



## Section 16 Planning Application

Proposed Houses and Minor Relaxation of  
Plot Ratio and Building Height Restriction

Lots 1217 S.A RP and 1217 S.B RP in D.D.  
104 and Adjoining Government Land,  
Ngau Tam Mei, Yuen Long, New Territories

### *Planning Statement*

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## EXECUTIVE SUMMARY

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D.104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories (hereinafter referred to as “the Application Site”). The current application proposed amendments to a previously approved scheme under the previous planning application No. A/YL-NTM/372 (hereinafter referred to as “the previous application”) approved by the Rural and New Town Planning Committee on 12.4.2019 for the same applied use. The Application Site has a total area of approximately 1,565.36m<sup>2</sup> (including Government land of about 257m<sup>2</sup>), which covers a site extent largely similar to the previous application with an additional portion of adjoining Government land. This Planning Statement serves to provide background information and planning justifications in support of the current application to facilitate consideration by the Board.

The current application seeks planning permission to amend major development parameters and layout of the previously approved scheme under the previous application. The current application is for the development of two 2-storey houses with a total Plot Ratio of not more than 0.24, a building height of not more than 7m, and a total Gross Floor Area of about 375.68m<sup>2</sup>.

The Application Site currently falls completely within an area zoned “Residential (Group D)” (hereinafter referred to as “R(D)”) on the draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13 (hereinafter referred to as “the Current OZP”) which was gazetted on 8.3.2024. According to the Notes of the Current OZP, the proposed use should be regarded as ‘House (other than Redevelopment; Addition, Alteration and/or Modification to existing house)’ which is a Column 2 use within the “R(D)” zone. According to the Notes for the “R(D)” zone, minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. In this connection, the current application is herewith made to the Board for consideration. As detailed in the Planning Statement, the proposed development is well justified on the grounds that:-

- (a) *The proposed use is solely for low-rise and low-density residential development and is considered to be fully in line with the planning intention of the “R(D)” zone;*
- (b) *The Application Site is situated in an area which is predominantly rural in character with village houses, low-rise residential developments, vacant land and abandoned fishponds. The proposed development under the current application would remain as a low-rise and low-density residential development, which is considered compatible with the surrounding environment in terms of land use, character and scale;*
- (c) *The proposed development, which is to amend an approved scheme, will further unleash the development potential of under-utilised land resources and enhance the living quality of future residents without causing insurmountable impact on the environment;*

- (d) *The Application Site is perceived to be highly suitable for residential development on its own as it is well accessed to existing local roads;*
- (e) *It is proposed that extensive landscaping work will be undertaken in order to upgrade the existing site condition and to create a verdant and natural internal environment;*
- (f) *The circumstances of the current application and the previous application are very similar. The proposed development will not pose any adverse impacts in terms of landscape, visual, traffic, environmental, drainage and sewerage aspects on the surrounding areas; and*
- (g) *The proposed development will not set an undesirable precedent since previous and similar approved applications are identified in the "R(D)" zone of the Current OZP.*

In view of the above and the list of detailed planning justifications in this Planning Statement, the Board is respectfully requested to give favorable consideration to approve the current application for the proposed development.

## 行政摘要

(如內文與其英文版本有差異，則以英文版本為準)

此規劃報告書旨在支持一宗遞交予城市規劃委員會（以下簡稱「城規會」）的規劃申請（以下簡稱「是次申請」），作擬議屋宇及略為放寬地積比率及建築物高度限制。該申請所涉及地點位於新界元朗牛潭尾丈量約份第 104 約地段第 1217 號 A 分段餘段及第 1217 號 B 分段餘段和毗連政府土地（以下簡稱「申請地點」）。是次申請擬議修訂鄉郊及新市鎮規劃小組委員會於 2019 年 4 月 12 日在有條件下批給許可之規劃申請編號 A/YL-NTM/372（以下簡稱「先前申請」）作擬議屋宇用途之已核准的發展計劃。申請地點的面積約為 1,565.36 平方米（包括約 257 平方米的政府土地）。是次申請地點的界線與先前申請大致相同，並額外將一部分政府土地納入了申請範圍。此規劃報告書將提供是次申請的背景資料及規劃理據予城規會考慮。

是次申請的目的是為了修訂先前申請下已核准的發展計劃的主要發展參數和佈局。是次申請旨在開發兩棟兩層住宅，總地積比率不多於 0.24，建築高度不超過 7 米，總樓面面積約為 375.68 平方米。

申請地點於 2024 年 3 月 8 日刊憲公佈的牛潭尾分區計劃大綱草圖（編號：S/YL-NTM/13）（以下簡稱「現行大綱圖」）內被劃為「住宅（丁類）」地帶。考慮到擬議用途所屬之「屋宇（重建、現有屋宇的加建、改動及/或修改除外）」屬於「住宅（丁類）」地帶的第二欄用途。而根據「住宅（丁類）」地帶的《註釋》，根據該條例第 16 條提出申請，城規會可考慮輕微放寬地積比率及/或建築物高度限制。為此謹向委員會提出申請以供考慮。此規劃報告書內詳細闡述擬建用途的規劃理據，當中包括：-

- (一) 擬議用途的性質僅為低層及低密度住宅發展，因此應被視為完全符合「住宅(丁類)」地帶的規劃意向；
- (二) 申請地點位於鄉郊範圍，周遭主要為村屋、低層及低密度住宅發展、閒置土地及荒廢魚塘。擬議發展仍會保留作低層及低密度住宅項目，並在現有土地用途、性質和發展規模方面與周遭環境相互兼容；
- (三) 擬議修訂將會在不對環境造成不良影響的前題下，進一步釋放未被充分利用的土地發展潛力，並提升未來居民的生活質素；
- (四) 申請地點已有良好的道路連接，適合作為住宅發展；
- (五) 是次申請建議包括廣泛的景觀美化工程，有助充分提升現有地盤狀況，並營造青翠自然的內部環境；
- (六) 由於是次申請與先前申請性質相若，擬議發展並不會對園景、視覺、交通、環境、排水及排污方面造成不良影響；及
- (七) 考慮到在現行大綱圖的「住宅（丁類）」地帶中已有先前申請及類似申請獲批，申請地點作擬議發展並不會立下不良先例。

鑑於以上及此規劃報告書所提供的詳細規劃理據，敬希城規會各委員給予考慮並批准是次規劃申請。



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## 1. INTRODUCTION

### 1.1 Purpose

- 1.1.1 Pursuant to section 16 of the Town Planning Ordinance (Cap. 131) (hereinafter referred to as “the Ordinance”), this Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for **Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction** (hereinafter referred to as “the proposed use”) at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories (hereinafter referred to as “the Application Site”). The current application proposed amendments to a previously approved scheme under the previous planning application No. A/YL-NTM/372 (hereinafter referred to as “the previous application”) approved by the Rural and New Town Planning Committee (hereinafter referred to as “RNTPC”) on 12.4.2019 for the same applied use. The Application Site has a total area of approximately 1,565.36m<sup>2</sup> (including Government land of about 257m<sup>2</sup>), which covers a site extent largely similar to the previous application with an additional portion of adjoining Government land. The location of the Application Site is shown in **Figure 1** whilst **Figure 2** indicates the relevant private lots and Government land which the Application Site involves.
- 1.1.2 The current application seeks planning permission to amend major development parameters and layout of the previously approved scheme under the previous application. The current application is for the development of two 2-storey houses with a total plot ratio of not more than 0.24, a building height of not more than 7m, and a total Gross Floor Area of about 375.68m<sup>2</sup>. Comparison between the previously approved scheme and the proposed development under the current application is discussed in **Section 4.1** below.
- 1.1.3 The Application Site currently falls completely within an area zoned “Residential (Group D)” (hereinafter referred to as “R(D)”) on the draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13 (hereinafter referred to as “the Current OZP”) which was gazetted on 8.3.2024. According to the Notes of the Current OZP, the proposed use should be regarded as ‘House (other than Redevelopment; Addition, Alteration and/or Modification to existing house)’ which is a Column 2 use within the “R(D)” zone. Planning permission from the Board under section 16 of the Town Planning Ordinance is therefore required. According to the Notes for the “R(D)” zone, minor relaxation of the plot ratio (hereinafter referred to as “PR”) and/or building height restrictions (hereinafter referred to as “BH”) restriction may be considered by the Board on application under section 16 of the Ordinance. In this connection, the current application is herewith made to the Board for consideration.
- 1.1.4 Prepared on behalf of the registered owner of the Application Site (hereafter referred to as the “the Applicant”), Aikon Development Consultancy Limited has been commissioned to prepare and submit the current application.

