

MPC Paper No. A/TWW/110B  
For Consideration by  
the Metro Planning Committee  
on 11.11.2016

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/TWW/110**

<b><u>Applicant</u></b>	Queen's Electronic Manufacturing Company Limited represented by Aikon Development Consultancy Limited
<b><u>Site</u></b>	Lots 210, 212, 213, 214, 215 s.A, 215 RP, 230, 231 RP, 234, 235 and 427 in D.D. 399, and adjoining Government Land, Ting Kau, Tsuen Wan
<b><u>Site Area</u></b>	About 1,285m <sup>2</sup> (including 317.7m <sup>2</sup> (about 25%) of Government land)
<b><u>Lease</u></b>	(a) To be expired on 30.6.2047 (b) Held under Block Government Lease demised for agricultural and building purpose (Lot 231 RP only) or agricultural purpose (other lots)
<b><u>Plan</u></b>	Approved Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/19
<b><u>Zoning</u></b>	“Residential (Group C)” (“R(C)”)  [Subject to a maximum plot ratio (PR) of 0.4 and a maximum building height (BH) of 3 storeys including car park, or the PR and the height of the existing building whichever is the greater.  Upon obtaining permission of the Town Planning Board (the Board) on application, the PR may be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board.]
<b><u>Application</u></b>	Proposed House Development at PR of 0.75

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed house development at a PR of 0.75 at the application site at Lots 210, 212, 213, 214, 215 s.A, 215 RP, 230, 231 RP, 234, 235 and 427 in D.D. 399, and adjoining Government Land, Ting Kau, Tsuen Wan (the Site) (**Plan A-1**). According to the Notes of the OZP, while

'House' at PR of 0.4 is always permitted within "R(C)" zone, upon obtaining permission of the Board on application, the PR may be increased to a maximum of 0.75 provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board.

1.2 The application was originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 18.3.2016. On 18.3.2016 and 15.7.2016, upon the request of the applicant, the Committee agreed to defer making a decision on the application for two months respectively pending the submission of further information (FI). With the latest FI not exempted from recounting requirements received on 14.9.2016, the application is scheduled for consideration by the Committee on 11.11.2016.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Letter and application form received on 5.2.2016 **(Appendix I)**
- (b) Supplementary planning statement (SPS) **(Appendix Ia)**
- (c) Further Information (FI) received on 17.5.2016 **(Appendix Ib)**  
(FI1) responding departmental comments with new and revised technical assessments  
(accepted not exempted from publication and recounting requirements)
- (d) FI received on 14.9.2016 and 19.9.2016 (FI2) **(Appendix Ic)**  
responding departmental comments with revised technical assessment and architectural drawing  
(accepted not exempted from publication and recounting requirements)
- (e) FI received on 21.10.2016 (FI3) responding **(Appendix Id)**  
departmental comments with revised architectural drawing
- (f) FI received on 28.10.2016 (FI4) responding **(Appendix Ie)**  
departmental comments with revised architectural drawing
- (g) FI received on 31.10.2016 (FI5) responding the **(Appendix If)**  
comments of Environmental Protection Department

1.4 The proposed development scheme involves two 3-storey houses with a PR of 0.75. The existing formation level of the Site is at about 12mPD to 16mPD, which is lower than Castle Peak Road – Ting Kau. Taking into account the standard of access road under the Buildings Ordinance (BO) and the provision of the Emergency Vehicular Access (EVA), the applicant proposed to backfill the slopes within the Site from the existing level to 22.2mPD to have a more appropriate and feasible design from traffic, structural and geotechnical perspectives (**Drawing A-3**). As a result, the access road and EVA within the Site will be provided at a similar level with the Castle Peak Road – Ting Kau (**Drawing A-1**). To allow a stepped height towards the waterfront, a terracing design will be adopted such that the two houses will be erected at two different formation levels at 22.2mPD and 18.7mPD with a BH of 32.5mPD and 29.2mPD respectively (**Drawing A-3**). The major development parameters are summarised as follows:

<b>Development Parameters</b>	
Site area	1,285 m <sup>2</sup> (including Government land of 317.7 m <sup>2</sup> )
Total gross floor area (GFA)	963.75 m <sup>2</sup>
Total PR	0.75
Site coverage	37.5%
No. of houses	2
No. of storeys	3
Maximum BH (main roof)	Villa 1: 10.3m at 32.5mPD Villa 2: 10.5m at 29.2mPD
Unit size	Villa 1: about 471 m <sup>2</sup> Villa 2: about 492 m <sup>2</sup>
Open space	<u>Private Open Space</u> Villa 1: 273 m <sup>2</sup> Villa 2: 430 m <sup>2</sup>  <u>Communal Open Space</u> Total: 249 m <sup>2</sup>
Car parking provision	4 (2 for each house)

- 1.5 Plans showing the layout of the proposed development scheme submitted by the applicant are attached at **Drawings A-1 to A-6** for Members' reference.
- 1.6 To mitigate the traffic noise impact, the applicant proposes three measures for the proposed house development. These includes better internal layout design through locating noise tolerant portions of the villas facing Castle Peak Road – Ting Kau and noise sensitive use and prescribed windows for natural ventilation away from the noise sources; providing fixed glazing or maintenance windows for sensitive uses subject to adverse noise impact; and erecting a 2m-high noise barrier in the form of a solid fence wall at the eastern and western boundary adjacent to Castle Peak Road – Ting Kau. The applicant's Traffic Noise and Air Quality Impact Assessment (TNAIA) (**Appendix Ic**) concludes that with the implementation of the proposed mitigation measures, the predicted traffic noise levels would comply with the criterion of 70dB(A) for residential use in the Hong Kong Planning Standards and Guidelines (HKPSG).
- 1.7 According to the applicant, a total of 4 parking spaces, 2 for each house are provided in the open carport adjoining the houses in accordance with the HKPSG. The vehicle access is proposed at the north-western end of the Site (**Drawing A-1**). To provide a footpath with a minimum width of 1.6m in Castle Peak Road – Ting Kau, setback is provided along the northern boundary of the Site. A detachable cantilever landscape deck is also proposed over the 3m-wide drainage reserve along the western boundary for the purpose of laying, repairing and maintenance of drains and sewers by Drainage Services Department (DSD) (**Drawing A-1**).
- 1.8 A total of 10 trees are found within the Site, which is common species in fair to poor condition. The applicant proposes to fell all trees to make way for the vehicular access and a total of 22 newly planted trees would be compensated at the periphery of the Site for landscaping and screening purposes. The master landscape plan is at **Drawings A-5 and A-6**.

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the SPS at **Appendix Ia** and the FI at **Appendix Id**. They are summarised as follows:

### In Line with the Planning Intention

- (a) According to the OZP, the increase in PR to 0.75 is permissible upon planning approval. Two individual villas will be built with a BH of 3 storeys using PR of 0.75 are in line with the planning intention. The proposed villas are compatible with the existing houses in the same “R(C)” zone in terms of scale and use.

### Traffic Noise Impact is Adequately Mitigated

- (b) Noise mitigation measures are adopted including arranging sensitive uses away from Castle Peak Road – Ting Kau, installation of fixed windows and solid fence wall along Castle Peak Road – Ting Kau. The TNAIA concludes that the predicted traffic noise levels would comply with the criterion of 70dB(A) for residential use in the HKPSG. As such, there would be no adverse traffic noise impact from Castle Peak Road.

### Efficient Use of Land Resources

- (c) The Site is the remaining undeveloped land in the stretch of subject “R(C)” zone. It is currently vacant and readily available for development. Past planning approvals proved that a house scheme with PR 0.75 is feasible and acceptable. Government land at the periphery is included to regularize the site configuration. These Government land are either too piecemeal or landlocked which cannot be developed on their own. Including these parcels of land means removing a planning blight and more efficient use of valuable land resources.

### No Adverse Traffic Impact

- (d) A new vehicular access is proposed at the western end of the Site. A Traffic Impact Assessment (TIA) has demonstrated that the minimal traffic generated by the proposed development would not cause adverse impact on the road network. Sufficient parking spaces are proposed in accordance with the HKPSG. The location of the refuse collection point (RCP) outside the Site is remained unchanged and the entering/leaving of refuse collection vehicle from the RCP will not be adversely affected.

### No Adverse Sewerage and Drainage Impacts

- (e) A public sewer is available for connection in the vicinity for the sewage generated in the proposed houses. As the population in the two houses would be small, no adverse sewage impact is anticipated. A detailed sewage connection plan would be submitted to DSD at the building plan submission stage. A detachable cantilever landscape deck is also proposed within the Site over the 3m-wide drainage reserve along the western boundary for the purpose of laying, repairing and maintenance of drains and sewers.

### Minimized Visual Impact by Terracing Design

- (f) The proposed development has adopted a terracing design, which helps to break up the building mass and thus reduces the visual impact. Site level is necessary to be raised such that vehicular access can be provided on Castle Peak Road. Nevertheless, the houses would be sited at two different levels creating a stepped built form descending to the sea, which is in line with urban design principles. Furthermore, trees would be planted for screening purposes to reduce the visual impact of the houses.

### Adequate Green Coverage and Trees

- (g) The proposed development has adopted a multi-layered landscaping design concept to maximize greening opportunity in the Site. The private open space area is providing a green living environment for future residents.
- (h) As the Site needs to be reformed to provide vehicular access, the 10 trees of common species and low amenity value not suitable for transplant would be felled and to be compensated by 22 new trees with a similar diameter breast height.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

- 4.1 The Site has been zoned “R(C)” since the first Tsuen Wan West OZP gazetted on 3.2.1989. The “R(C)” zone was subject to a maximum PR of 0.4 at that time.
- 4.2 In the land-use review on Tsuen Wan West undertaken by the Planning Department (PlanD) in 2001, the possible increase the maximum PR of “R(C)” zone from 0.4 to 0.75 was examined. On 1.6.2001, the Metro Planning Committee (the Committee) of the Board noted that the proposed increase of the maximum PR to 0.75 is unlikely to cause significant impacts on the existing and planned provisions of infrastructure and supporting facilities and the only major concern is on the potential traffic noise impact from Castle Peak Road. As such, the Committee agreed to adopt a two-tier PR control where the maximum PR of 0.4 may, upon obtaining planning permission, be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road would be mitigated to the satisfaction of the Board. The two-tier PR control was incorporated in the draft OZP No. S/TWW/12 gazetted on 1.3.2002
- 4.3 During the OZP exhibition period, four objections were received, including the one from the applicant requesting further relaxation of PR and BH. At the further consideration of the objection on 20.9.2002, the Board decided not to propose any amendment to meet the objection. The OZP was then approved by the Chief Executive in Council on 8.7.2003. The zoning and the development

restrictions of the Site have remained unchanged since then.

