

Application Site: Lots 83 S.C RP and 470 S.D in D.D. 21, San Uk Ka, Tai Po, N.T.

Justifications

(i) Background Information:

The Application is with the same proposal of planning application No. A/TP/662 for proposed house (New Territories Exempted House) development, which was approved by the Rural and New Town Planning Committee on 3.5.2019 with approval conditions and validity till 3.5.2023. Despite the planning permission was granted, District lands Office/Tai Po of lands Department could not issue the formal basic terms offer to the applicant before the expiry date due to objections were received upon posting notice. The application was then required to go through a three-tier mechanism adopted since 1.9.2017 by lands Department for proper handling of the Small House applications and the objections to the applications. While the posting notice is the final stage to reach the approval of the application and it was unexpectedly objections received, the applicant could not submit application S.16A for extension of time for commencement of development in accordance with the Town Planning Board Guideline No. 350 under s.16A of the Town Planning Ordinance (Cap.131) due to lapse of planning permission expiry on 3.5.2023.

(ii) Justifications:

Apart from the background information given above, the justifications for substantiate the application are as follows:

- a) The applicant is an indigenous villager of a recognized village of Tai Po District of who is eligible to apply for a Small House grant under the current Small House policy, and was also the applicant of the same application site under Application No. A/TP/662 previously approved with conditions by RNTPC on 3.5.2019;
- b) There hasn't been any material change in planning circumstances since the original permission was granted on 3.5.2019 in terms of the planning policy/land-use zoning of the application site;

- c) According to the "Notes" of Approved Tai Po Outline Zoning Plan No. A/TP/30 (Gazetted on 8.7.2022), it is unlikely any adverse planning implications on the previous approval with conditions to the proposed development ;
- d) the site is flat and not covered by mature trees thus significant impact by the proposed development on the existing landscape resources is not anticipated;
- e) The application site is located in the "Village Environs" (VE) of San Uk Ka and is an in-fill site to the village proper to form a new village cluster with the adjoining New Territories Exempted Houses;
- f) The proposed Small House is located within the village 'environs' ('VE') of San Uk Ka Village and there is a general shortage of land in meeting the demand for Small House development in "V" zone at San Uk Ka Village;
- g) The proposed development would not cause any visual and environmental impacts on the surrounding areas as the Site is now vacant with no trees or vegetation;
- h) The proposed development is compatible with the surrounding area mainly occupied by Small House in terms of land use, scale design and layout;
- i) There are 34 similar applications (No. A/TP/266, 274, 278, 282, 286, 287, 300, 302, 303, 320, 347, 353, 363, 380, 401, 424, 425, 464 to 477, 525, 537 and 641) in the vicinity of San Uk Ka village approved by the Board. As such, approval of the application would not set a bad precedent in the "GB" zone; and
- j) The uncovered area of the Site will be properly landscaped for the use of open space or garden purpose.