

Date : 08.01.2025
Our Ref.:(2) in CMCCL/24/387
The Secretary,
Town Planning Board,
15/F., North Point Government Offices,
333 Java Road, North Point, Hong Kong

By Email

Dear Sir/Madam,

**Re: TPB A/YL-SK/387
Section 16 Planning Application for Proposed House
(New Territories Exempted House)-Small House with Associated
Excavation and Filling of Land on Lot No. 847 S.B ss.5 in DD 112
at Lin Fa Tei, Pat Heung, Yuen Long**

I refer to the departmental comments from the Transport Department (TD) and would like to provide clarifications and enclose herewith Response-to-Comment -Table and further information to address the abovementioned comments for their consideration.

I write to confirm that the site formation level of the application site is at 23.8m PD. In addition, I forward herewith Replacement Page of P.5 &9 for the S.16 Application Form and 6 replacement pages (i.e. P. 2,7,8,11, &15) of Planning Statement for your necessary action.

Yours sincerely,


(LIT Ying-cheung, Edward)

Encl.

Address: [REDACTED]

Contact: Mr. LIT Ying Cheung Edward

Tel No: [REDACTED]

Fax No: [REDACTED]

Address 地址:

[REDACTED]

Planning Application No. A/YL-SK/387
 Section 16 Planning Application for Proposed Small House Development with Associated Excavation and Filling of Land
 Lot No. 847 S.B ss5 in DD 112, Lin Fa Tei

| Department | Date | Comments | Responses to Departmental Comments |
|----------------------|-----------|---|--|
| Transport Department | 8.11.2024 | The applicant should indicate the entrance / exit and the routing between the local access and the development and shall seek comments from the affected land lot owners accordingly. | The application site is currently accessible by a long existed village footpath of about 1.5m to 2.0m in width from Kam Sheung Road. Plan showing the existing village footpath is attached herewith for your reference. The applicant can only travel to and from the application site on foot. Due to the small scale of the proposed use, the traffic generation and attraction will be very minimal. As the application site is only accessible by an existing village footpath to and from Kam Sheung Road, hence, parking space is not required. |
| | 8.11.2024 | The applicant should note the local access between Kam Sheung Road and the site is not managed by the Department. | Noted. |

TPB A/YL-5K/387

Figure 7-Plan Showing the Existing Footpath to and from the Application Site



| 6. Development Proposal 擬議發展計劃 | | | |
|--|--|---|------------|
| (a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用) | KWOK Cho Shing (郭楚誠) | | |
| (b) 原居民所屬的原居鄉村 (如適用) The related indigenous village of the indigenous villager(s) (if applicable) | Lin Fa Tei Village, Pat Heung, Yuen Long 元朗八鄉蓮地村 | | |
| (c) Proposed gross floor area 擬議總樓面面積 | 195.09 sq.m 平方米 <input type="checkbox"/> About 約 | | |
| (d) Proposed number of house(s) 擬議房屋幢數 | 1 | Proposed number of storeys of each house 每幢房屋的擬議層數 | 3 |
| (e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積 | 65.03 sq.m 平方米 | Proposed building height of each house 每幢房屋的擬議高度 | 8.23.. m 米 |
| (f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途 | Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement (Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用)) | | |
| (g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物? | Yes 是 <input type="checkbox"/> No 否 <input checked="" type="checkbox"/> | <input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) | |
| (h) Can the proposed house(s) be connected to public sewer? 擬議的屋宇發展能否接駁至公共污水渠? | Yes 是 <input type="checkbox"/> No 否 <input checked="" type="checkbox"/> | (Please indicate on plan the sewerage connection proposal. 請用圖則顯示接駁公共污水渠的路線) (Please indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置) Septic Tank and Soakaway System as shown on Figure 5 of the Planning Statement | |

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

| | |
|--|--|
| Application No. 申請編號 | (For Official Use Only) (請勿填寫此欄) |
| Location/address 位置/地址 | Lot No. 847 S.B ss.5 in DD 112 Lin Fa Tei, Pat Heung, Yuen Long |
| Site area 地盤面積 | 167.5 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 sq. m 平方米 <input type="checkbox"/> About 約) |
| Plan 圖則 | Approved Shek Kong Outline Zoning Plan No.S/YL-SK/9 石崗分區計劃大綱核准圖 |
| Zoning 地帶 | Residential (Group D) " R(D)" 住宅(丁類) |
| Applied use/ development 申請用途/發展 | New Territories Exempted House 新界豁免管制屋宇 <input checked="" type="checkbox"/> Small House 小型屋宇 |
| (i) Proposed Gross floor area 擬議總樓面面積 | 195.09 sq.m 平方米 <input type="checkbox"/> About 約 |
| (ii) Proposed No. of house(s) 擬議房屋幢數 | 1 |
| (iii) Proposed building height/No. of storeys 建築物高度/層數 | <input checked="" type="checkbox"/> 8.23 m 米 (Not more than 不多於) |
| | 3 Storeys(s) 層 |

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”) under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House (“NTEH-Small House”) of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as “the proposed use”) on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Pat Heung, Yuen Long, New Territories (hereinafter referred to “the application site”). The application site has an area of approximately 167.5 m². The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.

