applications are summarized at **Appendix IV** and their locations are shown on **Plan A-2a**.

7. The Site and Its Surrounding Area (Plans A-1 to A-4)

- 7.1 The Site is:
- (a) currently vacant, covered with self-seeded vegetation;
 - (b) located entirely within the ‘VE’ of Ma Po Mei;
 - (c) accessible via a footpath leading to Lam Kam Road; and
 - (d) located within the upper indirect WGG.
- 7.2 The surrounding areas are predominantly rural in character with village houses, farmland, plant nursery and scattered tree groups. The village houses of Ma Po Mei are mainly located to the north of the site in the “V” zone covering both Ma Po Mei and Tai Mong Che Villages. Tree groups are found to the northwest of the Site.

² Among others, in considering whether there is a general shortage of land in meeting Small House demand, more weighting should be put on the number of outstanding Small House applications provided by LandsD.

8. Planning Intention

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9. Comments from Relevant Government Departments

9.1 The application has been assessed against the assessment criteria in **Appendix II**. The assessment is summarized in the following table:

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
1.	Within “V” zone? - Footprint of the Small House - Application site	- -	100% 100%	- The Site and the proposed Small House footprint fall entirely within the “AGR” zone.
2.	Within ‘VE’? - Footprint of the Small House - Application site	100% 100%	- -	- The Site and the proposed Small House footprint fall entirely within the ‘VE’ of Ma Po Mei.
3.	Sufficient land in “V” zone to meet Small House demand (outstanding Small House applications plus 10-year Small House demand)?		✓	<u>Land Required</u> - Land required to meet Small House demand in Tai Mong Che and Ma Po Mei: about 5.65 ha (equivalent to 226 Small House sites). The outstanding Small House applications are 26 ³ while the 10-year Small House demand forecast for the same villages is 200. <u>Land Available</u> - Land available to meet Small House demand within the “V” zone of the villages concerned: about 2.05 ha (or equivalent to 82 Small House sites) (Plan A-2b).
	Sufficient land in “V” zone to meet outstanding Small House applications?	✓		

³ Among the 26 outstanding Small House applications, 21 of them fall within or largely within the “V” zone and 5 fall outside/ largely outside the “V” zone. For those 5 applications straddling or being outside the “V” zone, two of them have obtained valid planning approval from the Board.

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
4.	Compatible with the planning intention of “AGR” zone?		✓	- Director of Agriculture, Fisheries and Conservation (DAFC) does not support the application from the agricultural development point of view as the Site possesses potential for agricultural rehabilitation.
5.	Compatible with surrounding area/ development?	✓		- The Site is situated in an area of settled valleys landscape character comprising of village house, farmland, plant nursery and scattered tree groups.
6.	Within WGG?	✓		- Chief Engineer/ Construction, Water Supplies Department (CE/C, WSD) has no objection to the application as the Small House is proposed to be connected to public sewerage system.
7.	Sewerage Impact		✓	- Director of Environmental Protection (DEP) has no objection to the application provided that the applicant will provide adequate sewer connection for disposal of sewage from the Small House to the existing public sewer at their own costs and reserve adequate land for the sewer connection works.
8.	Encroachment onto planned road networks and public works boundaries?		✓	- There are currently no public roads under maintenance would be affected by the application.
9.	Need for provision of fire services installations and emergency vehicular access (EVA)?		✓	- Director of Fire Services (D of FS) has no in-principle objection to the application.
10.	Traffic impact?	✓		- Commissioner for Transport (C for T) considers that Small House applications should be confined within the “V” zone as far as possible. Although additional traffic generated by

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
				the proposed development is not expected to be significant, such type of development outside the “V” zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial. Notwithstanding, the application only involves development of one Small House could be tolerated on traffic grounds.
11.	Drainage impact?		✓	- Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) has no in-principle objection on the application from public drainage viewpoint.
12.	Landscape impact?		✓	- Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) has no objection to the application from landscape planning perspective as further adverse impact on the existing landscape resources arising from the proposed use is not anticipated.
13.	Local objections conveyed by DO?		✓	

9.2 Comments from the following government departments have been incorporated in paragraph 9.1 above. Other detailed comments are at **Appendix V**.

- (a) DLO/TP, LandsD;
- (b) DAFC;
- (c) C for T
- (d) DEP;
- (e) CTP/UD&L, PlanD;
- (f) CE/MN, DSD;
- (g) D of FS; and
- (h) CE/C, WSD.

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

- (a) District Officer (Tai Po), Home Affairs Department (DO(TP), HAD); and
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD).

10. Public Comment Received During Statutory Publication Period (Appendix VI)

The application was published for public inspection. During the statutory public inspection period, a public comment was received from an individual objecting to the application on the ground that land is still available within the “V” zone of Ma Po Mei and Tai Mong Che for Small House development.

11. Planning Considerations and Assessments

- 11.1 The application is for a proposed Small House development at the Site zoned “AGR” on the OZP. The proposed development is not in line with the planning intention of the “AGR” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. DAFC does not support the application from the agricultural development point of view as there are active agricultural activities in the vicinity; agricultural infrastructure such as road access and water source is available; and the Site possesses potential for agricultural rehabilitation. There is no strong planning justification in the current submission for a departure from the planning intention.
- 11.2 The Site is located entirely within the ‘VE’ boundary of Ma Po Mei and currently covered with self-seeded vegetation. The proposed development is not incompatible with the surrounding areas which is predominantly rural in character with a mix of village houses, farmland, plant nursery and scattered tree groups (**Plans A-2a** and **A-3**). CTP/UD&L of PlanD has no objection on the application from landscape planning perspective as further adverse impact on the existing landscape resources arising from the proposed use is not anticipated.
- 11.3 Regarding the Interim Criteria (**Appendix II**), according to DLO/TP, LandsD, the number of outstanding Small House applications for Tai Mong Che and Ma Po Mei is 26 while the 10-year Small House demand forecast is 200. Based on PlanD’s latest estimate, about 2.05 ha of land (equivalent to 82 Small House sites) is available within the “V” zone concerned. While the amount of land available within the “V” zone (**Plan A-2b**) is insufficient to fully meet the future Small House demand, it is sufficient to accommodate the outstanding Small House applications. It should be noted that the Board has formally adopted a more cautious approach in considering applications for Small House development since August 2015. Among others, in considering whether there is a general shortage of land in meeting Small House demand, the Board has put more weighting on the number of outstanding Small House applications as provided by LandsD. In this regard, it is considered more appropriate to

concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.

