

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/15

<u>Applicant</u>	:	Chinese Mission Seminary Limited represented by PlanArch Consultants Limited
<u>Site</u>	:	Lots 171 (Part), 172 (Part), 173, 174 and 175 RP (Part) in D.D. 121, 130 Hung Uk, Yuen Long, New Territories
<u>Site Area</u>	:	About 2,577 m ²
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1
<u>Zoning</u>	:	“Village Type Development” (“V”) [Restricted to a maximum building height of 3 storeys (8.23 m)]
<u>Application</u>	:	Proposed Religious Institution (Redevelopment of Seminary)

1. The Proposal

- 1.1 The applicant seeks planning permission for redevelopment of an existing religious institution (seminary) at the application site (the Site) for seminary use (**Plan A-1**). According to the Notes for the “V” zone on the OZP, religious institution other than ancestral hall within “V” zone requires planning permission from the Town Planning Board (the Board); but is not subject to the above building height restriction. The Site is not related to any previous application. The Site is currently used for seminary use (named Chinese Mission Seminary) without valid planning permission.
- 1.2 According to the applicant, the Chinese Mission Seminary was relocated to the Site in 1997. It provides various theological programs to Christian evangelists, Christian leaders and pastors, as well as various community education and service programs for all residents (both Christians and non-Christians) in the local community. The proposed redevelopment arises from the plans to organise more educational courses and lectures in view of increasing demand.
- 1.3 According to the proposed master layout plan, amongst the 11 existing buildings, 3 buildings (i.e. Block 4, 5 and 6) will be retained and the remaining 8 buildings will be demolished (**Drawing A-1**). A new 3-storey campus building will be built

for administrative office, lecture rooms, library, staff rooms, canteen, kitchen, activity rooms, conference room and a multi-purpose hall/chapel uses. The 3 retained buildings will be used for staff room, electrical room, multi-function room (**Drawings A-1 to A-6**). The vehicular access is from a local track leading to Hung Tin Road via ingress/egress at the southwestern boundary of the Site, whilst the pedestrian access is from the eastern boundary of the Site (**Plan A-2**).

1.4 According to the applicant, the number of staff and students at the Seminary is currently 27 and 40 respectively. It is anticipated that after the redevelopment, the number of staff, students and employees (canteen) will be about 30, 80 and 5 respectively.

1.5 The major development parameters of the proposed redevelopment are as follows:

Site Area (about)	2,577m ²
Total Non-domestic Gross Floor Area (GFA) (about)	1,801m ² (including about 157m ² for 3 existing buildings to be retained)
Plot Ratio (about)	0.7
Site Coverage (about)	26%
No. of Building Blocks	4 (including 3 existing buildings to be retained)
Building Height (No. of Storeys)	
- New Campus Building	11.2m (3 storeys)
- 3 Existing Buildings to be retained	3.2-6.5m (1-2 storeys)
Private Open Space (about)	1,097m ²
Parking facilities	
- Private Car Parking Spaces	6 (including 1 for disabled)
- Loading/ Unloading Space	1
Floor Use – New Campus Building	G/F: Canteen, Kitchen, Conference Rooms, Offices, Multi-purpose Hall, Stores, lobby 1/F: Activity Room, Lecture Rooms, Offices, Stores 2/F: Activity Room, Lecture Rooms, Library, Stores
Floor Use – Retained Buildings	
Block 4	G/F & 1/F: Staff Rooms
Block 5	G/F: Electrical Room
Block 6	G/F: Multi-function room, store with lavatory

1.6 A comparison of the existing site condition and proposed master layout plan is at Drawing A-1, floor plans of the new campus building is at **Drawings A-2 to A-5**, sections of the new campus building at **Drawings A-6**, proposed master landscape plan at **Drawing A-7**, proposed drainage arrangement at **Drawing A-8** and vehicular and pedestrian access at **Drawing A-9**.

