

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL/252

<u>Applicant</u>	Yuen Long Baptist Church represented by DeSPACE (International) Limited
<u>Site</u>	Lots 1694, 1695 S.F RP (Part) and 3721 in D.D. 120, Tai Kei Leng, Yuen Long, New Territories
<u>Site Area</u>	1,762.29m ²
<u>Lease</u>	(i) Lots 1694 and 1695 S.F RP :- Block Government Lease (demised for agricultural use) (ii) Lot 3721:- Under New Grant No. 529 (restricted for non-industrial use and only a church is allowed with building height (BH) restriction not exceeding 11m and 2 storeys)
<u>Plan</u>	Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/23
<u>Zoning</u>	“Government, Institution or Community(1)” (“G/IC(1)”) (about 81%) <i>[Restricted to a maximum BH of 3 storeys (8 storeys for ‘School’ and ‘Hospital’ uses) excluding basement(s). Based on the individual merits of a development or redevelopment proposal, minor relaxation of the BH restriction may be considered by the Town Planning Board on application under s.16 of the Town Planning Ordinance]</i> “Village Type Development” (“V”) (about 19%) <i>[No development restriction for ‘School’ and ‘Religious Institution’ uses]</i>
<u>Application</u>	Proposed Composite School and Religious Institution (Church) Development, with minor relaxation of BH Restriction

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed composite building comprising school and religious institution (church) on the application site (the Site) which is mainly zoned “G/IC(1)” (81%) and a minor portion zoned “V” (19%) on the OZP. Planning permission is also sought for proposed minor relaxation of BH restriction under the “G/IC(1)” zone from 3 storeys to 8 storeys (excluding 2 basement

floors) for the proposed composite development. The location of the Site is shown in **Plans A-1** and **A-2**.

- 1.2 Under the “G/IC(1)” zone, ‘School’ and ‘Religious Institution’ are Column 1 uses which are always permitted. Development within the zone is restricted to a maximum BH of 3 storeys (8 storeys for ‘School’ and ‘Hospital’ uses) excluding basement(s). The application seeks planning permission for minor relaxation of BH restriction for the proposed 8-storey composite development (excluding 2 levels of basement carparks), i.e. a 8-storey school cum religious institution development with the lowest 3 floors to accommodate a church use and the upper 5 floors for school use. Furthermore, under “V” zone, while there is no development restriction on both ‘School’ and ‘Religious Institution’ uses, they are Column 2 uses which require planning permission from the Town Planning Board (the Board).
- 1.3 The proposed composite development comprises a church hall and ancillary church accommodations occupying the lowest 3 floors (with 680 seats in total) while the upper 5 floors are for school use including kindergarten (16 classes), special education, cooking class, canteen, ancillary office and quarters. Car parking and loading/unloading (L/UL) bays will be provided at 2 basement levels. The composite building and the basement car parks will not encroach onto the “V” zone portion of the Site which will be reserved largely for amenity and landscaping. Vehicular access to the Site will be via Tai Tong Road connecting to the basement car parks (**Plan A-2**). The proposed development involves a plot ratio (PR) of 4.7 with gross floor area (GFA) of about 8,282m², of which 5,579 m² (67.4%) are for school use and 2,703m² (32.6%) for church. The proposed site coverage (SC) is 72% and the maximum BH is 34.6mPD. The proposed open space area is about 649.879m². Total greenery area would be about 362.79m².
- 1.4 There would be 32 teaching staff and 8 management/supporting staff for the proposed kindergarten while 50 staff would be for the church. For the 4/F special education area, there would be 6 trainers, 12 trainees (parents, teachers and special education need (SEN) practitioners) and 6 to 12 SEN students. As for the 5/F cooking class area (including ancillary kitchen and canteen), there would be 3 teaching staff, 12 students and 2 supporting staff.
- 1.5 The applicant has submitted technical assessments with respect to traffic and visual aspects to demonstrate that the proposed scheme will not have adverse impacts on the concerned aspects. To minimise the visual impact on the surroundings, a stepped-height BH concept is proposed with the lower 6-storey portion facing Tai Tong Road while the higher 8-storey portion nearer to the “V” zone. Building setback and smaller footprint are adopted for wider ground level space for landscaping improvement. There would be no building structure in the “V” zone portion of the Site which would be reserved for visual relief space and area for landscape opportunities (**Drawing A-5**). Amenity planting will be provided on the podium and rooftop levels for landscape softening. To reduce the traffic impact on Tai Tong Road, the applicant proposed to adopt a mandatory school bus policy in that all students would be restricted to arrive/leave by school buses, taxis or public transport. There would be L/UL bays and parking spaces to facilitate school buses and taxis/private

