

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATIONS NO. A/TM-LTYYY/370 to 372

- Applicants** : Siu Chi Kin (Application No. A/TM-LTYYY/370)
Siu Wing Keung (Application No. A/TM-LTYYY/371)
Siu Simon Tin Ying (Application No. A/TM-LTYYY/372)
- All with Chow Wing Chun as the Power of Attorney and represented by Proper Trip Surveyors Limited
- Sites** : Lot 223 S.B (Application No. A/TM-LTYYY/370)
Lot 223 RP (Application No. A/TM-LTYYY/371)
Lot 223 S.C (Application No. A/TM-LTYYY/372)
- All in D.D. 130, San Hing Tsuen, Lam Tei, Tuen Mun, New Territories
- Site Areas** : About 174.3m² (Application No. A/TM-LTYYY/370)
About 143.3m² (Application No. A/TM-LTYYY/371)
About 158.8m² (Application No. A/TM-LTYYY/372)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lam Tei and Yick Yuen Outline Zoning Plan (OZP) No. S/TM-LTYYY/10
- Zoning** : “Residential (Group E)” (“R(E)”) [restricted to a maximum plot ratio of 1.0, a maximum site coverage of 40% and a maximum building height of 4 storeys over single-storey car park (15m) except ‘New Territories Exempted House’]
- Application** : Proposed House (New Territories Exempted House (NTEH) - Small House)

1. The Proposal

- 1.1 The applicants, who claim to be indigenous villagers of San Hing Tsuen, seek planning permissions to build proposed NTEHs (Small Houses) on the application sites (the Sites) (**Plan A-1**). The Sites are currently occupied by temporary structures which are vacant (Application No. A/TM-LTYYY/370), for residential dwelling (Application No. A/TM-LTYYY/371) and for storage of vehicles (Application No. A/TM-LTYYY/372) respectively.
- 1.2 According to the Schedule I of the Notes for the “R(E)” zone of the OZP, ‘House (other than rebuilding of NTEH or replacement of existing domestic building by NTEH permitted under the covering Notes)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board).

1.3 Details of the proposed Small House developments are as follows:

Total Floor Area	:	195.09m ²
Number of storeys	:	3
Building Height	:	8.23m
Roofed Over Area	:	65.03m

The location plans and lot index plans submitted by the applicants are shown on **Drawings A-1a to A-2c** respectively. According to the applicants, the uncovered areas of the Sites will be for private open gardens with areas of 109.27 m² (Application No. A/TM-LTY Y/370), 78.27 m² (Application No. A/TM-LTY Y/371) and 93.8 m² (Application No. A/TM-LTY Y/372) respectively and no fence will be erected.

1.4 The Sites are the subjects of 3 previous applications (No. A/TM-LTY Y/283, 284 and 285 respectively) for the same use submitted by the same applicants, which were approved with conditions by the Rural and New Town Planning Committee (the Committee) on 12.12.2014. The planning permissions subsequently lapsed on 12.12.2018. Compared with the previous applications (No. A/TM-LTY Y/283, 284 and 285), the site areas and major development parameters including the layout of the proposed Small Houses under the current applications generally remain the same.

1.5 In support of the application, the applicants have submitted the following documents:

- (a) Application Forms and attachments received on 10.4.2019 **(Appendices Ia to Ic)** and supplementary information received on 15.4.2019
- (b) Letters of 14.5.2019 providing advice of the Lands Department (LandsD) on the processing of the proposed Small House applications **(Appendices Id to 1f)**
(accepted and exempted from publication and recounting requirements)
- (c) Letter of 10.7.2019 providing responses to comments of the Environmental Protection Department (EPD) **(Appendix 1g)**
(accepted and exempted from publication and recounting requirements)
- (d) Letter of 21.8.2019 clarifying no vehicular access leading to the Sites **(Appendix 1h)**
(accepted and exempted from publication and recounting requirements)
- (e) Letter of 28.8.2019 providing supplementary information on justifications **(Appendix 1i)**
(accepted and exempted from publication and recounting requirements)