- 11.4 The Site falls within the upper indirect WGG and is less than 30m away from the nearest water course. The applicant proposes to connect the proposed Small House to the public sewerage system in the vicinity of the Site in Ma Po Mei. DEP, CE/C of WSD and CE/MN of DSD have no in-principle objection on the application. Other relevant government departments including D of FS, C for T, and CHE/NTE of HyD have no objection to or adverse comments on the application.
- 11.5 The Site is the subject of a previously approved application (No. A/NE-LT/268) as set out in paragraph 5.1 above. The applicant claims that he is the son of the applicant of the previously approved application and the Small House development, which was not implemented due to financial and technical difficulties at that time. It should be noted that this previous application was submitted by a different applicant and the planning permission, which was granted in 2001, had already lapsed in 2004. Considering the Interim Criteria (**Appendix II**), application with previous planning permission lapsed will be considered on its own merits, and sympathetic consideration is not applicable for the subject application.
- 11.6 As shown on **Plan A-2a**, there are seven similar applications for Small House development in close proximity to the Site as detailed in paragraph 6 above. Among them, only application No. A/NE-LT/656 was considered and rejected after the Board’s formal adoption of a more cautious approach since August 2015 mainly on the grounds that the proposed Small House development was not in line with the planning intention of the “AGR” zone, not complying with the Interim Criteria in that the applicant failed to demonstrate that the proposed development would not have adverse geotechnical impact on the surrounding area; and land was still available within the concerned “V” zone for Small House development. The planning circumstances of the current application is similar to this rejected application in that the proposed Small House development was not in line with the planning intention of the “AGR” zone and land was still available within the concerned “V” zone for Small House development.
- 11.7 Regarding the public comment objecting to the application on the grounds as detailed in paragraph 10, government departments’ comments and the planning assessments and considerations above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10, Planning Department does not support the application for the following reasons:
 - (a) The proposed development is not in line with the planning intention of the “AGR” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no

strong planning justification in the submission for a departure from the planning intention; and

- (b) land is still available within the “V” zone of Tai Mong Che and Ma Po Mei which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.

12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 12.1.2028, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The recommended advisory clauses are attached at **Appendix VII**.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.

14. Attachments

Appendix I	Application form and attachment received on 5.1.2023
Appendix II	Relevant revised Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (promulgated on 7.9.2007)
Appendix III	Previous application
Appendix IV	Similar applications
Appendix V	Detailed comments from relevant government departments
Appendix VI	Public comment
Appendix VII	Recommended advisory clauses
Drawing A-1	Site plan submitted by the applicant
Drawings A-2 and A-3	Sewerage connection proposal submitted by the applicant
Plan A-1	Location plan
Plan A-2a	Site plan
Plan A-2b	Estimated amount of land available for Small House development within “V” zone
Plan A-3	Aerial photo
Plan A-4	Site photo

Form No. S16-II
表格第 S16-II 號

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE

(CAP.131)

2023年11月15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。

15 NOV 2023

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.

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

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

適用於只涉及興建「新界豁免管制屋宇」的建議

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

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

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

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

& Please attach documentary proof 請夾附證明文件

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

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

2302797 24/10 by hand

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-LT/762
	Date Received 收到日期	15 NOV 2023

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

1. Name of Applicant 申請人姓名/名稱

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

WONG, OLIVER KA KIT 黃家傑

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)

NA 不適用

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)	MA PO MEI VILLAGE, LAM TSUEN, TAI PO, N.T. 新界大埔林村麻布尾村 DD8 LOT NO. 623 RP 第 8 約 地段 623 RP 號
(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 175.5 sq.m 平方米 <input 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)	NA 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	林村計劃大綱圖 S/NE-LT/11
(e) Land use zone(s) involved 涉及的土地用途地帶	AGR 農業
(f) Current use(s) 現時用途	VACANT LAND 空置土地 (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and 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"¹ (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」¹ (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"¹ (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」¹ (請夾附業權證明文件)。
- ☐ is not a "current land owner"¹.
並不是「現行土地擁有人」¹。
- ☐ 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)"¹.
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」¹。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)"¹.
已取得 名「現行土地擁有人」¹ 的同意。

Details of consent of "current land owner(s)"¹ obtained 取得「現行土地擁有人」¹ 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 發展計劃			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)	WONG, OLIVER KA KIT 黃家傑		
(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)	MA PO MEI VILLAGE, LAM TSUEN, TAI PO, N.T. 新界大埔林村麻布尾村		
(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	ONE	Proposed number of storeys of each house 每幢房屋的擬議層數	THREE
(e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積65.03..... sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度8.23..... m 米
(f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途	GARDEN 花園 (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 No 否	<input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input checked="" type="checkbox"/>	
(h) Can the proposed house(s) be connected to public sewer? 擬議的屋宇發展能否接駁至公共污水渠?	Yes 是 <input checked="" type="checkbox"/> No 否 <input type="checkbox"/>	(Please indicate on plan the sewerage connection proposal. 請用圖則顯示接駁公共污水渠的路線) (Please indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置)	

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

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

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

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

8. Justifications 理由

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

本人是新界大埔林村麻布尾村的原居民。

一直以來本人嘗試在「鄉村發展區」範圍內尋找可申請建屋的私人土地，一番努力後還是失敗。

現時用作申請的土地第 8 約地段 623 RP 號原是父親黃玉榮名下持有的，現轉讓給本人。

於 2001 年 12 月 07 日地段 623 RP 號的規劃許可申請成功地獲得批准，申請編號是 A/NE-LT/268。由於那年代申請人（本人的父親）要留在英國尋覓生計，而且計算過沒有足夠資金支付發展建屋工程。更因大埔林村的排污處理系統還沒有完全落實和妥善處理，於是惟有暫且放下建屋計劃。

我們知道麻布尾村的鄉村發展區範圍內還有頗多的私人土地可供建屋用途，根據姓梁村民透露這些土地絕大部分是由梁氏祖先遺傳下來的。可是他們的後人却不是留在麻布尾村生根。所以這些土地的業權長久以來沒有出現轉變或進行分割，只是用作出租農地。因此，本人請求你們認真地考慮這個因素。

毗連本人的擬議申請建屋土地是第 8 約地段第 622 號。現時建在這塊土地上有一幢三層高的小型屋宇。而屋宇的排污管道是獲准接駁中央排污系統內的。我們已取得地段第 622 號的註冊業權人的口頭承諾支持本人的擬議排污管道敷設接駁現行使用的排污管道沙井。本人承諾在獲得規劃許可和大埔地政處的批准建屋後定會安排註冊有關的同意書文件的。

本人承諾在未獲得大埔地政專員簽發的批准書和相關的工程豁免書之前不會展開任何的建築工程。

9. Declaration 聲明

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

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

Signature
簽署

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

WONG, OLIVER KA KIT 黃家傑

NA

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

17.10.2023 (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

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

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	MA PO MEI VILLAGE, LAM TSUEN, TAI PO, N.T. 新界大埔林村麻布尾村 D D 8 LOT NO. 623 RP 第 8 約 地段 623 RP 號		
Site area 地盤面積	175.5	sq. m 平方米	<input type="checkbox"/> About 約
	(includes Government land of 包括政府土地	NA	sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	OZP/林村計劃大綱圖 S/NE-LT/11		
Zoning 地帶	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	ONE / 一幢		
(iii) Proposed building height/No. of storeys 建築物高度/層數	8.23		m 米 <input type="checkbox"/> (Not more than 不多於)
	3 / 三		Storeys(s) 層

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

	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input checked="" type="checkbox"/>	<input type="checkbox"/>
擬議建屋宇位置圖，申請位置圖		
擬議及現行渠務路線圖		

Reports 報告書

Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

gathering grounds will not be affected by the proposed development[^]);

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

Previous application covering the Site on the
Lam Tsuen Outline Zoning Plan

Approved Application

Application No.	Proposed Development	Date of Consideration
A/NE-LT/268	Proposed New Territories Exempted House (NTEH) (Small House)	7.12.2001

Similar Applications within the same “AGR” zone
in the vicinity of the Site on the Lam Tsuen Outline Zoning Plan

Approved Application

Application No.	Proposed Development	Date of Consideration
A/NE-LT/465	Proposed House (New Territories Exempted House - Small House)	21.12.2012

