

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/387

<u>Applicant</u>	: Mr. CHEUNG Man Tung represented by Aikon Development Consultancy Limited
<u>Site</u>	: Lot 1135 S.B in D.D. 129, Mong Tseng Wai, Lau Fau Shan, Yuen Long, New Territories
<u>Site Area</u>	: About 153.6 m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/9
<u>Zoning</u>	: “Village Type Development” (“V”) (about 125.3m ² or 81.6%) <i>[Restricted to a maximum building height of 3 storeys (8.23 m) in “V” zone]</i> “Green Belt” (“GB”) (about 28.3m ² or 18.4%)
<u>Application</u>	: Proposed House (New Territories Exempted House - Small House) and Filling and Excavation of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed house (New Territories Exempted House (NTEH) - Small House (SH)) and filling and excavation of land at the application site (the Site) (**Plan A-1a**). The majority of the Site (81.6%) falls within an area zoned “V” and a minor portion of the Site (18.4%) falls within an area zoned “GB” on the OZP. According to the Notes of the OZP, ‘House (NTEH only)’ is a Column 1 use which is always permitted within “V” zone, whereas ‘House’ in “GB” zone requires planning permission from the Town Planning Board (the Board). For both “V” and “GB” zones, any filling and excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2, requires planning permission from the Board. The Site is currently vacant and covered with loose soil and grass.
- 1.2 Part of the Site (about 60m²) is involved in a previous application (No. A/YL-LFS/371) for proposed filling and excavation of land for 12 permitted NTEHs – SHs within the “V” zone, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on

23.10.2020 (**Plan A-1b**). Details of the previous application are at paragraph 7 and **Appendix III**.

1.3 Details of the proposed SH development are as follows:

Total Floor Area : 195.09m²
Number of storeys : 3
Building height : 8.23m
Roofed over area : 65.03m²

1.4 As shown in **Drawing A-5**, the Site is located on a slope with uneven ground level, sloping down from the northwest (17.00mPD) to southeast (15.10mPD). The applicant proposes to first excavate about 107m² of land within the “V” zone portion with a depth of not more than 1.5m and then fill the same area with compact fill of not more than 3.5m depth for site formation and consolidation. The proposed final site formation level will be at 18.5mPD to facilitate the development of the proposed SH. The footprint of the SH will be confined to the “V” zone portion. The applicant commits that filling/excavation of land will not be carried out on the “GB” portion and the “GB” portion will only be the reserved space for necessary facilities such as drainage channels which will be subject to detailed design.

1.5 The Site is accessible via a local track and a local footpath leading from Deep Bay Road (**Drawing A-1, Plans A-1a, A-2a and A-3**). The applicant indicates that, during the construction period, about 1-2 van trips per week will be generated on the existing local track. No large machinery would be used while the construction materials will be transported by trolley or wheelbarrow by manpower to the Site. The location plan, lot index plan, site plan, proposed SH layout plan and proposed site formation plan are at **Drawings A-1 to A-5** respectively.

1.6 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 9.12.2020 (Appendix I)
- (b) Supporting Planning Statement (Appendix Ia)
- (c) Further Information (FI) received on 13.1.2021 clarifying the trip generation and attraction (Appendix Ib)
(exempted from publication and recounting requirements)
- (d) FI received on 26.1.2021 clarifying no filling/excavation of land to be carried out in the “GB” portion and the land ownership (Appendix Ic)
(exempted from publication and recounting requirements)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in **Appendix Ia**. They can be summarized as follows:

- (a) the current application is in line with the current SH policy;

- (b) the proposed development is to unify the ground level and to bring about certain extent of betterment from construction, visual, maintenance and management points of view such that the SH can be built in a consistent and effective manner;
- (c) there is limited land supply for SH development within the “V” zone of Mong Tseng Wai. Although the Site partly falls within the “GB” zone, the footprint of the proposed SH is confined to the “V” zone only;
- (d) the proposed development is considered in line with the interim criteria for consideration of application for NTEH/SH in New Territories as more than 50% of the Site and the proposed SH’s footprint fall within the “V” zone and Village Environs (‘VE’) of Mong Tseng Wai;
- (e) the proposed development is in line with the Town Planning Board Guidelines for “Application for Development within the Green Belt Zone under Section 16 of the Town Planning Ordinance” and the Town Planning Board Guidelines for “Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance”;
- (f) the proposed development is in line with the planning intention of the “V” zone and is compatible with the village character in the surrounding areas in terms of both land use and built form; and
- (g) no adverse environmental, traffic, landscape, drainage and sewerage impacts on the surrounding areas are anticipated in view of its small scale and appropriate mitigation measures to be taken.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance” (TPB PG-No. 31A) by sending notification letter to the current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. Assessment Criteria

The latest set of Interim Criteria for Consideration of Application for NTEH/SH in New Territories (the Interim Criteria), which was promulgated on 7.9.2007, is at **Appendix II**.