## 5. Previous Application

- 5.1 The Site is the subject of a previous application (No. A/TWW/80) (**Plan A-1**) for the same use with a slightly larger site area submitted by the same applicant. The application was approved with conditions by the Committee on 12.8.2005 as the proposed noise mitigation measures and landscaping and tree compensation proposal were considered acceptable. The time for commencement of the approved development was extended for additional 4 years until 12.8.2013 (Application No. A/TWW/80-1). However, as the development was not commenced and the planning permission has lapsed. Details of the previous application are summarised at **Appendix II** for Members' reference.
- 5.2 There are two withdrawn applications for the same use with a larger site area.

## 6. Similar Applications

- 6.1 There are 16 similar applications on 7 application sites for proposed residential development at a higher PR/GFA in "R(C)" zone in the Tsuen Wan West area (**Plan A-1**) applied under the two-tier PR control. Details of the similar applications including approval conditions and reasons for rejection are summarized in **Appendix II**.
- 6.2 Among these similar applications, 15 of them were approved with conditions by the Committee or on review by the Board.
- 6.3 The only rejected application (Application No. A/TWW/88) for proposed house development in "R(C)2" zone at a PR of 1.2 was rejected by the Committee on 16.11.2007 for the reasons of unsatisfactory scheme layout, car parking arrangement and landscaped areas. Subsequently, Application No. A/TWW/89 for the same use at same site was approved with conditions by the Board upon review on 12.12.2008.

## 7. The Site and Its Surrounding Areas (Plans A-1 to A-4 and Site Photos on Plans A-5 and A-6)

- 7.1 The Site:
- (a) is in the western part of a low-rise and low-density residential development cluster in Ting Kau sandwiched by Castle Peak Road – Ting Kau and Rambler Channel;
  - (b) falls within the village 'environ' ('VE') of Ting Kau Village (**Plans A-2 and A-3**). The "Village Type Development" ("V") zone of Ting Kau is located about 20m to the south of the Site (**Plan A-1**);
  - (c) is mainly vacant and fenced off covered with trees and vegetation; and

- (d) has a site formation level from about 16mPD at the north to about 12mPD at the south, which is lower than Castle Peak Road – Ting Kau at about 22.2mPD. There is a retaining wall to the immediate north of the Site to support the pavement of Castle Peak Road – Ting Kau.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate east, west and south are existing low-rise and low-density residential developments (**Plan A-2**);
- (b) to the immediate north is a RCP managed by FEHD and its lay-by as well as a footbridge across Castle Peak Road – Ting Kau and Castle Peak Road – New Ting Kau; and
- (c) to the further southwest is the existing village area of Ting Kau as well as Ting Kau Beach.

## **8. Planning Intention**

- 8.1 The planning intention of the “R(C)” zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.2 According to the paragraph 9.5.2 of the Explanatory Statement (ES) of the OZP, because of the existing infrastructural constraints and the objectives to conserve the natural landscape, panoramic sea view as well as to provide greater flexibility without compromising the low-rise, low-density character of the sites, development or redevelopment within the “R(C)” zone is restricted to the maximum PR and BH stipulated in the Notes. The design of the residential buildings should, in addition to the need to address the traffic noise impact from Castle Peak Road, blend in well with the surroundings in particular with due regard to tree preservation and fresh air ventilation in the development proposals.

## **9. Comments from Relevant Government Departments**

- 9.1 The following Government departments have been consulted and their views are summarised as follows:

### Land Administration

- 9.1.1 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):
  - (a) The private lots under the application are of Old Schedule “agricultural land” status except Lot 231 RP which is of “building and agricultural land” status. The total registered area of the said lots is about 1,088.06 m<sup>2</sup>.

- (b) The Site also involves four parcels of Government land. It is noted from the previous applications that the western parcel of Government land will likely be occupied for Government's proposed drainage works. Notwithstanding this, under the current application, such piece of Government land is included in the Site and is designated as drainage reserve area (paragraph 4.2.5 and Annex 1 of the SPS (**Appendix Ia**)).
- (c) Besides, for the parcel of Government land at the south, the possibility of its separate disposal by Government shall still be examined in details noting that there is no access to this parcel of land. In this regard, there is no guarantee that the proposed Government land under the application would be included in the boundary of the proposed development. The feasibility of including the proposed Government land into the application site shall be further examined during the land grant stage even if the subject application is approved by the Board.
- (d) Should the application be approved by the Board, the applicant shall apply to his office for a land exchange before the proposed development can be proceeded further. Furthermore, the land exchange application will be processed in accordance with the prevailing land policy and there is no guarantee that the site boundary and development parameters proposed under the subject application will be acceptable under the land grant. The land exchange exercise, even if considered feasible and approved by LandsD acting in the capacity as the landlord at his discretion, would be subject to such terms and conditions as deemed appropriate, including the payment of land premium and administrative fee to be assessed. There is no commitment that the land exchange application will be approved.

### Building Matters

#### 9.1.2 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW/BD):

- (a) The following areas should be included in the GFA calculations:
  - (i) All covered areas on G/F;
  - (ii) All balconies;
  - (iii) All trellises;
  - (iv) All voids within the houses; and
  - (v) All covered decks and terraces.
- (b) Detailed comments under the BO can only be provided at the building plan submission stage.

### Traffic Aspects

#### 9.1.3 Comments of the Commissioner for Transport (C for T):



He has no comment on the application from traffic engineering viewpoint.

9.1.4 Comments of the Chief Highway Engineer/New Territories West, Highways Department:

He has no comment on the application. The applicant should be responsible for the maintenance of retaining wall No. 6SE-D/R209 adjoining the proposed development (**Plan A-3**).

Fire Safety

9.1.5 Comments of the Director of Fire Services (D of FS):

(a) He has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his Department. Detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans.

(b) As no details of the emergency vehicles access (EVA) have been provided, comments could not be offered by this Department at this stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administrated by the BD.

Environment

9.1.6 Comments of the Director of Environmental Protection (DEP):

(a) Having considered the latest revised TNAIA (**Appendix Ic**) and the subsequent replacement pages on Figure 3-1, 3-2, 3-3 and 3-4 (**Appendix Ie**) demonstrating sufficient buffer distances between the kerb and air sensitive uses, he has no objection to the application from an environmental planning perspective.

(b) He would like to suggest removing the previous planning condition in the last planning permission under Application No. A/TWW/80-1 relating design and provision on-site sewage treatment plant, as the applicant will carry out sewerage connection works in accordance with the submitted Sewerage Impact Assessment Report (**Appendix Ib**).

(c) As for the planning condition relating the design and provision on noise mitigation measures, he will recommend keeping this condition for the subject application. In view of the proposed revisions on the fence walls, the applicant should submit the updated traffic noise impact assessment report together with Transport Department's endorsed traffic flow data.

Urban Design and Landscape

9.1.7 Comments of the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD):

Urban Design and Visual

- (a) The proposed building height does not exceed the statutory building height restriction as stipulated on the OZP.
- (b) She has no comment on the application from urban design and visual perspectives.

Landscape

- (a) She has no objection to the application from the landscape planning perspective.
- (b) The standard landscape condition for submission and implementation of landscape proposal should be incorporated into the approval conditions for the application.

9.2 The following Government departments have no objection to/no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Engineer/Mainland South, DSD;
- (c) Commissioner of Police;
- (d) District Officer (Tsuen Wan), Home Affairs Department;
- (e) Director of Food and Environmental Hygiene (DFEH);
- (f) Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD); and
- (g) Project Manager (New Territories West), CEDD.

**10. Public Comments Receiving During Statutory Publication Periods**

10.1 On 16.2.2016, the application was published for public inspection. The subsequent FI1 and FI2 not exempted from publication requirement were also published for public inspections on 27.5.2016 and 27.9.2016 respectively. During the first three weeks of public inspection periods, a total of 39 public comments were received, which are appended at **Appendices III-1 to III-39**.

10.2 Among the 39 public comments received, 36 comments (92%) objected to the application (**Appendices III-1 to III-36**), two comments supported the application (**Appendices III-37 and III-38**) while one comment provided comment (**Appendix III-39**).

10.3 The 36 objecting comments are submitted by the following parties:

- (a) one submitted by Mr. Cheng Chit Pun, a Tsuen Wan District Council

- member (**Appendix III-1**);
- (b) 6 submitted by Mr. Tsang Man Tak and Mr. Tsang Kwok Kwong, the Villager Representatives of Ting Kau (**Appendices III-2 to III-7**); and
- (c) 29 submitted by villagers, landowners and individuals (**Appendices III-8 to III-36**), including two enclosing signatures of 9 individuals.

10.4 The objecting comments are mainly on the following grounds:

- (a) The Site is within the 'VE' of Ting Kau Village and the land including the Government land within the Site should be reserved for development by the villagers or community facilities serving the villagers. There is no vacant land for the villagers for development within the village.
- (b) The proposed multi-storey development, which is on a raised platform, is higher than the existing development and this will create adverse visual, drainage, air ventilation and air quality impacts to the surrounding. The PR of the development should maintain as 0.4 as stated in the OZP
- (c) The development will block the staircase/footpath and the pavement of Castle Peak Road – Ting Kau serving the locals.
- (d) Carpark should not be built at the Site.
- (e) There is lack of public consultation of the application.

10.5 The two supporting comments submitted by two individuals opined that the Site is left vacant for many years without proper management. It is privately owned and suitable for residential use from land use, technical and visual point of view.

10.6 One comment submitted by an individual provides comment on the future planning of Ting Kau and proposal for improvement of public transport facilities.

## **11. Planning Considerations and Assessments**

11.1 The current application is for a proposed house development of a PR of 0.75 at the Site zoned "R(C)" on the OZP. According to the applicant's scheme, two 3-storey houses with total PR of 0.75 will be erected on the Site, which is in line with the planning intention of the "R(C)" zone for low-rise, low-density residential developments.

11.2 According to the Notes of the OZP, the maximum PR of 0.4 may, upon obtaining planning permission, be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board. The ES of the OZP further elaborates that the development restrictions of "R(C)" zone is due to the existing infrastructural constraints and the objectives to conserve the natural landscape, panoramic sea view as well as to provide greater flexibility without compromising the low-rise, low-density character. The design of the residential buildings should, in addition to the need to address the traffic noise impact, blend in well with the

surroundings in particular with due regard to tree preservation and fresh air ventilation in the development proposals.