1.6 On 31.5.2019, the Committee agreed to the applicants' requests to defer making decisions on the applications for two months so as to allow time for preparation of further information to resolve departmental comments. Further information was

received on 10.7.2019. Therefore, the applications are submitted to the Committee for consideration at this meeting.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the applications are detailed at **Appendices Ia to Ii**. They can be summarised as follows:

- (a) The Sites are compatible with the surrounding land uses and environment.
- (b) The Sites are within the village environs ('VE') of San Hing Tsuen.
- (c) The proposed Small House developments will have no significant impact on the "R(E)" zoning.
- (d) The proposed Small House developments will have well-planned and sufficient drainage and sewage facilities.
- (e) The applicants submitted their Small House applications to the Lands Department (LandsD) on 15.1.2013. They submitted planning applications to the Board on 25.7.2014 and received the planning approval letter on 2.1.2015.
- (f) Over the past few years, the applicants have continuously been liaising with LandsD to fulfill their requirements in the process of small house applications. On 11.8.2016, the applicants submitted the revised proposal for clarification of lot boundary to LandsD and received approval on 20.1.2017. The consultant of the applicants prepared and submitted the sewerage and stormwater drainage proposal to the Drainage Services Department (DSD) via LandsD on 3.1.2017 and received the approval letter on 18.4.2018. The applicants believe they communicate with LandsD to be the proper way to deal with their small house applications.
- (g) Due to unfamiliarity of the town planning system, the applicants have not submitted the applications for extension of time for commencement and proposals for compliance with the planning permission conditions.

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

The applicants are 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 New Territories Exempted House/Small House in New Territories (the Interim Criteria) was first promulgated on 24.11.2000 and had been amended four times on 30.3.2001, 23.8.2002, 21.3.2003 and 7.9.2007 respectively. The latest set of Interim Criteria, promulgated on 7.9.2007, is at **Appendix II**.

5. Background

The Sites are currently not subject to planning enforcement action.

6. Previous Applications

6.1 There are three previous applications (No. A/TM-LTYYY/283, 284 and 285) for Small House developments at the Sites. Details of the applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.

6.2 Applications No. A/TM-LTYYY/283, 284 and 285 for NTEH/Small House developments were approved by the Committee on 12.12.2014 on the considerations were in line with planning intention of the “R(E)” zone, not incompatible with the surrounding areas, compliance with the Interim Criteria, not sufficient land to meet the forecasted 10-year Small House demand in the concerned “V” zone and no objection from relevant government departments.

7. Similar Applications

7.1 There are eight similar applications for NTEH/Small House within the same “R(E)” zone. Details of the applications are summarised in **Appendix IV** and their locations are shown on **Plan A-1**.

7.2 Application No. A/TM-LTYYY/204 for three proposed Small Houses was rejected by the Committee on 29.10.2010. The rejection reasons were that the proposed NTEHs/Small Houses did not comply with the Interim Criteria in that over 50% of each of the footprints of the proposed Small House fell outside both the ‘VE’ and “V” zone and there were no exceptional circumstances to warrant approval of the application.

7.3 Application No. A/TM-LTYYY/238 for proposed Small House was rejected by the Board on review on 16.11.2012. The rejection reasons were non-compliance with the Interim Criteria in that there was no shortage of land within the “V” zone for Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen to meet the demand forecast for Small House development, failure to demonstrate no adverse drainage, sewerage and landscape impacts, and no exceptional circumstances to warrant approval of the application.

7.4 Applications No. A/TM-LTYYY/301, 307, 335 and 336 for one proposed Small House at each of the site were approved by the Committee on 30.9.2016, 18.3.2016, 11.8.2017 and 11.8.2017 respectively on similar considerations. Major considerations were in line with planning intention, unlikely be subject to potential industrial/residential interface problems, not incompatible with surrounding low-rise developments, compliance with the Interim Criteria and no objection/adverse comments from government departments. One of the considerations for Application No. A/TM-LTYYY/307, which was the subject of the previously rejected Application No. A/TM-LTYYY/238 (see paragraph 7.3 above), was sympathetic consideration in view of the general shortage of land in the concerned “V” zone to meet the long term Small House demand.