Rejected Applications

Application No.	Proposed Development	Date of Consideration	Rejection Reason(s)
A/NE-LT/291	New Territories Exempted House (NTEH)(Small House)	25.7.2003	R1 – R2
A/NE-LT/360	Proposed House (New Territories Exempted House - Small House)	21.7.2006	R3 – R4
A/NE-LT/411	Proposed House (New Territories Exempted House (NTEH) - Small House)	18.2.2011	R4
A/NE-LT/412	Proposed House (New Territories Exempted House (NTEH) - Small House)	18.2.2011	R4
A/NE-LT/422	Proposed House (New Territories Exempted House (NTEH) - Small House)	3.6.2011	R4
A/NE-LT/656	Proposed House (New Territories Exempted House - Small House) and Filling of Land	29.03.2019 (on review)	R3, R5-R6

Rejection Reasons

- R1. The application was not in line with the planning intention of the “Agriculture” (“AGR”) zone which was to retain and safeguard good agricultural land for agricultural purposes and to retain fallow agricultural land with good potential for rehabilitation.
- R2. The proposed development did not comply with the interim criteria for assessing planning application for New Territories Exempted House (“NTEH”)/Small House development in the New Territories in that it was not able to be connected to existing or planned sewerage system in the area. There was no information in the submission to demonstrate that the proposed development located within the water gathering grounds (WGGs) would not cause adverse impact on water quality in the area.
- R3. The application was not in line with the planning intention of the “AGR” zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential

for rehabilitation for cultivation and other agricultural purposes. No strong justifications had been provided in the submission for a departure from the planning intention.

- R4. The proposed development did not comply with the interim criteria for assessing planning application for NTEH/Small House development in that the proposed NTEH/Small House development fell within the Water Supplies Department's upper indirect WGG and was not able to be connected to existing or planned sewerage system in the area. There was insufficient information in the submission to demonstrate that the proposed development located within the WGGs would not cause adverse impact on the water quality in the area.
- R5. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that there was no information in the submission to demonstrate that the proposed development would not have adverse geotechnical impact on the surrounding area.
- R6. Land was still available within the "Village Type Development" ("V") zone of Ma Po Mei and Tai Mong Che which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House within the "V" zone for orderly development pattern, efficient use of land and provision of infrastructures and services

Detailed Comments from Relevant Government Departments

1. Land Administration

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

- (a) the Site falls entirely inside the village environs ('VE') of Ma Po Mei Village;
- (b) the applicant, Mr. WONG Oliver Ka Kit (黃家傑) claimed himself is an indigenous villager of Ma Po Mei Village. So far, no valid Small House (SH) application is received from Mr. WONG. Hence, his eligibility of SH grant has yet to be ascertained;
- (c) the subject site is held under Block Government Lease (demised for agricultural use) and is not covered by Modification of Tenancy or Building Licence;
- (d) there is no designated "fung shui" area in Ma Po Mei Village;
- (e) the Site is not covered with any surveyed squatter structure;
- (f) the proposed Small House would not encroach on any existing or planned EVA; and
- (g) the number of outstanding Small House applications and the number of 10-year Small House demand for the villages concerned are as follows:

<u>Village</u>	<u>No. of outstanding Small House applications</u>	<u>No. of 10-year Small House demand*</u>
Mai Po Mei	5	50
Tai Mong Che	21	150

(*The figure of 10-year Small House demand is estimated and provided by the IIR of concerned villages (i.e. Mai Po Mei and Tai Mong Che) and the information so obtained is not verified in anyway by DLO/TP, LandsD)

2. Agriculture

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

- (a) the Site 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; and
- (b) as the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural perspective.

3. Traffic

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

- (a) such type of development should be confined within the “Village Type Development” (“V”) zone as far as possible. Although additional traffic generated by the proposed development is not expected to be significant, such type of development outside the “V” zone, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse traffic impact could be substantial; and
- (b) notwithstanding the above, the application only involves development of one Small House could be tolerated on traffic grounds.

4. Environment

Comments of the Director of Environmental Protection (DEP):

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

5. Landscape

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

- (a) no objection to the application from the landscape planning point of view; and
- (b) the Site is located in an area of settled valleys landscape character comprising of village houses, farmland, plant nursery and scattered tree groups. The site is covered with self-seeded vegetation without existing tree within the Site. Further adverse impact on the existing landscape resources arising from the proposed use is not anticipated.

6. Drainage

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

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

7. Fire Safety

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

- no in-principle objection to the application provided that the proposed Small Houses would not encroach on any existing or planned EVA.

8. Water Supply

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

- (a) no objection to the application;
- (b) the Site is located within the upper indirect WGG and is less than 30m away from the nearest water course; and
- (c) it is noted that the Site is able to be connected to the public sewerage system in the area. Thus, compliance of the application with items (a) and (i) of the “Interim Criteria for Consideration of Applications for NTEH/Small House in NT” can be reasonably established.

9. Demand and Supply of Small House Sites

According to the DLO/TP, LandsD’s record, the total number of outstanding Small House applications for Ma Po Mei and Tai Mong Che Villages are 26 while the 10-year Small House demand forecast for the same villages is 200. Based on the latest estimate by the Planning Department, about 2.05 ha of land (or equivalent to about 82 Small House sites) is available within the “V” zone of the concerned villages. Therefore, the land available cannot fully meet the future demand of 226 Small Houses (equivalent to about 5.65 ha of land).

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



A/NE-LT/762 DD 8 Ma Po Mei Village

12/12/2023 02:50

From:

To: "tpbpd" <tpbpd@pland.gov.hk>

Sent by: tpbpd@pland.gov.hk

File Ref:

A/NE-LT/762

Lot 623 RP in D.D. 8, Ma Po Mei Village, Lam Tsuen

Site area: 175.5sq.m

Zoning: "Agriculture"

Applied development: NET House

Dear TPB Members,

A number of previous applications for this district have been rejected because "land is still available within the "Village Type Development" ("V") zone of Ma Po Mei and Tai Mong Che which is primarily intended for Small House development".

