

REVIEW OF APPLICATION NO. A/TP/671
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

Proposed House (New Territories Exempted House - Small House)
in “Green Belt” Zone
Lot 80 S.A in D.D. 21, San Uk Ka Village, Tai Po, N.T.

1. Background

- 1.1 On 8.4.2020, the applicant, Mr. MAK Siu Hung represented by Mr. HUNG Shu Ping, sought planning permission to build a house (New Territories Exempted House (NTEH) - Small House) at the application site (the Site) under s.16 of the Town Planning Ordinance (the Ordinance). The Site falls within an area zoned “Green Belt” (“GB”) on the approved Tai Po Outline Zoning Plan (OZP) No. S/TP/28 (**Plan R-1**).
- 1.2 On 26.6.2020, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) decided to reject the application and the reasons were:
- (a) the proposed development is not in line with the planning intention of the “GB” zone, which is primarily for defining the limits of urban and suburban 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. There is no strong planning justification in the submission to justify a departure from the planning intention;
 - (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape in the area. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
 - (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the proposed development would have adverse landscape impact on the surrounding areas; and
 - (d) land is still available within the “Village Type Development” (“V”) zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. 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 infrastructure and services.

1.3 For Members' reference, the following documents are attached:

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|-----|---|-----------|
| (a) | RNTPC Paper No. A/TP/671 | (Annex A) |
| (b) | Extract of minutes of the RNTPC meeting held on 26.6.2020 | (Annex B) |
| (c) | Secretary of Town Planning Board's letter dated 10.7.2020 | (Annex C) |

2. Application for Review

The applicant's representative applied under section 17(1) of the Ordinance for a review of the RNTPC's decision to reject the application, which was received by the Board on 28.7.2020 (**Annex D1**). A written representation submitted by the applicant's representative in support of the review application was received by the Board on 19.8.2020 (**Annex D2**).

3. Justifications from the Applicant

The justifications put forth by the applicant in support of the review application are detailed in his submission at **Annex D2** and summarised as follows:

- (a) there are more than 10 Small Houses built or under construction within the same "GB" zone. The rejection reason of not being in line with the planning intention of "GB" zone is considered to be unfair, inconsistent and contradicting to the previous approvals granted to other applications for Small House developments;
- (b) the application will be the last one involving private land within the same "GB" zone as there is no other private land available for Small House development in the area concerned. Hence, he does not agree with the rejection reason that 'approval of the application would encourage the extension of village cluster resulting in further encroachment onto the existing woodland and the cumulative impact of which would further degrade the landscape quality of the environment in "GB" zone';
- (c) a Geotechnical Planning Review Report (GPRR) has been submitted at the s.16 planning application stage, and the Geotechnical Engineering Office of Civil Engineering and Development Department has no in-principle objection to the application. The works proposed in the GPRR will be carried out mainly within the private lot (i.e. the Site). Also, Agriculture, Fisheries and Conservation Department has no objection to the application. The proposed development will not have adverse impacts to the surrounding area and the environment;
- (d) the applicant is willing to submit a landscape proposal as an approval condition. The safety and quality of the environment will be improved after completion of the proposed development. Hence, the applicant does not agree with PlanD's assessments on the application;
- (e) since 2009, there was vegetation clearance in the surrounding area due to the construction of Small Houses. However, such clearance was carried out on private land only, and private land owners have the right to remove any materials from their land;
- (f) as the Site is within the village 'environs' ('VE') of San Uk Ka Village, the assessment of land available for Small House development should not take into account Cheung Uk Tei

and Sheung/Ha Wun Yiu. The figure of land available within the “V” zone is inaccurate as it has included Government land, on which the applicant, as an indigenous villager of Pan Chung Village, is not eligible to use the Government land within these villages for Small House development. Moreover, according to the village representative, most of the private land in Wun Yiu Village are Tso/Tong land, which are difficult to be acquired by outsiders. In addition, Wun Yiu Village falls within a Site of Archaeological Interest (SAI) (instead of SSSI as mentioned in the applicant’s written representation), which is under the control of the Antiquities and Monuments Office (AMO) and therefore reduces the amount of land available for Small House development; and

- (g) the environmental groups and individuals who submitted opposing public comments against the application might be related and have political purpose. Their objection reasons are similar and repetitive in other applications.