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

- (a) Application Form received on 31.7.2017 **(Appendix I)**
- (b) Planning Statement attached to Appendix I **(Appendix Ia)**
- (c) Letter received on 31.7.2017 providing replacement page of the executive summary *(accepted and exempted from publication and recounting requirement)* **(Appendix Ib)**
- (d) Letter dated 30.8.2017 providing clarification on trip rates, vehicular access and pedestrian access in response to departmental comments *(accepted and exempted from publication and recounting requirement)* **(Appendix Ic)**
- (e) Letter dated 20.11.2017 providing revised master layout plan, master landscape plan and clarification in response to departmental comments *(accepted and exempted from publication and recounting requirement)* **(Appendix Id)**
- (f) Letter of 18.12.2017 providing a total of 64 supporting letters from local community and Christian community in the northwest New Territories *(accepted and exempted from publication and recounting requirement)* **(Appendix Ie)**
- (g) Letter of 12.3.2018 providing brief summary of the applicant's background and clarification in response to departmental comments *(accepted and exempted from publication and recounting requirement)* **(Appendix If)**
- (h) Letter of 13.4.2018 providing clarification in response to departmental comments *(accepted and exempted from publication and recounting requirement)* **(Appendix Ig)**
- (i) Letter of 4.7.2018 providing clarification in response to departmental comments, revised master layout plan, revised tree preservation proposal, and consent letter from Shell Hong Kong Limited *(accepted and exempted from publication and recounting requirement)* **(Appendix Ih)**

- (j) Letter of 9.8.2018 providing figures of the number of employees and students, and technical clarification on SIA **(Appendix Ii)**
(accepted and exempted from publication and recounting requirement)

1.8 The application was originally scheduled for the consideration by the Rural and New Town Planning Committee (the Committee) of the Board on 22.9.2017. On 22.9.2017, 29.12.2017 and 4.5.2018, the Committee agreed to defer a decision on the application each for two months as requested by the applicant. On 30.8.2017, 20.11.2017, 18.12.2017, 12.3.2018, 13.4.2018, 4.7.2018, and 9.8.2018, further information was received. Therefore, the application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement at **Appendices Ia to Ii**. They can be summarized as follows:

- (a) The Chinese Mission Seminary has been serving the local community at the Site for about 20 years with the goals to develop theologically equipped, spiritually mature and mission-driven Christian evangelists and pastors. It was widely accepted by the neighbourhood. The proposed redevelopment will be compatible with the surrounding land uses and height profile.
- (b) The land owned by Chinese Mission Seminary (i.e. Lot Nos. 171, 172, 173, and 174 in D.D.121) constitutes about 93.7% of the total area of the Site. Although the Site falls within “V” zone. The applicant has no intention to develop the Site into NTEH, and wish to continue the operation of the existing Seminary.
- (c) About 6.3% of the total area of the Site falls within Lot No. 175RP(Part) in D.D.121 at the periphery of the Site is owned by Shell Hong Kong Limited. Consent from Shell Hong Kong Limited to use this portion of the Site as the Seminary is sought. The footprint of the proposed new campus building does not sit on Lot no. 175RP (Part) in D.D.121. This portion of the application will be used for landscaping and circulation only.
- (d) The proposed development will provide buffer between Hung Uk Tsuen and Castle Peak Road. The development does not rely on openable windows for ventilation, can serve as a buffer to minimise the noise and air pollution from Castle Peak Road – Ping Shan Section. Landscaping of development can provide visual relief for the village type development to the north. The redevelopment proposal with additional soft landscaping will further enhance the buffer function.
- (e) With the proposed redevelopment, the Chinese Mission Seminary will be able to organise more community education and service programmes to better serve the local community.
- (f) The proposed redevelopment will not cause adverse traffic, air quality, noise,

sewerage and drainage impacts to the surrounding areas. It will also not be subject to adverse air quality and noise impacts.

- (g) The proposed development is in line with the current and future planning intention. With the proposed redevelopment, the Chinese Mission Seminary can provide a quality teaching and learning environment in light of anticipated demand arising from the development of the Hung Shui Kiu New Development Area.
- (h) The applicant provides 64 letters from individuals supporting application on grounds that the proposed redevelopment of the Chinese Mission Seminary could offer a better environment for retreat and religious gathering as well as enhanced facilities for training courses and counselling, especially in the northwest New Territories region.

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

The applicant is one of the “current land owners” and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by notifying another owner through registered post. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is not subject to any active enforcement case.

5. **Previous Application**

There is no previous application covering the Site.

6. **Similar Application**

There is no similar application within the same “V” zone.