7.5 Applications No. A/TM-LTY Y/362 and 363 for one proposed Small House at each of the site were rejected by the Board on review on 9.8.2019. The major rejection reasons were that the land is still available within the “V” zone of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen where land is primarily intended for Small House development. It is considered more appropriate to concentrate Small House development close to the existing village cluster within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services and the proposed development is in close proximity to the proposed public housing development currently under a feasibility study. Approval of the application will impose constraints to the planning for the proposed public housing development.

8. The Sites and Its Surrounding Areas (Plans A-1 to A-4c)

8.1 The Sites are:

- (a) occupied by temporary structures which are vacant (Application No. A/TM-LTY Y/370), for residential dwelling (Application No. A/TM-LTY Y/371) and for storage of vehicles (Application No. A/TM-LTY Y/372);
- (b) located within the common ‘VE’ of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen in Lam Tei, Tuen Mun which are recognised villages; and
- (c) accessible via San Hing Road.

8.2 The surrounding areas have the following characteristics (**Plan A-2a**):

- (a) to the east are the village-type houses in San Hing Tsuen, car park and a warehouse which are suspected unauthorised developments (UDs);
- (b) to the south are residential dwellings, an office and storage which is a suspected UD;
- (c) to the west are a warehouse, village type houses, temporary structures for residential dwellings purpose, a godown which is a suspected UD and the NTEHs/Small Houses under application No. A/TM-LTY Y/335 and 336 approved by the Committee on 11.8.2017; and
- (d) to the north are residential dwellings, restaurant and real estate agency, the residential developments of The Emperor Villa, Sun King Garden and Hanison Garden.

9. Planning Intention

The planning intention of the “R(E)” zone is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Town Planning Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

10. Comments from Relevant Government Departments

10.1 The applications have been assessed against the Interim Criteria at **Appendix II**. As the Sites fall within a common ‘VE’ of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen, the demand of Small Houses and supply of Small House sites are assessed collectively.

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
1.	<p>Within “V” zone?</p> <ul style="list-style-type: none"> - Footprint of the Small Houses <ul style="list-style-type: none"> - <i>A/TM-LTYY/370</i> - <i>A/TM-LTYY/371</i> - <i>A/TM-LTYY/372</i> - Application Sites <ul style="list-style-type: none"> - <i>A/TM-LTYY/370</i> - <i>A/TM-LTYY/371</i> - <i>A/TM-LTYY/372</i> 			
2.	<p>Within ‘VE’?</p> <ul style="list-style-type: none"> - Footprint of the Small Houses <ul style="list-style-type: none"> - <i>A/TM-LTYY/370</i> - <i>A/TM-LTYY/371</i> - <i>A/TM-LTYY/372</i> - Application Sites <ul style="list-style-type: none"> - <i>A/TM-LTYY/370</i> - <i>A/TM-LTYY/371</i> - <i>A/TM-LTYY/372</i> 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ 		<ul style="list-style-type: none"> - The Sites fall within the common ‘VE’ of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen (the three villages) (Plan A-2a).
3.	<p>Sufficient land in “V” zone to satisfy 10-year Small House demand (outstanding Small House applications plus 10-year Small House demand)?</p>		✓	<ul style="list-style-type: none"> - Land required to meet Small House demand is about 23.98 ha (equivalent to about 959 Small House sites). The outstanding Small House applications for the three villages are 127 (i.e. about 3.18 ha of land), while the 10-year Small House demand forecast for the three villages is 832 houses (i.e. about 20.8 ha of land). - Land available to meet Small House demand within the “V”
	<p>Sufficient land in “V” zone to meet outstanding Small House applications?</p>	✓		