5. Background

The Site is not subject to any active planning enforcement action.

6. Town Planning Board Guidelines

- 6.1 Town Planning Board Guidelines for “Application for Development within the Green Belt Zone under Section 16 of the Town Planning Ordinance” (TPB

PG-No. 10) are relevant to the application. The relevant assessment criteria are summarised as follows and detailed at **Appendix III**.

- (a) there is a general presumption against development (other than redevelopment) in “GB” zone. In general, the Board will only be prepared to approve applications for development in the context of requests to rezone to an appropriate use;
- (b) an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds;
- (c) passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration;
- (d) the design and layout of any proposed development should be compatible with the surrounding area. It should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, and cause any adverse visual impact on the surrounding environment;
- (e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, road and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- (f) the vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features; and
- (g) any proposed development on a slope or hillside should not adversely affect slope stability

6.2 The Town Planning Board Guidelines for “Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance” (TPB PG-No. 12C) are also relevant. According to the said Guidelines, the Site falls within the Wetland Buffer Area (WBA). The relevant assessment criteria are summarized as follows:

- (a) the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds; and
- (b) within the WBA, for development or redevelopment which requires planning permission from the Board, an ecological impact assessment (EcoIA) would also need to be submitted. Some local and minor uses (including NTEH) are however exempted from the requirement of EcoIA.

7. Previous Application

- 7.1 Southwestern part of the Site (60m²) is involved in the application site of the previous application (No. A/YL-LFS/371) for proposed filling and excavation of land for 12 permitted NTEHs – SHs within the “V” zone (**Plan A-1b**). It was approved with conditions by the Committee on 23.10.2020 on the considerations of in line with the planning intention of the “V” zone, not incompatible with the landscape character of the surrounding area, not in contravention with the TPB PG-No. 12C, and no objection from concerned Government departments. Details of the previous application are summarized at **Appendix IV** and the location is shown on **Plan A-1b**.
- 7.2 Compared with the previous application No. A/YL-LFS/371, the current application was submitted by one of the applicants. Although the southwestern part of the Site (60m²) is involved in the application site of the previous application, no filling and excavation works were proposed for this overlapping area under the previous application. The proposed site formation level is 18.5mPD under the previous application No. A/YL-LFS/371.

8. Similar Applications

- 8.1 Within the same “GB” zone, there is no similar application for filling and excavation of land, but there are 12 similar applications (No. A/YL-LFS/11, 65, 174, 175, 176, 177, 178, 179, 180, 191, 231 and 263) for proposed NTEHs. All of them were rejected by the Committee.
- 8.2 Application No. A/YL-LFS/11 for houses (8 SHs) was rejected by the Board upon review on 31.1.1997 on the grounds of not in line with the planning intention of the “GB” zone, not complying with the TPB-PG No. 10, jeopardizing the implementation of the Tin Ying Road extension which is intended to serve the proposed Tin Shui Wai Reserve Zone development, and setting an undesirable precedent for similar applications.
- 8.3 Application No. A/YL-LFS/65 for proposed 5 NTEHs (SHs) for indigenous village expansion was rejected by the Committee on 4.5.2001 on the considerations of not in line with the planning intention of the “GB” zone, insufficient information to demonstrate why suitable sites within “V” zone in the area cannot be identified for the proposed development, not complying with the interim criteria for NTEH development, incompatible with the surrounding area which is rural in character, and no strong justification for a departure from such planning intention.
- 8.4 8 applications (No. A/YL-LFS/174, 175, 176, 177, 178, 179, 180, 191) covering more or less the same site for house (NTEH – SH) use were rejected by the Committee between 2008 and 2009. The rejection reasons mainly included the ones as stated in paragraph 8.3, as well as not complying with the TPB-PG No. 10 and insufficient information/technical assessment to demonstrate no adverse landscape impact on the surrounding areas.
- 8.5 Applications No. A/YL-LFS/231 and 263 covering the same site for house (NTEH – SH) use were rejected by the Committee in 2011 and 2014 respectively. The rejection reasons mainly included the ones as stated in paragraph 8.3, as well

as not complying with the TPB-PG No. 10, setting undesirable precedent for similar applications, failing to demonstrate no adverse drainage and landscape impacts on the surrounding areas.

- 8.6 Within the same “V” zone, there is no similar application for filling and excavation of land for NTEHs.
- 8.7 Details of the above applications are summarized at **Appendix V** and their locations are shown on **Plan A-1a**.