4. The Section 16 Application

The Site and its Surrounding Areas (Plans R-1 to R-4b)

- 4.1 The situation of the Site and the surrounding areas at the time of the consideration of the s.16 application by the RNTPC were described in paragraphs 8.1 and 8.2 of **Annex A**. There has been no material change of the situation since then.
- 4.2 The Site is:
- (a) vacant and partly covered with grasses and groundcovers;
 - (b) located at the bottom of a natural slope with vegetation on the slope surface; and;
 - (c) located at the south-western fringe of San Uk Ka Village.
- 4.3 The surrounding areas are predominantly rural in character occupied by clusters of village houses and tree groups. To the immediate south-west is a vegetated natural slope with densely vegetated woodland on the uphill. Existing village houses and a number of approved Small House applications can also be found in the vicinity of the Site.

Planning Intention

- 4.4 The planning intention of the “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.

Assessment Criteria

- 4.5 The set of Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria) was first promulgated on 24.11.2000. The latest set of Interim Criteria was promulgated on 7.9.2007 and is at Appendix II of **Annex A**.

Town Planning Board Guidelines

- 4.6 The Town Planning Board Guidelines No. 10 (TPB-PG No. 10) for ‘Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance’, which is relevant to the consideration of the s.16 application, is still effective. The relevant assessment criteria of the Guidelines are summarised in paragraph 5 of **Annex A**.

Previous Application

- 4.7 There is no previous application at the Site.

Similar Applications

- 4.8 When the s.16 application was considered by the RNTPC on 26.6.2020, there were 44 similar applications for Small House development in the vicinity of the Site and within the same “GB” zone since the first promulgation of the Interim Criteria on 24.11.2000 (**Plan R-1**), of which 41 were approved and three was rejected. There has been no change in the number of similar applications since then.
- 4.9 Before the Board’s adoption of a more cautious approach in approving applications for Small House development in August 2015, a total of 39 applications were approved with conditions by the Committee, mainly on the grounds that the proposed development was in line with the Interim Criteria in that more than 50% of the proposed Small House footprint was located within the ‘VE’/“V” zone; there was a general shortage of land in the concerned “V” zone to meet the demand for Small House development at the time of consideration; and/or the application site was the subject of previously approved application. Applications No. A/TP/571 and 572 were also approved for the reasons of being in close proximity of existing Small Houses and a cluster of approved Small House applications; having no significant impact on the existing landscape resources in the area; and no encroachment onto the wooded slope of the “GB” zone.
- 4.10 Application No. A/TP/562 was rejected in 2014 mainly on considerations of being not in line with the planning intention of the “GB” zone; and not complying with TPB-PG No.10 and the Interim Criteria in that the proposed development would involve clearance of existing natural vegetation and affect the stability of the adjacent slope. Subsequently, the same applicant submitted another application (No. A/TP/641) with slight changes in site area and disposition of the proposed Small House and supplemented with a GPRR to address the concerns on slope stability. That application was approved in 2018 mainly on the grounds that the proposed development was generally in line with the TPB-PG No.10 in that it would not cause adverse geotechnical impact; and was in close proximity to existing Small Houses and a cluster of approved Small House applications. For Application No. A/TP/662, which was situated to the immediate east of No. A/TP/641, was approved by the Board upon review on 22.5.2020 mainly for the reasons that it would not cause adverse geotechnical impact; and the application site was bounded by existing clusters of village houses and approved Small House applications.
- 4.11 Applications No. A/TP/665 and 666 were rejected by the Board on review on 10.1.2020 mainly for the reasons that the proposed development was not in line with the planning intention of the “GB” zone; and land was still available within the “V” zone of the

villages concerned which was primarily intended for Small House development.