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
				zone covering the three villages: about 21.46 ha (or equivalent to about 858 Small House sites) (Plan A-2b) .
4.	Compatible with the planning intention of “R(E)” zone?	✓		- The “R(E)” zone is primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board.
5.	Compatible with surrounding area / development?	✓		- The surrounding areas are predominantly rural in character, occupied mostly by low-rise village type developments/ temporary structures for dwelling purposes (Plan A-2a) .
6.	Within Water Gathering Ground (WGG)?		✓	- The Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) has no comment to the applications. The Sites are not located within water gathering ground.
7.	Encroachment onto the planned road networks and public works boundaries?		✓	- The Commissioner for Transport (C for T) advises that there is no planned road project under the Transport Department’s purview at the Sites. - The Chief Engineer/Housing Project 2, Civil Engineering and Development Department (CE/HP2, CEDD) advises that his consultant is currently carrying out a study under Agreement No. CE 68/2017 (CE) – Site Formation and Infrastructural Works Development at San Hing Road and Hong Po Road, Tuen Mun – Feasibility Study. According to the latest layout plan extracted from the consultancy brief, the proposed house applications are found locating very close to the northeast boundary of the proposed San Hing Road housing development site. However, the

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
				<p>exact boundary, phasing of development and land requirement are still under refinement by the consultant to be agreed by the Housing Department (HD), the LandsD and other government departments concerned.</p> <ul style="list-style-type: none"> - The Director of Housing (D of Housing) has no comments on the applications. - DLO/TM, LandsD advises that if a proposed Small House site falls within 30 metres from known resumption/clearance limits, it is within a prohibited area and the Small House proposal should only be proceeded subject to no adverse comments being received from the relevant departments concerned.
8.	Need for provision of fire services installations (FSIs) and emergency vehicular access (EVA)?		✓	<ul style="list-style-type: none"> - The Director of Fire Services (D of FS) has no specific comments on the applications. The applicants are advised to observe 'New Territories Exempted Houses – A Guide to Fire Safety Requirements' published by LandsD.
9.	Traffic impact?		✓	<ul style="list-style-type: none"> - C for T has no comments on the applications from traffic engineering viewpoints.
10.	Drainage impact?		✓	<ul style="list-style-type: none"> - The Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) has no in-principle objection to the applications.
11.	Sewerage impact?		✓	<ul style="list-style-type: none"> - Director of Environmental Protection (DEP) advises that in view of the small scale and nature of the proposed developments, the proposed developments have no major environmental impact. Public sewer is available at San Hing Road and the applicants are

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
				required to submit a sewer connection proposal to DSD for approval.
12.	Landscape impact?		✓	- Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advises that in view of previous approved applications for small house uses, significant change to the village landscape character arising from the applications are not envisaged.
13.	Local objections conveyed by DO?		✓	- District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD) advises that he has distributed consultation letters to the locals concerned and understand that they would provide their comments (if any) to the Board direct. (Public comments received during the statutory publication period are at Appendices VI-1 to VI-4 , see also paragraph 11 below.)
14.	Others	-	-	- Executive Secretary (Antiquities and Monument Office), Antiquities and Monument Office (ES (A&M), AMO) advises that the Sites fall within San Hing Tsuen Site of Archaeological Interest. In view of the location and scope of the proposed works as well as the findings of previous archaeological work in the surrounding area, the applicants are required to notify AMO two weeks prior to the commencement of construction work so as to facilitate his staff to conduct site inspection in the course of excavation.

10.2 Comments of the following government departments have been incorporated in the above paragraphs. Detailed comments from government departments are at **Appendix V**.

- (a) District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD);
- (b) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (c) Commissioner for Transport (C for T);
- (d) Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD);
- (e) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD);
- (f) District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD);
- (g) Director of Environmental Protection (DEP);
- (h) Director of Fire Services (D of FS);
- (i) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (j) Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD)
- (k) Executive Secretary (Antiquities and Monument Office), Antiquities and Monument Office (ES (A&M), AMO); and
- (l) Chief Engineer/Housing Project 2, Civil Engineering and Development Department (CE/HP2, CEDD).