7. **The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

7.1 The Site is:

- (a) occupied by 11 structures of 1 to 2 storeys for seminary use (**Drawing A-1** and **Plan A-2**); and
- (b) accessible to Castle Peak Road – Ping Shan Section via a local track to the east, and Hung Tin Road via another local track to the southwest.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate north are residential dwellings, vacant land and unused land;

- (b) to the immediate east is an open storage yard for metal which is an existing use. To the further east is a warehouse which is a suspected unauthorised development, and an electricity substation;
- (c) to the immediate south and southwest are a petrol filling station, vacant structures and residential dwellings and an open storage yards for recycling materials. To the further southeast and south across Castle Peak Road – Ping Shan Section are car service yards, open storage yards for recycling materials and construction materials which are suspected unauthorised developments, and a petrol filling station; and
- (d) to the immediate west are car repairing workshops which are existing uses. To the further west is a hill slope with vegetation and graves.

8. Planning Intention

The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

9. Comments from Relevant Government Departments

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises Lot Nos. 171 (Part), 172 (Part), 173, 174 and 175 RP (Part) (“the subject lots”) which, by the terms of the Block Government Lease under which they are held, is demised as agricultural ground in D.D.121. Lot Nos. 171 and near Lot No. 343 s.T all in D.D. 121 and Lot Nos. 171 and 172 in D.D. 121 (portion of both lots forming part of the Site) are subject to Short Term Waivers Nos. 1060 and 1061 both for the purpose of “sausage making workshop and commercial storeroom” approved on 4.10.1985.
- (b) It is noted that the Site falls within "V" zone on the draft Hung Shui Kiu and Ha Tsuen OZP. Under the prevailing policy, land within "V" zone or village environs of recognised villages is primarily reserved for development of NTEH by Indigenous

Villagers under the NT Small House Policy. Hence, non-NTEH land exchanges would not normally be entertained.

- (c) The proposed development will be in breach of the lease conditions governing the lots. If planning approval is given, the lot owner will need to apply to the Lands Department for a land exchange to effect the proposed development. The areas of the applied lots will be verified at the land exchange stage. Such application will only be considered by the Lands Department acting in its capacity as a landlord at its sole discretion and there is no guarantee that the application for the land exchange for the proposed development, including the grant of any additional Government land, will be approved and he reserves his comments on such. In the event that any such land exchange application is approved, it would be subject to such terms and conditions including among other things, the payment of premium and administrative fee, as may be imposed by Lands Department at its sole discretion.
- (d) In the event that the proposed land exchange for seminary is to be granted at nominal/concessionary premium, policy support from HAB is required.
- (e) The Site does not fall within the Shek Kong Airfield Height Restriction.
- (f) There is no small house application at the subject lots. In addition, there are 1 and 11 approved and outstanding small house applications in the vicinity of the Site respectively. Furthermore, there are 73 and 3 outstanding small house applications in Hung Uk Tsuen and Kiu Tau Wai respectively. The 10-Year Small House demand forecast in Hung Uk Tsuen and Kiu Tau Wai area are 118 and 105 respectively.
- (g) His detailed comments are in **Appendix III**.

Building Matters

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

- (a) As there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (b) If the existing structures (not being New Territories Exempted Houses) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed

use under the application. For the UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO.

- (c) Presuming the Site is abutting on a specified street of less than 4.5m wide, then the development density shall not exceed the permissible figures under the First Schedule of the Building (Planning) Regulations [B(P)R]. Otherwise, the development intensity shall be determined under B(P)R 19(3) during plan submission stage and his comment on the maximum and plot ratio is reserved.
- (d) The Site shall be provided with means of obtaining access there to from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the B(P)R respectively.
- (e) The accessible parking space(s) shall be provided in accordance with B(P)R 72 and paragraph 8 in Schedule 3 of the B(P)R.
- (f) Before any new building works are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building work. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (g) Detailed checking of plans will be carried out upon formal submission of building plans.

9.1.3 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) Regarding the building mass and height profile, the applicant has submitted perspective with surrounding context to address the issue. The proposed development with building height ranging from 1 to 3 storeys may not be incompatible with adjacent village type developments with building height of 3 storeys. In this regard, he has no comment from visual impact point of view.
- (b) Regarding the emergency vehicular access within the Site, it is noted that the applicant will prepare and submit General Building Plans (GBP) to BD in accordance with relevant legislation and regulations, including B(P)R 41D and PNAP APP-136 for approval. He would have no further comment and noted that the relevant departments will deal with this issue in GBP submission stage.
- (c) The comments given are not meant to be exhaustive. He

understands that PlanD will consider the application holistically and take into account comments/advices from relevant concerned parties/departments in relation to the planning intention for the final ruling.