- 4.12 Details of the above applications are summarized in **Annex E** and their locations are shown on **Plans R-1** and **R-2a**.

5. Comments from Relevant Government Departments

- 5.1 Comments on the s.16 application made by relevant Government departments are stated in paragraph 10 and Appendix IV of **Annex A**.
- 5.2 For the review application, the following Government departments have been consulted and their views are summarised as follows:

Land Administration

- 5.2.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):
- (a) the updated number of outstanding Small House applications for San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu is 42 (which was 39 at the s.16 application stage), whilst the 10-year Small House demand forecast for the villages concerned remains at 297;
 - (b) LandsD will process Small House applications involving ex-Tso/Tong land and the applicant must be the sole owner of the application lot after acquiring the Tso/Tong land;
 - (c) for cross-village Small House application, an indigenous villager who does not wish to make use of the concession in his own village may build his house in another village in his Heung provided that such application is not objected by the concerned indigenous villagers in that village and suitable private land could be obtained by the applicant;
 - (d) according to his record, there is no Small House grant application in Ha Wu Yiu and Sheung Wun Yiu being rejected due to adverse comment from AMO in the past five years; and
 - (e) he maintains his other previous views on the s.16 application which are recapitulated below:
 - (i) no objection to the application;
 - (ii) the applicant is an indigenous villager of Pan Chung Village of Tai Po as confirmed by the Indigenous Inhabitant Representative (IIR) of the concerned village. However, his eligibility of Small House grant has yet to be ascertained;
 - (iii) the Site falls within the village 'environs' ('VE') of San Uk Ka and is not covered by any Modification of Tenancy or Building Licence;

- (iv) the Small House application submitted by the applicant for the Site is still under processing. Should the application be approved by the the Board, LandsD will process the Small House application. However, there is no guarantee at this stage that the Small House application would be approved. If the Small House application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee to the grant of a right of way to the Small House concerned or approval of the Emergency Vehicular Access thereto; and
- (v) the proposed site formation level in the GPRR has not been endorsed by LandsD and might be revised subject to the comments from relevant departments.

Landscape

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

- (a) he notes from the written representation (**Annex D2**) that the applicant is willing to submit a landscape proposal as an approval condition, and that the vegetation clearance in the surrounding area was on private land only and was for the construction of Small Houses; and
- (b) he maintains his previous views on the s.16 application which are recapitulated below:
 - (i) he has some reservations on the application from landscape planning point of view;
 - (ii) the Site is vacant and partly covered with grasses and groundcovers;
 - (iii) the Site is situated in an area of settled valleys landscape character surrounded by village houses to the northeast and densely vegetated woodland to its immediate southwest. According to aerial photos of 2008, 2009, 2011, 2015 and 2019, vegetation clearance within and surrounding the Site is observed, adverse landscape impact on existing landscape resources had taken place since 2009;
 - (iv) although planning permissions were given to some applications (No. A/TP/464, 465, 468, 469, 472 – 475, 553, 566 and 570) in area adjoining San Uk Ka Village from 2010 to 2015 for NTEHs to the northeast of the Site within the same “GB” zone, the Site is located on a sloping ground to the further southwest of San Uk Ka Village and encroaches onto the existing densely vegetated woodland to its immediate southwest. Moreover, site formation works at the Site are proposed which would irreversibly change the existing topography of the concerned "GB" zone. Further vegetation clearance and adverse landscape impact to the

surroundings due to the proposed site formation works are anticipated. If the application is approved, it would encourage extension of village cluster resulting in further encroachment onto the existing woodland. The cumulative impact of such approval would further degrade the landscape quality of the environment in the “GB” zone; and

- (v) there is no major public frontage along the site boundary and limited space within the Site for meaningful landscaping. Should the Board approve the application, it is considered not necessary to impose a landscape condition as the effect of additional landscaping on enhancing the quality of public realm is not apparent.