10.3 The following government departments have no comment on the application.

- (a) Director of Housing (D of Housing);
- (b) Director of Leisure and Cultural Services (DLCS);
- (c) Director of Food and Environmental Hygiene (DFEH);
- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Director of Agriculture, Fisheries and Conservation (DAFC);
- (f) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (g) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD); and
- (h) Commissioner of Police (C of P).

11. Public Comments Received During the Statutory Publication Period

On 19.4.2019, the applications were published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 10.5.2019, two public comments were received for each of the applications. A member of the Tuen Mun District Council supported the applications without giving specific reason (**Appendices VI-1 to VI-3**). An individual objects to the applications on the grounds that the lots are Old Schedule Agricultural Lots with no building status, there is a judicial review on village houses and septic tanks should be phased out rather than encouraged (**Appendix VI-4**).

12. Planning Considerations and Assessments

- 12.1 The applications are for proposed houses (NTEHs – Small Houses) at the Sites which fall wholly within an area zoned “R(E)” on the OZP. The “R(E)” zone is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. The proposed Small House developments are generally in line with the planning intention of the “R(E)” zone. The proposed Small Houses are mainly surrounded by existing village-type houses/temporary structures for dwelling purposes. Furthermore, DEP has no objection to the applications and advises that the proposed developments are not anticipated to be subject to adverse environmental impact. In this regard, the proposed Small Houses will unlikely be susceptible to industrial/residential interface problems.
- 12.2 The Sites are mainly surrounded by village-type houses in the east, west and north, and residential dwellings and storage in the south. Besides, the Sites are located in close proximity to the “V” zone of San Hing Tsuen and existing cluster of villages houses (**Plan A-2a**). The proposed Small Houses developments are not incompatible with the low-rise developments in the surrounding areas.
- 12.3 According to the latest information from DLO/TM, LandsD, the total number of outstanding Small House applications of the three villages is 127 (i.e. about 3.18 ha of land) while the 10-year forecast of Small House demand of the three villages is 832 (i.e. about 20.8 ha of land) (i.e. a total of 959 houses or about 23.98 ha of land). Based on the latest estimate by PlanD, about 21.46 ha (equivalent to about 858 Small House sites) of land is available within the “V” zone of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen on the OZP. Although land available within the “V” zone cannot fully meet the total future demand of 959 Small Houses (i.e. about 23.98 ha of land), it is capable to meet the 127 outstanding Small House applications.
- 12.4 Regarding the Interim Criteria (**Appendix II**), the proposed Small Houses footprints fall entirely within the ‘VE’ of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen and the proposed developments (**Plan A-2a**). While land available within the “V” zone (about 21.46 ha or equivalent to about 858 Small House sites) is insufficient to fully meet the future Small House demand, it is capable to meet the 127 outstanding Small House applications (**Plan A-2b**). It should be noted that the Board has adopted a more cautious approach in approving applications for Small House development in recent years. Amongst others, in considering whether there is a general shortage of land in meeting Small House demand, more weighting has been put on the number of outstanding Small House applications provided by LandsD. In this regard, 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.
- 12.5 Nevertheless, the Interim Criteria also stipulates that 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 processing of the Small House grant is already at an advance stage. The Sites are the subjects of three previously approved applications (No. A/TM-LTY/283, 284 and 285) submitted by the same applicants with no change to the footprints and the development parameters of the proposed

Small Houses which were lapsed on 12.12.2018. The applicants stated that upon obtaining previous planning approvals in end 2014, they have continuously been liaising with LandsD to fulfill their requirements in the process of small house applications over the past few years. They have submitted proposals for clarification of lot boundary to LandsD and sewerage and stormwater drainage proposal to DSD and have subsequently obtained approvals from the relevant departments in 2017. According to DLO/TM, LandsD, the lot owners have submitted applications for erection of NTEHs under the Small House Policy on the Sites. The processing of the concerned small house applications are withheld for the time being pending the decision of the planning permission application. Once the planning permissions are given, his office will proceed with seeking approvals for the small house applications. Hence, sympathetic consideration could be given to the current applications based on their exceptional circumstances.

