

Planning Justifications

1. The Current Application Complies with the Interim Criteria for Assessing Planning Applications for NTEH/Small House development

The Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH) / Small House in New Territories endorsed by Town Planning Board (TPB) on 7 September 2007 is noted. The applicant went through the assessment criteria for planning application in Part B and he observed that he complies with the criteria. A summary is prepared below for the consideration of the TPB.

<i>Interim Criteria Endorsed by TPB on 7 September 2007</i>	<i>Applicant's Justifications</i>
(b) If more than 50% of the proposed NTEH/Small House footprint is located outside the 'VE', favourable consideration could be given if not less than 50% of the proposed NTEH/Small House footprint falls within the "V" zone, provided that there is a general shortage of land in meeting the demand for Small House development in the "V" zone and the other criteria can be satisfied;	More than 50% of the proposed NTEH/Small House footprint falls within the "V" zone. According to the RNTPC paper No. A/TM/367 dated 7.3.2008, there is a general shortage of land in meeting the demand for Small House development in the "V" zone of To Yuen Wai and the other criteria can be satisfied.
(d) 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 site is an infill site among existing NTEHs/Small Houses, the processing of the Small House grant is already at an advance stage	Over half of the footprint of the proposed Small House is zoned "V" according to the Approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTY/12 and the rest of the footprint of the proposed Small House is zoned "Road" according to the Draft Tuen Mun Outline Zoning Plan No. S/TM/40. It is noted that the "Road" zone was zoned in 1994 for the construction of Lam Tei Interchange. Construction of Lam Tei Interchange has been completed and it is deemed that the site is no longer required for future road purpose. The application site is privately owned and falling within a small piece of land between the "V" zone and Castle Peak Road – Lam Tei Section. The approval of application site for Small House is a prudent use of land and also a way to meet the general shortage of land for Small House development at To Yuen Wai. It is also noted that the application

	<p>site and adjoining land is usually occupied by unauthorized parking of private cars without permission. The approval of Small House at the application site would help to eradicate such situation and improve the living environment of the villagers of To Yuen Wai. In view of the above-mentioned planning gains, the applicant requests for sympathetic consideration of the Town Planning Board.</p>
<p>(f) The proposed development should not frustrate the planning intention of the particular zone in which the application site is located;</p>	<p>Although the minor part of the application site is zoned “Road” according to the Draft Tuen Mun Outline Zoning Plan No. S/TM/40, it is noted that the “Road” zone was zoned in 1994 for the construction of Lam Tei Interchange. Construction of Lam Tei Interchange has been completed and it is deemed that the site is no longer required for future road purpose.</p>
<p>(g) The proposed development should be compatible in terms of land use, scale, design and layout, with the surrounding area/development;</p>	<p>The application site is contiguous to a cluster of existing Small Houses to the east. It is therefore compatible in terms of land use, scale, design and layout, with the surrounding area/development.</p>
<p>(h) The proposed development should not encroach onto the planned road network and should not cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surrounding areas. Any such potential impacts should be mitigated to the satisfaction of relevant Government departments.</p>	<p>The proposed development would not encroach onto the planned road network and would not cause adverse traffic, environmental, landscape, drainage, sewerage and geotechnical impacts on the surrounding areas because of the small scale of the proposed development.</p>

In view of the above, Town Planning Board is therefore requested to give favourable consideration to the current application.

2. Shortage of Land in Meeting the Demand for Small House in the “V” Zone

According to the consolidated information from village representatives of Lam Tei / Tuen Mun San Tsuen / To Yuen Wai, the 10-year Small House demand forecast could not be addressed by the remaining land in the “Village Type Development” zone of Lam Tei / Tuen Mun San Tsuen / To Yuen Wai. In other words, the land available cannot fully meet the upcoming Small House demand.

Hence, the approval of the application site for small house development is a prudent way to address the shortage of land in meeting local small house demand.

3. The Approval of the Application would not Jeopardize the Planning Intention of “Road” Zone

Part of the application site falls within “Road” zone according to the Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/40. With reference to the RNTPC paper No. A/TM/367 dated 7.3.2008, the “Road” zone was previously zoned “Undetermined” on the draft Tuen Mun OZP No. S/TM/7 gazetted in 1990 to reserve land to meet contingent requirements or denote areas where further detailed planning study is required to identify the future uses of the land. It was rezoned to “Road” on the draft Tuen Mun OZP No. S/TM/8 in 1994 to make way for the construction of Lam Tei Interchange. Construction of Lam Tei Interchange has been completed and it is deemed that the site is no longer required for future road purpose.

Drawings Attached to the Form No. S16-2

Figure 1 – Location Plan

Figure 2 – Vehicular access plan

Figure 3 – Proposed Small House Footprint Plan