Site of Archaeological Interest

5.2.3 Comments of the Executive Secretary of Antiquities and Monuments Office, Development Bureau (ES(AMO), DEVB):

- (a) no comment on the applicant’s submission; and
- (b) Small House applications within the boundary of Wun Yiu SAI would be considered based on their individual archaeological potential.

5.3 The following Government departments maintain their previous comments on the s.16 application as stated in Appendix IV of **Annex A**:

- (a) Commissioner for Transport;
- (b) Director of Environmental Protection;
- (c) Chief Engineer/Mainland North, Drainage Services Department;
- (d) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (e) Director of Agriculture, Fisheries and Conservation;
- (f) Director of Fire Services; and
- (g) Chief Engineer/Construction, Water Supplies Department.

5.4 The following Government departments maintain their previous views of having no objection to / no comment on the application as stated in paragraph 10.3 of **Annex A**:

- (a) Chief Highway Engineer/ New Territories East, Highways Department;
- (b) Director of Electrical and Mechanical Services;
- (c) Project Manager (North), Civil Engineering and Development Department; and
- (d) District Officer (Tai Po), Home Affairs Department.

6. Public Comments on the Review Application Received during Statutory Publication Period

6.1 On 28.8.2020 and 25.9.2020, the review application and further information submitted by the applicant were published for public inspection. During the statutory public inspection periods, a total of 14 public comments were received, of which 12 public comments raised objection to the application and the remaining 2 expressed concerns

on the application. All the public comments received are deposited at the meeting for Members' inspection and samples of the comments are attached at **Annex F**.

6.2 The **12 opposing comments** were received from Designing Hong Kong Limited, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation and individuals. Main grounds of objection are summarised as follows:

- (a) the proposed development is not in line with the planning intention of "GB" zone. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the TPB-PG No.10 in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape in the area. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
- (c) the proposed development does not comply with the Interim Criteria in that the proposed development would have adverse landscape impact on the surrounding areas;
- (d) land is still available for Small House developments within the "V" zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu. Village house developments should be located close to the village proper as far as possible to maintain an orderly development pattern, efficient use of land and provision of infrastructure and service;
- (e) there is no merit in reviewing an application previously rejected by the RNTPC;
- (f) the applicant's claim for insufficient land for Small House developments cannot be verified as the figures of 10-year Small House demand are provided by the Indigenous Inhabitant Representatives (IIRs) of the concerned villages, but such figures are not checked/reviewed by relevant Government departments;
- (g) the approval of the application would set an undesirable precedent for similar applications within the "GB" zone and reward the practice of "Destroy First, Develop Later" as the natural vegetation at the Site appears to have been removed without obtaining planning permission in past years. It would also encourage the extension of village cluster, resulting in further encroachment onto the existing woodland and further degrade the landscape quality of environment within the "GB" zone;
- (h) the construction of the proposed development will affect the soil stability, which will aggravate flooding in the area;
- (i) large-scale and high-rise developments instead of Small Houses should be developed in order to provide more residential units and to fully utilise the land resources of the area;

- (j) the surrounding area is only connected by an existing one-lane two-way road. The lack of transport infrastructures cannot support the rapid growth of population and residential developments in San Uk Ka; and
 - (k) the applicant fails to demonstrate that the proposed development would not bring any adverse drainage, sewage and environmental impact on the surrounding areas.
- 6.3 The remaining **2 public comments** received from the Indigenous Inhabitant Representative (IIR) of San Uk Ka have raised concerns on the application, and he has no objection to the application provided that the applicant would comply with all the environmental, drainage, sewerage, traffic and landscape requirements and conditions imposed by relevant Government departments.
- 6.4 At the s.16 application stage, seven public comments were received. Of which, six of them objected to the application and the remaining one supported the application. Their details are set out in paragraph 11 of **Annex A**.