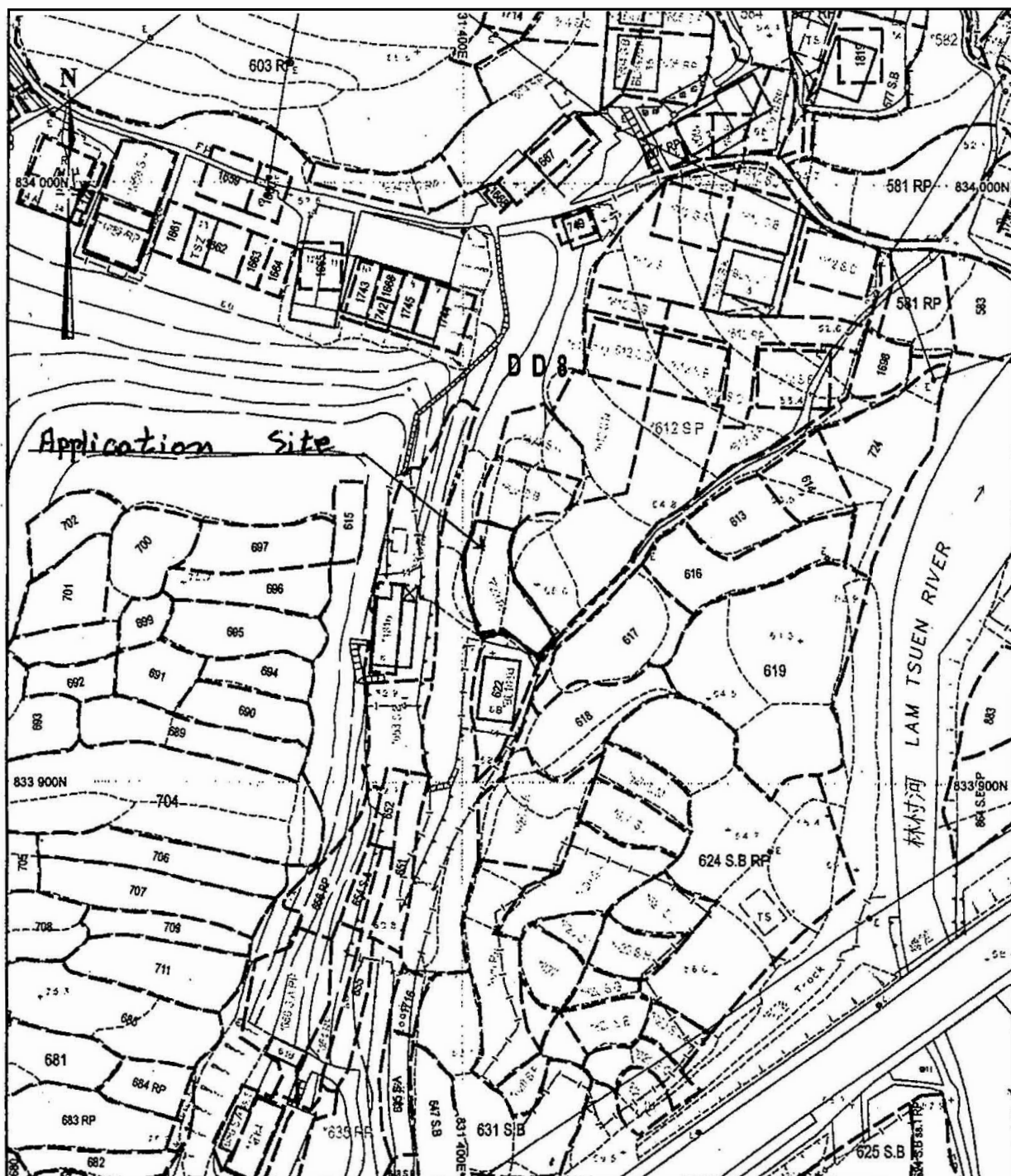
There is no justification to deviate from previous decisions.

Mary Mulvihill

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that should planning permission be approved by the Town Planning Board (the Board), LandsD will process the Small House application. However, there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of right of way to the Small House concerned or approval of Emergency Vehicular Access (EVA) thereto;
- (b) to note the comments of the Chief Engineer/Mainland North (CE/MN, DSD) that:
 - (i) the applicant should have his own stormwater collection and discharge system to cater for runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify/modify the nearby existing/original drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the development of the Site. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the modified drainage systems caused by their works. The runoff within the subject premises including the runoff from the rooftop shall be served by a designated stormwater collection and discharge system and shall not be drained to the public sewerage network;
 - (ii) DSD's maintained public sewers is some distance away from the proposed site. No stud pipe is reserved for sewage connection. The applicant shall demonstrate the technical feasibility of sewerage connection. Should the applicant choose to dispose of the sewage of the proposed development through other means, views and comments from Environmental Protection Department should be sought;
 - (iii) the applicant should provide written consent(s) from relevant lot owner(s) and/or LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones outside the Site or on government land (where required); and
 - (iv) the cost and work of drainage and sewerage connection as well as future maintenance responsibility shall be borne by the applicant;

- (c) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
- (i) the foul water drainage system of the proposed NTEH/Small House can be connected to the public sewerage system in the area and the applicant shall connect the whole of the foul water drainage system to the public sewerage system;
 - (ii) adequate protective measures shall be taken to ensure that no pollution or siltation occurs to the water gathering grounds;
 - (iii) the applicant shall submit an executed Deed of Grant of Easement for each private lot through which the sewer connection pipes are proposed to pass to demonstrate that it is both technically and legally feasible to install sewerage pipes from the proposed NTEH/Small House to the sewerage system via relevant private lot;
 - (iv) the whole of foul effluent from the proposed NTEH/Small House shall be conveyed through cast iron pipes or other approved material with sealed joints and hatch boxes;
 - (v) since the proposed NTEH/Small House itself is less than 30m from the nearest watercourse, the proposed Small House should be located as far away from the watercourse as possible; and
 - (vi) for provision of water supply to the development, the applicant may need to extend his inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (e) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by the LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application via LandsD; and
- (f) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permission from the Town Planning Board where required before carrying out the road works.



地政總署測繪處

Survey and Mapping Office, Lands Department

比例尺 SCALE

米 10 0 10 20 30 40 50 米
metres



Locality :

Lot Index Plan No. : LIP1572436P

District Survey Office : DSOTP

Date : 04-Oct-2023

Reference No. : 7-NW-8D

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SMO-P01 20231004112207 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.

參考編號

REFERENCE No. A/NE-LT/762

繪圖 DRAWING A-1

(來源：申請人建議書)
(SOURCE: APPLICANT'S SUBMISSION PLAN)

Dimension Plan of the Proposed Small House on Lot 623 RP in D.D. 8 Tai Po



Coloured Pink Area 65.03 Square Metres (About)

Scale

Balcony

to be connected to the Public Sewage

Side	Bearing ° ' "	Distance in Metres	Pt	Co-ordinate Data (1980 Datum)		Remarks
				N	E	
1 - 2	73 44 15	6.096	1	833936.231	831401.023	
2 - 3	163 44 15	10.668	2	833937.938	831406.875	
3 - 4	253 44 15	6.096	3	833927.697	831409.862	
4 - 1	343 44 15	10.668	4	833925.990	831404.010	
Co-ordinates of the balcony						
5 - 6	73 44 15	6.096	5	833937.402	831400.681	
6 - 2	163 44 15	1.220	6	833939.109	831406.533	
2 - 1	253 44 15	6.096	2	833937.938	831406.875	
1 - 5	343 44 15	1.220	1	833936.231	831401.023	



T.H. & ASSOCIATES LIMITED
(陳德慶測量有限公司)