- 11.3 To demonstrate the noise impact would be mitigated required under the OZP, the applicant has submitted a revised TNAIA report (Annex 5 of **Appendix Ic**) and proposed three mitigation measures including better internal layout design, providing of fixed glazing windows for sensitive uses and erecting noise barrier. The applicant's TNAIA report concluded that, with the implementation of the proposed mitigation measures, the predicted traffic noise levels of the proposed development would comply with the criterion for residential use in the HKPSG. In this regard, DEP has no objection to the application from the environmental planning perspective.
- 11.4 On the requirement stipulated in the ES of the OZP that the design of the residential buildings should blend in well with the surroundings, the proposed BH of 3 storeys does not exceed the statutory BH restriction under the extant OZP. CTP/UD&L, PlanD has no adverse comment on the application from urban design, visual and landscape perspectives. In addition, approval condition on the submission and implementation of landscape proposal is recommended in paragraph 12.2 below.
- 11.5 All relevant Government departments consulted including C for T, DEP, DLO/TW&KT, LandsD, DFEH and CTP/UD&L, PlanD have no objection to/no comment on the application. To address the comments from CBS/NTW, BD, DEP, DLO/TW&KT, LandsD and D of FS, suitable approval conditions and advisory clauses are recommended in paragraph 12.2 below and **Appendix IV** while other detailed comments should be examined in the later general building plan submission and land exchange stages.
- 11.6 The Site was previously approved for the same use of proposed residential development (houses) at a PR of 0.75 by the Committee in 2005 as the proposed noise mitigation measures and landscaping and tree compensation proposal were considered acceptable. There is a number of similar applications (**Plan A-1**) in Tsuen Wan West area applied for the same use approved by the Committee based on the similar consideration that the noise impact from the Castle Peak Road would be mitigated.
- 11.7 A total of 39 public comments were received during the public inspection periods. Regarding the public comments to reserve the Site including the Government land for development by villagers, the Site is outside the "V" zone of Ting Kau but zoned "R(C)" where residential development is always permitted. In this regard, DLO/TW&KT, LandsD advised that the land exchange to include the Government land shall be examined during later land grant stage. Regarding the blocking of the existing staircase/footpath and pavement of Castle Peak Road – Ting Kau, the applicant confirmed that the concerned staircase/footpath and pavement fall outside the Site. On other concerns raised by the public, the planning assessments above and departmental comments in paragraph 9 are relevant.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 11.11.2020, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) the design and provision of noise mitigation measures as proposed in the Traffic Noise and Air Quality Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.

### Advisory clauses

The recommended advisory clauses are attached at **Appendix IV**.

- 12.3 There is no strong reason to recommend rejection of the application.

## 13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

## 14. Attachments

**Appendix I**  
**Appendix Ia**

Application form received on 5.2.2016  
SPS

<b>Appendix Ib</b>	FI1 received on 17.5.2016
<b>Appendix Ic</b>	FI2 received on 14.9.2016 and 19.9.2016
<b>Appendix Id</b>	FI3 received on 21.10.2016
<b>Appendix Ie</b>	FI4 received on 28.10.2016
<b>Appendix If</b>	FI5 received on 31.10.2016
<b>Appendix II</b>	Previous and similar applications
<b>Appendices III-1 to III-39</b>	Public comments
<b>Appendix IV</b>	Suggested Advisory clauses
<b>Drawings A-1 and A-2</b>	Ground floor and roof plans
<b>Drawings A-3 and A-4</b>	Section plans
<b>Drawing A-5</b>	Master landscape plan
<b>Drawing A-6</b>	Master landscape plan section
<b>Plan A-1</b>	Location plan
<b>Plans A-2 and A-3</b>	Site plans
<b>Plan A-4</b>	Aerial photo
<b>Plan A-5 and A-6</b>	Site photos

**PLANNING DEPARTMENT  
NOVEMBER 2016**

Previous and Similar Applications within the  
 “Residential (Group C)” (“R(C)”, “R(C)2” and R(C)3” zones in Tsuen Wan West

(I) Previous Applications

	<u>Application No.</u>	<u>Proposed Use(s)*/ Development(s)</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/TWW/80	Proposed Residential Development (Houses) with Plot Ratio of 0.75	12.8.2005 (approved)	1, 2, 7, 8, 16, 22
	A/TWW/80-1	Proposed Extension of Time for Commencement of Approved Development under Application No. A/TWW/80 for 4 years until 12.8.2013	19.6.2009 (approved)	1, 2, 7, 8, 16, 22

(II) Similar Applications

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)*/ Development(s)</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/TWW/67	Proposed Residential Development with Minor Relaxation of Building Height, and Private Swimming Pool	9.1.2004	1 to 5
2.	A/TWW/68	Proposed Low-rise and Low-density Residential Development	20.2.2004 (on review)	7, 8, 21, 23
3.	A/TWW/72	Proposed Residential Development and Private Swimming Pool (Amendments to Approved Scheme A/TWW/67)	26.3.2004	1 to 4, 6, 14

	<u>Application No.</u>	<u>Proposed Use(s)*/ Development(s)</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Condition(s)</u>
4.	A/TWW/73	Residential Development with a Maximum Plot Ratio of 1.2	15.10.2004	1, 2, 4, 8, 15, 16
	A/TWW/73-2	Residential Development with a Maximum Plot Ratio of 1.2	12.5.2006	1, 2, 4, 8, 15, 16
	A/TWW/73-4	Proposed Low-rise and Low-density Residential Development	2.2.2007	4, 8, 16, 18, 29
	A/TWW/73-6	Proposed Low-rise and Low-density Residential Development	11.5.2009	4, 8, 16, 18, 29
5.	A/TWW/85	Proposed Increase of Gross Floor Area to 7,268m <sup>2</sup> for Permitted House Development and Ancillary Uses	29.9.2006	3, 4, 8, 9, 10, 17, 18
6.	A/TWW/86	Proposed Relaxation of Plot Ratio Restriction to 0.8 for Permitted House Development	29.9.2006	3, 4, 8, 11 to 13, 16, 18
7.	A/TWW/89	Proposed Minor Relaxation of Plot Ratio Restriction to 1.2 for Permitted House Development	12.12.2008 (on review)	3, 4, 8, 12, 13, 18, 19, 20
8.	A/TWW/91	Proposed House Development at Plot Ratio of 1.2	1.8.2008	3, 4, 8, 12, 13, 18, 19, 20
9.	A/TWW/92	Proposed Additional Storey on an Existing House	23.1.2009	24, 25



	<u>Application No.</u>	<u>Proposed Use(s)*/ Development(s)</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Condition(s)</u>
10.	A/TWW/97	Proposed House Development at Plot Ratio of 0.73	6.11.2009	26, 27
11.	A/TWW/99	Proposed Residential Development at Plot Ratio of 0.7849 and Building Height of 3 to 5 storeys above 1 storey carport	23.12.2010	18, 27, 30
12.	A/TWW/100	Proposed House Development with PR of 0.75 and Building Height of 3 storeys	26.11.2010	26, 27, 28
13.	A/TWW/101	Proposed House Development with PR of 0.75 and Building Height of 2 storeys	15.4.2011	26, 27, 28
14.	A/TWW/103	Proposed Minor Relaxation of PR Restriction from 0.4 to 0.75 for Permitted House Development	2.9.2011	26, 27, 28
15.	A/TWW/105	Minor Relaxation of Maximum Plot Ratio Restriction from 0.4 to 0.75 for Permitted House Development	1.3.2013	25, 28

Approval Conditions:

1. The design and provision of noise mitigation measures as proposed in the application to the satisfaction of the Director of Environmental Protection or of the Town Planning Board
2. The design and provision of on-site sewage treatment and disposal facilities for the proposed development prior to the availability of the public sewerage system to the satisfaction of the Director of Environmental Protection or of the Town Planning Board
3. The design, provision and future maintenance of the discharge pipe from the on-site

- sewage treatment plant as an interim measure of the proposed development to the existing box culvert under Tsing Long Highway along Castle Peak Road to the satisfaction of the Director of Drainage Services or of the Town Planning Board
4. The design and provision of the connection from the proposed development to the public sewerage system when available to the satisfaction of the Director of Drainage Services or of the Town Planning Board
  5. The submission and the implementation of a landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the Town Planning Board
  6. The provision of the sightlines requirement for the access road to the satisfaction of the Commissioner for Transport or of the Town Planning Board
  7. The design and provision of vehicular access to the application site along Castle Peak Road to the satisfaction of the Commissioner for Transport or of the Town Planning Board
  8. The design and provision of an emergency vehicular access and firefighting facilities to the satisfaction of the Director of Fire Services or of the Town Planning Board
  9. The submission of Geotechnical Planning Review Report to address the potential natural terrain hazards that might pose to the proposed development to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board
  10. The submission and implementation of air ventilation study to the satisfaction of the Director of Architectural Services or of the Town Planning Board
  11. The submission of Natural Terrain Hazard Study to address the potential natural terrain hazards and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board
  12. The design and provision of loading/unloading arrangement to the satisfaction of Commissioner for Transport or of the Town Planning Board
  13. The design, provision and future maintenance of a section of local access road R3 via Castle Peak Road to the satisfaction of the Director of Highways or of the Town Planning Board
  14. The submission and the implementation of a landscape proposal, tree preservation and compensatory planting proposal to the satisfaction of the Director of Planning or of the Town Planning Board
  15. The design, provision and future maintenance of the discharge pipe from the on-site sewage treatment plant as an interim measure of the proposed development to the existing box culvert to the satisfaction of the Director of Drainage Services or of the Town Planning Board

Board

16. The submission and implementation of landscaping proposals to the satisfaction of the Director of Planning or of the Town Planning Board
17. The submission and implementation of a landscape master plan to the satisfaction of the Director of Planning or of the Town Planning Board
18. The implementation of noise mitigation measures as proposed in the application to the satisfaction of the Director of Environmental Protection or of the Town Planning Board
19. The submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board
20. The submission and implementation of site formation plan including the investigation of stability of all geotechnical features and surface channel with upstand to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board
21. The provision of interim on-site sewage treatment and disposal facilities for the proposed development and the connection to the public sewerage system in Sham Tseng Sewerage Treatment Works to the satisfaction of the Director of Environmental Protection or of the Town Planning Board
22. The design, provision and future connection and maintenance of the discharge pipe from the on-site sewage treatment plant to the proposed sewer along the Castle Peak Road before and after the availability of public sewerage system to the satisfaction of the Director of Drainage Services or of the Town Planning Board
23. The provision of noise mitigation measures as proposed in the application to the satisfaction of the Director of Environmental Protection or of the Town Planning Board
24. All the existing trees on the site should be preserved and protected throughout the construction period to the satisfaction of the Director of Planning or of the Town Planning Board
25. The provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board
26. The design and provision of noise mitigation measures to the satisfaction of the Director of Environmental Protection or of the Town Planning Board
27. The provision of emergency vehicular access, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board
28. The submission and implementation of tree preservation and landscape proposal to the

satisfaction of the Director of Planning or of the Town Planning Board

29. The design, provision and future maintenance of the discharge pipe from the on-site sewage treatment plant to the proposed sewer along the Castle Peak Road before the availability of public sewerage system to the satisfaction of the Director of Drainage Services or of the Town Planning Board
30. The submission and implementation of a landscape master plan (including tree survey report) to the satisfaction of the Director of Planning or of the Town Planning Board

**Rejected Application**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)*/ Development(s)</u></b>	<b><u>Date of Consideration (MPC/TPB)</u></b>	<b><u>Rejected Reasons</u></b>
1.	A/TWW/88	Proposed Minor Relaxation of Plot Ratio Restriction to 1.2 for Permitted House Development	16.11.2007	1

