

TOWN PLANNING BOARD

TPB Paper No. 10798

**For Consideration by
the Town Planning Board on 7.1.2022**

**REVIEW OF APPLICATION NO. A/SK-CWBN/63
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**Proposed House (New Territories Exempted House) – Small House
in “Green Belt” Zone**

Lot 158 S.C RP in D.D. 238, Pong Long Wan, Sai Kung, New Territories

REVIEW OF APPLICATION NO. A/SK-CWBN/63
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

(for 1st Deferment)

- Applicant** : LAU King Fung
- Site** : Lot 158 S.C RP in D.D. 238, Pan Long Wan, Sai Kung, New Territories
- Site Area** : 91.5m² (about)
- Land Status** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Clear Water Bay Peninsula North Outline Zoning Plan (OZP)
No. S/SK-CWBN/6
- Zonings** : “Green Belt” (“GB”)
- Application** : Proposed House (New Territories Exempted House (NTEH) – Small House)
- RNTPC’s decision** : Rejected on 10.9.2021
- Subject of Review** : To review the Rural and New Town Planning Committee (RNTPC)’s decision to reject the application

1. Background

- 1.1 On 22.2.2021, the applicant sought planning permission for a proposed house (NTEH – Small House) at the application site (the Site). The Site falls within an area zoned “GB” on the Approved Clear Water Bay Peninsula North OZP No. S/SK-CWBN/6. (**Plan R-1**). On 10.9.2021, the RNTPC of the Town Planning Board (the Board) rejected the application.
- 1.2 On 15.10.2021, the applicant applied, under section 17(1) of the Town Planning Ordinance, for a review of the RNTPC’s decision to reject the application. The review application is scheduled for consideration by the Board on 7.1.2022.

2. Request for Deferment

- 2.1 On 7.12.2021, the applicant wrote to the Secretary of the Board and requested the Board to defer making a decision on the review application for three months in order to allow more time to consult relevant government departments and for

preparation of further information (FI) to address departmental comments (**Annex A**).

3. Planning Department's Views

- 3.1 The Planning Department has no objection to the request for deferment as the justifications for deferment meet the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33A)¹ in that more time is required for the applicant to prepare FI in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties. Notwithstanding the above, as set out in TPB PG-No. 33A, normally the applicant would be given two months for preparation of submission of FI. In this regard, if the applicant's request for deferment is acceded to, a deferment period of two months instead of three months should be allowed.
- 3.3 Should the Board agree to defer making a decision on the review application, the application will be submitted to the Board for consideration within three months upon receipt of FI from the applicant. If the FI submitted by the applicant is not substantial and can be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. The applicant should be advised that the Board has allowed two months for preparation of submission of FI, and no further deferment would be granted unless under very special circumstances.

4. Decision Sought

The Board is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the application will be submitted to the Board for consideration at the next meeting.

5. Attachments

Annex A	Email dated 7.12.2021 from the applicant
Plan R-1	Location Plan

PLANNING DEPARTMENT
JANUARY 2022

¹ The number of deferments to be granted stipulated under TPB PG-No.33A is not applicable to this application which was received before the promulgation of the revised guidelines on 24.8.2021.