Approved By

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

Survey Sheet No.: 7-NW-6D

Plan No.: TP/8/623RP-SH1

Date : 12-12-2019

參考編號
REFERENCE No. A/NE-LT/762

繪圖 DRAWING A-2

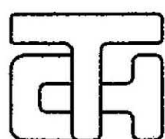
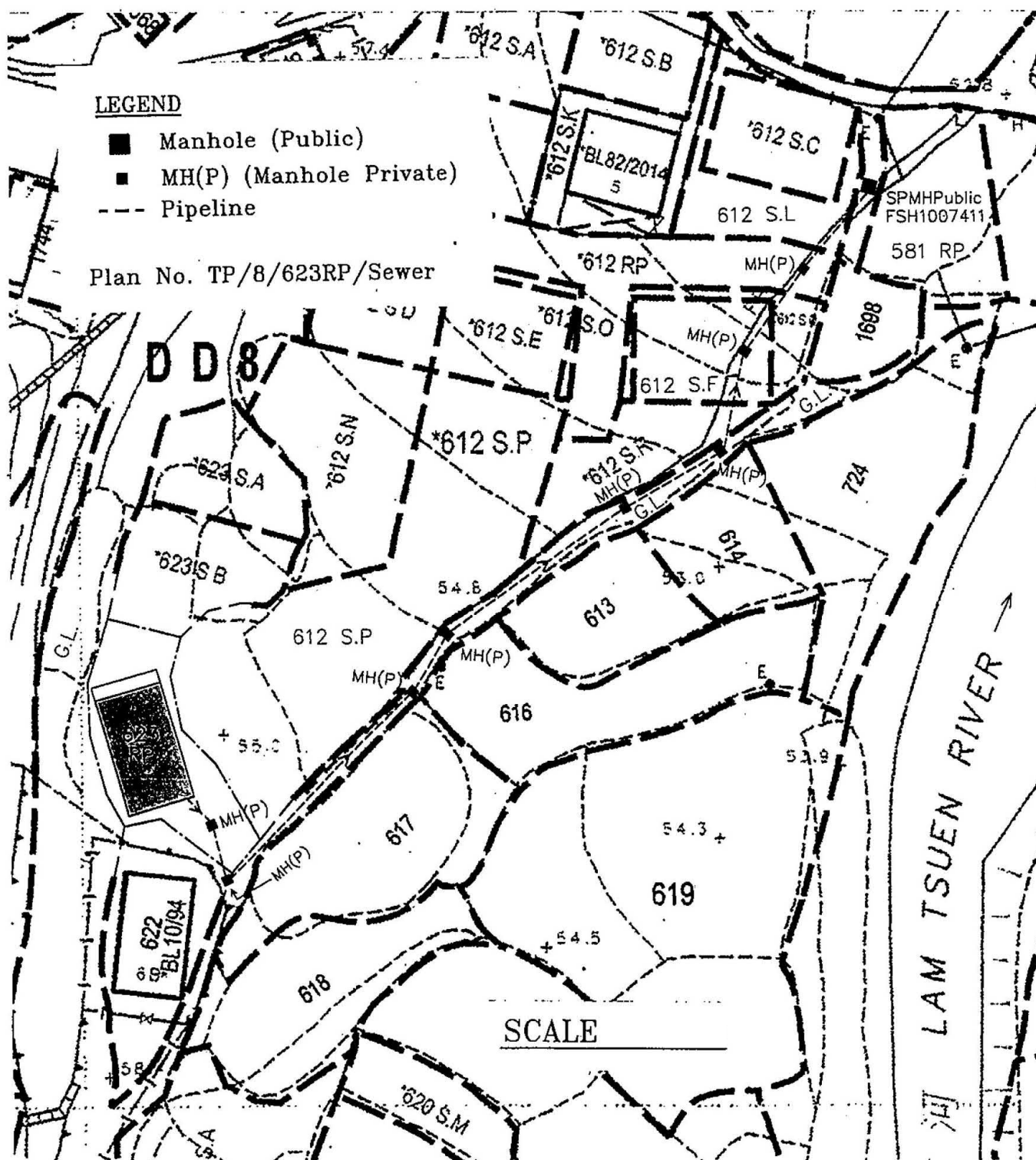
(來源 : 申請人建議書)
(SOURCE : APPLICANT'S SUBMISSION PLAN)

Plan showing the Proposed Pipeline & its Connection to Public Manhole FSH1007411

LEGEND

- Manhole (Public)
- MH(P) (Manhole Private)
- Pipeline

Plan No. TP/8/623RP/Sewer



T.H. & ASSOCIATES LIMITED
(陳德慶測量有限公司)

Approved By

[Signature]
T.H. CHAN (ALS, MKIS, MRICS, RPS(LS))

Survey Sheet No.: 7-NW-6D/7C

Plan No. TP/8/623RP/Sewer

Date: 8 September, 2023

參考編號
REFERENCE No. A/NE-LT/762

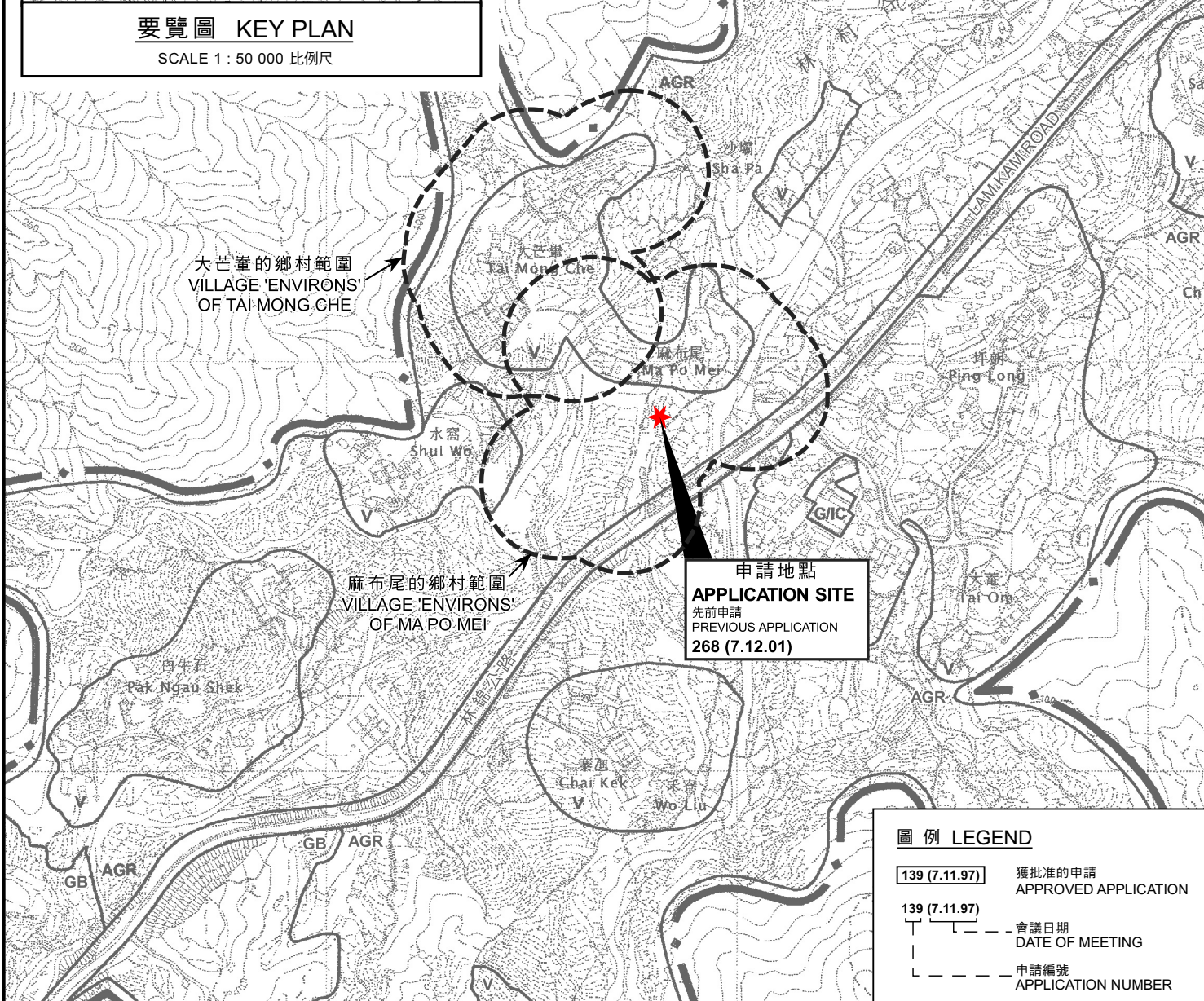
繪圖 DRAWING A-3

(來源：申請人建議書)
(SOURCE: APPLICANT'S SUBMISSION PLAN)