7. Planning Considerations and Assessments

- 7.1 The subject application for a proposed Small House at the Site zoned “GB” was rejected by the RNTPC on 26.6.2020 on the grounds of being not in line with the planning intention of the “GB” zone; not complying with TPB-PG No.10 and the Interim Criteria in that the proposed development would involve clearance of existing natural vegetation and have adverse landscape impact on the surrounding area; and land being still available within the “V” zone of the villages concerned.
- 7.2 In support of the review application, the applicant has put forward justifications that there are approved planning applications for Small House within the same “GB” zone; the Site is the last application involving private land in the same “GB” zone, hence approval of the application would not set an undesirable precedent and encourage further encroachment onto the existing woodland; vegetation clearance in the surrounding area was for the construction of nearby Small Houses and within private land only; the assessment of land available for Small House development within the “V” zone should not include Government land, Tso/Tong land and area within the Wun Yiu Site of Archaeological Interest (SAI); and the public comments against the application have political purpose.
- 7.3 The proposed Small House development is not in line with the planning intention of the “GB” zone, which 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. No strong planning justification has been given by the applicant for a departure from this planning intention. The applicant claims that there are approved similar applications within the same “GB” zone. It should be noted that those applications were either approved before the Board’s adoption of a more cautious approach in August 2015; and/or the application sites were the subject of previously approved applications; and/or the application sites were bounded by existing clusters of village houses and approved Small House applications. The subject application site is neither covered by previously approved application nor bounded by existing clusters of village houses/ approved Small House applications.

- 7.4 The applicant argues that the proposed development would not cause any adverse impacts to the surrounding area, and the clearance of vegetation was due to the construction of adjacent houses at that time. In this regard, while DAFC has no strong view on the application provided that the associated site formation and slope stabilisation works would not affect existing trees on government land within the “GB” zone, CTP/UD&L of PlanD maintains his previous views of having some reservations on the application as vegetation clearance has been taken place within and surrounding the Site since 2009. The proposed site formation works for the Small House development would irreversibly change the existing topography of the concerned “GB” zone and further vegetation clearance and adverse landscape impact to the surroundings are anticipated. If the application is approved, it would encourage the extension of village cluster resulting in further encroachment onto the existing woodland and the cumulative impact of such approval would further degrade the landscape quality of the environment in the “GB” zone. Other relevant Government departments including DLO/TP of LandsD, C for T, DEP, CE/MN of DSD, CE/C of WSD, CHE/NTE of HyD, H(GEO) of CEDD and D of FS have no objection to or no adverse comment on the application.
- 7.5 In the review application, the applicant also argues that available land within the “V” zone as estimated by PlanD are inaccurate as it has included Government land, Tso/Tong land in Wun Yiu and areas falling within the Wun Yiu SAI, and that such land areas are either difficult to be acquired by the applicant or have development restrictions. It should be noted that in estimating the land available for Small House development within “V” zone, PlanD has adopted a consistent approach and would make use of the latest available information. In general, the land occupied by road, existing and approved village houses, steep slope, major tree clusters and stream buffer will be deducted from the area available for Small House development, and land ownership is not a material consideration. Regarding the applicant’s claim that Small House development would be restricted within the Wun Yiu SAI, ES(AMO) of DEVB has no comment on the application and advises that Small House applications within the boundary of Wun Yiu SAI would be considered based on their individual archaeological potential. Besides, DLO/TP of LandsD advises that there is no Small House grant application in Ha Wu Yiu and Sheung Wun Yiu being rejected in the past five years due to adverse comment from AMO. As such, Government land, Tso/Tong land and areas within the SAI will be included as available land unless they are constrained by those factors as mentioned above.
- 7.6 Based on the latest estimate by the PlanD, about 2.38 ha (or equivalent to about 95 Small House sites) is available within the “V” zone of the concerned villages (**Plan R-2b**). Although such land available within the “V” zone for Small House development is insufficient to fully meet the future demand of 339 Small Houses, it is capable to meet the 42¹ outstanding Small House applications. According to the more cautious approach adopted by the Board in August 2015, 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. As such, it is considered more appropriate to concentrate the proposed Small House development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. As there is no significant change in planning