cars to pick-up/drop off within the proposed car parks (**Drawings A-1 and A-2**). The existing zebra-crossing at Tai Tong Road outside the Site is proposed to be relocated to the north. Also, a 12m long lay-by is also proposed along Tai Tong Road for the proposed development and the public (**Drawing A-12**).

- 1.6 The proposed development is anticipated to be completed in 2025.
- 1.7 The proposed floor plans, section plans, typical flat floor plan, landscape plans, photomontages, plan for visual mitigation measures, and plan for a new lay-by and relocation of zebra-crossing submitted by the applicant are at **Drawings A-1 to A-12**.
- 1.8 Major development parameters are summarized as follows :

Major Development Parameters	Proposed Scheme
Site Area	1762.29m ² (about)
Plot Ratio	4.7
Maximum Gross Floor Area (GFA)	8,282m ² - School : 5,579m ² (67.4 %) - Church : 2,703m ² (32.6%)
Ancillary Uses GFA	- Church office : 326m ² - School office : 338m ² - Staff quarters : 250m ² - Special education need and Learning resource area : 1,244m ²
Site Coverage	72%
Maximum BH	32.5m (37.9mPD at roof floor)
Total No. of Storeys	8 (excluding 2 levels of basement carparks)
Parking Facilities	
- Private Car Parking Spaces	47 (including 2 disabled car park)
- Motor Cycle Parking Spaces	5
- L/UL Spaces	6
Private Open Space	649.879m ²
Greenery Area	362.79m ²
Major Uses By Floor	
Basement Floors (B/Fs)	Carpark, Loading/Unloading Facilities
G/F	Church/Common Entrance
1/F	Church
1M/F	
2/F	Kindergarten
3/F	

Major Development Parameters	Proposed Scheme
4/F	Special Education Need Learning Area and Learning Resource Area
5/F	Cooking Class Area, Canteen and podium garden
6/F	Ancillary office and quarters
R/F	E&M facilities

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

- (a) Application form and supporting documents received on 9.11.2018 (**Appendices I and Ia**)
- (b) Supplementary information dated 14.11.2018 clarifying the location and boundary of the Site (**Appendix Ib**).
- (c) Further information (FI) received on 7.12.2018 responding to departmental comments on environmental aspect (**Appendix Ic**) (*accepted and exempted from publication and recounting requirements*)
- (d) FI received on 4.3.2019 responding to departmental comments on traffic and visual aspects (**Appendix Id**) (*accepted but not exempted from publication and recounting requirements*)
- (e) FI received on 4.4.2019 responding to departmental comments on visual aspect (**Appendix Ie**) (*accepted and exempted from publication and recounting requirements*)
- (f) FI received on 18.4.2019 responding to departmental comments including GFA breakdown of ancillary uses, greenery area and open space calculations, and numbers of classes, students, staff and church users (**Appendix If**) (*accepted and exempted from publication and recounting requirements*)

1.10 On 4.1.2019, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant's representative so as to allow time for consultation with relevant government departments and preparation of submission of FI in response to departmental comments. Subsequently, FI (**Appendices Id to If**) were submitted on 4.3.2019, 4.4.2019 and 18.4.2019 and the application is submitted to the Committee for consideration 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 **Appendix Ia** and FI at **Appendices Ic to If**, where appropriate. They can be summarized as follows:

Constraints of a Relatively Smaller Site

- 2.1 The portion of the Site zoned as “G/IC(1)” is relatively small in size. The Site is subject to a lot of site constraints and it will impose insurmountable difficulties to meet the current building regulations and will be much less efficient if both uses are to be developed separately into two standalone buildings as allowed under the OZP which affects the adequate GFA provision for quality GIC services. With the relaxed BH to facilitate the implementation of a composite building, planning merits such as better building/layout design, more efficient internal circulation and more shared space could be achieved.