## 1.2 Background

1.2.1 The Applicant is a landscape enthusiast who is very interested in Chinese Style Landscape Gardening and Koi keeping. He intends to build a house in Chinese style with traditional Chinese landscape garden design for his own use. In order to form a comprehensive indoor and outdoor landscape scenic for the proposed development, rooms are designed to be surrounded by a subsection of the courtyard in different themes, including Koi pool, rock works and different landscape planting. The design concept is detailed in the architectural drawings and 3D illustrations in **Appendix I**.

1.2.2 Subject to the changes in circumstances since the approval of the previous application in April 2019, a fresh section 16 planning application is now submitted to amend the major development parameters of the previously approved scheme. In order to further unleash the development potential of under-utilised land resources, the Applicant is applying to revise the site boundary by including an additional portion of adjoining Government land into the Application Site, resulting an increase in site area by about 200.85m<sup>2</sup> (+14%). The above amendments are justified mainly on the grounds that:

- (a) the local setting along Chun Shin Road has changed dynamically since the planning application No. A/YL-NTM/432 was approved by the RNTPC on 14.1.2022 for proposed temporary transitional housing development and ancillary facilities for a period of 3 years with filling of pond and excavation of land. The Application Site is currently adjoining the aforesaid proposed temporary transitional housing development and there is an additional portion of Government land (approximately 257m<sup>2</sup>) sandwiched in between the sites which appears to be idle and not suitable for development on its own (**Figure 3** refers). It is considered more appropriate to include the additional portion of Government land into the Application Site to better utilise land resources and develop in a comprehensive manner.

## 1.3 Objectives

1.3.1 The current application strives to achieve the following objectives:-

- (a) *To act as an impetus to put forward the planning intention of the "R(D)" zone by completely phasing out non-conforming open storage and rural industrial uses within the "R(D)" zone and to be in full harmony with the surrounding residential area;*
- (b) *To introduce a low-rise and low-density residential development which has been carefully planned and designed with respect to the surrounding area, and would better utilise the land value of the Application Site; and*
- (c) *To further unleash the development potential of under-utilised land resources and to enhance the living quality of future residents.*

## 1.4 Structure of the Planning Statement

- 1.4.1 This *Planning Statement* is divided into 6 chapters. **Chapter 1** is the above introduction outlining the purpose and objectives of the current application. **Chapter 2** gives background details of the Application Site in terms of the current land use characteristics and the neighbouring developments. **Chapter 3** offers the planning context of the Application Site whilst **Chapter 4** provides details of the proposed development. A full list of planning justifications is given in **Chapter 5** whilst **Chapter 6** provides a concluding remark for the proposed development.

## 2. SITE PROFILE

### 2.1 Location and Current Condition of the Application Site

2.1.1 The Application Site has an area of about 1,565.36m<sup>2</sup> comprising about 1,308.36m<sup>2</sup> (about 83%) of private land and about 257m<sup>2</sup> (about 16%) of Government land. The Application Site is located in an area zoned “R(D)” on the Current OZP, and is currently accessible via its northern end abutting Chun Shin Road, an existing access road, which branches off from San Tam Road (**Figure 1** refers).

2.1.2 **Figure 2** indicates the relevant private lots and Government land which the Application Site involves. A small northern portion of Government land is reserved for the provision of an Emergency Vehicular Access (EVA), whereas the remaining portion of Government land is for a transformer room, a switch room, a swimming pool with filtration plans and landscaping area.

2.1.3 The Application Site has a linear site formation level of about 4.8mPD, which is about 0.7m lower than Chun Shin Road and about 0.6m lower than the adjoining proposed temporary transitional housing development. It is currently mostly vacant, with a few temporary gardening/landscape works undertaken by the Applicant for his own interest. **Illustration 1** shows the current conditions of the Application Site.

### 2.2 Surrounding Land-use Characteristics

2.2.1 The Application Site is situated in an area which is predominantly rural in character with village houses, low-rise residential developments, vacant land and abandoned fishponds. To the immediate east of the Application Site is the proposed temporary transitional housing development with construction works undergoing. To the immediate north of the Application Site across Chun Shin Road is a Nullah. To the further north of the Application Site is a cluster of low-rise residential clusters along Ngau Tam Mei Road, comprising houses and New Territories Exempted Houses with BH ranging from 2 to 3 storeys. To the immediate south and west of the Application Site are vacant land and abandoned fishponds. **Illustration 2** indicates the surrounding uses of the Application Site.

### 3. PLANNING CONTEXT

#### 3.1 The Current OZP

- 3.1.1 The Application Site falls completely within an area zoned “R(D)” on the Current OZP (**Figure 4** refers). According to the Notes of the Current OZP, the proposed use should be regarded as ‘House (other than Redevelopment; Addition, Alteration and/or Modification to existing house)’ which is a Column 2 use within the “R(D)” zone and requires planning permission from the Board. According to the Notes for the “R(D)” zone, minor relaxation of the PR and/or BH restriction may be considered by the Board on application under section 16 of the Ordinance. In this connection, the current application is herewith made to the Board for consideration.
- 3.1.2 The planning intention of the “R(D)” zone is *“primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board”*.
- 3.1.3 The proposed development is configured as a low-rise and low-density residential development, which involves two 2-storey houses with a total Plot Ratio of not more than 0.24, a Building Height of not more than 7m, and a total Gross Floor Area of about 375.68m<sup>2</sup>. Fire Services Installations and EVA requirements have also been assessed in accordance with relevant Codes of Practice and guidelines issued by Buildings Department (BD) and Fire Services Department (FSD).
- 3.1.4 As stated in the Explanatory Statement for the “R(D)” zone, *“since the areas along San Tin Highway would be subject to traffic noise impact, any proposed development near the road should provide adequate mitigation measures to minimize such impact”*. According to the site visit on 24.5.2024, it is observed that tall roadside trees and fence wall are common to serve as noise barrier along residential developments in close proximity to San Tin Highway. By referencing the current practices, similar approach will also be applied to the proposed development and noise issue should not be the major concern despite the Application Site is only about 160m away from San Tin Highway.

#### 3.2 Previous Planning Application

- 3.2.1 Part of the Application Site is subject to a previous planning application (No. A/YL-NTM/372) submitted by the same Applicant for the same applied use as the current application. The previous application was approved by the RNTPC on 12.4.2019 mainly on the considerations that the proposed development was in line with the planning intention of the “R(D)” zone; proposed development parameters conformed to the OZP restrictions; the approval of the development could catalyse the phasing out of the non-conforming and undesirable rural industrial-related uses in the vicinity and help achieve an early implementation of the planning intention; and no insurmountable issue from traffic, ecological, environmental, landscape, geotechnical, sewerage and drainage perspectives was anticipated.

