

Relevant Revised Interim Criteria for Assessing Planning Applications for
NTEH/Small House Development in the New Territories
(Revised 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.

**Appendix III of RNTPC
Paper Nos. A/YL-KTS/765-775**

**Similar Applications for New Territories Exempted House (NTEH)/Small House
within the Same "AGR" Zone on Kam Tin South Outline Zoning Plan
(after the first promulgation of the Interim Criteria in 24.11.2000)**

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration By RNTPC/TPB</u>	<u>Approval Conditions</u>
1.	A/YL-KTS/232	One NTEH / Small House	23.2.2001 (on review)	(a), (b), (e)
2.	A/YL-KTS/280*	Ten NTEHs / Small Houses	2.5.2003 (Partially approved on review)	(a), (b), (c), (e)
3.	A/YL-KTS/285	One NTEH / Small House	22.11.2002	(a), (b), (e)
4.	A/YL-KTS/325*	One NTEH / Small House	3.12.2004	(a), (b), (e)
5.	A/YL-KTS/337*	One NTEH / Small House	4.3.2005	(b), (e)
6.	A/YL-KTS/346*	One NTEH / Small House	13.5.2005	(b), (e)
7.	A/YL-KTS/370*	One NTEH / Small House	16.6.2006	(b)
8.	A/YL-KTS/476*	One NTEH / Small House	20.11.2009	(a), (b)
9.	A/YL-KTS/477*	One NTEH / Small House	20.11.2009	(a), (b)
10.	A/YL-KTS/668*	One NTEH / Small House	3.7.2015	(a), (b), (d)

* Straddled both "AGR" and "V" zones

Approval Conditions

- (a) The design / provision / submission / implementation of drainage / stormwater facilities / proposal.
- (b) The submission / implementation of landscape treatment/proposal.
- (c) The provision of emergency vehicle access and fire service installations.
- (d) The provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the Town Planning Boards.
- (e) The permission shall cease to have effect on a specified date unless prior to the said date either the development hereby permitted is commenced or the permission is renewed.

Rejected Applications

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejection Reasons</u>
1.	A/YL-KTS/238*	Seven NTEHs / Small Houses	22.12.2000	(a), (b), (c)
2.	A/YL-KTS/261*	Ten NTEHs / Small Houses	11.1.2002	(a), (b), (c)
3.	A/YL-KTS/348*	Six NTEHs / Small Houses	27.5.2005	(a), (d)
4.	A/YL-KTS/350	One NTEH / Small House	10.6.2005	(e)
5.	A/YL-KTS/372	One NTEH / Small House	27.10.2006 (on review)	(a), (d)
6.	A/YL-KTS/373	One NTEH / Small House	27.10.2006 (on review)	(a), (d)
7.	A/YL-KTS/374	One NTEH / Small House	27.10.2006 (on review)	(a), (d)
8.	A/YL-KTS/375	One NTEH / Small House	27.10.2006 (On review)	(a), (d)
9.	A/YL-KTS/376	One NTEH / Small House	27.10.2006 (On review)	(a), (d)
10.	A/YL-KTS/377	One NTEH / Small House	27.10.2006 (On review)	(a), (d)
11.	A/YL-KTS/378	One NTEH / Small House	27.10.2006 (On review)	(a), (d)
12.	A/YL-KTS/380	One NTEH / Small House	27.10.2006 (On review)	(a), (d)
13.	A/YL-KTS/381	One NTEH / Small House	27.10.2006 (On review)	(a), (d)
14.	A/YL-KTS/428	One NTEH / Small House	12.12.2008 (on review)	(a), (d)
15.	A/YL-KTS/429	One NTEH / Small House	12.12.2008 (on review)	(a), (d)
16.	A/YL-KTS/430	One NTEH / Small House	12.12.2008 (on review)	(a), (d)
17.	A/YL-KTS/431	One NTEH / Small House	12.12.2008 (On review)	(a), (d)
18.	A/YL-KTS/432	One NTEH / Small House	12.12.2008 (On review)	(a), (d)
19.	A/YL-KTS/433	One NTEH / Small House	12.12.2008 (On review)	(a), (d)
20.	A/YL-KTS/434	One NTEH / Small House	12.12.2008 (On review)	(d)
21.	A/YL-KTS/435	One NTEH / Small House	12.12.2008 (On review)	(d)
22.	A/YL-KTS/436	One NTEH / Small House	12.12.2008 (On review)	(d)

