

Previous s.16 Applications covering the Application Site

Approved Applications

Application No.	Proposed Use(s)/Development(s)	Date of Consideration (TPB/RNTPC)
A/TM-LTY Y/2	Residential / Retail Development	17.1.1997 (Approved upon review)
A/TM-LTY Y/93	Proposed Residential Development with Retail Facilities	14.6.2002
A/TM-LTY Y/151	Proposed Residential Development with Retail Facilities with a Minor Relaxation of Building Height Restriction (Amendments to the Scheme Previously Approved under Application No. A/TM-LTY Y/93)	10.8.2007
A/TM-LTY Y/290	Proposed Flat Development and Minor Relaxation of Plot Ratio and Building Height Restrictions	27.3.2015
A/TM-LTY Y/426	Proposed Residential Development (Flat) with Shop and Services Use and Minor Relaxation of Plot Ratio and Building Height Restrictions	19.5.2023

Rejected Applications

Application No.	Proposed Use(s)/Development(s)	Date of Consideration	Rejection Reasons
A/TM-LTY Y/21	Residential / Commercial Development	28.8.1998	(i) to (iii)
A/TM-LTY Y/212	Proposed Flat, Shop and Services and Minor Relaxation of Building Height Restriction	16.3.2012	(iv) to (vi)

Rejection Reasons:

- (i) The proposed development encroaches upon the site of the existing Lam Tei Vegetable

Collection Centre (LTVCC). The proposed development would frustrate the operation of the LTVCC. There is no strong justification in the submission to include the area currently occupied by the LTVCC into the application site.

- (ii) The LTVCC is considered as a potential polluting use that may cause significant adverse environmental impacts to the proposed development. There is insufficient information in the submission to demonstrate that the proposed development would not be affected by the adverse environmental impacts generated by the LTVCC.
- (iii) The Traffic Impact Assessment in the submission is not satisfactory in that it has not demonstrated that the proposed development would not have adverse traffic impact on the local road network. Moreover, the design and provision of the car-parking spaces and vehicular access are not satisfactory.
- (iv) The proposed development comprising three residential blocks with full height noise barriers in between would result in a continuous facade which would have adverse visual impact and was considered incongruous with the urban fringe setting.
- (v) The building design of the proposed development could not meet the planning objective of promoting environmental sustainability through, inter alia, building separation.
- (vi) The applicant failed to demonstrate that the proposed development would not have adverse sewerage impact.

Similar s.16 Applications

Within the subject “C” zone on the Lam Tei and Yick Yuen Outline Zoning Plan (OZP)

Approved Applications

Application No.	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC)
A/DPA/ TM-LTYYY/40	Residential Development	13.1.1995

Rejected Applications

Application No.	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reasons
A/DPA/ TM-LTYYY/7	6-Storey Residential Building	4.3.1994	(i), (ii) and (iii)
A/TM-LTYYY/10	Commercial / Residential Development	8.8.1997	(iv) and (v)

Rejection Reasons:

- (i) The proposed development will be exposed to unacceptable noise impact from Castle Peak Road and the Light Rail Transit and no noise mitigation measures have been proposed in the submission.
- (ii) Insufficient information on vehicular access arrangement has been provided in the submission.
- (iii) The proposed car parking provisions and vehicular circulation arrangement are sub-standard.
- (iv) The development intensity of the proposed development is excessive. The proposed composite commercial/residential development with a combined plot ratio (PR) of 5 exceeds the maximum PR of 3.6 as specified on the draft Lam Tei and Yick Yuen OZP. Under section 16(4) of the Town Planning Ordinance (the Ordinance), the Town Planning Board (the Board) may grant permission only to the extent shown or provided for or specified in the OZP. As the OZP only provides for application for minor relaxation of the PR restriction, the Board cannot, under section 16 of the Ordinance, grant planning permission to the proposed development.
- (v) The proposed development falls within the land requirement limits for the proposed West Rail. The approval of the application may affect the implementation of the railway.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD) that:
- (i) the lot owner has to apply to LandsD for a land exchange. However, there is no guarantee that the land exchange application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by LandsD;
 - (ii) the applicant would be responsible for the management and maintenance for the section of the area underneath the viaduct and associated support columns of the currently within Tuen Ma Line subject to the approval of planning permission and land exchange application. Relevant lease restriction would be imposed subject to departmental comment accordingly;
 - (iii) the road improvement works are proposed along Castle Peak Road – Lam Tei so as to provide a vehicular access to the Development Site via an ingress/egress point off Castle Peak Road – Lam Tei (“the Proposed Road Works”). Comment and agreement should be sought from the Transport Department (TD) and Highways Department (HyD) on the Proposed Road Works;
 - (iv) in the event that TD and/or HyD have no adverse comment on the extent of the Proposed Road Works but only agreed to take up the management and maintenance responsibilities respectively for section or sections of the newly formed road upon its completion, the remaining section or sections of the newly formed road shall be included to form part of the proposed regrant lot, the concerned road section or sections would exclusively serve the proposed development but no others;
 - (v) apart from felling of 19 trees (including 3 trees of undesirable species) within the Development Site, 29 trees within the application site (the Site) but outside the Development Site were also proposed to be fell but without compensatory planting proposal. Among the 29 proposed felling trees, some of them situated within 10 metres from the kerb of Castle Peak Road – Lam Tei is now being maintained by the Leisure and Cultural Services Department (LCSD). Hence, please consider to seek comment from LCSD on the Tree Preservation Proposal (TPP). Besides, please also note that the TPP has not been checked and shall not be construed that agreement will be given to TPP; and
 - (vi) since his office does not possess relevant technical knowledge, he shall defer to the concerned departments to offer comment on various technical assessments (including Traffic Impact Assessment, Visual Impact Assessment, Noise Impact Assessment, Air Quality Impact Assessment, Drainage Impact Assessment and Sewerage Impact Assessment etc.) submitted. However, all mitigation measures, if any, proposed under the aforesaid technical assessments shall be confined to within the Development Site (i.e. the future regrant lot);