Planning Merit of “Single Site Multiple Use” to Provide More Educational Facilities in One Composite Building

- 2.2 The proposed development is a good example of the implementation of the “single site, multiple use” model in multi-storey developments on “GIC” sites which bears the planning merit to facilitate the consolidation and provision of more GIC facilities in a land-efficient manner. Upon redevelopment, the applicant can provide both church spaces and school services which are in acute demand in the district at the same time in one building.

Design Merits of Wider Building Separation and Stepped Building Height Concept

- 2.3 In accordance with the 80% permitted SC stipulated in the Building (Planning) Regulation, an optimal SC at 72% is proposed to allow wider frontage on the east and wider building separation on the west. A wider ground level space for landscaping improvement by setting back and adopting a smaller building footprint. As the composite building and the basement car parks will not encroach onto the “V’ zone portion, that portion of the Site will be reserved largely for amenity and landscaping to ensure proper air ventilation, sunlight penetration, and help enhance a sense of openness. Also, the stepped BH concept establishes a more permeable building design for visual corridors and air ventilation/wind corridors to encourage wind to penetrate through the urban fabric.

Compatible with Surrounding Areas

- 2.4 Both the church and the school uses are Column 1 uses of the “G/IC(1)” zone. It is compatible with the surrounding areas in terms of land-use, by providing more GIC facilities serving the needs of the local residents. The two proposed uses will share the same street frontage for road access and EVA. The proposed BH is confined at 8 storeys, which give due respect to the BH integrity for school and hospital in “G/IC(1)” zone. Considering the location of the Site with nearby GIC buildings with BH restriction up to 95mPD (around 28 to 30 storeys) high, the proposed 8 storey composite building was considered acceptable and not incompatible with the surrounding environment.

To Serve the Genuine Need of Students and Brethren

2.5 The Site is already rather congested and the sharing of space is intense. Only through redevelopment of the current church could resolve the overcrowded issues and help expend the capacity for ever-increasing religious and school demand and to the benefits of society. The church is on the prevailing list of charitable organization registered under Section 88 of the Inland Revenue Ordinance with effect from 22.6.1987.

To Alleviate the Shortfall in GIC facilities/places through effective use of land resources

2.6 Comparing the Government's criteria of the ratio for GIC facilities stated in the Hong Kong 2030+ and the total area of "G/IC" zones in Yuen Long, it appears to have a shortfall of the provision of GIC places in Yuen Long. The proposed development will address the existing shortfall by providing additional floor space for GIC use.

No Adverse Impacts

2.7 No significant adverse visual impact is anticipated to be generated by the proposed development (**Drawings A-6 to A-11**). The proposed development shall minimize the overall visual impact with the incorporation of the following mitigation measures to be further explored at the later stage of detailed design:

- (i) innovative façade design on form and colour;
- (ii) stepped BH profile for the proposed composite building;
- (iii) building separation;
- (iv) ground level landscape treatments on the boundary of the proposed development;
and
- (v) careful disposition of the proposed development.

2.8 No adverse traffic, environmental, drainage, and landscape impacts are anticipated to be generated by the proposed development.

3. Compliance with the Owner's 'Consent/Notification' Requirement

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. Previous Application

There is a previous planning application (No. A/YL/127) for proposed low-rise residential development (51 houses) and minor relaxation of BH restriction (**Plan A-1**). The application was rejected by the Board upon review on 14.7.2006 and its details are summarized in **Appendix II**.

5. Similar Application

There is no similar application within the same “G/IC(1)” zone on the OZP.

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

6.1 The Site is:

- (a) located to the south of the centre of Yuen Long New Town;
- (b) accessible via Tai Tong Road; and
- (c) currently occupied by a 2-storey church building.

6.2 The surrounding areas have the following characteristics:

- (a) the Site is situated in an area generally occupied by low-density residential and village settlements;
- (b) to its immediate south is a vacant Grade 3 historic building ‘Siu Lo’ and further south is a petrol filling station;
- (c) to its west and south-west are storages, workshops and parking of vehicles;
- (d) to its north-west is a cluster of village houses;
- (e) to its further north across Ma Tong Road comprises high-rise residential developments, and medium-rise GIC uses including Caritas Yuen Long Chan Chun Ha Secondary School (**Plan A-1**); and
- (f) to its east across Tai Tong Road are open storage, warehouse with retail sale and workshop, real estate agencies and car services.