要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺



圖例 LEGEND

- 139 (7.11.97)** 獲批准的申請
APPROVED APPLICATION
- 139 (7.11.97)** 會議日期
DATE OF MEETING
- 139 (7.11.97)** 申請編號
APPLICATION NUMBER

位置圖 LOCATION PLAN

本摘要圖於2023年12月6日擬備，
所根據的資料為於2006年10月31日
核准的分區計劃大綱圖編號S/NE-LT/11
EXTRACT PLAN PREPARED ON 6.12.2023
BASED ON OUTLINE ZONING PLAN
No. S/NE-LT/11 APPROVED ON 31.10.2006

擬議屋宇（新界豁免管制屋宇-小型屋宇）
新界大埔林村麻布尾村丈量約份第8約地段第623號餘段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 623 RP IN D.D. 8,
MA PO MEI VILLAGE, LAM TSUEN, TAI PO, NEW TERRITORIES

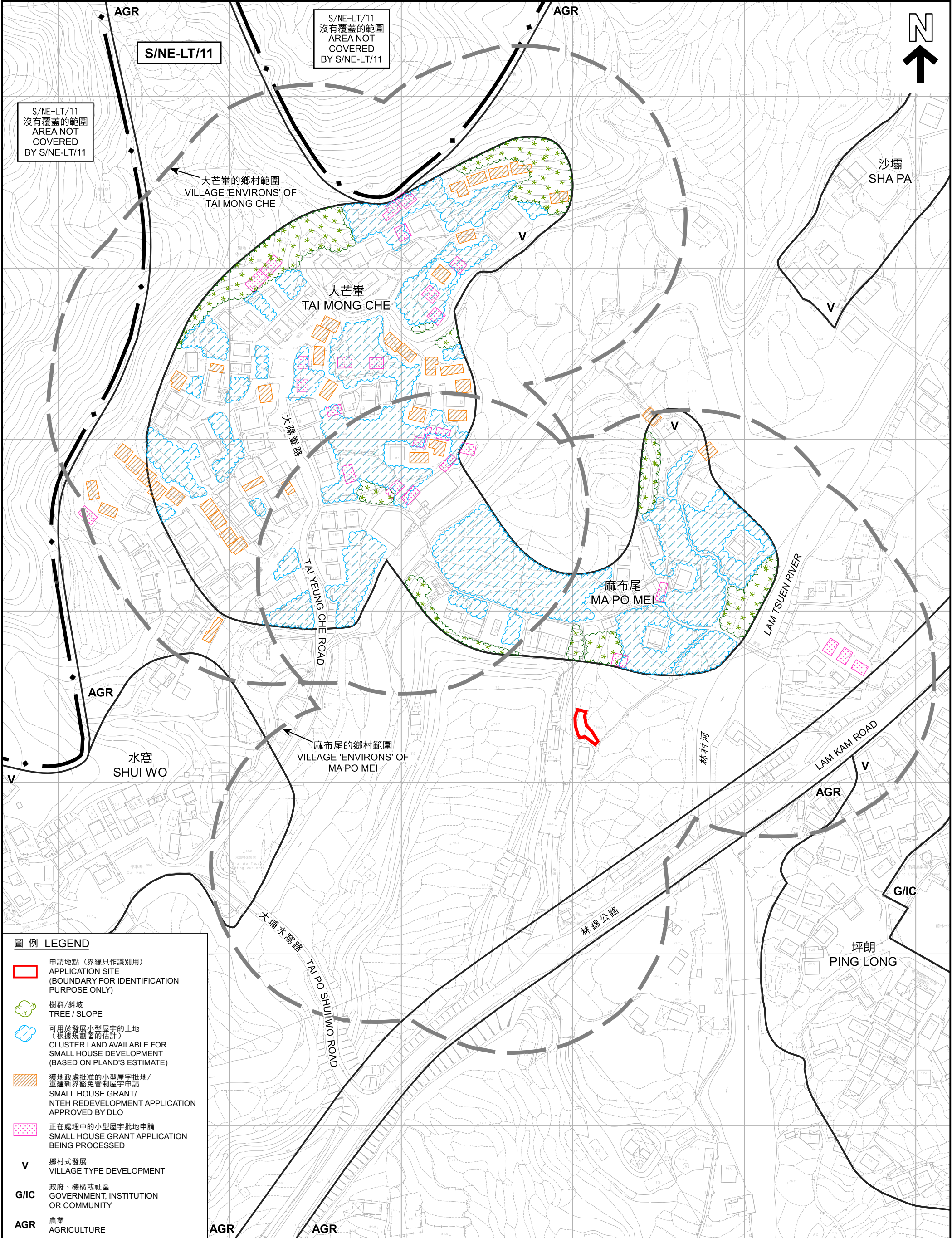
米 100 0 100 200 300 米
METRES SCALE 1 : 7 500 比例尺 METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-LT/762

圖 PLAN
A-1



圖例 LEGEND

- 申請地點 (界線只作識別用)
APPLICATION SITE
(BOUNDARY FOR IDENTIFICATION
PURPOSE ONLY)
- 樹群/斜坡
TREE / SLOPE
- 可用於發展小型屋宇的土地
(根據規劃署的估計)
CLUSTER LAND AVAILABLE FOR
SMALL HOUSE DEVELOPMENT
(BASED ON PLAND'S ESTIMATE)
- 獲地政處批准的小型屋宇批地/
重建新界豁免管制屋宇申請
SMALL HOUSE GRANT/
NTEH REDEVELOPMENT APPLICATION
APPROVED BY DLO
- 正在處理中的小型屋宇批地申請
SMALL HOUSE GRANT APPLICATION
BEING PROCESSED
- V 鄉村式發展
VILLAGE TYPE DEVELOPMENT
- G/I/C 政府、機構或社區
GOVERNMENT, INSTITUTION
OR COMMUNITY
- AGR 農業
AGRICULTURE

本摘要圖於2023年12月20日擬備，
所根據的資料為測量圖編號
7-NW-6B、6D、7A及7C
EXTRACT PLAN PREPARED ON 20.12.2023
BASED ON SURVEY SHEETS No.
7-NW-6B, 6D, 7A & 7C

在「鄉村式發展」地帶內預計可供發展小型屋宇的土地數量
ESTIMATED AMOUNT OF LAND AVAILABLE FOR
SMALL HOUSE DEVELOPMENT WITHIN THE "V" ZONE

擬議屋宇 (新界豁免管制屋宇-小型屋宇)
新界大埔林村麻布尾村丈量約份第8約地段第623號餘段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 623 RP IN D.D. 8,
MA PO MEI VILLAGE, LAM TSUEN, TAI PO, NEW TERRITORIES
SCALE 1 : 2 000 比例尺