**Rejected Reason:**

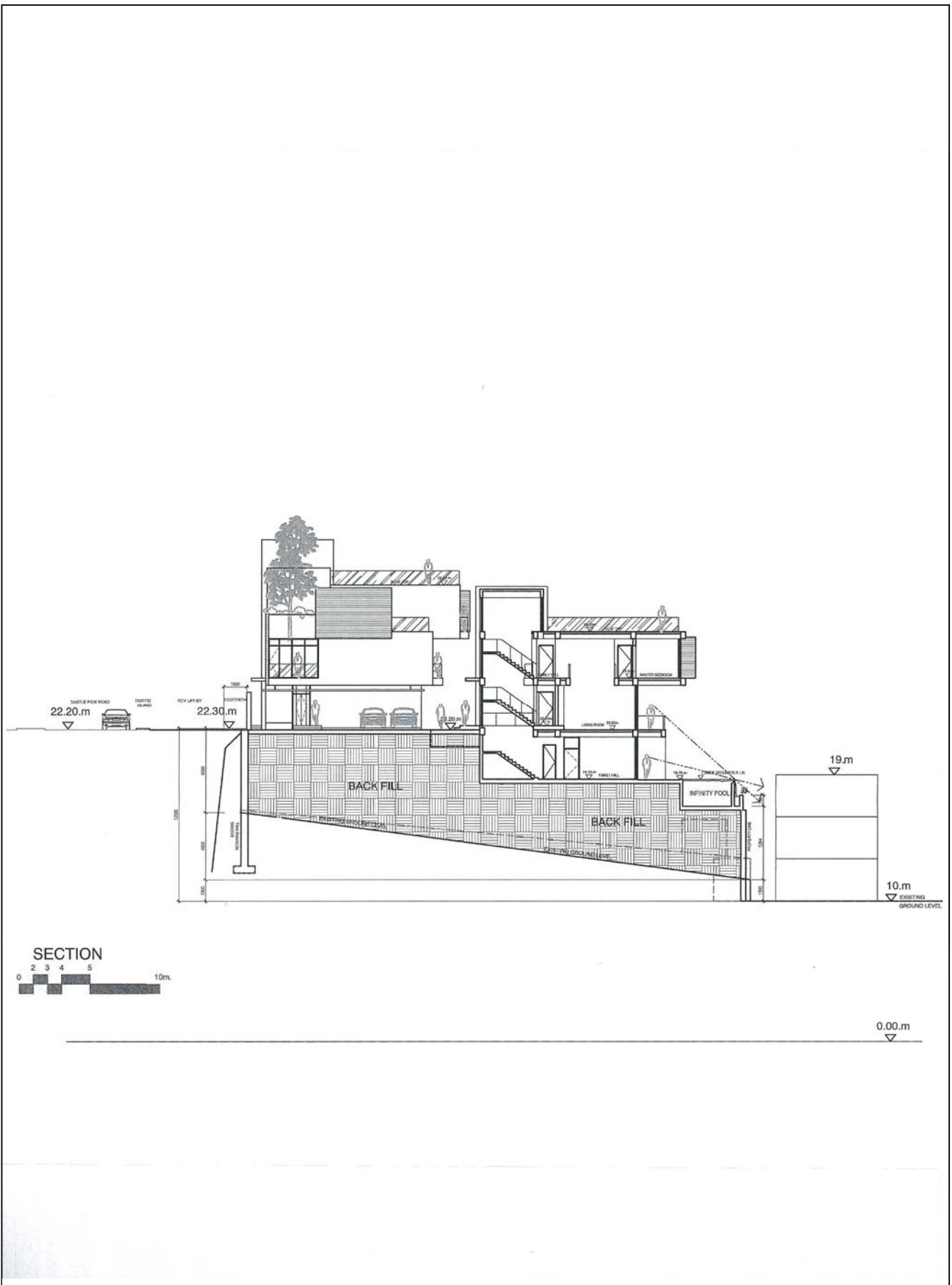
1. The layout of the development scheme and the proposed car parking arrangement were considered unsatisfactory and the proposed landscaped areas were very narrow which would not be functional or practical for proper landscape planting. There was scope to improve the design or relocate the proposed car parking area to avoid environmental nuisance to the surrounding sensitive receivers

Suggested Advisory Clauses

- (a) to liaise with the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD) regarding the land exchange matters. For the parcel of Government land at the south, the possibility of its separate disposal by Government shall still be examined. In this regard, there is no guarantee that the proposed Government land under the application would be included in the boundary of the proposed development. The feasibility of including the proposed Government land into the application site shall be further examined during the land grant stage even if the subject application is approved by the Town Planning Board. Should the application be approved by the Town Planning Board, the applicant shall apply to his office for a land exchange before the proposed development can be proceeded further. Furthermore, the land exchange application will be processed in accordance with the prevailing land policy and there is no guarantee that the site boundary and development parameters proposed under the subject application will be acceptable under the land grant. The land exchange exercise, even if considered feasible and approved by LandsD acting in the capacity as the landlord at his discretion, would be subject to such terms and conditions as deemed appropriate, including the payment of land premium and administrative fee to be assessed. There is no commitment that the land exchange application will be approved;
- (b) to note the Chief Highway Engineer/New Territories West, Highways Department's comments that the applicant should be responsible for the maintenance of retaining wall no. 6SE-D/R209 adjoining the proposed development;
- (c) to note the Director of Fire Services' comments that the applicant is advised to observe the requirements of emergency vehicles access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administrated by the Buildings Department; and
- (d) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments that all covered areas on G/F, balconies, trellises, voids within the houses and covered decks and terraces should be included in the gross floor area calculation.





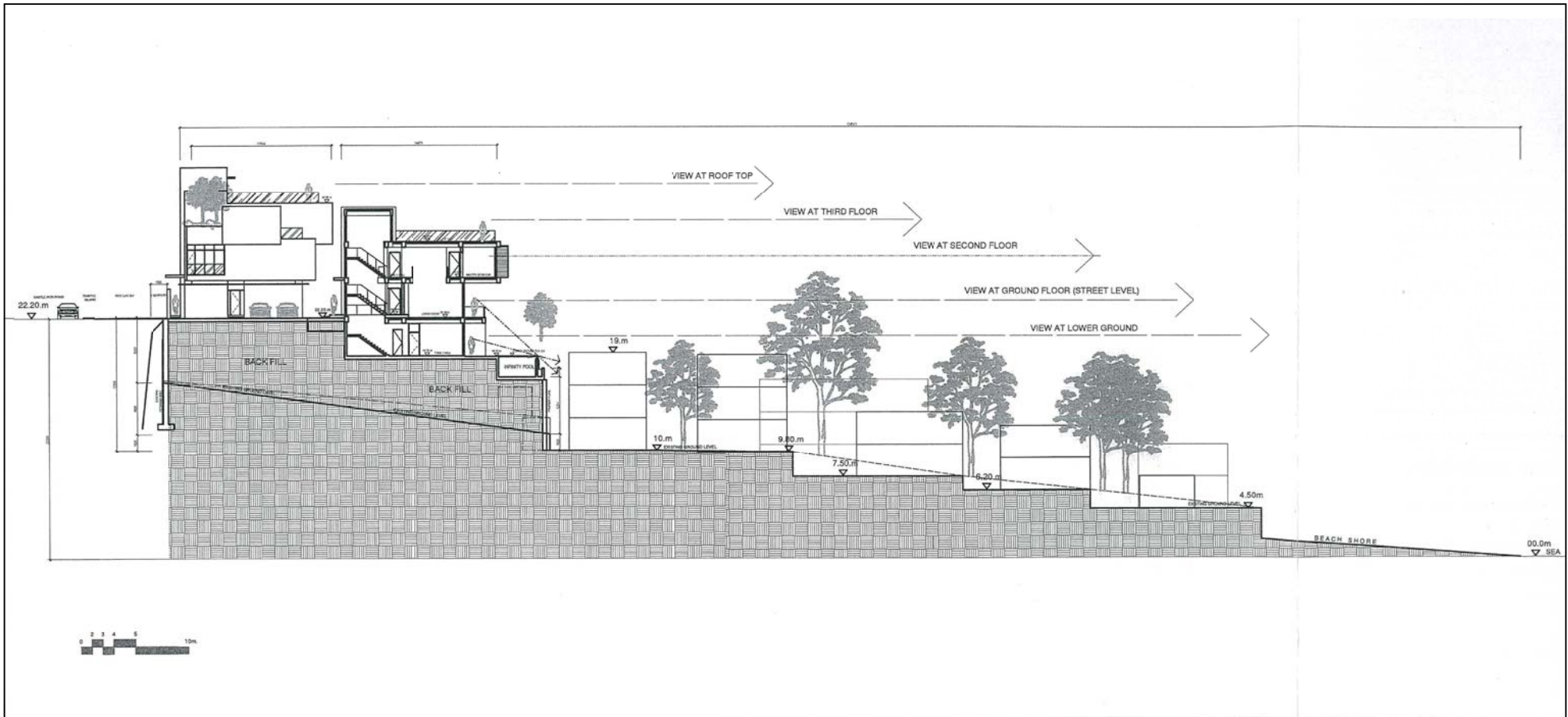


總發展藍圖切面圖  
**MASTER LAYOUT PLAN SECTION**

參考編號 REFERENCE No. A/TWW/110	繪圖 DRAWING A-3
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(來源：附錄 Ie)  
 (Source : Appendix Ie)





切面圖  
SECTION

參考編號 REFERENCE No. A/TWW/110	繪圖 DRAWING A-4
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(來源：附錄 Ie)  
(Source : Appendix Ie)