9. The Site and Its Surrounding Areas (Plans A-1a to A-4)

9.1 The Site is:

- (a) currently vacant and covered with loose soil and grass;
- (b) accessible via a local track and a local footpath leading from Deep Bay Road (**Plans A-2a and A-3**); and
- (c) within the ‘VE’ of Mong Tseng Wai and within the WBA (**Plans A-1a and A-2a**).

9.2 The surrounding areas have the following characteristics:

- (a) to its east and southeast in the “V” zone are the residential dwellings of Mong Tseng Wai (the closest residential dwelling is about 43 m away), parking of vehicles which is suspected unauthorized development and unused land;
- (b) to its southwest in the “V” zone are some residential dwellings, unused land and vacant land; and
- (c) to its north, northeast and northwest in the “GB” zone are graves and unused land.

10. Planning Intentions

- 10.1 The planning intention of “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of SH by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.
- 10.2 The planning intention of “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption

against development within this zone. However, limited development may be permitted if they are justified on strong planning grounds.

- 10.3 As filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

11. Planning Assessment and Comments from Relevant Government Departments

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

	Criteria	Yes	No	Remarks
1.	Within “V” zone ¹ ? - Footprint of the proposed SH - Application site	✓ 100% ✓ 81.6%		
2.	Within ‘VE’? - Footprint of the proposed SH - Application site	✓ 100% ✓ 100%		District Lands Officer / Yuen Long, Lands Department (DLO/YL, LandsD) advised that the Site falls within the Village Environs Boundary (VEB) of Mong Tseng Wai.
3.	Sufficient land in “V” zone to meet SH demand (outstanding SH application plus 10-year SH demand)?	✓		<u>Land Required</u> - Land required to meet SH demand in Mong Tseng Wai and Mong Tseng Tsuen: about 10.5ha (equivalent to 420 SH sites). For Mong Tseng Wai, the outstanding SH application is 91 while the 10-year SH demand forecast for the same village is 160. For Mong Tseng Tsuen, the outstanding SH application is 104 while the 10-year SH demand forecast for the same village is 65.
	Sufficient land in “V” zone to meet outstanding SH applications?	✓		<u>Land Available</u> - Land available to meet SH demand within the “V” zone of the village concerned: about 10.65 ha (equivalent to about 426 SH sites) (Plan A-2b).

¹ The subject “V” zone covers the ‘VE’ of Mong Tseng Wai and Mong Tseng Tsuen.

	Criteria	Yes	No	Remarks
4.	Compatible with the planning intention of “GB” zone?	✓		Although the Site falls partly within the “GB” zone, no filling/ excavation of land will be carried out in the “GB” portion. The proposed filling and excavation works as well as the footprint of the proposed SH are confined to the “V” zone portion only while the land in the “GB” portion is only reserved for necessary facilities such as drainage channels. The proposed development is not in conflict with the planning intention of the “GB” zone.
5.	Compatible with surrounding area / development?	✓		The surrounding area is predominantly rural in character intermixed with residential structures / dwellings and vacant / unused land.
6.	Encroachment onto planned road networks and public works boundaries?		✓	
7.	Need for provision of fire service installations (FSIs) and emergency vehicular access (EVA)?		✓	The Director of Fire Services (D of FS) has no specific comment on the application subject to the fire safety requirements as stipulated in the “New Territories Exempted Houses – A Guide to Fire Safety Requirements” are complied with.
8.	Traffic impact?		✓	The Commissioner for Transport (C for T) has no comment on the application provided that no vehicles are allowed to queue back to or reverse onto/from public roads.
9.	Drainage impact?		✓	The Chief Engineer / Mainland North, Drainage Services Department (CE/MN, DSD) has no in-principle objection to the proposed development from public drainage point of view. Approval conditions requiring the submission and implementation of drainage proposal including flood mitigation measures are required.

	Criteria	Yes	No	Remarks
10.	Sewerage impact?		✓	In view of the small scale and nature of the proposed development, the Director of Environmental Protection (DEP) has no objection to the application from environmental planning perspective, and considers septic tank and soakaway system an acceptable treatment system.
11.	Landscape impact?	✓		Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) has reservation on the application from landscape planning perspective as vegetation clearance including tree removal and adverse landscape impact had been observed within the “GB” portion over the years.
12.	Local objection received?		✓	The District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD) has not received any comments from locals and has no particular comment on the application.

11.2 Comments from the following departments have been incorporated in paragraph 11.1 above. Their other detailed comments, if any, are at **Appendix VI**.

