

# **TOWN PLANNING BOARD**

**TPB Paper No. 10832**

**For Consideration by  
the Town Planning Board on 13.5.2022**

**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, Pan Long Wan, Sai Kung, New Territories**

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

*(for 2<sup>nd</sup> Deferment)*

- Applicant** : Mr. LAU King Fung
- Site** : Lot 158 S.C RP in D.D. 238, Pan Long Wan, Sai Kung, New Territories
- Site Area** : About 91.5m<sup>2</sup>
- 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. On 7.1.2022, the Board agreed to defer making a decision on the review application for two months, upon request by the applicant, to allow time for the applicant to consult relevant government departments and prepare further information (FI) to address departmental comments.
- 1.3 On 22.2.2022 and 29.3.2022, the applicant submitted FI including further justifications and responses to departmental comments. The review application is scheduled for consideration by the Board at this meeting.

## **2. Request for Deferment**

On 19.4.2022, the applicant wrote to the Secretary of the Board and requested the Board to further defer making a decision on the review application for two months in order to allow more time to liaise with relevant government departments due to the epidemic situation (**Annex A**).

## **3. Planning Department's Views**

- 3.1 The Planning Department has no objection to the request for the second deferment as the justification for deferment meets 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)<sup>1</sup> in that more time is required for the applicant to liaise with relevant government departments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.2 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 could 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 a total of four 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**

<b>Annex A</b>	Letter dated 19.4.2022 from the applicant
<b>Plan R-1</b>	Location Plan

**PLANNING DEPARTMENT  
MAY 2022**

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<sup>1</sup> 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.