園境設計總圖切面圖  
 MASTER LANDSCAPE PLAN SECTION

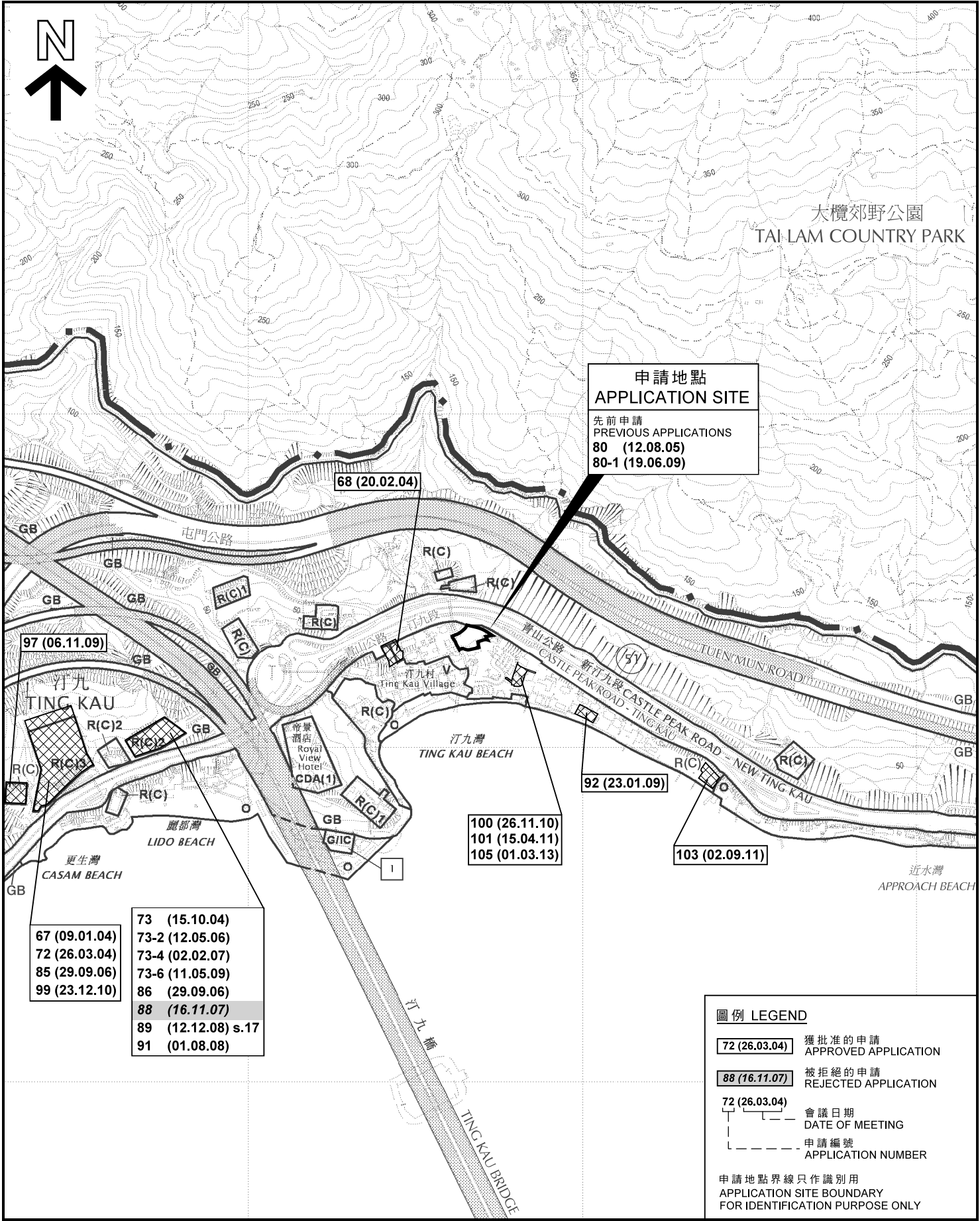
參考編號 REFERENCE No. A/TWW/110	繪圖 DRAWING A-6
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(來源：附錄 Ic)  
 (Source : Appendix Ic)



大欖郊野公園  
TAI-LAM COUNTRY PARK

**申請地點**  
**APPLICATION SITE**  
 先前申請  
 PREVIOUS APPLICATIONS  
 80 (12.08.05)  
 80-1 (19.06.09)



- 67 (09.01.04)
- 72 (26.03.04)
- 85 (29.09.06)
- 99 (23.12.10)
- 73 (15.10.04)
- 73-2 (12.05.06)
- 73-4 (02.02.07)
- 73-6 (11.05.09)
- 86 (29.09.06)
- 88 (16.11.07)
- 89 (12.12.08) s.17
- 91 (01.08.08)

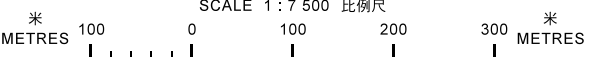
**圖例 LEGEND**

- 72 (26.03.04) 獲批准的申請  
APPROVED APPLICATION
- 88 (16.11.07) 被拒絕的申請  
REJECTED APPLICATION
- 72 (26.03.04) 會議日期  
DATE OF MEETING
- 72 (26.03.04) 申請編號  
APPLICATION NUMBER

申請地點界線只作識別用  
APPLICATION SITE BOUNDARY  
FOR IDENTIFICATION PURPOSE ONLY

**位置圖 LOCATION PLAN**

擬議以0.75倍地積比率作屋宇發展  
 荃灣汀九丈量約份第399約地段第210號、第212號、第213號、第214號  
 第215號A分段、第215號餘段、第230號、第231號餘段、第234號  
 第235號及第427號和毗連政府土地  
 PROPOSED HOUSE DEVELOPMENT AT PLOT RATIO OF 0.75  
 LOTS 210, 212, 213, 214, 215 S.A, 215 RP, 230, 231 RP  
 234, 235 AND 427 IN D.D. 399, AND ADJOINING  
 GOVERNMENT LAND, TING KAU, TSUEN WAN  
 SCALE 1 : 7 500 比例尺



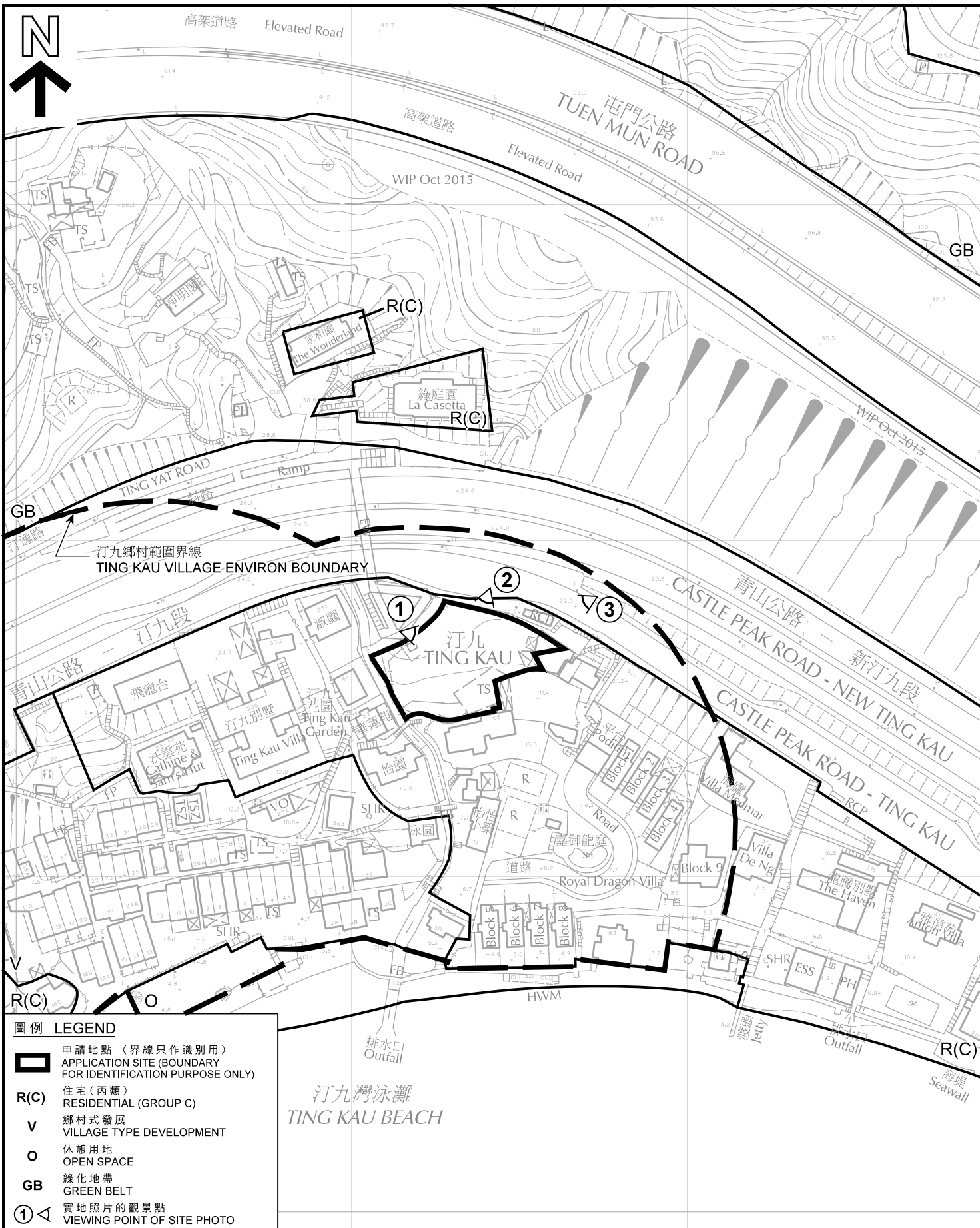
本摘要圖於2016年10月27日擬備，所根據的資料  
 為於2012年12月4日核准的分區計劃大綱圖編號  
 S/TWW/19  
 EXTRACT PLAN PREPARED ON 27.10.2016  
 BASED ON OUTLINE ZONING PLAN No.  
 S/TWW/19 APPROVED ON 4.12.2012

規劃署  
**PLANNING  
 DEPARTMENT**



參考編號  
 REFERENCE No.  
 A/TWW/110

圖 PLAN  
 A-1



**平面圖 SITE PLAN**

擬議以0.75倍地積比率作屋宇發展  
 荃灣汀九丈量約份第399約地段第210號、第212號、第213號、第214號  
 第215號A分段、第215號餘段、第230號、第231號餘段、第234號  
 第235號及第427號和毗連政府土地

PROPOSED HOUSE DEVELOPMENT AT PLOT RATIO OF 0.75  
 LOTS 210, 212, 213, 214, 215 S.A, 215 RP, 230, 231 RP  
 234, 235 AND 427 IN D.D. 399, AND ADJOINING  
 GOVERNMENT LAND, TING KAU, TSUEN WAN  
 SCALE 1 : 1 500 比例尺