### **3.3 Similar Planning Applications**

- 3.3.1 There is one similar application (No. A/YL-NTM/377) in the “R(D)” zone of the Current OZP. Application No. A/YL-NTM/377 for proposed house was approved by the RNTPC on 12.4.2019 mainly on the considerations that the proposed development was in line with the planning intention of the “R(D)” zone; proposed development parameters conformed to the OZP restrictions; the approval of the development could catalyse the phasing out of the non-conforming and undesirable rural industrial-related uses in the vicinity and help achieve an early implementation of the planning intention; and no insurmountable issue from traffic, ecological, environmental, landscape, geotechnical, sewerage and drainage perspectives was anticipated.

## 4. THE DEVELOPMENT PROPOSAL

### 4.1 Proposed Development and Major Development Parameters

- 4.1.1 The current application is to amend a previously approved scheme under the previous application No. A/YL-NTM/372 approved by the RNTPC on 12.4.2019 to facilitate the development of two 2-storey houses in Chinese-style with traditional Chinese landscaping.
- 4.1.2 Compared with the approved scheme under the previous application, the proposed amendments under the current application mainly involve an increase in site area (+14%), total GFA (+37%), PR (+20%), site coverage (SC) (+8%) and BH in terms of number of storeys (+1 storey) and actual BH (+2.5m). The amended scheme aims to further unleash the development potential of under-utilised land resources and to enhance the living quality of future residents. The proposed development would involve filling of land (**Figure 5** refers) to align the site level with the adjacent development and help prevent any potential flooding issues.
- 4.1.3 There will be a minor change in the layout of the proposed houses. The current proposal with a green ratio of 36.9% is more extensive than the 20% minimum site coverage of greenery as set out in PNAP APP-152 – Sustainable Building Design Guidelines. The proposed development will incorporate a 1.4m setback from the northern periphery of the application site abutting Chun Shin Road for the enhancement on pedestrian walking environment. The voluntary setback would also provide flexibility to facilitate future carriageway and footpath widening works along Chun Shin Road in view of coping with the increasing population. A set of architectural drawings and 3D illustrations including layout plan, floor plans, elevation and section plan are shown in **Appendix I**.
- 4.1.4 The minor relaxation of PR and BH restriction aims to serve the proposed antique collection rooms located on 1/F above the living rooms of the proposed houses. The Applicant is an antique enthusiast and has long been seeking an appropriate and extensive place to store his collection of large-size oriental antique furniture up to 4m in height. The proposal to place the antique collection rooms on 1/F has regard to the fact that antique furniture should be well-stored in a space with good air ventilation to prevent excessive exposure to humidity as well as odours absorption from domestic environment. Comparing with the previously approved scheme, the floor-to-floor height at the living rooms has been reduced from 4.5m to 3m to ensure that the proposed development will not result in a substantial increase in BH after the addition of the 4m-tall antique collection rooms on 1/F. It should be noted that the total area of 1/F is about 103m<sup>2</sup>, which involves only about 30% of the total covered area. The remaining portion of the covered area (about 70%) will remain well below the height restriction of 3 to 4.5m.
- 4.1.5 An ingress/egress with 6m in width is proposed at the northern side of the Application Site for EVA use (**Appendix I** refers). If required and considered essential, the Applicant will submit and implement the run in/out proposal by way of compliance of relevant approval condition(s). As for on-site parking provision,



although the proposed development is not subject to any requirement from the Hong Kong Planning Standards and Guideline (HKPSG), is it proposed that 3 parking spaces will be provided to be in line with the previous minimum requirement of HKPSG in 1.5 car parking space per house.

4.1.6 For screening and noise mitigation purpose, fence wall (in minimum 1.8m) and roadside trees are provided along the site boundary. No window is designed along the western periphery to avoid traffic noise from the San Tin Highway. Comparison of the major development parameters between the previously approved scheme and the proposed development under the current application is summarised in **Table 1** below.

4.1.7 The Application Site has a linear site formation level of about 4.8mPD, which is about 0.7m lower than Chun Shin Road and about 0.6m lower than the adjoining proposed temporary transitional housing development. Therefore, land filling work (not more than 0.6m) is proposed to be carried out at the Application Site in order to ascertain the EVA can serve the proposed development in a “technically-feasible” manner; to prevent flooding issue cause by the abrupt change in formation levels with the adjoining proposed temporary transitional housing development.

*Table 1: Comparison of Major Development Parameters of the Previously Approved Scheme and the Proposed Development under the Current Application*

	Previously Approved Scheme (No. A/YL-NTM/372) (a)	Proposed Development (Under Current Application) (b)	Difference (b) – (a)
<b>Total Site Area (About)</b>	<b>1,364.5m<sup>2</sup></b>	<b>1,565.36m<sup>2</sup></b>	+200.86m <sup>2</sup>
Private Lots	1,332.7 m <sup>2</sup> (98%)	1,308.36m <sup>2</sup> (84%)	(+14%)
Government Land	31.8 m <sup>2</sup> (2%)	257m <sup>2</sup> (16%)	
<b>Total PR (About)</b>	0.2	0.24	+0.04 (+20%)
<b>No. of Houses</b>	2	2	No change
<b>Total GFA (About)</b>	272.9m <sup>2</sup>	<b>375.68m<sup>2</sup></b>	<b>+102.78m<sup>2</sup></b> (+37%)
<b>BH</b>	1 storey / From 4.274m to 4.5m	2 storeys / From 4.5m to 7m	+1 storey / +0.226 to 2.5m
<b>SC</b>	20%	21.66%	+1.66% (+8%)
<b>Height of Fence Wall</b>	Not less than 1.8m	Not less than 1.8m	No change
<b>Filling of Land for Site Formation (About)</b>	0.5m	0.6m	+0.1m (+20%)
<b>Parking Space</b>	3 [5m(l) x 2.5m(w)]	3 [5m(l) x 2.5m(w)]	No change

## **5. PLANNING JUSTIFICATIONS**

### **5.1 Fully In Line with the Planning Intentions of the “R(D)” Zone**

5.1.1 The Application Site falls completely within an area zoned “R(D)” on the Current OZP of which the planning intention is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment into permanent buildings as well as intending for low-rise, low-density residential development. In view of the fact that the proposed use is solely for low-rise and low-density residential development, it is considered to be fully in line with the planning intention of the “R(D)” zone.

### **5.2 Being Compatible with the Surrounding Land Uses**

5.2.1 The surroundings of the Application Site are predominately rural in character, comprising village houses, low-rise residential developments, vacant land and abandoned fishponds. Having regard that the adjoining proposed temporary transitional housing development has a total PR of 1.3 and a BH of 4 storeys while other residential uses in the vicinity have a PR ranging from 0.2 to 0.4 and a BH of 2 to 3 storeys, the proposed 2-storey houses with a PR of 0.24 would be fully compatible with the surrounding context.