¹ Among the 42 outstanding Small House applications, 22 of them fall within “V” zone and 20 straddle or fall outside the “V” zone. For those 20 applications straddling or outside the “V” zone, 6 of them have obtained valid planning approval from the Board.

circumstances since the subject application was rejected by RNTPC, there is no strong reason to depart from the RNTPC's previous decision.

- 7.7 There were 44 similar applications in the vicinity of the Site within the same "GB" zone, of which 41 were approved and three were rejected (**Plan R-1**). Of the approved cases, 39 of them were approved before the Board's adoption of a more cautious approach in approving applications for Small House development in August 2015. After that, two applications (No. A/TP/641 and 662) were approved in 2018 and 2020 respectively mainly because they had addressed the geotechnical concerns and the application sites were bounded by existing clusters of Small Houses and approved Small House applications. The planning circumstances of the review application are different from those approved similar applications. For the three rejected cases, Application No. A/TP/562 (which was the previous application of A/TP/641) was rejected in 2014 mainly on technical grounds. Whereas Applications No. A/TP/665 and 666 were rejected by the Board on review on 10.1.2020 mainly for the reasons that land was still available within the "V" zone for Small House development.
- 7.8 Regarding the public comments objecting to the review application on the grounds as detailed in paragraph 6 above, Government departments' comments and the planning assessments above are relevant.

8. Planning Department's Views

- 8.1 Based on the assessments made in paragraph 7, having taken into account the public comments mentioned in paragraph 6 and given that there is no major change in the planning circumstances since the consideration of the subject application by the RNTPC, PlanD maintains its previous view of not supporting the review application for the following reasons:
- (a) the proposed development is not in line with the planning intention of the "Green Belt (GB)" zone, which is primarily for defining the limits of urban and suburban 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. There is no strong planning justification in the submission to justify a departure from the planning intention;
 - (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for 'Application for Development within "GB" zone under section 16 of the Town Planning Ordinance' in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape in the area. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas;
 - (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the proposed development would have adverse landscape impact on the surrounding areas; and

- (d) land is still available within the “Village Type Development” (“V”) zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. 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 infrastructure and services.

- 8.2 Alternatively, should the Board decide to approve the review application, it is suggested that the permission shall be valid until **13.11.2024**, 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) 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; 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

- 8.3 The recommended advisory clauses are attached at **Annex G**.

9. Decision Sought

- 9.1 The Board is invited to consider the application for a review of the RNTPC’s decision and decide whether to accede to the application.
- 9.2 Should the Board decide to reject the review application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 9.3 Alternatively, should the Board decide to approve the review application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.

10. Attachments

Plan R-1	Location plan
Plan R-2a	Site plan
Plan R-2b	Estimated amount of land available for Small House development within “V” zone
Plan R-3a and 3b	Aerial photos
Plan R-4a and 4b	Site photos
Annex A	RNTPC Paper No. A/TP/671
Annex B	Extract of minutes of the RNTPC meeting held on 26.6.2020
Annex C	Secretary of the Town Planning Board’s letters dated 10.7.2020

Annex D1	Letter received by the Town Planning Board on 7.8.2020 from the applicant applying for a review of the RNTPC's decision
Annex D2	Written representation submitted by the applicant's representative received on 19.8.2020
Annex E	Similar applications
Annex F	Public comments
Annex G	Recommended advisory clauses

**PLANNING DEPARTMENT
NOVEMBER 2020**