米 METRES 25 0 25 50 米 METRES

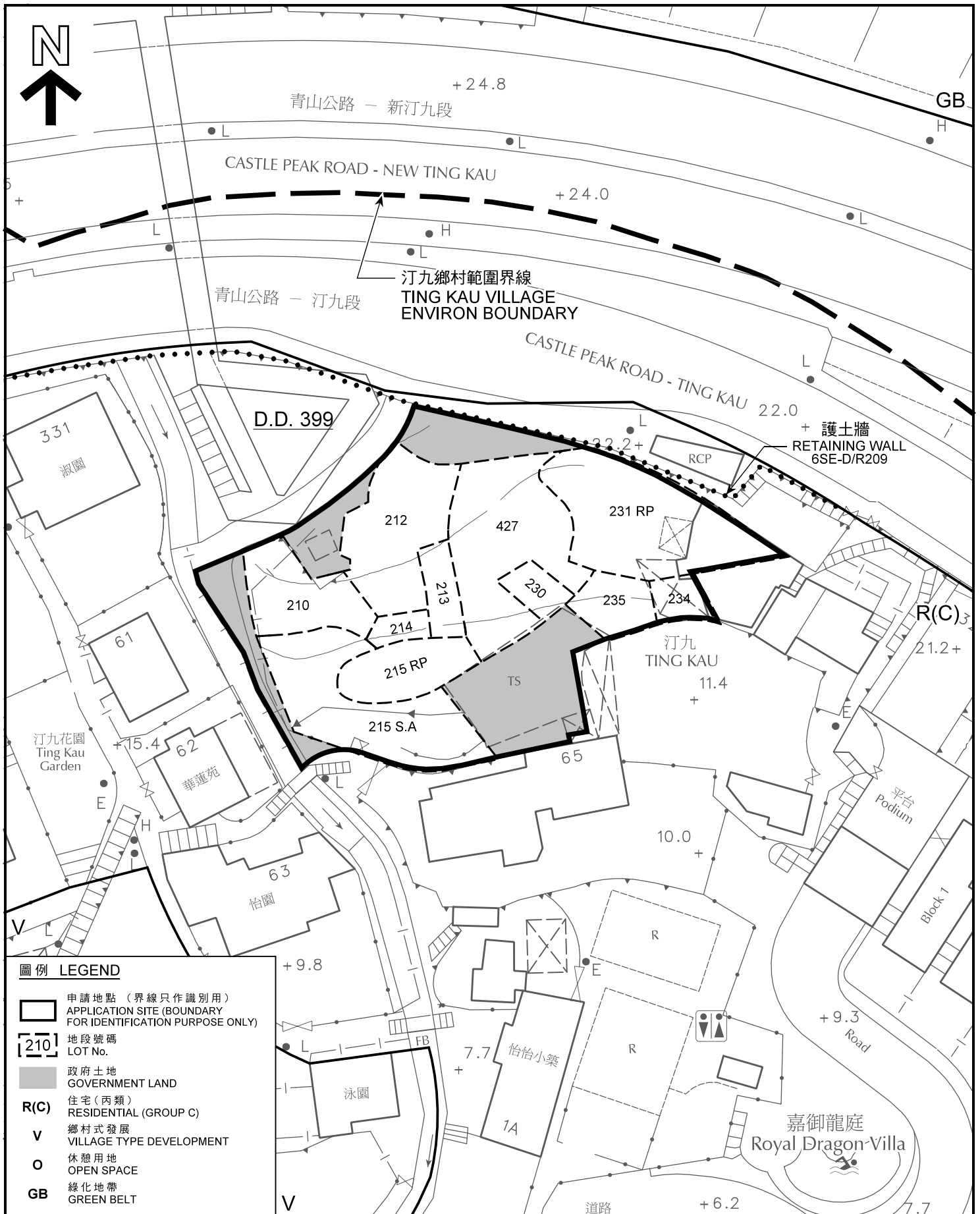
規劃署  
**PLANNING  
 DEPARTMENT**



參考編號  
 REFERENCE No.  
 A/TWW/110

圖 PLAN  
 A-2

本摘要圖於2016年11月2日擬備，所根據的資料  
 為測量圖編號 6-SE-18A, B, C 和 D  
 EXTRACT PLAN PREPARED ON 2.11.2016  
 BASED ON SURVEY SHEETS No.  
 6-SE-18A, B, C & D



**圖例 LEGEND**

- 申請地點 (界線只作識別用)  
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)
- 210 地段號碼  
LOT No.
- 政府土地  
GOVERNMENT LAND
- R(C)** 住宅 (丙類)  
RESIDENTIAL (GROUP C)
- V** 鄉村式發展  
VILLAGE TYPE DEVELOPMENT
- O** 休憩用地  
OPEN SPACE
- GB** 綠化地帶  
GREEN BELT

**平面圖 SITE PLAN**

擬議以0.75倍地積比率作屋宇發展  
 荃灣汀九丈量約份第399約地段第210號、第212號、第213號、第214號  
 第215號A分段、第215號餘段、第230號、第231號餘段、第234號  
 第235號及第427號和毗連政府土地  
 PROPOSED HOUSE DEVELOPMENT AT PLOT RATIO OF 0.75  
 LOTS 210, 212, 213, 214, 215 S.A, 215 RP, 230, 231 RP  
 234, 235 AND 427 IN D.D. 399, AND ADJOINING  
 GOVERNMENT LAND, TING KAU, TSUEN WAN  
 SCALE 1:500 比例尺

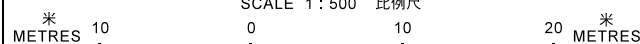
規劃署  
**PLANNING  
 DEPARTMENT**

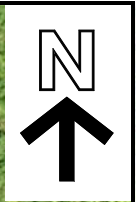


參考編號  
 REFERENCE No.  
**A/TWW/110**

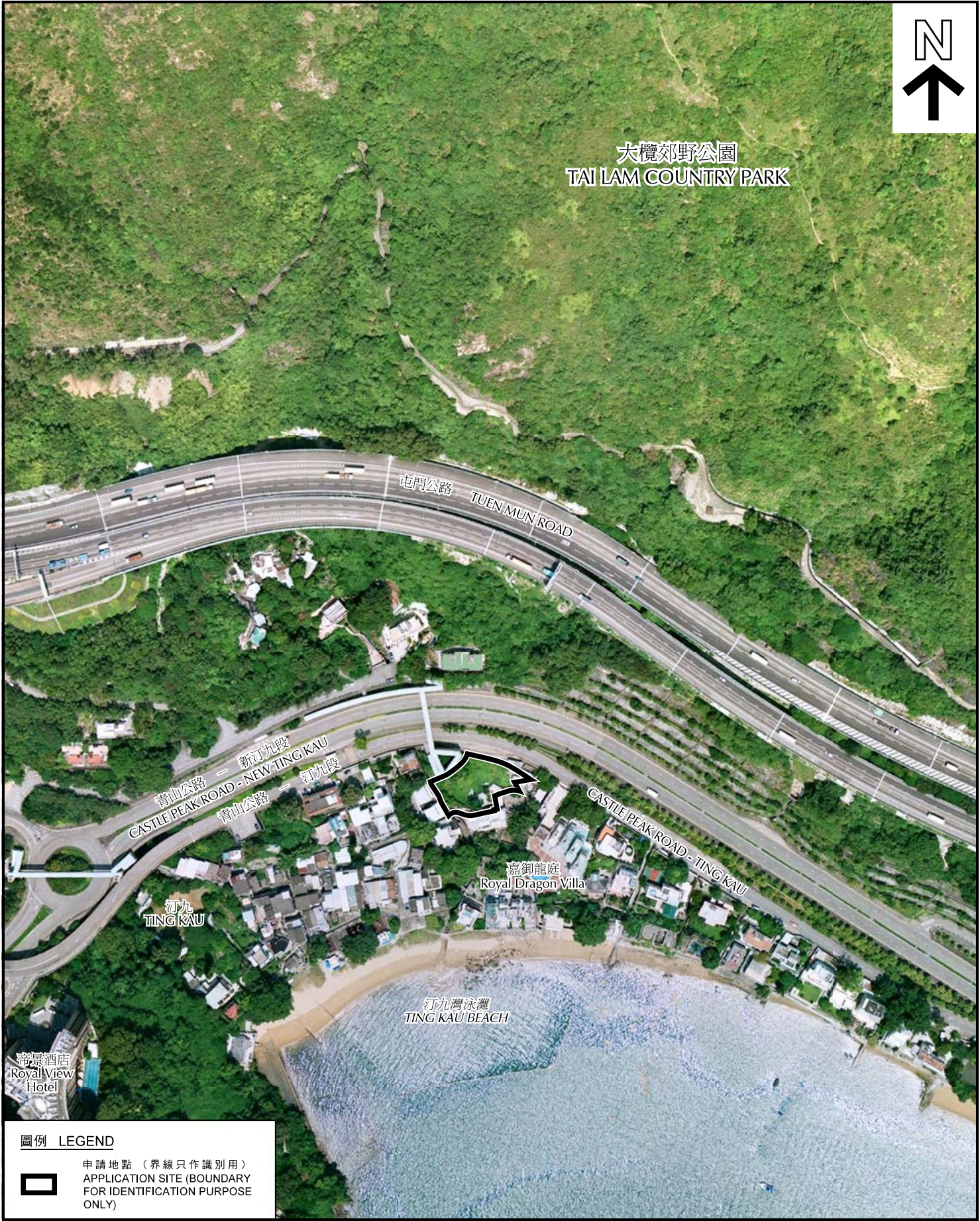
圖 PLAN  
**A-3**

本摘要圖於2016年11月3日擬備，所根據的資料  
 為測量圖編號 6-SE-18D  
 EXTRACT PLAN PREPARED ON 3.11.2016  
 BASED ON SURVEY SHEET No.  
 6-SE-18D





大欖郊野公園  
TAI LAM COUNTRY PARK



**圖例 LEGEND**


 申請地點 (界線只作識別用)  
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)

本摘要圖於2016年11月2日擬備，所根據的資料為地政總署於2015年9月9日拍得的航攝照片編號 CS60902

EXTRACT PLAN PREPARED ON 2.11.2016  
BASED ON AERIAL PHOTO No. CS60902  
TAKEN ON 9.9.2015 BY LANDS DEPARTMENT

**航攝照片 AERIAL PHOTO**

擬議以0.75倍地積比率作屋宇發展  
荃灣汀九丈量約份第399約地段第210號、第212號、第213號、第214號  
第215號A分段、第215號餘段、第230號、第231號餘段、第234號  
第235號及第427號和毗連政府土地  
PROPOSED HOUSE DEVELOPMENT AT PLOT RATIO OF 0.75  
LOTS 210, 212, 213, 214, 215 S.A, 215 RP, 230, 231 RP  
234, 235 AND 427 IN D.D. 399, AND ADJOINING GOVERNMENT LAND, TING KAU, TSUEN WAN

規劃署  
PLANNING DEPARTMENT 

參考編號  
REFERENCE No. A/TWW/110

圖 PLAN  
A-4



1

申請地點  
APPLICATION SITE

青山公路—汀九段  
CASTLE PEAK ROAD -  
TING KAU

26.10.2016

申請地點  
APPLICATION SITE



2

27.9.2016

本圖於2016年11月4日擬備，所根據的資料為攝於2016年9月27日及2016年10月26日的實地照片  
PLAN PREPARED ON 4.11.2016  
BASED ON SITE PHOTOS TAKEN ON 27.9.2016 AND 26.10.2016

**實地照片 SITE PHOTOS**

擬議以0.75倍地積比率作屋宇發展  
荃灣汀九丈量約份第399約地段第210號、第212號、第213號、第214號  
第215號A分段、第215號餘段、第230號、第231號餘段、第234號  
第235號及第427號和毗連政府土地  
PROPOSED HOUSE DEVELOPMENT AT PLOT RATIO OF 0.75  
LOTS 210, 212, 213, 214, 215 S.A, 215 RP, 230, 231 RP  
234, 235 AND 427 IN D.D. 399, AND ADJOINING  
GOVERNMENT LAND, TING KAU, TSUEN WAN

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/TWW/110

圖 PLAN  
A-5



3

申請地點  
APPLICATION SITE

汀九橋  
TING KAU BRIDGE

青朗公路  
TSING LONG HIGHWAY

帝景酒店  
Royal View Hotel

青山公路—汀九段  
CASTLE PEAK ROAD - TING KAU

### 實地照片 SITE PHOTO

擬議以0.75倍地積比率作屋宇發展

荃灣汀九丈量約份第399約地段第210號、第212號、第213號、第214號  
第215號A分段、第215號餘段、第230號、第231號餘段、第234號  
第235號及第427號和毗連政府土地

PROPOSED HOUSE DEVELOPMENT AT PLOT RATIO OF 0.75  
LOTS 210, 212, 213, 214, 215 S.A, 215 RP, 230, 231 RP  
234, 235 AND 427 IN D.D. 399, AND ADJOINING  
GOVERNMENT LAND, TING KAU, TSUEN WAN

本圖於2016年11月4日擬備，所根據的資料為攝於2016年2月16日的實地照片  
PLAN PREPARED ON 4.11.2016  
BASED ON SITE PHOTO TAKEN ON 16.2.2016

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.