5.2.2 The current proposal involves an increase in site area, total GFA, PR, SC and maximum BH in terms of number of storeys and actual BH in mPD. To further optimize the development potential of valuable land resources and to enhance the living quality of future residents, the minor relaxation of PR and BH restriction aims to serve the proposed antique collection rooms or the storage of large-size oriental antique furniture located on 1/F above the living rooms of the proposed houses. Comparing with the previously approved scheme, the floor-to-floor height at the living rooms have been reduced from 4.5m to 3m to ensure that the proposed development will not result in a substantial increase in BH after the addition of the 4m tall antique collection rooms on 1/F. It should be noted that the total area of 1/F is about 103m<sup>2</sup>, which involves only about 30% of the total covered area. The remaining portion of the covered area (about 70%) will remain well below the height restriction of 3 to 4.5m. Having regard to the similar PR as the previously approved scheme (20%) and the insignificant 1/F coverage, the proposed amendments should be considered minor in scale and the proposed development would be compatible with the neighbourhood and unlikely result any adverse visual impact on the surroundings.

5.2.3 The hard-paved land to the southwest of the Application Site is currently being utilized for open storage. The area is subject to a previously rejected planning application and shall be regarded as Unauthorized Development under the Ordinance.

### 5.3 Optimizing Land Resources

- 5.3.1 The Application Site and its surrounding area have remained vacant since the gazette of the Current OZP in 2006. Having regard that the proposed development is compatible with the local geographical setting, the approval of the current application would improve the existing rural environment, which is now predominantly occupied by temporary non-domestic structures and abandoned land and help unleash the development potential of the under-utilised land resources without causing insurmountable impact on the environment.
- 5.3.2 There were several changes in the site context since the approval of the previous application in April 2019. The local setting along Chun Shin Road has changed dynamically since the planning application No. A/YL-NTM/432 was approved by the RNTPC on 14.1.2022 for proposed temporary transitional housing development and ancillary facilities for a period of 3 years with filling of pond and excavation of land.
- 5.3.3 The Application Site is currently adjoining the aforesaid proposed temporary transitional housing development and there is an additional portion of Government land (approximately 257m<sup>2</sup>) sandwiched in between the sites which appears to be idle and not suitable for development on its own (**Figure 3** refers). In order to further unleash the development potential of under-utilised land and to achieve the objectives as stated in **Section 1.3**, the proposed increase in site area for the reversion of site boundary by including an additional portion of adjoining Government land into the Application Site would deem to be reasonable and justifiable.
- 5.3.4 Furthermore, the inclusion of an additional portion of adjoining Government land in the Application Site would achieve public benefit in reducing management and control costs for unlawful occupation on unallocated and unleased Government land.

### 5.4 Suitable for Residential Development

- 5.4.1 The Application Site has direct access and is in close proximity to Chun Shin Road and San Tam Road. A vehicular access is proposed to connect the Application Site with Chun Shin Road and the walking time between the proposed development and San Tam Road will be less than 3 minutes. From the accessibility point of view, the Application Site can be perceived to be highly suitable for residential development on its own.

## **5.5 Planning and Design Merits**

- 5.5.1 The current development proposal has adopted various planning and design features for the benefits of the future users of the proposed development and the wider community.
- 5.5.2 The proposed development will incorporate a 1.4m setback from the northern periphery of the application site abutting Chun Shin Road for the enhancement on pedestrian walking environment. The setback area will be paved and integrated with edge planting strips to provide amenity for the pedestrians. The Applicant will be responsible for designing, constructing, maintaining and managing the setback area. The voluntary setback would also provide flexibility to facilitate future carriageway and footpath widening works along Chun Shin Road with a view to coping with the increasing population in Ngau Tam Mei.
- 5.5.3 The Applicant is an amateur horticulturist and Koi expert who is interested in Chinese Style landscaping, gardening and Koi keeping. The Applicant intends to undertake extensive landscaping work at the application site in order to create a verdant and natural environment for the enjoyment of future occupants and for the enhancement of visual permeability. It is also proposed that traditional Chinese hardscaping and a variety of softscaping will be provided at the landscaping area of the proposed development. The proposed development constitutes a total greenery area of about 642m<sup>2</sup> and a green ratio of 36.9%, which is more than the required 20% greenery requirement set out in PNAP APP-152 – Sustainable Building Design Guidelines. The Application Site is now temporarily being utilized for the keeping of potted plants, and thus can easily be converted and upgraded to the permanent verdant and natural environment as proposed in the current application.

## **5.6 Not Generating Adverse Technical Impacts**

- 5.6.1 In view of the fact that the proposed development is in relatively small-scale with an estimated population of 10 residents and is solely for the Applicant's own use, the current application would not induce significant changes/impacts compared with the previously approved scheme. Since the circumstances of the current application and the previous application are very similar, the proposed development would not deviate from the previous planning assessments in terms of technical feasibility. As such, the proposed development under the current application would not cause adverse landscape, visual, traffic, environmental, drainage and sewerage impacts.

## **5.7 Not Setting an Undesirable Precedent**

- 5.7.1 A previous planning application (No. YL-NTM/372) submitted by the same Applicant for the same applied use as the current application and a similar application (No. A/YL-NTM/377) covering the same "R(D)" zone of the Current OZP were approved by the RNTPC in 2019 on the considerations as detailed in **Section 3.2.1** and **3.3.1** respectively. Since the current application carries similar nature as the previous and similar applications involving low-rise, low-density residential developments, the

considerations of the RNTPC for the previous and similar applications are applicable to the current application. Approval of the current application is in line with the previous decisions of the RNTPC and would not set an undesirable precedent to other similar applications.

- 5.7.2 Furthermore, the Board in recent years has approved other s.16 planning applications for proposed houses with minor relaxation of PR and BH restriction in “R(D)” zones which carry similar nature as that of the proposed houses under the current application. **Table 2** below summarises the approved s.16 planning applications for houses with minor relaxation of PR and BH restriction in “R(D)” Zones in the past five years (2017-present).

*Table 2: Approved s.16 Planning Applications for Houses with Minor Relaxation of PR and BH Restriction in “R(D)” Zones in the Past Five Years (2017-present)*

<b>Application No.</b>	<b>Proposed Use(s)/Development(s)</b>	<b>Date of Approval</b>
A/YL-NSW/282	Proposed Residential Development and Minor Relaxation of Plot Ratio and Building Height Restrictions with Filling of Land and Excavation of Land	18.12.2020
A/YL-MP/287	Proposed House Development with Minor Relaxation of Building Height Restriction, Filling of Pond/Land, and Excavation of Land	26.5.2020
A/NE-KTS/466	Proposed Residential Development and Minor Relaxation of Plot Ratio and Building Height Restrictions	13.12.2019
A/YL-PH/736	Proposed House Development with Minor Relaxation of Building Height Restriction from 6m to 6.6m, and Filling and Excavation of Land	7.4.2017

## 6. CONCLUSION

- 6.1.1 This Planning Statement is submitted to the Board in support of the current application to amend a previously approved scheme under planning application No. A/YL-NTM/372 approved by the RNTPC on 12.4.2019 for proposed houses at the Application Site. The Application Site has a total area of approximately 1,565.36m<sup>2</sup> (including Government land of about 257m<sup>2</sup>), which covers a site extent largely similar to the previous application with an additional portion of adjoining Government land. This Planning Statement serves to provide background information and planning justifications in support of the current application to facilitate consideration by the Board.
- 6.1.2 The current application seeks planning permission to amend major development parameters and layout of the previously approved scheme under the previous application. The current application is for the development of two 2-storey houses with a total Plot Ratio of not more than 0.24, a building height of not more than 7m, and a total Gross Floor Area of about 375.68m<sup>2</sup>.
- 6.1.3 The Application Site falls completely within an area zoned “R(D)” on the Current OZP which was gazetted on 8.3.2024. As detailed in the Planning Statement, the proposed development is well justified on the grounds that:-
- (a) The proposed use is solely for low-rise and low-density residential development and is considered to be fully in line with the planning intention of the “R(D)” zone;
  - (b) The Application Site is situated in an area which is predominantly rural in character with village houses, low-rise residential developments, vacant land and abandoned fishponds. The proposed development under the current application would remain as a low-rise and low-density residential development, which is considered compatible with the surrounding environment in terms of land use, character and scale;
  - (c) The proposed development, which is to amend an approved scheme, will further unleash the development potential of under-utilised land resources and enhance the living quality of future residents without causing insurmountable impact on the environment;
  - (d) The Application Site is perceived to be highly suitable for residential development on its own as it is well accessed to existing local roads;
  - (e) It is proposed that extensive landscaping work will be undertaken in order to upgrade the existing site condition and to create a verdant and natural internal environment;
  - (f) The circumstances of the current application and the previous application are very similar. The proposed development will not pose any adverse impacts in terms of landscape, visual, traffic, environmental, drainage and sewerage aspects on the surrounding areas; and
  - (g) The proposed development will not set an undesirable precedent since previous and similar approved applications are identified in the “R(D)” zone of the Current OZP.