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejection Reasons</u>
23.	A/YL-KTS/565	Two NTEHs / Small Houses	14.9.2012 (On review)	(a); (d)
24.	A/YL-KTS/583	One NTEH / Small House	22.3.2013 (On review)	(a), (f)
25.	A/YL-KTS/626*	One NTEH / Small House	7.2.2014	(a), (d), (g)
26.	A/YL-KTS/627*	One NTEH / Small House	7.2.2014	(a), (d), (g)
27.	A/YL-KTS/654	One NTEH / Small House	2.1.2015	(a), (f)
28.	A/YL-KTS/656	One NTEH / Small House	2.1.2015	(a), (f)
29.	A/YL-KTS/658	One NTEH / Small House	6.2.2015	(a), (f)
30.	A/YL-KTS/666	Eight NTEHs / Small Houses	5.6.2015	(a), (h), (i)
31.	A/YL-KTS/673*	One NTEH / Small House	4.9.2015	(a), (h)
32.	A/YL-KTS/674*	One NTEH / Small House	4.9.2015	(a), (h)
33.	A/YL-KTS/686*	One NTEH / Small House	8.1.2016	(a), (h)
34.	A/YL-KTS/691	One NTEH / Small House	19.2.2016	(a), (f)
35.	A/YL-KTS/692	One NTEH / Small House	4.3.2016	(a), (f), (j)
36.	A/YL-KTS/703	One NTEH / Small House	27.5.2016	(a), (f), (g), (k)
37.	A/YL-KTS/716	One NTEH / Small House	14.10.2016	(a), (f)
38.	A/YL-KTS/727	One NTEH / Small House	3.2.2017	(a), (e), (h), (g)
39.	A/YL-KTS/744	One NTEH / Small House	28.7.2017	(a), (e), (h), (g)
40.	A/YL-KTS/759	One NTEH / Small House	22.12.2017	(a), (h)
41.	A/YL-KTS/760	One NTEH / Small House	22.12.2017	(a), (h)
42.	A/YL-KTS/761	One NTEH / Small House	22.12.2017	(a), (h)

* Straddled both "AGR" and "V" zones

Rejection Reasons

- (a) The proposed development is not in line with the planning intention of the "Agriculture" ("AGR") zone for the area which is to retain and safeguard good agricultural land for agricultural purpose and to retain fallow arable land with good potential for rehabilitation.

No strong justification has been given in the submission for a departure from such planning intention.

- (b) The application site is located away from the village cluster of concerned village. Village house development should be sited on land zoned "Village Type Development" ("V") to ensure orderly development and provision of infrastructural facilities.
 - (c) There is insufficient information in the submission to demonstrate why land within "V" zones cannot be made available for the proposed development.
 - (d) The proposed development does not comply with the interim criteria for assessing planning applications for NTEH/Small House development in that there was no shortage of land within the "V" zone of the concerned village to meet the demand forecast for Small House development. There was insufficient information in the submission to demonstrate that suitable sites within the areas zoned "V" could not be made available for the proposed development.
 - (e) The proposed development did not comply with the interim criteria in that the proposed Small House fell outside the "V" zone and largely outside the village 'environs' of the concerned village.
 - (f) The proposed development does not comply with the interim criteria for assessing planning applications for NTEH/Small House development in that the site and the proposed NTEH/Small House footprint fell entirely outside the village 'environs' for the concerned village and the "V" zone. Village house development should be sited close to the village proper as far as possible to maintain an orderly development pattern, efficient use of land and provision of infrastructure and services. There is no exceptional circumstance to justify approval of the application.
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- (g) Approval of the application which does not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories would set an undesirable precedent for other similar applications in the "AGR" zone.
 - (h) Land is still available within the "V" zone of the concerned village where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructure and services.
 - (i) The applicant has failed to demonstrate that the proposed development is environmentally acceptable and not subject to risk hazard.
 - (j) Approval of the application would set an undesirable precedent for similar applications within the "AGR" zone. The cumulative effect of approving such applications would lead to degradation of the rural character and environment in the area.
 - (k) The applicant fails to demonstrate that the proposed development is environmentally acceptable and would not have adverse impact on the existing trees