A/TWW/110

圖 PLAN

A-6

**TOWN PLANNING BOARD**

**Minutes of 569<sup>th</sup> Meeting of the  
Metro Planning Committee held at 9:00 a.m. on 11.11.2016**

**Present**

Director of Planning  
Mr K.K. Ling

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Professor T.S. Liu

Ms Sandy H.Y. Wong

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr Wilson W.S. Pang

Chief Engineer (Works), Home Affairs Department  
Mr Martin W.C. Kwan

Assistant Director (Environmental Assessment),  
Environmental Protection Department  
Mr K.F. Tang

Assistant Director/Regional 1, Lands Department  
Mr Simon S.W. Wang

Deputy Director of Planning/District  
Mr Raymond K.W. Lee

Secretary

**Absent with Apologies**

Mr K.K. Cheung

Mr Franklin Yu

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board  
Ms Doris S.Y. Ting

Town Planner/Town Planning Board  
Ms Winnie W.Y. Leung

**Agenda Item 5**

**Section 16 Application**

[Open Meeting]

A/KC/439 Proposed Religious Institution (Buddhism Institution) in  
“Residential (Group A)” zone, Shop G5 on G/F and 1/F to 3/F,  
1-5 Shek Man Path, Kwai Ying Building, Kwai Chung, New Territories

---

9. The Committee noted that the application was withdrawn by the applicant.

[Mr Walter W.N. Kwong, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK),  
~~was invited to the meeting at this point.~~]

---

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TWW/110 Proposed House Development at Plot Ratio of 0.75 in  
“Residential (Group C)” zone, Lots 210, 212, 213, 214, 215 s.A, 215 RP,  
230, 231 RP, 234, 235 and 427 in D.D. 399 and Adjoining Government  
Land, Ting Kau, Tsuen Wan, New Territories  
(MPC Paper No. A/TWW/110B)

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10. The Secretary reported that LLA Consultancy Limited (LLA) was one of the consultants of the applicant. Mr Patrick H.T. Lau had declared interest in the item as he had current business dealings with LLA. The Committee noted that Mr Lau had no involvement in the application and agreed that he could stay in the meeting.

**Presentation and Question Sessions**

11. With the aid of a PowerPoint presentation, Mr Walter W.N. Kwong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed house development at plot ratio (PR) of 0.75;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the three statutory public inspection periods, a total of 39 public comments were received. 36 comments submitted by a Tsuen Wan District Council member, six villager representatives of Ting Kau as well as villagers, landowners and individuals objected to the application mainly on the grounds that the site which was within the village ‘environ’ (‘VE’) of Ting Kau Village should be reserved for development by the villagers; the proposed development on a raised platform would create adverse visual, drainage, air ventilation and air quality impacts on the surrounding; the development would block the staircase/footpath and the pavement of Castle Peak Road – Ting Kau serving the locals; carpark should not be built and there was a lack of public consultation of the application. The two supportive comments from individuals opined that the site had been left vacant for many years and was suitable for residential use. One comment provided comment on the future planning of Ting Kau and proposal for improvement of public transport facilities. No local objection/view was received by the District Officer (Tsuen Wan); and

[Dr Wilton W.T. Fok and Ms Sandy H.Y. Wong arrived to join the meeting at this point.]

- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed house development of a PR of 0.75 was in line with the planning intention of the “Residential (Group C)” (“R(C)”) zone for low-rise, low-density residential developments. The revised Traffic Noise and Air Quality Impact Assessment report submitted by the applicant demonstrated that with the implementation of the proposed mitigation measures, the predicted traffic noise levels of the proposed development

would comply with the criterion for residential use in the Hong Kong Planning Standards and Guidelines. The Director of Environmental Protection (DEP) had no objection to the application from the environmental planning perspective. The proposed building height (BH) of 3 storeys did not exceed the statutory BH restriction under the OZP. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD, had no adverse comments on the application. Relevant government departments had no objection to or no adverse comment on the application. The site and other sites in the Tsuen Wan West area were previously approved for the same use by the Committee based on the similar consideration that the noise impact from Castle Peak Road would be mitigated. Regarding the public comments, the above assessments were relevant.

12. A Member asked (a) whether the adjoining government land would be included into the application site (the Site), (b) whether there would be potential visual impact of the proposed retaining wall on the existing houses to the south of the Site, and (c) the purpose of creating a gap between the existing retaining wall of Castle Peak Road and the proposed retaining wall by the applicant. In response, Mr Walter W.N. Kwong, STP/TWK, with the aid of a plan showing the location of government land within the Site, said that the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD) had no objection to the application and advised that whether the proposed government land would be included in the Site would be further examined during the land exchange stage even if the application was approved by the Town Planning Board (the Board). On potential visual impact of the retaining wall, Mr Kwong said that the Site was proposed to be raised to the same level as Castle Peak Road in order to provide a vehicular access and emergency vehicular access in compliance with the requirements under the Buildings Ordinance. According to the applicant, the current scheme was the most feasible option. Otherwise, a huge ramp taking up a substantial portion of the Site would need to be built and the remaining area would be insufficient for development. To minimize the possible visual impact on the adjacent houses, vertical landscaping would be provided on the retaining wall. Regarding the gap between the existing retaining wall of Castle Peak Road and the proposed retaining wall at the northern part of the Site, Mr Kwong clarified that based on the latest scheme proposed by the applicant, the gap originally reserved for the maintenance of the

existing retaining wall by the Highways Department would be filled up.

13. In response to the Chairman's question, Mr Kwong said that the separation distance between the proposed retaining wall and the adjacent houses was about 2 to 3m. However, the applicant had not provided any plan or section for illustration.

14. Another Member asked whether the proposed development to be constructed on a high platform was compatible with the surrounding developments and whether such design would cause flooding to the area. In response, Mr Kwong said that it was not uncommon for similar house developments along Castle Peak Road having a site formation level equivalent to that of the road. Regarding the concern on flooding, Mr Kwong said that the Director of Drainage Services had no objection to the application. As there was a nullah near the Site and the area was served by existing drainage channels, flooding in the area was not anticipated.

15. Noting the villagers' comments on the application, the same Member asked whether the Site was within the 'VE' of Ting Kau Village and whether the existing staircases and footpaths would be blocked by the development as claimed by the villagers. In response, Mr Kwong said that the Site was located within the 'VE' but outside the "Village Type Development" ("V") zone and currently zoned "R(C)" on the Outline Zoning Plan (OZP). The villagers of Ting Kau Village were of the view that all area within the 'VE' should be reserved for the villagers' developments. In fact, the site comprised 75% of private land and 25% of government land and DLO/TW&KT, LandsD said that whether approval would be given to including the government land into the Site would be further examined at the land exchange stage. Mr Kwong further said that Ting Kau Village mainly fell within the "V" zone and was accessible by many existing staircases from Castle Peak Road. There was no public access within the Site and the proposed development would not block any existing public access leading to the village. Among the existing staircases, the one nearest to the Site served only the house on its eastern side.

16. In response to the Chairman's query, Mr Kwong further explained, with the aid of Plan A-2 of the Paper, that the villagers could use the existing staircases and footpaths within the area to walk from Castle Peak Road to their houses including house No. 65 in the vicinity of the Site.

17. A Member asked whether the swimming pool proposed near the vertical landscaped wall would pose threat to the nearby residents. In response, Mr Kwong said that no information regarding the swimming pool capacity was provided by the applicant. However, the concern on building safety could be addressed during the building plan submission stage.

18. A Member asked what the approval conditions of the previous approved application were and whether the satisfactory mitigation of the noise impact from Castle Peak Road was the only criterion for increasing the PR of the Site up to 0.75. In response, Mr Kwong said that the previous application approved by the Committee in 2005 was subject to approval conditions relating to design and provision of noise mitigation measures, fire service installations, landscaping proposal, and sewage treatment and disposal facilities. For the current application, as the Director of Environmental Protection (DEP) considered that the sewerage treatment proposal submitted by the applicant was acceptable, the approval condition relating to sewerage disposal would no longer be required. Mr Kwong further said that according the Notes of the OZP, the maximum PR of 0.4 for the "R(C)" zone might be increased to 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated. At the time when development restrictions were imposed on the "R(C)" zone of the OZP, all concerned government departments except DEP considered that a maximum PR of 0.75 for the zone was technically feasible. To address DEP's concern on noise impact from Castle Peak Road, a two-tier PR restriction for the "R(C)" zone was adopted on the OZP.

19. Noting that the proposed retaining wall of the residential development would abut on house No. 65, a Member asked whether the retaining wall would block the entrance of the house and why the retaining wall could not be set back. In response, Mr Kwong said that the entrance of house No. 65 was located on its western boundary and would not be blocked by the retaining wall. Besides, due to the level difference between Castle Peak Road and the Site and the need to provide a vehicular access and an emergency vehicular access in compliance with the government requirements, if the site was not formed to such a high level, a huge ramp would need to be built within the Site, leaving no space for the development. However, the applicant had not provided any explanation on why the retaining wall could not be set back from house No. 65.



20. A Member asked whether the government land, if granted to the applicant, would be used for gross floor area (GFA) calculation and what the considerations on granting of government land to the applicant were. In response, Mr Kwong said that the current scheme submitted by the applicant had already included the government land in the site area for PR calculation. However, LandsD advised that there was no guarantee that the concerned government land would be granted to the applicant, even if the application was approved by the Committee. The feasibility of including the proposed government land would be further examined during the land exchange stage. In response to the same Member's further query, Mr Kwong said that there was an existing footbridge across Castle Peak Road – Ting Kau. Villagers getting off the public transport on the opposite side of Castle Peak Road could use the existing footbridge to cross the road. By using the staircases on both sides of the Site, there was no need for the villagers to access their houses through the Site.

21. A Member asked whether payment of land premium would be required if the government land was granted for inclusion into the Site for the proposed development. The Chairman remarked that whether land premium would be charged was not a factor in the consideration of the application. In response to the Member's enquiry, Mr Simon S.W. Wang, Assistant Director/Regional 1, LandsD, said that LandsD had no commitment to grant the government land to the applicant even if the application was approved by the Committee and the issue would be further examined at the land exchange application stage. If the granting of government land was subsequently approved by LandsD, the payment of land premium and administrative fee would be required. The Member further asked whether the government land in question would be put up for tender instead of direct granting to the applicant. In response, Mr Wang said that the government land was not granted on a first-come-first-served basis. The possibility of separate disposal of the concerned government land would be carefully examined at the land exchange stage.

