

## **8. Justifications**

The Applicant applies for the New Territories Exempted House – Small House (“to be referred to as Small House) at Lot No.334 S.F. in D.D.37, Man Uk Pin, Sha Tau Kok, New Territories.

### **Location and Environment**

The Application Site is located in the local settlement area known as Man Uk Pin. It is accessible via a local road leading from Wo Keng Shan Road. The locality is mainly used for agricultural purpose with village type houses constructed.

### **Interim Criteria for Consideration of Application for**

### **New Territories Exempted House/Small House in New Territories**

According to the latest assessment criteria of Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories (revised on 7/9/2007), sympathetic consideration should be given to the Application Site with a proposed Small House footprint of not less than 50% in Village Environ (“VE”). The current Application Site fully falls within Village Environ (“VE”).

### **Previous Planning Approval and Related Small House Applications**

The current Application Site is in fact a portion of a previous Application Site (Lot Nos.334 S.F and S.G in D.D.37) as well as the Applicant is successor of one of the Applicants in a previous planning approval No.A/NE/MUP/119 for 2 proposed Small House (at the same time the currently applied Small House is one of the previously two). The planning approval No.A/NE/MUP/119 was lapsed because the Small Houses development could not be commenced before the permission validity until 7/8/2023 (after 2 approved S16A amendment on permission validity approved). Small House commencement work cannot be done without obtaining Building Licence consent from the Lands Department.

In fact, two corresponding Small Houses applications have been submitted to Lands Department (“LandsD”) since 2014 (Applicants : Messrs. CHUNG Kaiwan and FU Ah Chun, same as Applicants per planning approval No.A/NE/MUP/119) and approvals for building licences on the two Small Houses are yet approved until the current date.

Notwithstanding the above, the approval conditions of planning approval No.A/NE/MUP/119 have been fulfilled by the Applicants as far as feasible. Approval conditions (a) have been complied whilst conditions (b) & (c) have been partly complied with in 2016 and 2017 respectively regarding drainage and landscape proposals.

### **Previous Planning Approval and Related Small House Applications (Cont'd)**

During the prolonged waiting queue time in the past few years, one of the Applicants of planning approval No.A/NE/MUP/119 and Building Licences of Small Houses, Mr. FU Ah Chun has unfortunately passed away in 2022 and Building Licence application has been put on hold. The Applicant of the current application – Mr. Fu Declan Ze Xing, being the grandson of Mr. Fu Ah Chun, has succeeded the ownership of Lot No.334 S.F. in D.D.37 and has just submitted a small house application with all proposed parameters unchanged (i.e. Small House layout & dimensions etc) to Lands Department recently.

### **Current Application and Adjoining Planning Approval**

One of the Applicants of planning approval No.A/NE/MUP/119, CHUNG Kaiwan, has submitted and obtained planning approval No.A/NE/MUP/201 on 10/5/2024 on Lot No.334 S.G in D.D.37; now the decedent of another application of planning approval No.A/NE/MUP/119, Mr. Fu Declan Ze Xing, seeks to apply for planning approval of the same.

The site context and configuration of the proposal Small Houses per planning approval No.A/NE/MUP/201 and the current application remains unchanged compared to the previous planning approval No.A/NE/MUP/119.

### **No Adverse Implications**

The surroundings of the Application Site is generally a village environment which village type house are not uncommon. Also, landscape and drainage proposals on the Application Site have been found satisfactory and accepted by relevant government departments in 2016 and 2017 respectively. There is no change in the environment of the Application Site since then. There would be no adverse impact caused by the Application Site.

### **Strong Demand of Small House and Shortage of Local Land Supply**

According to recent information available, the number of outstanding Small House applications for Man Uk Pin Village are 44 while the 10-year Small House demand forecast for the same village is 448. However, land available to meet the Small House demand within the "V" zone of Man Uk Pin Village is only about 2.22 ha. It can be noted that there is a large shortage in supply of land for Small House demand in the Man Uk Pin Village and such shortage cannot be fulfilled utilization of sites situation in "V" zone of Man Uk Pin Village only.

### **Similar Planning Approvals**

There are many similar approved applications with application site situated within / partly within the same "AGR" zone in the same OZP as the subject Application Site, we have summarized cases approved after the previously approval No.A/NE/MUP/119 for reference:

<b>Application No.</b>	<b>Applied Use</b>	<b>Approval Date</b>
A/NE-MUP/201	Proposed House (New Territories Exempted House – Small House)	10/05/2024
A/NE-MUP/196	Proposed House (New Territories Exempted House – Small House)	08/12/2023
A/NE-MUP/195	Proposed House (New Territories Exempted House – Small House)	08/12/2023
A/NE-MUP/191	Proposed House (New Territories Exempted House – Small House)	25/08/2023
A/NE-MUP/190	Proposed House (New Territories Exempted House – Small House)	25/08/2023
A/NE-MUP/189	Proposed House (New Territories Exempted House – Small House)	25/08/2023
A/NE-MUP/184	Proposed House (New Territories Exempted House – Small House)	19/05/2023
A/NE-MUP/165	Proposed House (New Territories Exempted House – Small House)	20/5/2022
A/NE-MUP/164	Proposed House (New Territories Exempted House – Small House)	10/12/2021
A/NE-MUP/163	Proposed House (New Territories Exempted House – Small House)	10/12/2021
A/NE-MUP/162	Proposed House (New Territories Exempted House – Small House)	10/12/2021
A/NE-MUP/127	Proposed House (New Territories Exempted House – Small House)	28/4/2017

### **Conclusion**

The Application Site is a re-applied case based on an previous approval No.A/NE/MUP/119 due to uncontrollable circumstances by the Applicants. There is no change in environment and site condition since the last approval. Based on the strong demand and limited local land supply for Small House for local villagers and considered the application fulfills technical assessment criteria, we seek Town Planning Board’s favourable consideration of the application be granted.