7. Planning Intention

7.1 The “G/IC” zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and

other institutional establishments.

- 7.2 The planning intention of the “V” zone 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. 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 Board.
- 7.3 According to the Explanatory Statement (ES) of the OZP for the “G/IC” zone, to provide flexibility for innovative design, minor relaxation of the BH restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits with reference to the following criteria:
- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus PR granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability; and
 - (e) other factors, such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape, visual and air ventilation impacts, as appropriate, would be resulted from the innovative building design.

8. Comments from relevant Bureaux/Government Departments

- 8.1 The following bureaux/government departments have been consulted and their views on the application are summarized as follows:

Policy Aspects

8.1.1 Comments of the Secretary for Education (SED)

- (a) He has no comment concerning the application from the education point of view.

- (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 Lands Department 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 Fire Services Department and the Buildings Department 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.

8.1.2 Comments of the Secretary of Home Affairs (SHA):

- (a) He has no objection to the application from the religious point of view.
- (b) Should the applicant wish to apply for concessionary land premium for the development at later stage, they will consider the case along prevailing policy and established procedures.

Land Administration

8.1.3 Comments of the District Lands Office/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site comprises 3 private lots. As far as the private lots are concerned, preliminary land status check reviews that Lot Nos. 1694 and 1695 S.F R.P. in D.D. 120 are Old Scheduled agricultural lots but the lease documents cannot be traced. Lot No. 3721 in D.D. 120 is held under New Grant No. 529 as varied and modified by Modification Letter dated 26.4.2000 ('the Conditions'). It is restricted for non-industrial use and only a church development is allowed subject to, among other things, street / open space in front of such building having a width of a least 25ft, the provision of open space at the rear of such building having an area at least equal to 1/2 of the roofed-over area of the building, building depth not exceeding 35ft (unless sufficient lateral windows provided), and BH not exceeding 11m and 2 storeys. In addition, Lot 3721 was granted with a Right of Way ("ROW") over a parcel of government land to its east for passage of pedestrian and emergency vehicles only. In view of the above, the proposed development contravenes the development restrictions under the Conditions.
- (b) It is noticed that both north-eastern and south-eastern portions of Lot No. 1695 S.F R.P. are excluded from the Site but its site area as quoted at 1,762.29m² is greater than the total of the registered site area of the

subject three private lots. Hence, the actual site area and boundary of the private lots involved will be subject to verification at land exchange stage if any land exchange is applied for by the applicant to LandsD.

- (c) In the event that planning permission is given, the applicant has to apply to the LandsD for a land exchange to effect the proposed development. Such application will be considered by the LandsD acting in its capacity as a landlord at its sole discretion and there is no guarantee that the land exchange, including the grant of additional government land (if any), for the proposed development will be approved. In the event that the 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 the LandsD at its sole discretion. Bearing in mind that right of access to the Site will not be guaranteed.
- (d) Notwithstanding the para. (c) above, it is noted that portion of the Site falls within “V” zone. Land within “V” zone or village environ 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 within “V” zones or defined village environs even planning permission is granted by the Board.
- (e) The Site does not fall within the village environs boundary (VEB) of nearby villages but the “V” zone concerned is overlapping with portion of Ma Tin Tsuen VEB (**Plan A-1**). There is no approved or under processing Small House (SH) application within the Site. In the vicinity (30m) of the Site, there are 6 SH applications under processing and no SH application was approved therein. The 10-year forecast of SH demand/number of outstanding SH¹ applications in Ma Tin Tsuen and Lung Tin Tsuen¹ are 80/24 and 81/0 respectively.

Building Aspect

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

He has no objection in principle to the application subject to the comments below:

- (a) The permitted maximum PR and SC of a site depend on the proposed building height and the site classification under the Building (Planning) Regulation. As the Site could not be

¹ Lung Tin Tsuen and Ma Tin Tsuen are situated at the same “V” zone bounded by Shap Pat Heung Road, Kung Um Road, Ma Tin Road and Yuen Long Tai Yuk Road (**Plan A-1**)

classified as a Class A, B or C site as it does not abut on a specified street, the development intensity should be determined under Building (Planning) Regulation 19(3) unless a right of way not less than 4.5m wide is granted by LandsD for the proposed run-in/out of the Site.