- 12.6 There are eight similar applications within the same “R(E)” zone in the vicinity of the Site (**Plan A-1**). Four of them were approved by the Committee in 2016 and 2017 mainly on the grounds of in line with planning intention, unlikely be subject to potential industrial/residential interface problems, not incompatible with surrounding low-rise developments, compliance with the Interim Criteria and no objection/adverse comments from government departments. The remaining four applications were rejected by the Committee or the Board in 2010, 2012 and 2019 mainly on the grounds of not complying with the Interim Criteria that over 50% of each of the footprints of the three proposed Small Houses fell outside both the village environs and the “V” zone, there was no shortage of land within the “V” zone to meet the demand forecast for Small House development, failed to demonstrate that the proposed development would have no adverse drainage, sewerage and landscape impacts on the surrounding areas and land is still available within the “V” zone. For the current applications, the Sites are the subjects of three previously approved applications (No. A/TM-LTYT/283, 284 and 285) submitted by the same applicants which were lapsed.
- 12.7 The government departments consulted, including Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North, Drainage Services Department and Chief Town Planner/Urban Design and Landscape, Planning Department have no adverse comment on the applications. Their technical requirements could be addressed by imposing approval conditions (see paragraph 13.2 below).
- 12.8 Two public comments were received for each of the applications during the statutory publication period. The planning considerations and assessments in paragraphs 12.1 to 12.7 above are also relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the applications.
- 13.2 Should the Committee decide to approve the applications, it is suggested that the permission shall be valid until 6.9.2023, and after the said date, the permission shall cease to have effect unless before the said date, the developments permitted are

commenced or the permissions are renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission and implementation of a sewerage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are at **Appendix VII**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for the rejection is suggested for Member's reference:

Land is still available within the "V" zone of Tsing Chuen Wai, Tuen Tsz Wai and San Hing Tsuen where land is primarily intended for Small House development. It is considered more appropriate to concentrate Small House development close to the existing village cluster within the "V" zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

14. Decision Sought

- 14.1 The Committee is invited to consider the applications and decide whether to grant or refuse to grant permissions.
- 14.2 Should the Committee decide to approve the applications, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 14.3 Alternatively, should the Committee decide to reject the applications, Members are invited to advise what reason(s) for rejection should be given to the applicants.

15. Attachments

Appendices Ia to Ic	Application Form and attachments received on 10.4.2019 and supplementary information received on 15.4.2019
Appendices Id to If	Letters of 14.5.2019 providing advice of LandsD on the processing of the proposed Small House applications
Appendix Ig	Letter of 10.7.2019 providing responses to comments of EPD
Appendix Ih	Letter of 21.8.2019 clarifying no vehicular access leading to the Sites
Appendix Ii	Letter of 28.8.2019 providing supplementary information on justifications
Appendix II	Extract of the Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories

Appendix III	Previous s.16 Applications Covering the Application Sites
Appendix IV	Similar s.16 Applications within the same “R(E)” zone on the approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTTY/10
Appendix V	Detailed Comments of Government Department Concerned
Appendices VI-1 to VI-4	Public Comments Received During Statutory Publication Period
Appendix VII	Advisory Clauses
Drawings A-1a to A-1c	Lot Index Plans
Drawings A-2a to A-2c	Proposed Building License Plans
Plan A-1	Location Plan
Plan A-2a	Site Plan
Plan A-2b	Estimated Amount of Land Available for Small House Development within the “V” Zone
Plan A-3	Aerial Photo
Plan A-4a and A-4b	Site Photos

PLANNING DEPARTMENT
SEPTEMBER 2019