米 40 0 40 80 120 160 米
METRES

規劃署
PLANNING
DEPARTMENT

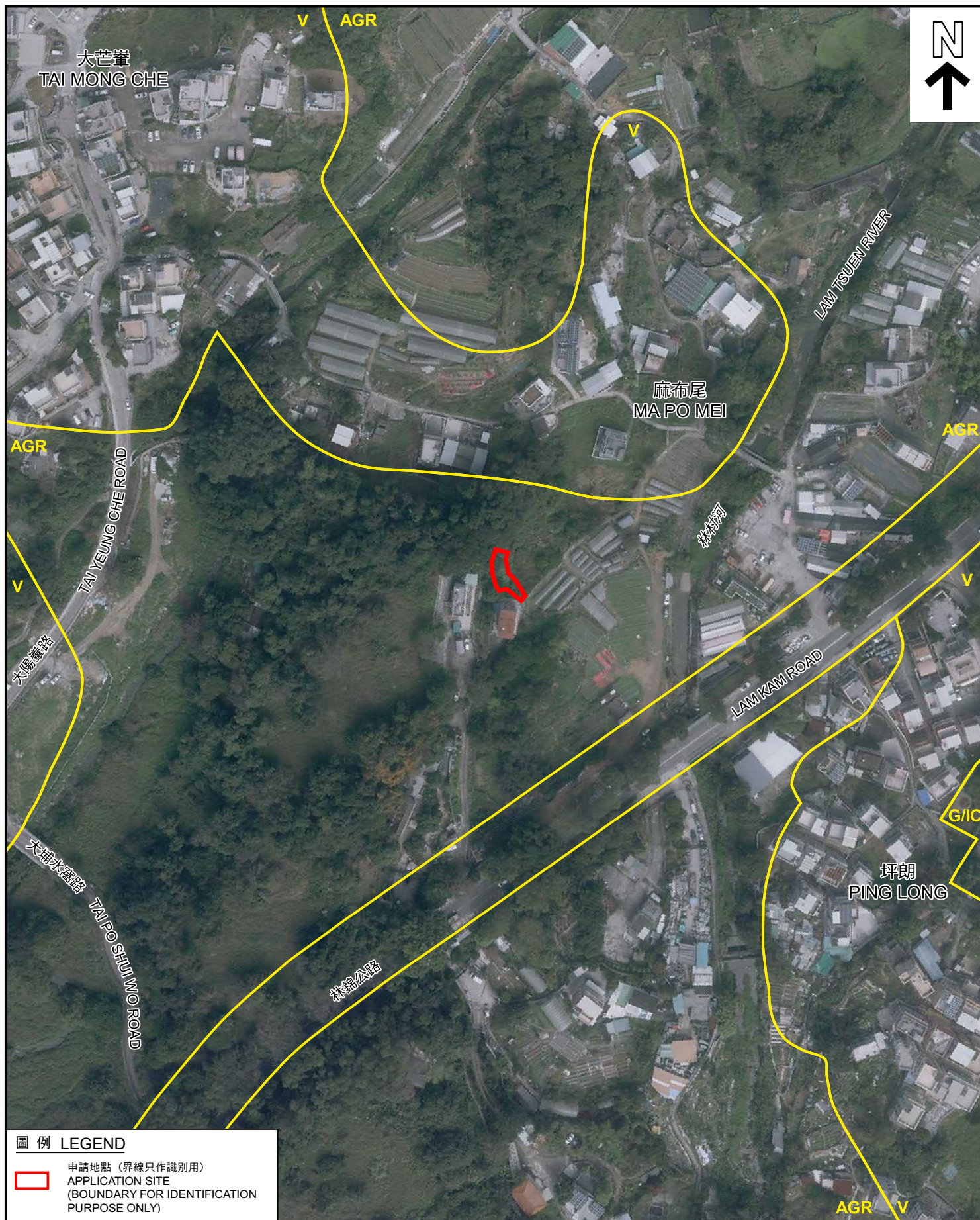


參考編號
REFERENCE No.

A/NE-LT/762

圖 PLAN

A-2b



圖例 LEGEND

申請地點 (界線只作識別用)
APPLICATION SITE
(BOUNDARY FOR IDENTIFICATION
PURPOSE ONLY)

本摘要圖於2023年12月20日擬備，
所根據的資料為地政總署
於2022年2月14日拍得的航攝照片
編號E147380C
EXTRACT PLAN PREPARED ON 20.12.2023
BASED ON AERIAL PHOTO No. E147380C
TAKEN ON 14.2.2022 BY
LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

擬議屋宇 (新界豁免管制屋宇-小型屋宇)
新界大埔林村麻布尾村丈量約份第8約地段第623號餘段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 623 RP IN D.D. 8,
MA PO MEI VILLAGE, LAM TSUEN, TAI PO, NEW TERRITORIES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-LT/762

圖 PLAN
A-3

1



申請地點
APPLICATION SITE

申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

本摘要圖於2023年12月6日擬備，所根據的資料為攝於2023年11月24日的無人駕駛航拍照片
PLAN PREPARED ON 6.12.2023 BASED ON UNMANNED AERIAL VEHICLE PHOTO TAKEN ON 24.11.2023

擬議屋宇（新界豁免管制屋宇-小型屋宇）
新界大埔林村麻布尾村丈量約份第8約地段第623號餘段
PROPOSED HOUSE
(NEW TERRITORIES EXEMPTED HOUSE - SMALL HOUSE)
LOT 623 RP IN D.D. 8,
MA PO MEI VILLAGE, LAM TSUEN, TAI PO, NEW TERRITORIES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-LT/762

圖 PLAN
A-4

Extracted from Confirmed Minutes of 734th Meeting of RNTPC held on 12.1.2024

Agenda Item 11

Section 16 Application

[Open Meeting. (Presentation and Question Sessions Only)]

A/NE-LT/762 Proposed House (New Territories Exempted House - Small House) in
 "Agriculture" Zone, Lot 623 RP in D.D. 8, Ma Po Mei Village, Lam
 Tsuen, Tai Po
 (RNTPC Paper No. A/NE-LT/762)

Presentation and Question Sessions

21. With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

22. Members had no question on the application.

Deliberation Session

23. After deliberation, the Committee decided to reject the application. The reasons were:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Tai Mong Che and Ma Po Mei which is primarily intended for Small House

development. It is considered more appropriate to concentrate the proposed Small House development within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructures and services."

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

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

傳真 Fax: 2877 0245 / 2522 8426

電話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/NE-LT/762

By Email

26 January 2024

Dear Sir/Madam,

**Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 623 RP in D.D. 8, Ma Po Mei Village, Lam Tsuen, Tai Po**

I refer to my letter to you dated 23.11.2023.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of Tai Mong Che and Ma Po Mei which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.

A copy of the TPB Paper in respect of the application is available at TPB website at this link (https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/734_rnt_agenda.html). The relevant extract of minutes of the TPB meeting held on 12.1.2024 is enclosed herewith for your reference.

Under section 17(1) and 17(1A) of the Town Planning Ordinance (the Ordinance), an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. The application must be in writing and must set out the grounds for the review. If you wish to seek a review, you should inform me and provide the grounds for review within 21 days from the date of this letter (on or before 16.2.2024). I will then contact you to arrange a

hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. Kevin Lau of the Sha Tin, Tai Po & North District Planning Office at 2158 6242.