Detailed Comments from the Relevant Government Departments

Land Administration

1. Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
 - (a) The Sites comprise Old Schedule agricultural lots held under the Block Government Lease.
 - (b) The Sites fall within the Village Environs Boundary (VEB) of Cheung Po.
 - (c) According to his records, the Sites are not under any Small House applications. Therefore, the indigenous villager's status and eligibility of the applicants would only be verified upon the receipt of the Small House applications as well as when the applications are due for processing.
 - (d) According to his records, the Sites are not covered by any Modification of Tenancy or Building Licence.
 - (e) The Sites fall within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structures will not exceed the relevant airfield height limit within SKAHRA.
 - (f) The number of outstanding Small House applications of Cheung Po and Tai Wo are 67 and 57 respectively.
 - (g) The 10-year forecast of Small House demand for Cheung Po (2015-2024) is 180; for Tai Wo (2017-2026) is 495. The 10-year forecast is provided by the Indigenous Inhabitant Representative of Cheung Po and Tai Wo and DLO/YL is unable to verify such information.
 - (h) If a proposed Small House site is outside or more than 50% of it is outside the VEB of a recognized village and the "V" zone which encircles the recognized village, the concerned Small House application will be rejected under the New Territories Small House Policy even though the applicant is an indigenous villager who has successfully sought planning permission.
 - (i) Should planning approval be given to the planning applications, the registered lot owners should inform DLO/YL. DLO/YL will advise the registered owners whether the small house applications will be considered or processed under the New Territories Small House Policy. There is no guarantee that such application would be approved. Should the registered lots owners, after obtained planning approval, submit lease modification / land exchange application, DLO/YL will consider their applications acting in the capacity as the landlord and there is also no guarantee that such application would be approved. Besides, in general, application for NTEH development other than under Small House Policy will not be entertained. Any applications, if

approved, would be subject to such terms and conditions, including, among others, the payment of premium and/or administrative fee, as may be imposed by the LandsD.

Agriculture and Nature Conservation

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

The Sites are abandoned fallow land at present. Active agricultural activities can be found in its vicinity and the Sites possess potential for agricultural rehabilitation. The applications are not supported from agriculture point of view.

Environment

3. Comments of the Director of Environmental Protection (DEP):

- (a) There is no information regarding the sewage disposal arrangement of the Small House applications. The applicants should follow the requirements in the Hong Kong Planning Standards and Guidelines and the EPD's Practice Note for Professional person (ProPECC) PN5/93 "*Drainage Plans subject to Comment by the Environmental Protection Department*", and propose suitable means for sewage collection, treatment and disposal.
- (b) Since the Sites are adjacent to the West Rail Pat Heung Maintenance Centre, the applicants should propose adequate noise mitigation measures to ensure compliance with the relevant planning standards and statutory requirements.

4. Comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):

- (a) From West Rail Line's perspective, as the applications partly fall within the protection boundary of the existing West Rail Line, the Sites might be subject to railway noise impact of the West Rail Line. The applicants shall be satisfied with the condition in respect of railway noise taking into account the current and future operations of the West Rail Line, and provide necessary noise mitigation measures for the development at the applicants' own cost.
- (b) From Northern Link's perspective, the Sites fall within the Area of Influence ("AOI") for the proposed Northern Link ("NOL"). Although the programme and the alignment of the proposed NOL are still under review, those areas within the AOI might be subject to railway noise impact of the proposed NOL. Provided that the applicants are satisfied with the surrounding condition in respect of railway noise taking into account future operation of NOL, he has no in-principle objection to the applications from the development point of view of NOL.