- (b) If the Site is classified as Class A site, the proposed development parameter of the Site is acceptable under Schedule 1 of the Building (Planning) Regulation.
- (c) The Site shall be provided with means of obtaining access thereto from a street under the Building (Planning) Regulation 5 and emergency vehicular access shall be provided for all the buildings to be erected on the Site in accordance with the requirements under the Building (Planning) Regulation 41D.
- (d) Disregarding carparking spaces from GFA calculation under the Buildings Ordinance will be considered on the basis of the criteria set out in PNAP APP-2 during building plan submission stage.
- (e) The proposed development should follow and comply with the pre-requisite for GFA concession in PNAP APP-151 and the Sustainable Building Design guidelines stipulated in PNAP APP-152 during the preparation of detailed building design.
- (f) It is noted in applicant's FI submission in **Appendix Id** that the eastern, southern and northern sides of the building will be installed with fixed windows. The applicant should be reminded that the Building (Planning) Regulation 30 and 36 for natural lighting and ventilation by the provision of prescribed windows should be complied with.
- (g) Detailed comment will only be offered during building plan submission stage.

Traffic

8.1.5 Comments of the Assistant Commissioner for Transport/NT, Transport Department (AC for T/NT, TD)

Having reviewed the FI (**Appendix Id**), he has no further comment on the application. Should the application be approved, the following approval conditions (a) to (c) are recommended to be stipulated :

- (a) the submission and implementation of a detailed traffic management plan to the satisfaction of the Commissioner for Transport (C for T) or of the Board;

- (b) the design and provision of the zebra crossing to be relocated to the satisfaction of the C for T or of the Board; and
- (c) the design and provision of the proposed lay-by on government land outside the Site to the satisfaction of the C for T or of the Board.
- (d) The applicant is reminded that no parking, queuing and reverse movement of vehicles on public road are allowed.

8.1.6 Comments of Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD)

- (a) The proposed modification to Tai Tong Road proposed in FI (**Appendix Id**), if agreed by TD, shall be designed and constructed to the satisfaction of TD and HyD. Nevertheless, it is noted that the width of the footpath near the run-in/out of the Site will be relatively narrow after construction of the proposed lay-by. TD's advice should be sought whether the arrangement is acceptable.
- (b) The proposed access arrangement of the Site from Tai Tong Road should be commented by TD.
- (c) If the access arrangement is agreed by TD, the applicant should construct a run-in/out at the access point at Tai Tong Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. The detail design of the run-in/out should be submitted to his department for agreement before commencement of any works.
- (d) His department does not and will not maintain any access connecting the Site and Tai Tong Road. The applicant should be responsible for his own access arrangement.
- (e) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby roads and drains.

Environmental

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

Having reviewed the FI (**Appendix Ic**), he has no further comments on the application. Should the application be approved, approval condition requiring the applicant to submit a sewerage impact assessment to assess the quantity of sewage discharged from the proposed development and associated impacts on the public sewerage to his department's satisfaction should be stipulated.

Urban Design, Air Ventilation and Landscape

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

Based on the applicant's FI (**Appendix Id**), he notes that the applicant has satisfactorily responded to his previous comments on potential visual impacts of the proposed development on the environment. In this regard, his department has no further comment at this stage.

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

Urban Design and Visual

- (a) The Site straddles part of an area zoned "V" and a part of a larger "G/IC(1)" zone. The application seeks approval for development of a composite school and religious (church) development with an 8-storey building on the eastern portion of the Site zoned "G/IC(1)", with minor relaxation of BH restriction from 3 storeys (and 8 storeys for 'School' or 'Hospital' use) to 8 storeys for the proposed composite development. The "G/IC(1)" zone is surrounded by a "V" zone to its north, west and south preoccupied by village houses, with Tai Tong Road to the east. According to the ES of the approved Yuen Long OZP No. S/YL/23, the BH restriction will help ensure that the developments in these sites are in keeping with the adjacent village environment.

Visual Impact Assessment (VIA)

- (b) Upon reviewing the FI submissions of the applicant, including the revised VIA, she noted that the overall visual impact of the proposed development is considered slightly to moderately adverse.
- (c) Given that the applicant has reflected the visual implications of the proposed development in the FI submissions and also proposed various mitigation measures (e.g. innovative facade designs and variation of BHs, etc.) accordingly, she has no further comment from visual and urban design viewpoints.