Yours faithfully,



(Leticia LEUNG)
for Secretary, Town Planning Board

LL/CN/cl

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



From: [REDACTED]
Sent: Friday, February 16, 2024 11:52 AM
To: TPB Submission/PLAND <tpbsubmission@pland.gov.hk>
Cc: [REDACTED]
Subject: 回复：Planning Application No.A/NE-LT/762

S17 Review

尊敬的城規會：本人黃家傑檔案編號地A/NE-LT/762申請城規條例第17條覆核。
我新電郵 [REDACTED]
发自我的手机

----- 原始邮件 -----

发件人： [REDACTED]
日期： 2024年2月16日周五 11:42
收件人： TPB Submission/PLAND <tpbsubmission@pland.gov.hk>
抄送： [REDACTED]
主 题： 回复：Planning Application No.A/NE-LT/762
檔案編號A/NE-LT /762
发自我的手机

----- 原始邮件 -----

发件人： [REDACTED]
日期： 2024年2月16日周五 11:40
收件人： TPB Submission/PLAND <tpbsubmission@pland.gov.hk>
抄送： [REDACTED]
主 题： 回复：Planning Application No.A/NE-LT/762

尊敬的城規會：本人黃家傑身份証 No. [REDACTED]
[REDACTED]申請城規會第17條申請反對覆核，
同時要中文回复，我新電，
[REDACTED]

16/02/2024
黃家傑
发自我的手机

----- 原始邮件 -----

发件人： [REDACTED]

日期： 2024年2月15日周四 23:31

收件人： TPB Submission/PLAND <
tpbsubmission@pland.gov.hk>

抄送： [REDACTED]

主题： Re: Planning Application
No.A/NE-LT/762

Good evening,

Thanks for forwarding
this email.

Please see attached letter
stating our intention to
appeal the rejected
planning application.

Wong Yuk Wing

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

15/02/2024

Ref: TPB/A/NE-LT/762

尊敬的城規會：

本人黃家傑 Ka Kit 身份証 [REDACTED]
申請興建丁屋被貴會反對，檔案 A/NE-LT/762.

理由是申請地段不在V Zone內，麻布尾村V.Zone 一半非麻布尾村民擁有而且已經出售給地產發展商，另一段是水窩村祖堂地，其他的是麻布尾村祖堂地因為涉及人數太多，就算是麻布尾村民也不能申請到丁屋，我本人黃家傑在麻布尾村只有地段DD8.623RP,希望貴會能體諒我的處境給我申請獲得批准。因為我沒有收到任何城規會的信今天我聯絡城規會才得知16/02/2024已經到期申請覆核。



Wong, Oliver Ka Kit
黃家傑

Previous application covering the Application Site on the
Lam Tsuen Outline Zoning Plan

Approved Application

Application No.	Proposed Development	Date of Consideration
A/NE-LT/268	Proposed New Territories Exempted House (NTEH) (Small House)	7.12.2001

Similar Applications within the same “AGR” zone
in the vicinity of the Site on the Lam Tsuen Outline Zoning Plan

Approved Application

Application No.	Proposed Development	Date of Consideration
A/NE-LT/465	Proposed House (New Territories Exempted House - Small House)	21.12.2012

Rejected Applications

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-LT/291	New Territories Exempted House (NTEH)(Small House)	25.7.2003	R1 – R2
A/NE-LT/360	Proposed House (New Territories Exempted House - Small House)	21.7.2006	R3 – R4
A/NE-LT/411	Proposed House (New Territories Exempted House (NTEH) - Small House)	18.2.2011	R4
A/NE-LT/412	Proposed House (New Territories Exempted House (NTEH) - Small House)	18.2.2011	R4
A/NE-LT/422	Proposed House (New Territories Exempted House (NTEH) - Small House)	3.6.2011	R4
A/NE-LT/656	Proposed House (New Territories Exempted House - Small House) and Filling of Land	29.03.2019 (on review)	R3, R5 – R6

Rejection Reasons

- R1. The application was not in line with the planning intention of the “Agriculture” (“AGR”) zone which was to retain and safeguard good agricultural land for agricultural purposes and to retain fallow agricultural land with good potential for rehabilitation.
- R2. The proposed development did not comply with the interim criteria for assessing planning application for New Territories Exempted House (“NTEH”)/Small House development in the New Territories in that it was not able to be connected to existing or planned sewerage system in the area. There was no information in the submission to demonstrate that the proposed development located within the water gathering grounds (WGGs) would not cause adverse impact on water quality in the area.
- R3. The application was not in line with the planning intention of the “AGR” zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential

for rehabilitation for cultivation and other agricultural purposes. No strong justifications had been provided in the submission for a departure from the planning intention.

- R4. The proposed development did not comply with the interim criteria for assessing planning application for NTEH/Small House development in that the proposed NTEH/Small House development fell within the Water Supplies Department's upper indirect WGG and was not able to be connected to existing or planned sewerage system in the area. There was insufficient information in the submission to demonstrate that the proposed development located within the WGGs would not cause adverse impact on the water quality in the area.
- R5. The proposed development did not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that there was no information in the submission to demonstrate that the proposed development would not have adverse geotechnical impact on the surrounding area.
- R6. Land was still available within the “Village Type Development” (“V”) zone of Ma Po Mei and Tai Mong Che which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House within the “V” zone for orderly development pattern, efficient use of land and provision of infrastructures and services.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that should planning permission be approved by the Town Planning Board (the Board), LandsD will process the Small House application. However, there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of right of way to the Small House concerned or approval of Emergency Vehicular Access (EVA) thereto;
- (b) to note the comments of the Chief Engineer/Mainland North (CE/MN, DSD) that:
 - (i) the applicant should have his own stormwater collection and discharge system to cater for runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify/modify the nearby existing/original drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the development of the Site. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the modified drainage systems caused by their works. The runoff within the subject premises including the runoff from the rooftop shall be served by a designated stormwater collection and discharge system and shall not be drained to the public sewerage network;
 - (ii) DSD's maintained public sewers is some distance away from the proposed site. No stud pipe is reserved for sewage connection. The applicant shall demonstrate the technical feasibility of sewerage connection. Should the applicant choose to dispose of the sewage of the proposed development through other means, views and comments from Environmental Protection Department should be sought;
 - (iii) the applicant should provide written consent(s) from relevant lot owner(s) and/or LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones outside the Site or on government land (where required); and
 - (iv) the cost and work of drainage and sewerage connection as well as future maintenance responsibility shall be borne by the applicant;

- (c) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
- (i) the foul water drainage system of the proposed NTEH/Small House can be connected to the public sewerage system in the area and the applicant shall connect the whole of the foul water drainage system to the public sewerage system;
 - (ii) adequate protective measures shall be taken to ensure that no pollution or siltation occurs to the water gathering grounds;
 - (iii) the applicant shall submit an executed Deed of Grant of Easement for each private lot through which the sewer connection pipes are proposed to pass to demonstrate that it is both technically and legally feasible to install sewerage pipes from the proposed NTEH/Small House to the sewerage system via relevant private lot;
 - (iv) the whole of foul effluent from the proposed NTEH/Small House shall be conveyed through cast iron pipes or other approved material with sealed joints and hatch boxes;
 - (v) since the proposed NTEH/Small House itself is less than 30m from the nearest watercourse, the proposed Small House should be located as far away from the watercourse as possible; and
 - (vi) for provision of water supply to the development, the applicant may need to extend his inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (e) to note the comments of the Director of Fire Services (D of FS) that the applicant should observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by the LandsD. Detailed fire safety requirements will be formulated upon receipt of formal application via LandsD; and
- (f) to note that the permission is only given to the development under application. If provision of an access road is required for the proposed development, the applicant should ensure that such access road (including any necessary filling/excavation of land) complies with the provisions of the relevant statutory plan and obtain planning permission from the Town Planning Board where required before carrying out the road works.