- (a) DLO/YL, LandsD;
- (b) C for T;
- (c) Chief Highway Engineer/NT West, Highways Department;
- (d) DEP;
- (e) CTP/UD&L, PlanD;
- (f) CE/MN, DSD;
- (g) D of FS;
- (h) Chief Buildings Surveyor/ New Territories West, Buildings Department;
- (i) Director of Electrical and Mechanical Services (DEMS); and
- (j) DO(YL), HAD.

11.3 The following Government departments have no comment on / no objection to the application:

- (a) Project Manager (West), CEDD (PM(W), CEDD);
- (b) Chief Engineer/Land Works, CEDD (CE/LW, CEDD);
- (c) Principal Project Coordinator/Special Duty, DSD (PPC/SD, DSD);
- (d) Commissioner of Police (C of P); and
- (e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

12. Public Comments Received During the Statutory Publication Period

On 18.12.2020, the application was published for public inspection. During the statutory public inspection period, 2 public comments were received from Designing Hong Kong Limited and an individual (**Appendices VII-1 and VII-2**) objecting to the application on the grounds that the proposed development is not in line with the planning intention of the “GB” zone; the proposed development will generate adverse environmental and ecological impacts to the surrounding area; the proposed development should concentrate in the “V” zone; and approval of the application would set an undesirable precedent for similar applications within the “GB” zone. All the public comments received are deposited at the meeting for Members’ inspection.

13. Planning Considerations and Assessments

- 13.1 The application is for proposed house (NTEH - SH) and filling and excavation of land at the Site. The Site is mainly zoned “V” (81.6%) on the OZP which is intended to designate both existing recognized villages and areas of land considered suitable for village expansion. A minor portion of the Site (18.4%) falls within an area zoned “GB” on the OZP which is intended to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. Limited development may be permitted if they are justified on strong planning grounds. According to the applicant’s proposed SH layout plan and proposed site formation plan (**Drawings A-3 to A-5**), although the Site falls partly within the “GB” zone, no filling/excavation of land will be carried out in the “GB” portion. The proposed filling and excavation works as well as the footprint of the proposed SH are confined to the “V” zone portion only while the land in the “GB” portion is only reserved for necessary facilities such as drainage channels. In view of the above, the proposed house and filling and excavation of land, which is to facilitate a NTEH development within “V” zone, is considered in line with the planning intention of the “V” zone and not in conflict with the planning intention of the “GB” zone.
- 13.2 The Site is situated in an area of rural coastal plain landscape character dominated by woodlands, village houses and some graves in the proximity. The proposed house (NTEH - SH) and filling and excavation of land is considered not entirely incompatible with the landscape character of the surrounding area.
- 13.3 According to DLO/YL, LandsD’s record, the total number of outstanding SH application for Mong Tseng Wai and Mong Tseng Tsuen is 195 while the 10-year SH demand forecast for Mong Tseng Wai and Mong Tseng Tsuen is 225. Based on the latest estimate by PlanD, there is about 10.65 ha of land (equivalent to 426 SH sites) available within the “V” zone concerned. Hence, there is sufficient land available within the “V” zone to meet both the outstanding SH applications and the 10-year SH demand of Mong Tseng Wai and Mong Tseng Tsuen (**Plan A-2b**).
- 13.4 Regarding the Interim Criteria (**Appendix II**), while land available within the “V” zone is sufficient to meet the SH demand of 420 houses (i.e. 195 outstanding SH applications plus the 10-year demand forecast of 225 SHs), it is noted that the footprint of the proposed SH falls entirely within the “V” zone and ‘VE’ of Mong Tseng Wai (**Plan A-2a**). No land filling/excavation of land and SH development

will be carried out in the “GB” portion. The “GB” portion is reserved for necessary facilities such as drainage channels. As more than 50% of the Site and the entire footprint of the proposed SH fall within the “V” zone and ‘VE’ of Mong Tseng Wai, the application is generally in line with the Interim Criteria.