Traffic

9.1.4 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):

- (a) He has no adverse comment on the application.
- (b) Sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads.
- (c) The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site.
- (d) Should the application be approved, an approval condition on the design and provision of vehicular access, and parking and loading/unloading facilities of the proposed development to the satisfaction of the Commissioner for Transport is required.

9.1.5 Comments of the Chief Highways Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) He has no comment from the highways maintenance point of view.
- (b) The access arrangement should be commented by TD.
- (c) Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (d) HyD shall not be responsible for the maintenance of any access connecting the Site and Hung Tin Road or Castle Peak Road- Ping Shan.

Drainage and Sewerage

9.1.6 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) He has no objection in principle to the proposed application from a drainage point of view.
- (b) Should the Board consider that the application is acceptable from

the planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to submit a revised drainage/sewerage proposal, to implement and maintain the proposed drainage facilities to the satisfaction of his Division.

- (c) His detailed comments are in **Appendix III**.

Environment

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

- (a) The environmental assessment in Appendix 4 of the Planning Statement (**Appendix Ia**) has concluded the environmental acceptability of the proposed redevelopment. He has no comment on the application.
- (b) The applicant proposed to connect the proposed redevelopment to public sewer. The applicant should solve all technical issues and seek agreement from relevant land owners/government departments of the need to lay and operate the sewers in their land lots. The applicant is reminded to seek agreement from DSD about the proposed sewer works with respect to the actual alignment and connection point, maintenance of new sewer to be built by the applicant.
- (c) Referring to the applicant's latest population estimate, which concluded that the proposed development will cause no adverse impact on the public sewerage system (**Appendix Ii**), he has no comment on the SIA provided that the figures quoted and assumptions made are correct.

Fire Safety

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

- (a) He has no objection in principle to the proposal subject to water supplies for firefighting and fire service installations being provided to the satisfaction of Director of Fire Services.
- (b) Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.
- (c) The EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the B(P)R 41D which is administrated by the BD.

Urban Design and Landscape

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

Urban Design and Visual

- (a) The applicant seeks planning permission for redevelopment of an existing seminary which consists of 11 existing structures of 1-2 storeys. The proposal involves demolition of 8 blocks, retention and refurbishment of 3 blocks, and erection of 1 new campus block of 3 storeys (about 19.5mPD).
- (b) The Site is located in a generally rural and low-rise context which mainly consists of open storage and temporary structures of 1-3 storeys. Village houses of 3 storeys are found at its further north and south. A knoll of 36.2mPD is located at its west. The proposed development is considered not incompatible with the surroundings. Significant visual impact is not anticipated.

Landscape

- (c) He has no objection to the application from the planning perspective.
- (d) The applicant is reminded that the approval of the Landscape Plan under the Board approval condition does not imply approval of tree works such as felling/transplanting or pruning under lease. Any proposed tree preservation/removal scheme involving trees outside site in particular, the applicant shall be reminded to approach relevant authority/government department(s) direct to obtain the necessary approval.
- (e) Noted that the planting area and/or shrub layer is not currently indicated on plan. The planting area should be indicated on plan upon submission for compliance.
- (f) Should the Board approve this application, he would recommend the inclusion of the condition of submission and implementation of a tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the Board.

Others

9.1.10 Comments of the Director of Electrical and Mechanical Services (DEMS):

Electricity Safety

- (a) He has no particular comment on the application from electricity

supply safety aspect.

- (b) However, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

LPG Safety

- (c) There is a LPG filling station located at Castle Peak Road.
- (d) For any development that introduces a substantial increase of nearby population to the aforesaid filling station, the original Quantitative Risk Assessment (QRA) study would no longer be valid. As such, it is required to conduct another QRA study taking into account the proposed development to substantiate that the government risk guidelines can still be met. Besides, the requirement in Section 3.7 "Special Requirements Relevant to LPG Filling Stations or Petrol Filling Station with LPG Filling Facilities" of Chapter 12 "Miscellaneous Planning Standards and Guidelines" of Hong Kong Planning Standards and Guidelines should be observed and followed.
- (e) Should the application be approved, an approval condition on the submission of a Quantitative Risk Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board.