Landscape

- (d) With reference to the aerial photo of 2018, it is observed that the Site is developed and occupied by an existing building. An existing large tree is observed adjoining the north-eastern corner of the Site. The Site is situated in an area of urban fringe landscape character. Significant change to the landscape character arising from the

application is not envisaged.

- (e) Noted that the proposed building would be in conflict with a small portion of adjoining tree canopy. The applicant is advised that the approval of the application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on the tree works.

Drainage and Sewerage Aspects

8.1.10 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) The applicant is reminded to meet the full satisfaction of the Environmental Protection Department, the planning authority of sewerage infrastructure, for any proposed sewage disposal scheme.
- (b) He has no objection in principle to the application from the drainage point of view. Should planning approval be granted, it is recommended to stipulate approval conditions requiring the submission and implementation of drainage proposal, and the maintenance of the implemented drainage facilities to his department's satisfaction.

Fire Safety

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

- (a) He has no in-principle objection to the subject proposal subject to water supplies for firefighting and fire service installations being provided to the satisfaction of the D of FS.
- (b) Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans and referral from relevant licensing authority.
- (c) The project proponent is advised to observe the following height restriction for kindergarten premises: - 24m maximum height under the Education Regulation 7.
- (d) Furthermore, 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 Building (Planning)

Regulation 41D which is administered by the BD.

Others

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

- (a) No Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work / operation shall not cause any environmental nuisance, pest infestation and obstruction to the surroundings.
- (b) For any waste generated from the operations / activities, the applicant should arrange disposal properly at his/her own expenses.
- (c) Proper licence / permit issued by this department is required if there is any food business / catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.

District Officer's Comments

8.1.13 Comments of the District Officer(Yuen Long), Home Affairs Department (DO(YL), HAD):

His office has thus far not received any comments regarding the subject proposal from daily liaison. Nevertheless, the project proponent is advised to approach the residents, villagers, District Council members concerned, Shap Pat Heung Rural Committee and other resident's organisations, as appropriate, as they may have views on the proposal.

8.2 The following government departments have no comment on/objection to the application:

- (a) Project Manager (New Territories West), Civil Engineering Development Department (PM(NTW), CEDD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD);
- (d) Director of Leisure and Cultural Services (DLCS);
- (e) Commissioner of Police (C of P); and
- (f) Director of Agriculture, Fisheries and Conservation (DAFC).

9. Public Comments Received During Statutory Publication Periods

On 20.11.2018 and 12.3.2019 the application was published for public inspection. During the three-week statutory public inspection periods, which ended on 11.12.2018 and 2.4.2019, a total of five public comments were received. A commenter raises concerns on the application mainly in that it is doubtful whether the development proposal is related to

school use and the proposed BH relaxation is not justified. The proposed development is too high, bulky and obtrusive for the village type planning intention. She also raises queries on large numbers of carparking spaces provided and the management/usage of the proposed recreational facilities (**Appendices IV-1 and IV-2**). Another three comments were from a Yuen Long District Councillor and members of the public expressing their support to the development proposal (**Appendices IV-3 and IV-5**).

10. Planning Considerations and Assessments

10.1 The application is for redevelopment of the existing church on the Site which is mainly zoned “G/IC(1)” (81%) with a minor portion (19%) zoned “V” on the OZP. The redevelopment proposal is for a composite building comprising a 8-storey school cum church development over two storeys basement car park with a church hall and ancillary church accommodations occupying the lowest three floors while the upper five floors are for kindergarten, special education, and ancillary office, canteen and quarters. Planning permission is also sought for proposed minor relaxation of BH restriction under the “G/IC(1)” zone from 3 storeys to 8 storeys (excluding 2 basement floors) for the proposed composite development.

Planning Intention

10.2 The planning intention of the “G/IC” zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. The proposed school and religious institution (church) is in line with the planning intention of the “G/IC” zone. The applicant is a charitable organization recognized under Section 88 of the Inland Revenues Ordinance. The Home Affairs Bureau has no objection to the application from the religious point of view. Also, the Education Bureau has no comment on the application from the education point of view.