Landscape

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

- (a) He has no objection to the applications from the landscape planning point of view.
- (b) The Sites fall within an area zoned "AGR". The Sites were not subject of any previous application. The surrounding area is predominantly rural in character, comprising of agricultural land, scattered trees and village houses.
- (c) According to the site inspection photos taken in December 2017, the Sites are currently vacant covered with wild grass and surrounded by numbers of existing trees e.g. *Celtis sinensis* (朴樹) and *Dimocarpus longas* (龍眼) etc. The proposed use is considered not entirely incompatible with the surrounding landscape character and village setting. Thus, adverse landscape impact arises from the proposed Small Houses is not anticipated.
- (d) Should the application be approved, he would recommend the following landscape conditions to be included in the planning approval.
 - (i) For Application nos. A/YL-KTS/765, 769, 772, 773 and 775: The submission and implementation of a tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.
 - (ii) For Application nos. A/YL-KTS/766 to 768, 770, 771 and 774: The submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.
- (e) It is observed that most of existing trees along the boundary of the Sites are in fair and good condition which provides screening effect to the surrounding area. The applicants are reminded to take tree preservation into consideration.

Drainage

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

- (a) He has no in-principle objection to the proposed development from the public drainage point of view.
- (b) Should the application be approved, approval conditions requiring the applicant to submit a drainage proposal and to implement the drainage proposal for the development to the satisfaction the Director of Drainage Services or of the Town Planning Board should be included.
- (c) The applicants are reminded to maintain all drainage facilities on site in good condition and ensure that the proposed development would neither obstruct overland flow nor adversely affect existing natural streams, village drains,

ditches and the adjacent areas, etc.

Water Supply

7. Comment of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):
- (a) He has no objection to the applications.
 - (b) For provision of water supply to the developments, the applicants may need to extend their inside services to the nearest suitable government water mains for connection. The applicants 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 standard.

Traffic

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

Considering there is no parking provision nor vehicular access to the lots and the induced traffic is minimal, he has no comment on the applications.

9. Comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):

As there are no vehicular access proposal take granted under the applications, he has no comment from highways maintenance point of view. It is noted from the applications that no run-in/out and direct vehicular access to the Sites are proposed.

Fire Safety

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

- (a) He has no specific comment on the applications.
- (b) The applicants are reminded to follow the "New Territories Exempted Houses – A Guide to Fire Safety Requirements" published by LandsD.

Building Matters

11. Comments of the Chief Building Surveyor/NTW, Buildings Department (CBS/NTW, BD):
- (a) Noting that the building to be erected on the Sites will be NTEH under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121), DLO/YL should be in a better position to comment on the application.
 - (b) In case DLO/YL decides not to issue the certificates of exemption for the site

formation works and/or drainage works associated for the NTEH development, such works will require prior approval and consent under the Buildings Ordinance. In the circumstance, an Authorised Person (AP) should be appointed as the coordinator for the proposed works. The applicant may approach DLO/YL or seek AP's advice for details.

Electricity

12. Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) He has no particular comment on the applications from electricity supply safety aspect.
- (b) In the interest of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the mentioned application 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. Applicants 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.

District Officer's Comments

13. Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

He has received one comment from a public upon close of consultation and he has no particular comment on the application. The commenter objects to the applications mainly on the grounds that the applications do not align with the Small House Policy, using the Sites for small house is illegal and land resource should be used to develop public housing.