9.1.11 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) He has no objection to the application subject to the following comment.
- (b) For provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services

within the private lots to WSD's standards.

9.1.12 Comments of the Secretary for Home Affairs (SHA):

- (a) He notes that the applicant, Chinese Mission Seminary Ltd., is seeking planning permission for developing a campus building block of 3 storeys on the Site which falls within an area zone "V" on the OZP.
- (b) Since the applicant is a tax-exempted charitable organisation under section 88 of the Inland Revenue Ordinance (IRO) and the proposed development is for religious and ancillary use, he has no objection to the application.

9.1.13 Comments of the Secretary for Education (EDB):

- (a) The School Registration and Compliance Section is not in a position to comment on the application.
- (b) For school registration procedures, registration of schools is granted in accordance with the stipulated requirements under the Education Ordinance (Cap. 279) and relevant Guidelines. Clearance from the Board and the LandsD should be obtained in respect of the proposed school premises, in addition, the premises should be suitable for school use in terms of fire safety and building safety as confirmed by the FSD and the BD respectively. The applicant should also submit the documentary proof of the right to use the premises, Occupation Permit (for premises designed and constructed as a school), the proposed curriculum, courses and fees information, etc for his consideration.

9.1.14 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) No FEHD's facilities will be affected and such work and operation shall not cause any environmental nuisance to the surrounding. In addition, for any waste generated from the commercial/trading activities, the applicant should arrange disposal properly at their own expenses.
- (b) A relevant licence should be obtained from his Department if food business or related place of entertainment is involved.
- (c) The operation of any eating place should be under a food licence issued by the Food and Environmental Hygiene Department (FEHD). If the operator intends to operate a restaurant business in the territory, a general restaurant/light refreshment restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap 132). The application for restaurant licence, if acceptable by FEHD, will be referred to relevant government departments, such as BD, FSD,

PlanD for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance of all the requirements.

- (d) Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment with Places of Public Entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement. A place of public entertainment licence should be obtained from FEHD whether the general public is admitted with or without payment. The application for PPE licence, if acceptable by FEHD, will be referred to relevant government departments, such as BD, FSD, PlanD, Police for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements.
- (e) There should be no sanitary nuisance created to the surrounding during the operation of food business.

District Officer's Comments

9.1.15 Comments of the DO(YL), HAD:

His office has not received any comment from locals upon the end of consultation period.

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

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Director of Leisure and Cultural Services (DLCS);
- (c) Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCSD);
- (d) Commissioner of Police (C of P); and
- (e) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD).

10. Public Comments Received During Statutory Publication Period

10.1 On 8.8.2017, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 29.8.2017, 5 public comments were received.

10.2 Two villagers of Hung Uk Tsuen and three individuals (**Appendices II-1 to II-5**)

object to the application mainly on grounds that the proposed development is not in line with the planning intention of the “V” zone; the Site should be reserved for residential development, and the large flow of people generated will adversely affect the traffic condition in the surroundings and the livelihood of villagers.

11. Planning Considerations and Assessments

- 11.1 The application is for redevelopment of a seminary which will comprise 1 new campus building and 3 retained existing buildings.
- 11.2 The Site falls within “V” zone covering Kiu Tau Wai and Hung Uk Tsuen. The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. The applicant claims that the religious institution will provide various community education and service programmes for all residents in the local community. Most of the Site (93.7%) is owned by the applicant and has long been used for a seminary providing religious services to the local villagers and residents. According to the applicant, they have no intention to develop the Site into NTEH, and wish to continue the operation of the existing Seminary. The owner of the remaining portion of the Site (6.3%) has given consent to the applicant to use this portion of the Site as the Seminary. It is considered that the proposed redevelopment is generally acceptable having regard to the site history and the nature of the proposed uses.
- 11.3 According to DLO/YL, LandsD, there are 76 outstanding Small House applications and the latest 10-year Small House demand forecast is 223. Based on the latest estimation by PlanD, about 300 Small House sites (i.e. equivalent to about 7.54ha of land) are available within the “V” zone for Hung Uk Tsuen and Kiu Tau Wai. The land available in the “V” zone can accommodate the outstanding Small House application of 76 houses and the 10-Year Small House demand of Kiu Tai Wai and Hung Uk Tsuen.
- 11.4 The Site is surrounded by open storage yards, car repairing workshops, residential structures and a petrol filling station. The applied use is considered not incompatible with the surrounding land uses.
- 11.5 The proposed redevelopment of an existing seminary involves demolition of 8 block, retention and refurbishment of 3 blocks, and erection of 1 new campus block of 3 storeys (11.2m, about 19.5mPD). The Site is located in a generally rural and low rise context. A knoll of 36.2mPD is located at the west. ArchSD has no comment from visual impact point of view. He advises that the proposed development with building height ranging from 1 to 3 storeys may not be incompatible with adjacent village type developments with building height of 3 storeys. CTP/UD&L, PlanD has no objection from visual and landscape planning perspectives. The proposed development is considered not incompatible with the surroundings. Significant visual impact is not anticipated. His concern on landscape and tree preservation could be addressed through imposing approval conditions.