- 6.1.4 In view of the above and the list of detailed planning justifications in this Planning Statement, the Board is respectfully requested to give favorable consideration to approve the current application for the proposed development.

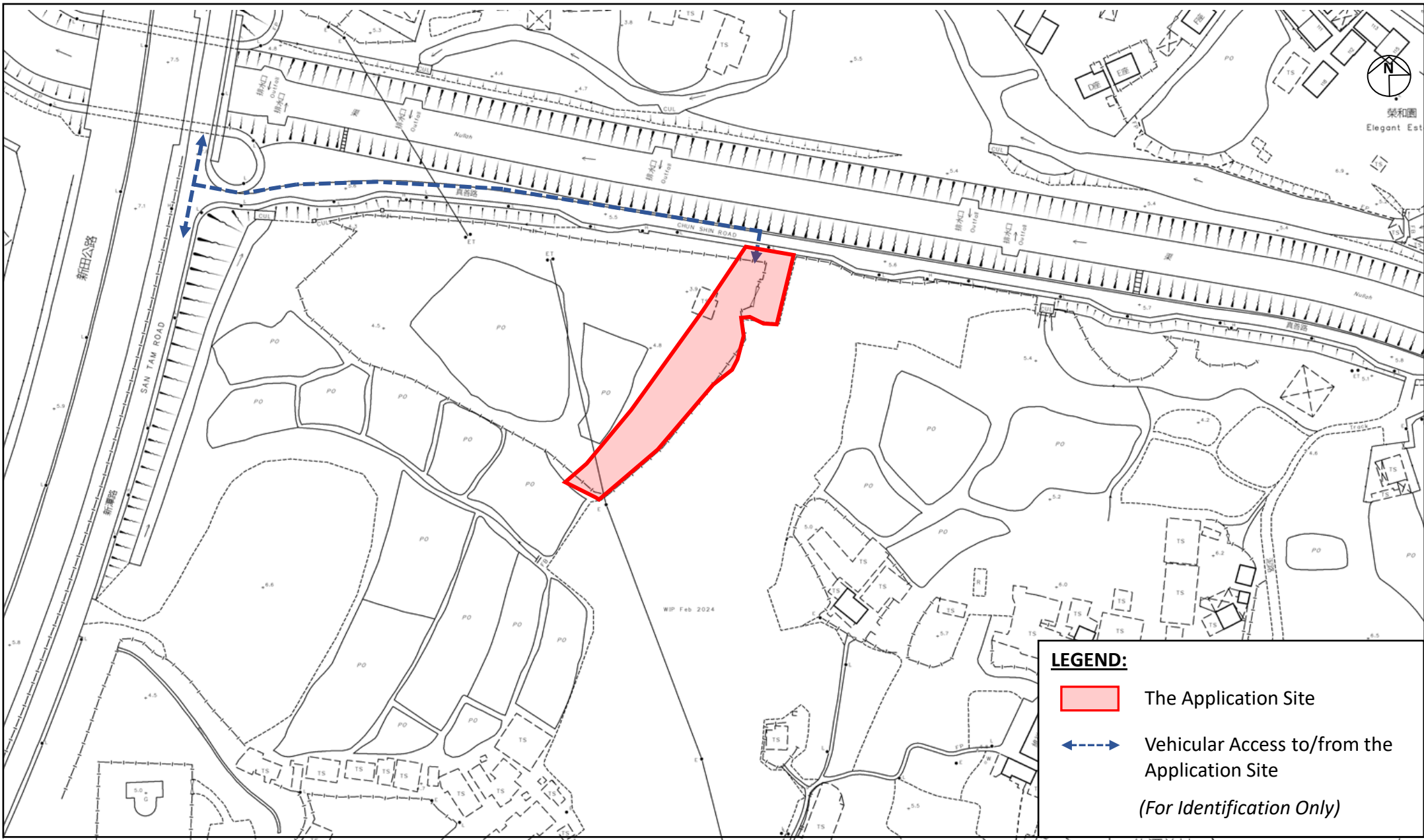
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## List of Figures

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| Figure 2 | Extract of Lot Index Plan (No. ags_S00000129909_0001)             |
| Figure 3 | Revision of Site Boundary Compared to the Previous Application    |
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**Project:**  
 Section 16 Planning Application for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

**Title:**  
 Location Plan

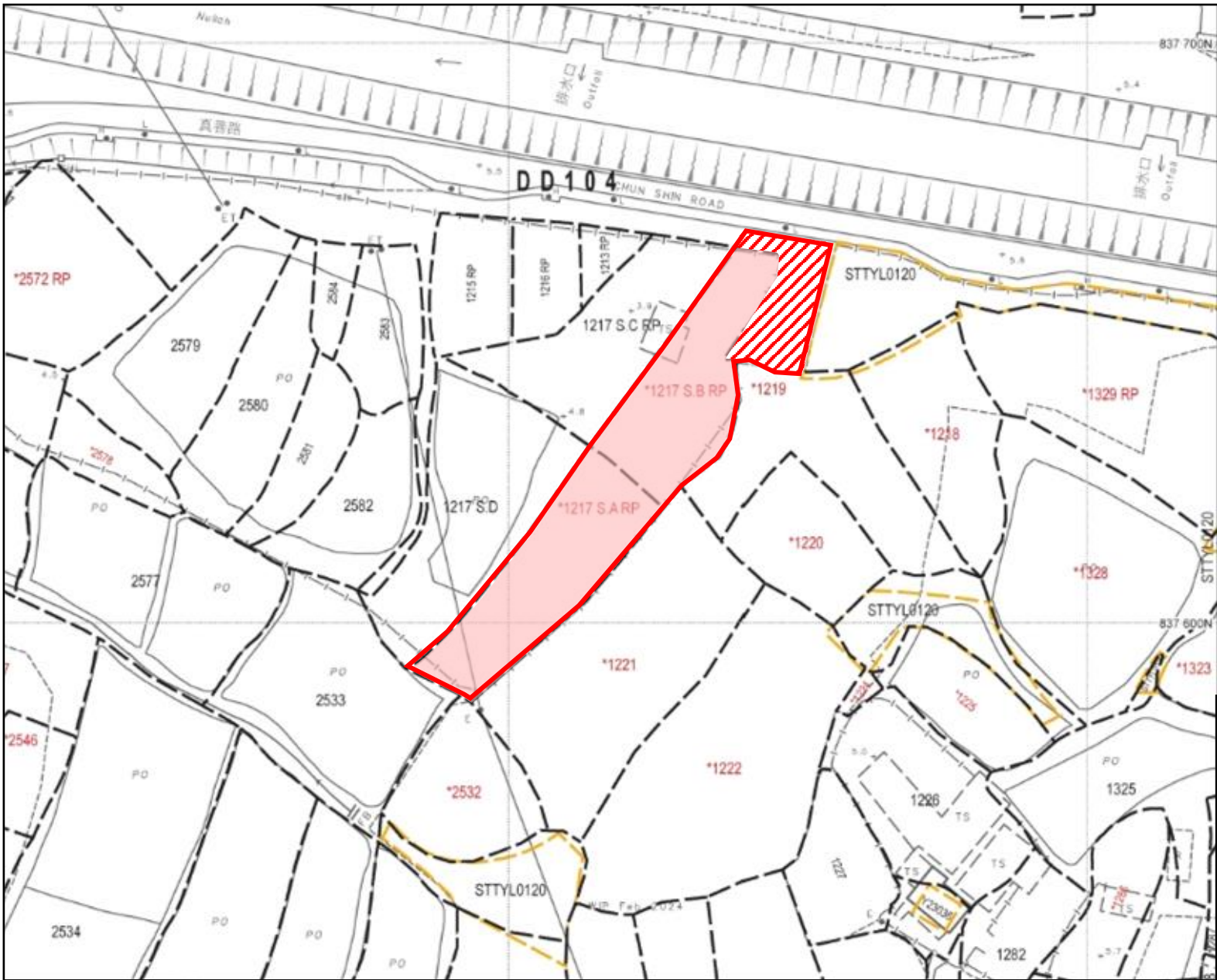
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**Date:**  
 Jul 2024