Demand and Supply of Small House Sites

- 14. According to the DLO/YL's latest records, the total number of outstanding Small House applications of Cheung Po and Tai Wo is 124 (i.e. equivalent to 3.1 ha) while the 10-year Small House demand forecast for Cheung Po and Tai Wo is 675 (i.e. equivalent to 16.875 ha). According to the latest estimate by PlanD, about 14.01 ha (equivalent to about 560 Small House sites) of land is available within the "V" zone of Cheung Po and Tai Wo to meet the demand of Small Houses.

Advisory clauses

- (a) note DLO/YL, LandsD's comments that Sites comprise Old Schedule agricultural lot held under the Block Government Lease. The Sites fall within the village environs boundary (VEB) of Cheung Po. According to his records, the Sites are not currently under any Small House (SH) applications. Therefore, the indigenous villager's status and eligibility of the applicants would only be verified upon the receipt of the SH applications as well as when the applications are due for processing. According to his records, the Sites are not covered by any Modification of Tenancy or Building Licence. The Sites fall within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structures will not exceed the relevant airfield height limit within SKAHRA. The registered lot owners should inform DLO/YL, LandsD, and DLO/YL will advise the registered owners whether SH applications will be considered or processed under the New Territories Small House Policy. There is no guarantee that such applications would be approved. Should the registered lot owners, after obtained planning approval, submit lease modification / land exchange applications, DLO/YL, LandsD will consider their applications acting in the capacity as the landlord and there is also no guarantee that such applications would be approved. Besides, in general, application for New Territories Exempted House (NTEH) development other than under Small House Policy will not be entertained. Any applications, if approved, would be subject to such terms and conditions, including, among others, the payment of premium and/or administrative fee, as may be imposed by LandsD;
- (b) note D of FS's comments that the applicants should follow the "New Territories Exempted Houses – A Guide to Fire Safety Requirements" issued by LandsD;
- (c) note DEP's comments that there is no information regarding the sewage disposal arrangement of the SH applications. The applicants should follow the requirements in the Hong Kong Planning Standards and Guidelines and the EPD's Practice Note for Professional Person (ProPECC) PN 5/93 "*Drainage Plans subject to Comment by the Environmental Protection Department*", and propose suitable means for sewage collection, treatment and disposal. Since the Sites are adjacent to the West Rail Pat Heung Maintenance Centre, the applicants should propose adequate noise mitigation measures to ensure compliance with the relevant planning standards and statutory requirements;
- (d) note CTP/UD&L, PlanD's comments that it is observed that most of existing trees along the boundaries of the Sites are in fair and good condition which provides screening effect to the surrounding area. The applicants are reminded to take tree preservation into consideration;
- (e) note CBS/NTW, BD's comments that in case DLO/YL decides not to issue the certificates of exemption for the site formation works and/or drainage works

- associated for the NTEH development, such works will require prior approval and consent under the Buildings Ordinance. In the circumstance, an Authorised Person (AP) should be appointed as the coordinator for the proposed works. The applicants may approach DLO/YL or seek AP's advice for details;
- (f) note DEMS's comments that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the mentioned application 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. Applicants 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.
- (g) note CHE/NTW, HyD's comments that from the West Rail Line's perspective, as the applications partly fall within the protection boundary of the existing West Rail Line, the Sites might be subject to railway noise impact of the West Rail Line. The applicants shall be satisfied with the condition in respect of railway noise taking into account the current and future operations of the West Rail Line, and provide necessary noise mitigation measures for the proposed development at the applicants' own cost. From the Northern Link's perspective, the Sites fall within the Area of Influence ("AOI") for the proposed Northern Link ("NOL"). Although the programme and the alignment of the proposed NOL are still under review, those areas within the AOI might be subject to railway noise impact of the proposed NOL;
- (h) note CE/C, WSD's comments that for provision of water supply to the developments, the applicants may need to extend their inside services to the nearest suitable government water mains for connection. The applicants 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;
- (i) note CE/MN, DSD's comments that all drainage facilities on site should be maintained in good condition and ensure that the proposed development would neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.; and
- (j) 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 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.