

Planning Statement

Introduction

1. This Planning Statement is submitted to the Town Planning Board (“the Board”) on behalf of Ms. CHIU To Yin (“the Applicant”) in support of the planning application for ‘Temporary Private Garden’ for a period of 3 years (“the Development”) at Government Land adjoining Lot No. 2072 in D.D. 244, Ho Chung, Sai Kung, New Territories (“the Site”) under Section 16 of the Town Planning Ordinance.

Application Site (Plans 1 to 3)

2. The Site comprises Government Land adjoining a New Territories Exempted House (NTEH) on Lot No. 2072 in D.D. 244, Ho Chung, Sai Kung, New Territories. The Site is accessible from Nam Pin Wai Road via an access road.
3. The site area is about 19.38 m², which falls entirely on Government Land.
4. The Site is covered by Short Term Tenancy No. SX3228 for private garden purpose. The site area of the application was delineated with reference to the information provided by District Lands Office/Sai Kung (**Annex 1**).

Planning Context

5. The Site falls within an area partly zoned “Village Type Development” (“V”) and partly shown as ‘Road’ on the Approved Ho Chung Outline Zoning Plan (“the OZP”) No. S/SK-HC/11.
6. The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses 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.
7. According to the covering Notes of the OZP, all uses or developments in any area shown as ‘Road’ require permission from the Board. Besides, temporary use or development of any land or building not exceeding a period of 3 years requires permission from the Board, notwithstanding that the use or development is not provided for in terms of the OZP.
8. Provided that the Development is temporary in nature, approval of the application on a temporary basis for a period of 3 years would not frustrate the long-term planning intention of the Site.

No Adverse Impacts to the Surroundings

9. The applied use is considered not incompatible with surrounding land uses mainly comprising clusters of 3-storey village houses. Adverse visual and landscape impacts to the surrounding areas are not anticipated.

Previous Applications

10. The Site is the subject of 2 previous applications for private garden use, which were approved by the Rural and New Town Planning Committee (“the Committee”) in 2015 and 2018:

Application No.	Applied Use	Date of Approval
A/SK-HC/245	Temporary House (Private Garden ancillary to NTEH) for a period of 3 years	7.8.2015
A/SK-HC/298	Temporary Private Garden for a period of 3 years	17.8.2018

11. The previous applications were approved by the Committee mainly on considerations that the development would not frustrate the long-term planning intention of the area shown as ‘Road’ and no significant adverse impacts were anticipated.
12. Compared with the last approval, the applied use and site area of the current application remain unchanged.
13. Given that the planning context of the adjacent areas has not been significantly altered, it is considered that the planning circumstances of the current application are relevant to the previous applications.

Similar Applications

14. There are 4 similar applications for private garden use involving 3 sites in the vicinity of the Site approved by the Committee in the past 5 years:

Application No.	Applied Use	Date of Approval
A/SK-HC/319*	Temporary Private Garden for a period of 3 years	21.8.2020
A/SK-HC/320	Temporary Private Garden for a period of 3 years	21.8.2020
A/SK-HC/344*	Renewal of Planning Approval for Temporary Private Garden for a period of 3 years	23.6.2023
A/SK-HC/346	Temporary Private Garden for a period of 3 years	12.1.2024

* Applications involving the same site

15. The similar applications were approved by the Committee between 2020 and 2024 on considerations that temporary approval would not frustrate the long-term planning intention of the area shown as ‘Road’ and no significant adverse impacts were anticipated.
16. Given that the planning context of the adjacent areas has not been significantly altered, it is considered that the planning circumstances of the current application are relevant to the similar approved applications.

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