Ref.: ADCL/PLG-10297/R001/F001





**LEGEND:**

-  The Application Site
-  Private Land (83%)
-  Government Land (17%)

*(For Identification Only)*

**Project:**  
Section 16 Planning Application for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

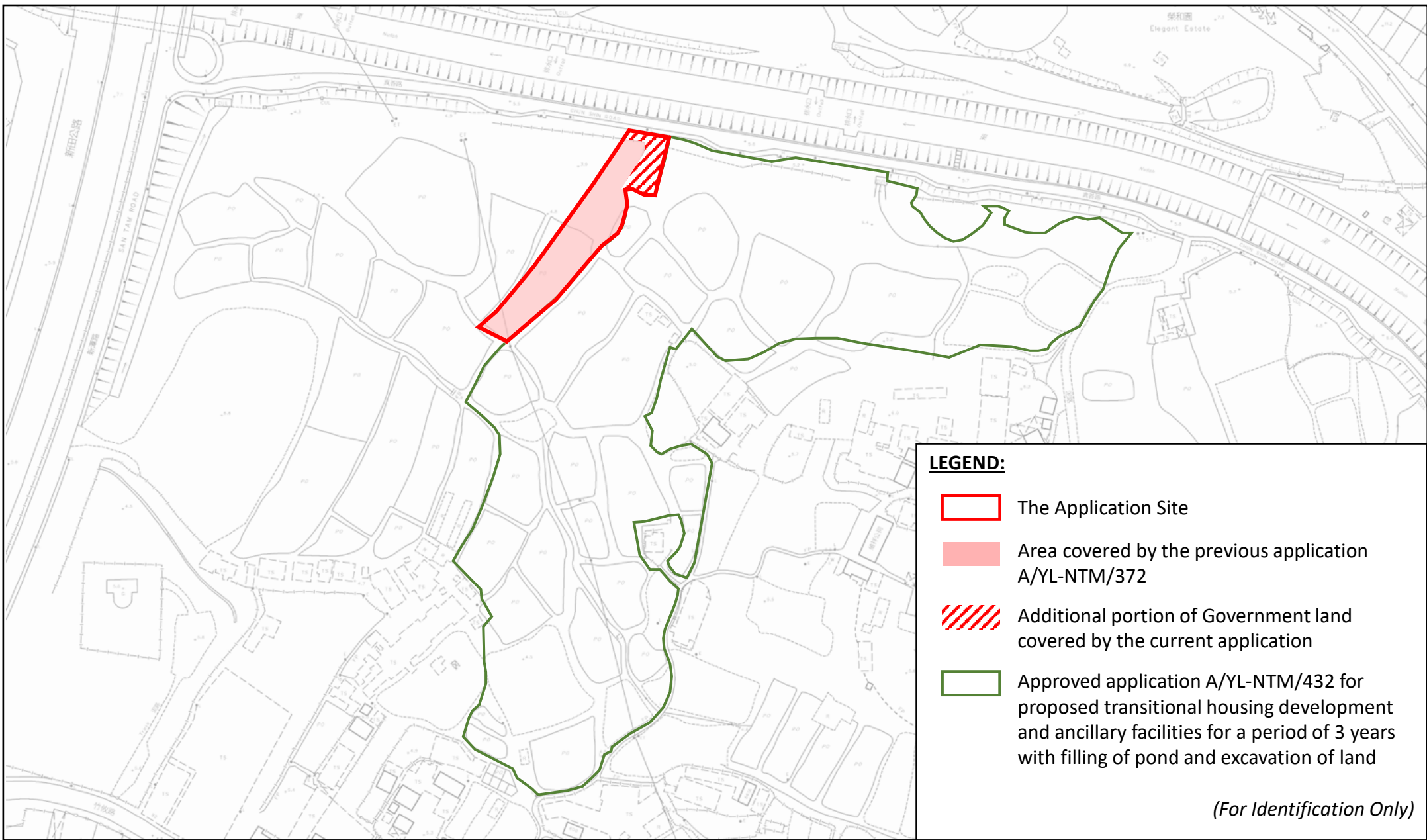
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Extract of Lot Index Plan  
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**Date:**  
Jul 2024