According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the “Village Type Development” (V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible for applying to Lands Department for erection of a Small House under the current Small House Policy.

The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.

The application site currently falls within an area zoned “Residential (Group D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-

- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
- (b) *the applicant’s Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and is being actively considered by DLO/YL;*
- (c) *the application site falls within “R(D)” area but is very close to the “Village Type Development” (V) area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*
- (d) *The application site and the footprint of the proposed Small House fall entirely within the village ‘environs’ of Lin Fa Tei;*
- (e) *the applicant is extremely in need of a Small House to accommodate his family members;*

Address :

[REDACTED]

地址 :

[REDACTED]

Tel 電話 :

[REDACTED]

Email 電郵 :

[REDACTED]

Fax 傳真 :

[REDACTED]

Man Chi Consultants And Construction Limited
敏志顧問及建築工程有限公司

1. INTRODUCTION

1.1 Purpose

1.1.1 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”) under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House (“NTEH”)-Small House of 65.03 sq. m. in area (3-storey) and with a height of not more than 8.23 m and excavation & filling of land (hereinafter referred to as “the proposed use”) on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to “the application site”). The application site has an area of approximately 167.5 m²(Please refer to **Figure. 6**). Its location is shown on **Figure 1** whilst **Figure 2 & 3** indicate the surrounding area and the private lots in the close vicinity respectively. This Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.

1.1.2 According to the current Small House Policy, a male indigenous villager of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the “Village Type Development” (V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village. This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under the current Small House Policy.

1.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.

1.1.4 Prepared on behalf of Mr. KWOK Cho Shing (郭楚誠) who is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, (hereinafter referred to as “the Applicant”), Mr. LIT Ying-cheung Edward has been commissioned to prepare and submit the current application so as to secure a Planning Permission from the Board to allow him to erect an NTEH on the application site.

1.1.5 The application site currently falls within an area zoned “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006 (Please refer to **Figure 4**). According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use.

1.1.6 The application site and the footprint of the proposed Small House entirely fall within the village ‘environ’ of Lin Fa Tei.

1.2 Objective

1.2.1 The current application serves to achieve the following objectives:-

- (a) To give an opportunity to the applicant to utilise the application site to erect an NTEH -Small House for accommodation of his family members under the current Small House Policy;
- (b) To supplement the serious shortage of “V” Zone land for development of Small House by the indigenous villagers of Lin Fa Tei, Pat Heung;
- (c) To improve the living standard of the indigenous villagers thereat and respect their once-in-a-life time right for erection of a Small House under the current Small House Policy;
- (d) To induce no adverse environmental nor traffic impacts on its surroundings by providing adequate protection and mitigation measures.

1.3 Background

- 1.3.1 The applicant, Mr. KWOK Cho Shing (郭楚誠) is an indigenous villager of Lin Fa Tei, Pat Heung, Yuen Long, New Territories, who is also eligible for erection of an NTEH-Small House on his one and only one private lot (i.e. the application site) under the current Small House Policy.
- 1.3.2 The application site of an area of 167.5 sq. metres is currently a vacant fallow agricultural land. It situates on a flatted land (Please refer to **Illustration 1**).
- 1.3.3 The applicant submitted his Small House application for Small House to District Lands Officer, Yuen Long (hereinafter referred as “DLO/YL”) on 28.12.2023 at **Appendix 1** and the said application was rejected due to the site is outside “V” zone (Please refer to the DLO/YL’s Letter dated 7.2.2024. at **Appendix 2**).
- 1.3.4 The application site and the footprint of the proposed NTEH-Small House currently fall within an area zoned “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 17.10.2006. According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use (Please refer to **Figure 4 & 5**).
- 1.3.5 The application site and the footprint of the proposed Small House entirely fall within the village ‘environ’ of Lin Fa Tei.

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 background of the current application. **Chapter 2** gives background details of the application site in terms of the current land-use characteristics and neighbouring developments. Planning context of the application site is reviewed in **Chapter 3** whilst **Chapter 4** provides details of the proposed use. A full list of planning justifications is given in **Chapter 5** whilst **Chapter 6** summarizes the concluding remarks for the proposed use.