10.3 The planning intention of the “V” zone is primarily intended for development of SHs by indigenous villagers. Although the proposed development under application is not entirely in line with the planning intention of the “V” zone, the “V” zoned portion of the Site would only be used for landscaping area. As advised by DLO/YL of LandsD, there is currently no SH application under processing at the Site and there are 6 SH applications under processing in the vicinity of the Site. The 10-year forecast of SH demand/number of outstanding SH application in Ma Tin Tsuen and Lung Tin Tsuen are 80/24 and 81/0 respectively. Notwithstanding this, since the “V” zone portion of the Site is owned by the applicant, there would be no implication on land reserved for SH development.

Compatibility with Surrounding Areas and Development Intensity

10.4 The immediate surrounding areas of the Site are predominantly low-rise, low-density village type developments and temporary structures of 1 to 3 storeys. The proposed composite school and religious institution is not incompatible with

the surrounding areas.

Visual Aspect

- 10.5 CA/CMD2, ArchSD considers that the proposed design and mitigation measures are acceptable in minimizing the potential visual impacts arising from the proposed development on the environment. CTP/UD&L, PlanD has no further comment from visual and urban design viewpoints, as the applicant has reflected the visual implications of the proposed development and also proposed various mitigation measures including innovative facade designs and variation of BHs.

Building Height Relaxation

- 10.6 The subject “G/IC” zone was shown on the OZP since the first draft Yuen Long OZP No. S/YL/1 gazetted on 12.4.1991. It was rezoned to “G/IC(1)” in 2007 with the imposition of BH restriction of 3 storeys (8 storeys for ‘School’ and ‘Hospital’ uses) excluding basement(s) to help ensure that the developments will be in keeping with the adjacent village environment. According to the ES of the OZP, to provide flexibility for innovative design, minor relaxation of the BH restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits with reference to the criteria as set out in paragraph 7.3 above. The proposed minor relaxation of BH restriction is from 3 storeys to 8 storeys with 2 storeys basements for carparking and loading/unloading. In considering that school development up to 8 storeys is always permitted under “G/IC(1)” zone, the proposed composite development has no material difference of BH compared with a 8-storey school. Also it is compatible with the medium-rise GIC uses north of Ma Tong Road, such as Caritas Yuen Long Chan Chun Ha Secondary School.

Technical Assessments

- 10.7 Other concerned government departments including DLO/YL of LandsD, CE/MN of DSD, AC for T/NT, D of FS, CBS/NTW of BD, DLCS and DO(YL) have no objection to or adverse comment on the application. Appropriate approval conditions are suggested in paragraph 11.2 below to address the technical requirements of the concerned government departments.

Public Comments

- 10.8 Among the 5 public comments received, two raise various queries and three support the application. The planning considerations and assessments in paragraphs 10.1 to 10.7 above are relevant.

11. Planning Department’s Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments in paragraph 9, the Planning Department has no objection to

the application.

- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 3.5.2023, 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' consideration:

Approval conditions

- (a) the submission and implementation of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) the submission and implementation of a detailed traffic management plan to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the design and provision of traffic mitigation measures including the lay-by and relocation of zebra-crossing, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (f) the design and provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

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

there is no strong planning justification in the submission for minor relaxation of the building height restriction. The approval of such a relaxation would set an undesirable precedent for other similar applications within the "G/IC(1)" zone. The cumulative effect of approving such applications would result in adverse visual impacts on the area.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 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.
- 12.3 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.

13. Attachments

Appendix I	Application form received on 9.11.2018
Appendix Ia	Supporting documents received on 9.11.2018
Appendix Ib	Supplementary information received on 14.11.2018
Appendix Ic	Further information received on 7.12.2018 providing response to the comments of the Environmental Protection Department
Appendix Id	Further information received on 4.3.2019 providing response to the comments on traffic and visual aspects
Appendix Ie	Further information dated 4.4.2019 providing response to the comments on visual aspect
Appendix If	Further information dated 18.4.2019 comments providing response to the comments including GFA breakdown of ancillary uses, greenery area and open space calculations, and numbers of classes, students, staff and church users
Appendix II	Previous application
Appendix III	Advisory clauses
Appendices IV-1 to IV-5	Public comments on the application received during the public inspection periods
Drawings A-1 to A-4	Floor Plans
Drawing A-5	Section Plans
Drawings A-6 to A-10	Photomontages
Drawing A-11	Plan for visual mitigation measures
Drawing A-12	Plan for new lay-by and relocation of zebra-crossing
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
MAY 2019**