Ref.: ADCL/PLG-10297/R001/F002





**Project:**  
 Section 16 Planning Application for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

**Title:**  
 Revision of Site Boundary Compared to the Previous Application

**Figure:**  
 3

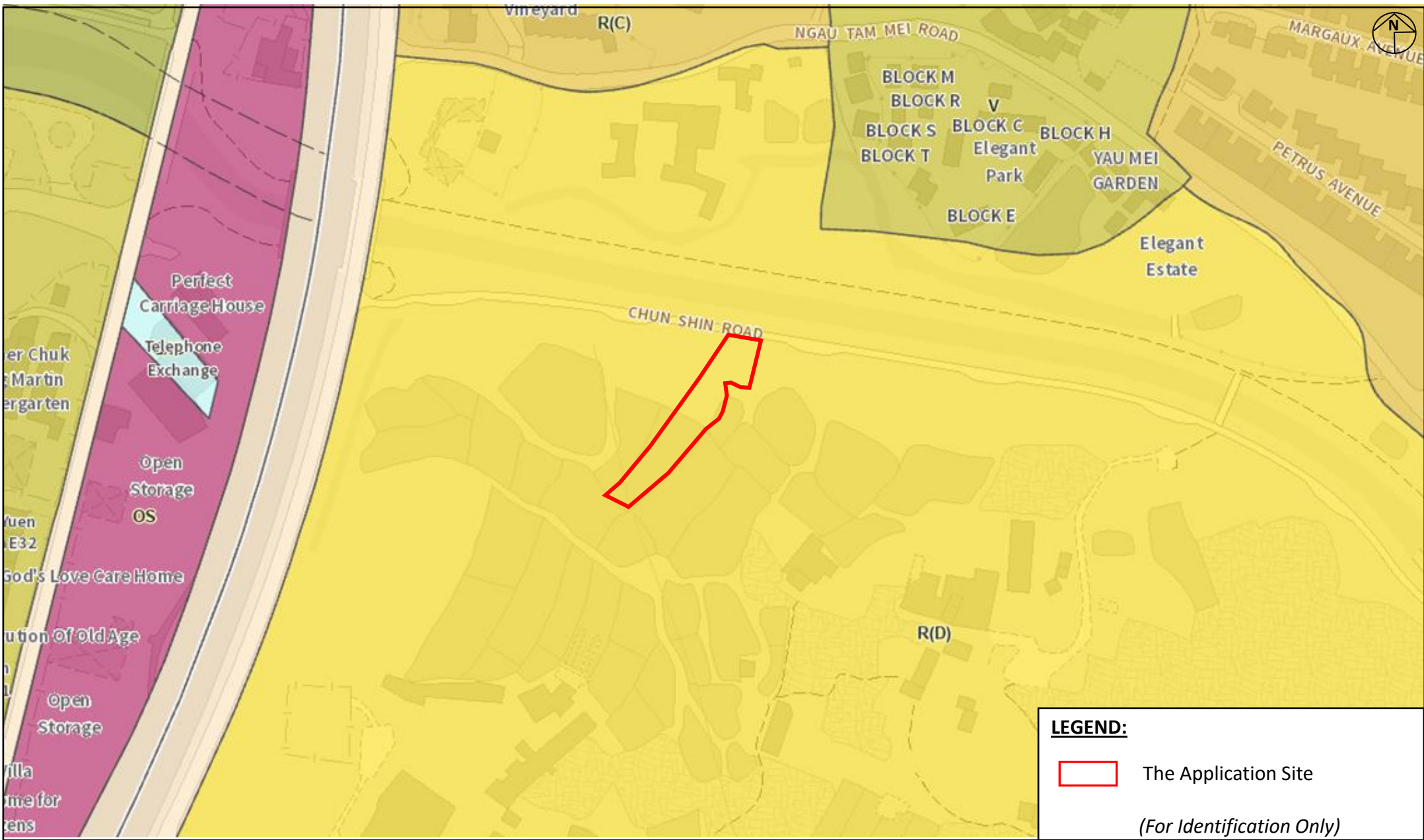
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 Jul 2024

Ref.: ADCL/PLG-10297/R001/F003







**LEGEND:**

The Application Site

*(For Identification Only)*

**Project:**  
 Section 16 Planning Application for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

**Title:**  
 Extract of Draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13

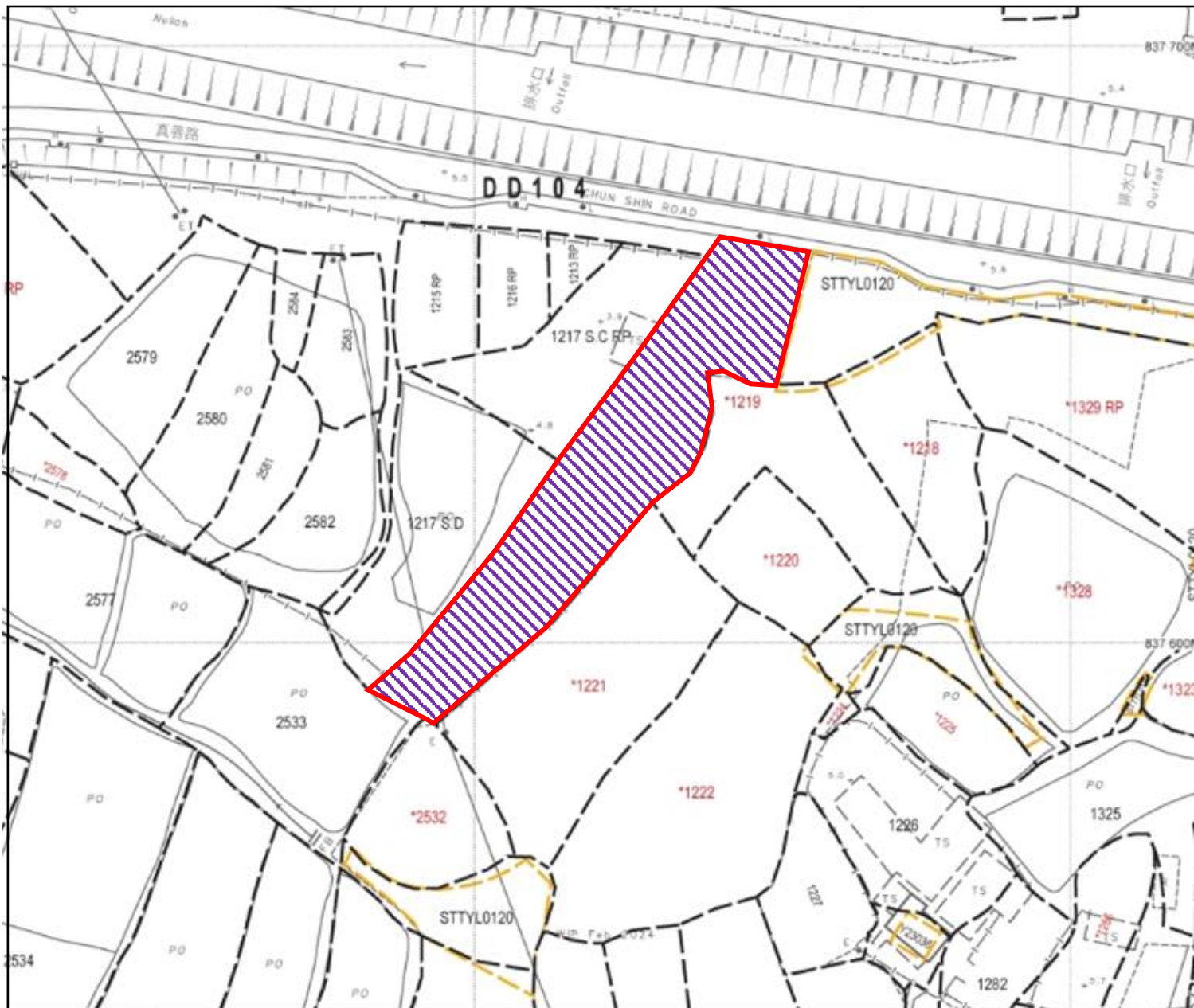
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**Date:**  
 Jul 2024



Ref.: ADCL/PLG-10297/R001/F004



**LEGEND:**

-  The Application Site
-  Filling of Land (not exceeding 0.6m)\*

Remarks:

\* The area and depth of filling of land will be confirmed in the detailed design stage

*(For Identification Only)*

**Project:**

Section 16 Planning Application for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