- 13.5 The Site falls within WBA under the TPB PG-No. 12C. The intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds. According to the TPB PG-No. 12C, SH development is exempted from EcoIA submission requirement. DAFC has no adverse comment on the application from nature conservation and agricultural perspectives. In view of the above, the application is considered not in contravention with the TPB PG-No. 12C.
- 13.6 According to the TPB PG-No.10, there is a general presumption against development within the “GB” zone. New development will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The design and layout of any proposed development should be compatible with the surrounding area. It should not involve extensive clearance of existing natural vegetation and affect the existing natural landscape. In this regard, CTP/UD&L of PlanD has reservation on the application from landscape planning perspective as vegetation clearance including tree removal and adverse landscape impact had been observed within the “GB” portion over the years. While the concerned “GB” portion is not the major portion of the Site, she has concern that approval of the planning application may encourage similar developments encroaching into “GB” zone and undertaking vegetation clearance and site formation prior to obtaining planning permission. Nevertheless, it is noted that only a minor portion of the Site (about 28.3m² or 18.4% of the Site), which is currently covered with soil and grass, falls within the “GB” zone and no filling/excavation of land will be carried out in the “GB” portion. As mentioned above, the footprint of the proposed SH is confined to the “V” zone portion (**Plan A-2a**). In this regard, the design and layout of the proposal is considered not incompatible with the surrounding areas and the proposed development is generally in line with the TPB PG-No.10.
- 13.7 The requirement for planning permission for filling and excavation of land within “V” and “GB” zones are to address the possible drainage impact. In this regard, CE/MN, DSD advises that he has no objection to the application from drainage point of view, and the applicant should submit a drainage proposal including flood mitigation measures and to implement the proposed drainage facilities and flood mitigation measures upon the completion of land filling/excavation works to the satisfaction of his department. As such, relevant approval conditions are recommended in paragraph 14.2 below to address DSD’s concern. Any non-compliance with the approval conditions would result in revocation of the planning permission. Upon compliance with the recommended approval conditions, it is anticipated that the proposed filling and excavation of land would not create adverse drainage impact on the surrounding area.
- 13.8 Other relevant Government departments, including DEP, C for T, CHE/NTW of HyD and D of FS have no objection to or no adverse comment on the application on the environmental, traffic and fire safety aspects.

- 13.9 Although the Committee/Board have rejected 12 similar applications (No. A/YL-LFS/11, 65, 174, 175, 176, 177, 178, 179, 180, 191, 231 and 263) for proposed NTEHs within the same “GB” zone, they were rejected mainly because the whole site and footprint of the proposed SHs fall within the “GB” zone. For the current application, the proposed filling and excavation works as well as the footprint of the proposed SH are confined to the “V” zone portion only while the land in the “GB” portion is only reserved for necessary facilities such as drainage channels. In view of the above, approval of the current application is not in conflict with the previous decision of the Committee/the Board.
- 13.10 There are 2 public comments objecting to the application on the grounds summarized in paragraph 12 above. The planning considerations and assessments in paragraphs 13.1 to 13.9 above are relevant.

14. Planning Department’s Views

- 14.1 Based on the assessments made in paragraph 13 above and having taken into account the public comments mentioned in paragraph 12 above, the Planning Department has no objection to the application.
- 14.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 5.2.2025, 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 following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no filling/excavation of land, as proposed by the applicant, is allowed to be carried out in the “Green Belt” portion of the Site;
- (b) 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 Board;
- (c) the submission of drainage proposal including flood mitigation measures before commencement of land filling and excavation works on the Site and the issue of any certificate of exemption by the Lands Department to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) in relation to (c) above, the implementation of the drainage proposal including flood mitigation measures identified therein upon completion of the land filling and excavation works on the Site to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (e) if any of the above planning conditions (c) or (d) is not complied with, before commencement or upon completion of the land filling and excavation works respectively, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.

Advisory clauses

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

- 14.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed development is not in line with the TPB PG-No. 10 for Application for Developments within the "Green Belt" Zone in that it would have adverse impact to the existing natural landscape.

15. Decision Sought

- 15.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 15.2 Should the Committee decide to approve the application, 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.
- 15.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

16. Attachments

Appendix I	Application Form received on 9.12.2020
Appendix Ia	Supporting Planning Statement
Appendix Ib	FI received on 13.1.2021
Appendix Ic	FI received on 26.1.2021
Appendix II	Relevant Interim Criteria for Consideration of Application for NTEH/ Small House in New Territories
Appendix III	Relevant Extracts of Town Planning Board Guidelines for Application for Development within the Green Belt Zone (TPB PG-No. 10)
Appendix IV	Previous Application covering the Site
Appendix V	Similar Applications
Appendix VI	Comments from relevant Government Departments
Appendices VII-1 and VII-2	Public Comments
Appendix VIII	Advisory Clauses
Drawing A-1	Location Plan with Access
Drawing A-2	Lot Index Plan
Drawing A-3	Site Plan
Drawing A-4	Proposed SH Layout Plan
Drawing A-5	Proposed Site Formation Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Location Plan with Previous Application
Plan A-2a	Site Plan
Plan A-2b	Estimated Amount of Land Available for Small House Development within the "V" Zone

Plan A-3
Plan A-4

Aerial Photo
Site Photos

PLANNING DEPARTMENT
FEBRUARY 2021