22. In response to a Member's question on the location of the communal open space as mentioned in the development schedule, Mr Kwong, with the aid of a master landscape plan, indicated that the communal open space would be located in the central part of the Site. The Chairman added that the communal open space would serve only the residents of the two proposed houses within the development.

Deliberation Session

23. The Chairman said that while there were quite a number of Members having concern on the potential impact of the retaining wall on the adjoining houses, the setting back of the site boundary abutting the two houses in the south might result in management problem for the residual strip of government land between the Site and the nearby houses. The Chairman further noted that the same situation might happen if the proposed retaining wall along the south-western boundary of the Site abutting the existing drainage channel was required to be set back. In response to the Chairman's enquiry on LandsD's usual practice in handling such situation, Mr Simon S.W. Wang said that it was premature to determine to which party the strip of government land would be allocated at the current stage. LandsD would consider the case at the land exchange stage based on individual merits taking into account all relevant considerations such as whether the inclusion of the concerned government land into the site boundary of the proposed development would affect the existing usage of the government land by the residents of house No.65. During the processing of land exchange application, special conditions requiring the set back of the site boundary or restricting the use of government land could also be specified in the lease conditions if required. Views of the concerned government departments and the nearby residents would also be considered.

24. Two Members raised concern on the incompatibility of the proposed development on a high platform, with the existing houses in the surrounding areas. One of them asked whether there was any restriction on the maximum height of the site formation. The Chairman said that the Notes of the OZP stipulated that the Site was subject to a maximum building height of three storeys including car park but there was no statutory control on the maximum height of the platform. Each scheme would be considered based on its individual merits.

25. Having considered that there was no technical reason for not setting back the proposed retaining wall from the existing houses and that the concerned area was on government land which would not give rise to any issue of affecting the development right, a Member considered that there was no strong reason to approve the current scheme with such a high retaining wall abutting the existing houses. There was scope to set back the proposed retaining wall, or to reduce its height by revising the layout of the current scheme. The

concern on the future use and management of the intervening government land should be separately dealt with at the land exchange stage.

26. The Chairman asked whether the southern site boundary on government land should be set back to facilitate the future inspection and maintenance of the proposed retaining wall. In response, Mr Simon W.S. Wang said that priority consideration would be given to allowing sufficient space for the owner of house No. 65 to carry out future maintenance of the façade abutting the Site. The requirement on whether the site boundary should be set back to allow future maintenance of the retaining wall would be subject to the views of relevant government departments during the processing of land exchange application. It was still premature to confirm at the current stage whether the government land would be granted to the applicant and whether setback requirement of the site boundary would be imposed.

[Dr Frankie W.C. Yeung arrived to join the meeting at this point.]

27. The Chairman asked whether the provision of maintenance access for some existing structures/facilities, such as drainage channel along the south-western boundary of the Site under the current application, would be taken into account in processing land exchange application. Mr Simon W.S. Wang replied in the affirmative and said that relevant government departments would be consulted on such requirement during the processing of land exchange application and their comments would be incorporated into the lease conditions where appropriate. Besides, LandsD would also conduct site visit to see whether there were other issues which needed to be sort out.

28. A Member expressed no objection to the PR of 0.75 for the proposed residential development on the Site as such development intensity was considered compatible to other houses in the surrounding area. However, there was grave concern that the proposed retaining wall would create adverse visual impact on the area. The Member considered that there was scope to reduce the extent of the backfill such that the site formation level of the two platforms could be lowered by about one storey and the visual impact would be minimised. The Member asked if it was possible to impose a condition regarding the design and height of the proposed retaining wall should the application be approved.

29. The Chairman said that should the Board decide to approve the application, an approval condition requiring the set back of the proposed retaining wall to the satisfaction of the Director of Lands could be imposed. The issue on whether the residual government land arising from the setback would be included in the Site for the purpose of PR calculation would be subject to the decision of LandsD. In the event that the government land could not be included resulting in significant change to the development parameters, a fresh planning application might be required. Alternatively, the Board might consider rejecting the application and the applicant would be required to submit a new application to address the Committee's concern.

30. Another Member considered that the application should be rejected as the proposed residential development on an excessively high platform would cause adverse visual impact on the surrounding area. Although payment of land premium would be required if the government land was to be included into the Site, the Member remarked that inclusion of the sizeable government land to the south and south-west of the Site for proposed residential development might arouse criticism on unfair allocation of government land resources.

31. The Chairman responded that issues on land premium and allocation of government land were land administration matters under the jurisdiction of LandsD.

32. A Member who earlier raised concern on the high-level platform, considered that the applicant's justification for the provision of vehicular access not convincing. Alternative layout could be devised to avoid raising the Site to the same level as Castle Peak Road.

33. Another Member concurred that it was not necessary to build a high retaining wall abutting house No. 65 and remarked that the applicant's intention of building such retaining wall was to maximise the view of the private garden. Consideration should be given to exploring alternative design of landscaped garden such as stepped landscaped garden so as to minimise the scale and height of the proposed retaining wall.

34. The Chairman said that the Committee would deliberate on whether the application should be approved subject to the imposition of an additional approval condition

requiring the set back of the retaining wall to the satisfaction of the Director of Lands or the application should be rejected. The Committee noted that according to the Notes of the OZP, while a PR of 0.4 was always permitted within the “R(C)” zone, the PR might be increased to a maximum of 0.75 provided that the noise impact from Castle Peak Road on the proposed development could be mitigated. Notwithstanding the above, the Committee could also take into account other relevant considerations before making a decision on the current application.

35. The Secretary said that the current application was for a proposed house development within the “R(C)” zone with a PR of 0.75. According to the Notes of the OZP, such PR might be allowed subject to the satisfactory demonstration to the Board that the noise impact from Castle Peak Road on the proposed development could be mitigated. During the discussion, Members were mainly concerned about the provision and design of the proposed retaining wall adjacent to house No. 65. In view of the above, if the Committee decided to reject the application based on such concern, appropriate rejection reasons would have to be worked out to reflect Members’ concern. However, if the Committee considered that Members’ concerns could be addressed through slight revision to the current scheme, an approval condition relating to the provision and design of the proposed retaining wall could be added. Apart from the above, the Committee could also consider deferring a decision on the application and requesting the applicant to provide more information to address Members’ concerns.

36. A Member said that the application could be rejected on the ground of adverse noise impact as the applicant had failed to demonstrate that the current scheme would be subject to the least noise impact from Castle Peak Road. The proposed house on the upper platform to be constructed up to the same level as Castle Peak Road would be exposed to more adverse noise impact than the alternative scheme of building a house on a platform lower than Castle Peak Road.

37. The Chairman said that since DEP had no objection to the application and considered that the noise impact could be mitigated, it might not be appropriate to reject the application based on adverse noise impact.

38. While considering that the noise impact was not a problem, another Member

opined that the rejection reasons should more appropriately be related to the lack of maintenance access for house No. 65 and the drainage channel.

39. The Vice-chairman said given that the Notes of the OZP had allowed a relaxation of PR up to 0.75 provided that the noise impact could be mitigated and that DEP had no objection to the current application, there was no strong reason to reject the application. Considering that the high retaining wall was an urban design issue, while CTP/UD&L, PlanD had no objection to the application, an approval condition which required the applicant to revise the scheme to the satisfaction of the Director of Planning could still be added. CTP/UD&L should be advised to take into account Members' view in vetting the revised scheme. A Member shared the same view and considered that the urban design issue could be addressed by the imposition of an approval condition on the submission of a revised design.

40. A Member had no objection to the proposed PR of 0.75 for the proposed development and considered that the noise impact was not a concern. While there were alternative schemes which might be able to mitigate the noise impact, the current development scheme which would cause potential visual impact on the surrounding area and was subject to local objections relating to blocking of access/staircases and creating adverse impacts on the environment, was undesirable. The Member considered that the Committee should defer a decision on the application and the applicant should be requested to provide more information to address the visual impact and the local concerns including the possible impact of the proposed development on house No. 65. CTP/UD&L, PlanD and Architectural Services Department should be consulted on the visual impact of the proposed development on the surroundings upon receiving the further information. Alternative scheme which could satisfy both the noise requirement and visual impact would have to be worked out should the application be rejected in future. Two other Members shared the same view and agreed that the consideration of the application should be deferred.

41. After further deliberation, the Committee decided to defer making a decision on the application pending the submission of further information by the applicant to address Members' concern on the visual impact of the proposed development on the surrounding area having regard to the high site formation level; and the possible impact of the proposed retaining wall on house No. 65 to the south of the site.

[The Chairman thanked Mr Walter W.N. Kwong, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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**Kowloon District**

**Agenda Item 7**

**Section 16 Application**

[Open Meeting]

A/K18/322                      Proposed Religious Institution (Redevelopment of Bethel Bible Seminary with In-situ Preservation of Sun Hok Building) in "Government, Institution or Community (12)" zone, 45-47 Grampian Road, Kowloon City, Kowloon  
(MPC Paper No. A/K18/322A)

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42.            The Secretary reported that Ho Tin & Associates Consulting Engineers Limited (Ho Tin) was one of the consultants of the applicant. Mr Patrick H.T. Lau had declared interest in the item as he had current business dealings with Ho Tin. The Committee noted that Mr Lau had no involvement in the application and agreed that he could stay in the meeting.

43.            The Committee noted that the applicant's agent requested on 27.10.2016 for deferment of consideration of the application for two months in order to allow time to prepare further information to address the comments of the Architectural Services Department. It was the second time that the applicant requested for deferment of the application.

44.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier

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**Suggested Advisory Clauses**

- (a) to liaise with the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD) regarding the land exchange matters. For the parcel of Government land at the south, the possibility of its separate disposal by Government shall still be examined. In this regard, there is no guarantee that the proposed Government land under the application would be included in the boundary of the proposed development. The feasibility of including the proposed Government land into the application site shall be further examined during the land grant stage. The applicant shall apply to his office for a land exchange before the proposed development can be proceeded further. Furthermore, the land exchange application will be processed in accordance with the prevailing land policy and there is no guarantee that the site boundary and development parameters proposed under the subject application will be acceptable under the land grant. The land exchange exercise, even if considered feasible and approved by LandsD acting in the capacity as the landlord at his discretion, would be subject to such terms and conditions as deemed appropriate, including the payment of land premium and administrative fee to be assessed. There is no commitment that the land exchange application will be approved;
- (b) to note the Chief Highway Engineer/New Territories West, Highways Department's comments that the applicant should be responsible for the maintenance of retaining wall no. 6SE-D/R209 adjoining the proposed development;
- (c) to note the Director of Fire Services' comments that the applicant is advised to observe the requirements of emergency vehicles access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administrated by the Buildings Department;
- (d) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments that all covered areas on G/F, balconies, trellises, voids within the houses and covered decks and terraces should be included in the gross floor area calculation; and
- (e) to note the Director of Food and Environmental Hygiene's comments that the applicant is reminded to make all necessary measures to keep the Site free of pest infestation and sanitary nuisance during construction. The applicant shall be responsible to clear all refuse on the site upon completion of construction.