- 11.6 Concerned departments including AC for T/NT, TD, CHE/NTW, HyD, DEP and CE/MN, DSD have no adverse comment on or no objection to the application. The applied use will unlikely create significant adverse traffic, environmental and drainage impacts to the surrounding areas. DEMS is concerned for any development that introduces a substantial increase of nearby population to a LPG filling station located at Castle Peak Road (**Plan A-2**), the original QRA study would no longer be valid. DEMS's concern could be addressed through approval conditions.
- 11.7 There are five public comments received objecting to the application on grounds of planning intention and adverse traffic impact as summarized in paragraph 10.2 above. The planning considerations and assessments above are also relevant. The applicant has submitted 64 supporting letters.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 above 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 **17.8.2022**, 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 vehicular access, and parking and loading/unloading facilities of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (c) the submission and implementation of a revised drainage and sewerage proposal and the maintenance of the proposed drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) the submission and implementation of a revised tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (e) the submission of a Quantitative Risk Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board.

12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

- (a) the proposed development is not in line with the planning intention of the "V" zone which is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from such planning intention;
- (b) the approval of the application would set an undesirable precedent for other applications for developments not serving the needs of villagers or in support of the village development within the "V" zone. The cumulative effect of approving such applications would reduce the land available for Small house development.

Advisory clauses

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

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) 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	Application Form received on 31.7.2017
Appendix Ia	Planning Statement attached to Appendix I
Appendix Ib	Letter received on 31.7.2017 providing replacement page of the executive summary
Appendix Ic	Letter dated 30.8.2017 providing clarification on trip rates, vehicular access and pedestrian access in response to departmental comments
Appendix Id	Letter dated 20.11.2017 providing revised master layout plan, master landscape plan and clarification in response to departmental comments
Appendix Ie	Letter dated 15.12.2017 providing a total of 64 supporting letters from local community and Christian community in the northwest New Territories

Appendix If	Letter dated 12.3.2018 providing brief summary of the applicant's background and clarification in response to departmental comments
Appendix Ig	Letter dated 13.4.2018 providing clarification in response to departmental comments
Appendix Ih	Letter of 4.7.2018 providing revised master layout plan, revised tree preservation proposal, clarification in response to departmental comments, and consent letter from Shell Hong Kong Limited
Appendix Ii	Letter of 9.8.2018 providing figures of the number of employees and students, and technical clarification on SIA
Appendices II-1 to II-5	Public Comments Received During Statutory Publication Period
Appendix III	Detailed Comments of Government Departments Concerned
Appendix IV	Advisory Clauses
Drawing A-1	Comparison of Existing and Proposed Master Layout Plan
Drawing A-2	Floor Plan of the Proposed New Campus Building – G/F
Drawing A-3	Floor Plan of the Proposed New Campus Building – 1/F
Drawing A-4	Floor Plan of the Proposed New Campus Building – 2/F
Drawing A-5	Floor Plan of the Proposed New Campus Building – Roof
Drawing A-6	Sections of the Proposed New Campus Building
Drawing A-7	Proposed Master Landscape Plan
Drawing A-8	Proposed Drainage Arrangement
Drawing A-9	Vehicular and Pedestrian Access
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and 4b	Site Photos

**PLANNING DEPARTMENT
AUGUST 2018**