4. Development Proposal

4.1 Site Configuration, Layout & Operation

4.1.1 The application site has a site area of approximately 167.5 sq. metres. The proposed use is to facilitate the erection an NTEH-Small House of 65.03 sq. m in area (3-storey) and with a height not more than 8.23m. on the application site (please refer to the layout plan of the proposed NTEH-Small House in **Figure 6**). The Dimension Plan of the proposed NTEH-Small House to be built on the application site is in **Figure 6**.

4.1.2 The major development parameters of the proposed use are in **Table 2**.

Table 2: Proposed Key Development Parameters

| Item | Design Parameter(s) |
|------------------|---|
| Total Site Area | 167.5 sq. m |
| No. of Structure | 1 |
| GFA | 195.09 sq. m. |
| Building Height | 8.23m |
| No of Storeys | 3 |
| Built-over-area | 65.03 sq. m. |
| No. of Canopy | 1(Projecting 1.22m from the NTEH and falls within the Lot Boundaries) |
| No. of Balcony | 2(Projecting 1.22m from the NTEH and falls within the Lot Boundaries) |
| No. of Stairhood | 1 (7.44 sq. m in area with the height of 2.14 m) |

4.1.3 As the proposed site is situated on a generally flatted land, it is reasonably anticipated that the criteria for issuing of Certificates of Exemption for Site Formation Works, Drainage Works and Building Works by Lands Department under the Building Ordinance (Application to the New Territories), Hong Kong Ordinance Chapter 121 can be met.

4.2 Transport Consideration

4.2.1 The application site is currently accessible by an existing village footpath from Kam Sheung Road (Please refer to the **Figure 7**). When the NTEH-Small House is completed to the satisfaction of Lands Department, the applicant will only travel to and from the application site on foot.

4.2.2 Due to the small development scale of the proposed use, the traffic generation and attraction is anticipated to be very minimal.

4.2.3 As the application site is only accessible by an existing village footpath from Kam Sheung Road, hence, parking space is not required.

4.3 Environmental Consideration

4.3.1 The Applicant is well aware that the application site is located within "R(D)" zone and is thus committed to minimise the environmental impacts of the development. During the construction period, appropriate hoarding will be erected at the site

6. CONCLUSION

- 6.1.1 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”) under Section 16 of the Town Planning Ordinance for erection of a New Territories Exempted House (“NTEH”)-Small House of 65.03 sq. m in area (3-storey) and with a height of not more than 8.23 m (hereinafter referred to as “the proposed use”) on Lot No. 847 S.B ss.5 in DD 112, Lin Fa Tei, Yuen Long, New Territories (hereinafter referred to “the application site”). The application site has an area of approximately 167.5 sq.m. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 6.1.2 According to the Small House Policy, a male indigenous villager aged over 18 years old of a recognized village in the New Territories is eligible to erect an NTEH on his own private lot which falls within the “Village Type Development”(V) area in the Outline Zoning Plan and the Village Environs (EV) or the Village Extension Area of a recognized village . This is the once-in-a-life time right for the indigenous villager. The applicant, Mr. KWOK Cho Shing (郭楚誠), is an indigenous villager of the recognized village, Lin Fa Tei, Pat Heung, Yuen Long, New Territories and is eligible to apply to Lands Department for erection of a Small House under current Small House Policy.
- 6.1.3 The current application aims to put forth the proposed use so as to secure a planning permission for the applicant to erect an NTEH (Small House) on the application site.
- 6.1.4 The application site currently falls within an area zoned “Residential (D)” (“R(D)”) on the approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9 dated 27.10.2006. According to the Schedule of Uses for “R(D)” zone, the proposed use is a Column 2 use. In this connection, the applicant is required to seek the planning permission from the Board for the proposed use. As detailed in this Planning Statement, the proposed use is well justified on the grounds that:-
- (a) *the applicant is an indigenous villager of a recognized village, namely Lin Fa Tei of Yuen Long District, New Territories, who is eligible for erection of a Small House once-in-a life time under the current Small House Policy;*
 - (b) *the applicant’s Small House application on the application site was submitted to District Lands Office, Yuen Long (DLO/YL) on 28.12.2023 and was rejected due to the site is outside “V” zone;*
 - (c) *the application site falls within “Residential (D)” “(R(D))” area but is very close to the “Village Type Development” (V) zone area of Lin Fa Tei (i.e. at a distance of about 8m) which is almost fully developed;*
 - (d) *the application site and the footprint of the proposed Small House fall entirely within the village ‘environ’ of Lin Fa Tei;*
 - (e) *the applicant is extremely in need of a Small House to accommodate his family members;*
 - (f) *the proposed site is the sole land lot owned by the applicant;*
 - (g) *the application site falls within an area of NTEH residential cluster, thus, the proposed use is compatible with the surrounding area and land use;*
 - (h) *the application site falls within “R(D)” zone of the current OZP but several similar*