**Title:**

Proposed Filling of Land

**Figure:**

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**Date:**

Jul 2024

Ref.: ADCL/PLG-10297/R001/F005



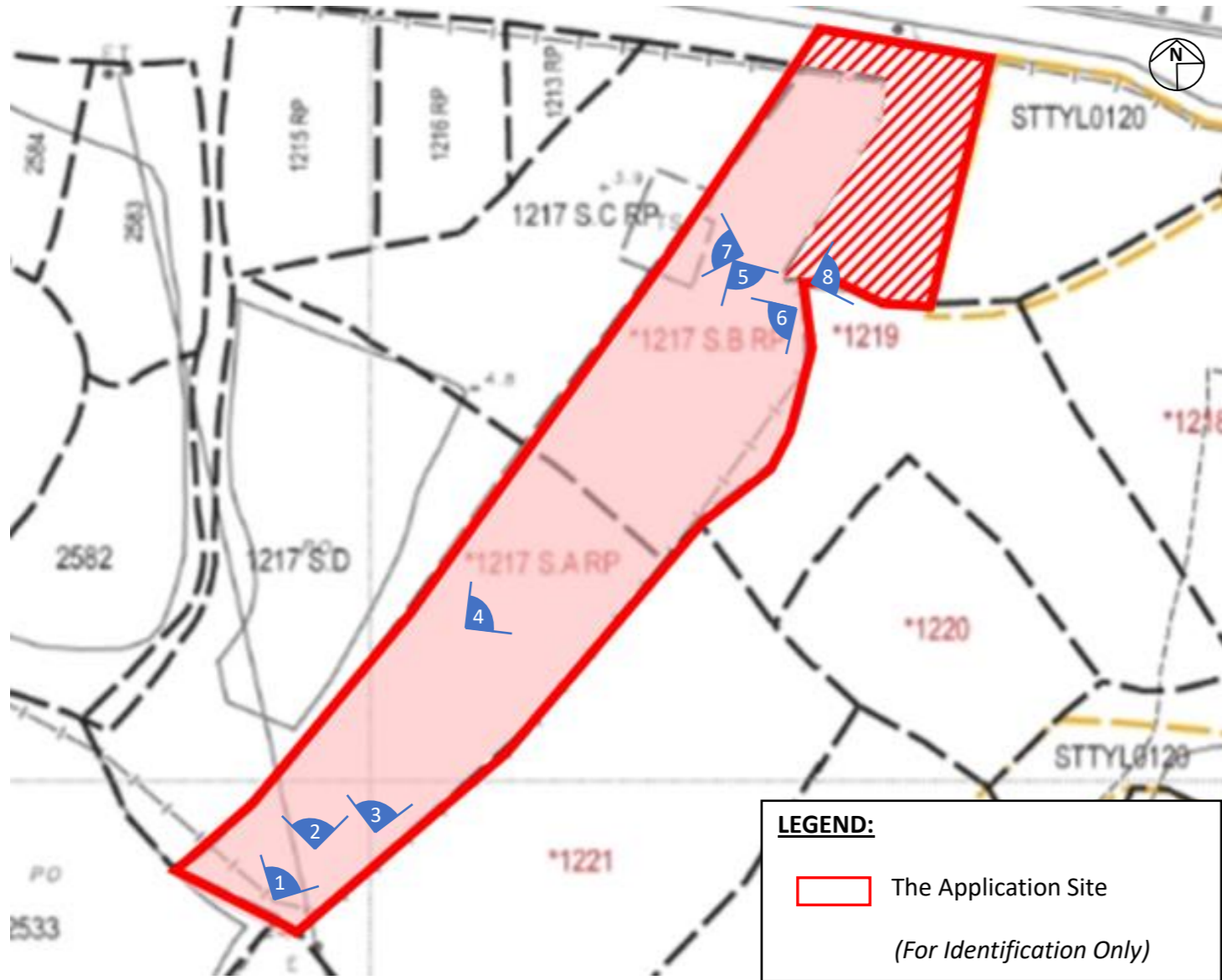
AIKON DEVELOPMENT CONSULTANCY LTD.

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## List of Illustrations

Illustration 1	Current Condition of the Application Site
Illustration 2	Surrounding Land-use Characteristics





**Project:** Section 16 Planning Application for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

**Title:** Current Condition of Application Site

**Illustration:** 1

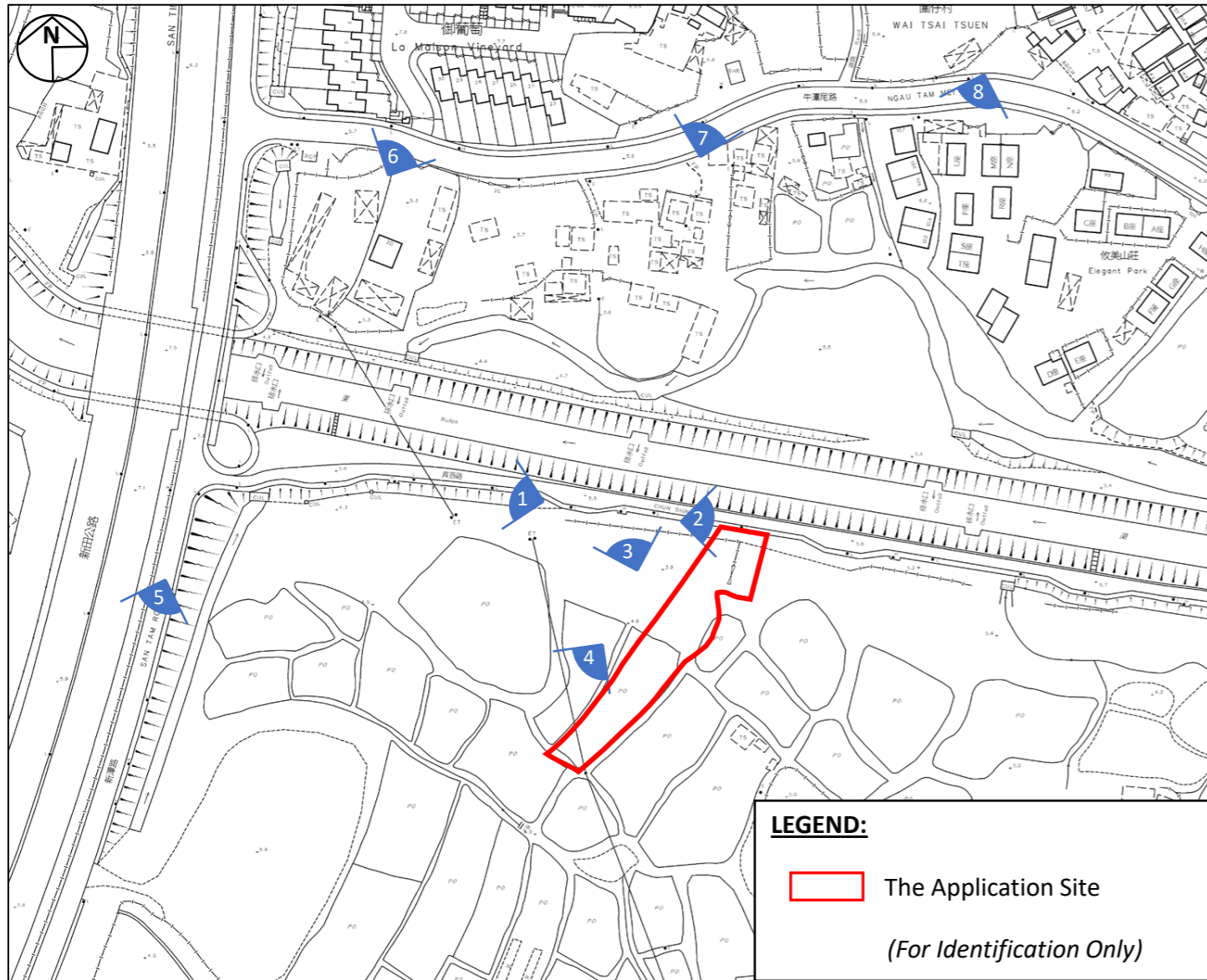
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**Project:**  
 Section 16 Planning Application for Proposed Houses and Minor Relaxation of Plot Ratio and Building Height Restriction at Lots 1217 S.A RP and 1217 S.B RP in D.D. 104 and adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

**Title:**  
 Surrounding Land-use Characteristics

**Illustration:**  
 2

**Scale:**  
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**Date:**  
 Jul 2024

Ref.: ADCL/PLG-10297/R001/1002