- (b) to note the comments of the Chief Estate Surveyor/Railway Development, Lands Department (CES/RD, LandsD) that:
 - (i) part of the Site falls underneath the strata of air space vested in Kowloon-Canton Railway Corporation (“KCRC”) for the operational purpose of West Rail under the West Rail Deed of Vesting (“the Vesting Deed”). The project proponent should ensure no vested air space would be affected or encroached by the project;
 - (ii) part of the Site encroaches upon the Government land (GL) being managed and maintained by KCRC pursuant to the Vesting Deed. Subject to no adverse comment from relevant Government departments, the Government may demand redelivery of such area from KCRC as necessary for the application; and
 - (iii) the Site falls within the West Rail Protection Boundary such that comment from MTR Corporation Limited (agent of KCRC) should be sought from railway protection perspective;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, HyD (CHE/NTW, HyD) that;
 - (i) the proposed arrangement of run-in/out should be commented by TD;
 - (ii) the section of roads serving only the development should be maintained by the Lots owner; and
 - (iii) for road to be managed and maintained by TD and HyD, it should be reverted back to GL;
- (d) to note the comments of the Chief Engineer/Rail Development 1-1, HyD (CE/RD1-1, HyD) that with reference to Development Bureau Technical Circular (Works) (DEVB TC(W)) No. 1/2019 and/or Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-24, please consult MTR Corporation Limited (MTRCL) with respect to the operation, maintenance, safety and any future works required for the existing railway network;
- (e) to note the comments of the Chief Engineer/Mainland North, DSD (CE/MN, DSD) that:
 - (i) there are existing drainage facilities maintained by DSD in the vicinity of the Site (**Plan A-2a**). The applicant shall take extreme care when working in the vicinity of any existing drainage works in order not to disturb, interfere with or cause damage to them. Any blockage or damage to the said works due to the proposed development shall be made good at the applicant’s cost;
 - (ii) the applicant should construct and maintain the proposed drainage facilities properly whether within or outside the Lots and rectify them if they are found to be inadequate or ineffective during operation at their own expense. The applicant shall also be liable for and shall indemnify claims and demands arising out of any damage and/or nuisance caused by failure of their facilities/systems; and
 - (iii) for any works to be undertaken outside the lot boundary, the applicant should

obtain prior agreement from DLO/TM, LandsD and/or the relevant private lot owners;

- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
 - (i) for compliance of site coverage of greenery requirements under PNAP APP-152, submission should be made to the Buildings Department (BD) for comments and approval; and
 - (ii) approval of the application does not imply approval of tree works such as pruning, transplanting and felling. Application for any tree works should be submitted to relevant departments for approval;
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
 - (i) existing water mains will be affected (**Plan A-2a**). The cost of any necessary diversion shall be borne by the project proponent of the proposed development;
 - (ii) in case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5 metres from the center line of the water main shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iii) no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main; and
 - (iv) the Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site;
- (h) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) the emergency vehicular access (EVA) provision shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by BD; and
 - (ii) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, BD (CBS/NTW, BD) that:
 - (i) in this application, there is a 17-storey residential building proposed. Before any new building works are to be carried out on the Site, the prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBWs). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO);
 - (ii) in connection with (i) above, the Site shall be provided with means of obtaining access thereto from a street and EVA in accordance with Regulations 5 and 41D

of the Building (Planning) Regulations (B(P)R) respectively;

- (iii) if any existing structures are erected on leased land without approval of BD (not being a New Territories Exempted House), they are unauthorised under BO and should not be designated for any approved use under the application;
- (iv) for UBWs erected on the leased land, including the existing structures under the application, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under BO;
- (v) if the proposed plot ratio is based on the assumption that Gross Floor Area (GFA) exemption will be granted for green/amenity features and non-mandatory/non-essential plant, rooms etc, the prerequisites in PNAP APP-151 and APP-152 should be complied with;
- (vi) disregarding private car parking spaces from GFA calculation under the BO will be considered on the basis of the criteria set out in PNAP APP-2 during building plan submission stage;
- (vii) the provision of open space for domestic building should comply with Regulation 25 of the B(P)R; and
- (viii) detailed comments under BO to be provided during building plans submission;
- (j) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
 - (i) if the proposal involves any commercial/trading activities, its state should not as to be a nuisance or injurious or dangerous to health and surrounding environment;
 - (ii) if the Food and Environmental Hygiene Department (FEHD) is requested to provide refuse collection service, FEHD shall be separately consulted;
 - (iii) the applicant shall conduct, by all practical means, pest control measures to avoid infestation of pest including mosquitos and rodents at the site and its surroundings; and
 - (iv) the associated works and operations shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses; and
- (k) to note the comments of the Director of Leisure and Cultural Services (DLCS) that:
 - (i) LCSD trees located at Tree group 04 & 05 are being affected by the application (within the Development Site). Yet, the survey data for four trees is different to her record (near lamp post FB2249 & FB2250), please review and provide updated information for her verification upon submission of the revised landscape proposal;

- (ii) LCSD reserves comment on the Tree Preservation and Removal Proposal to be submitted by the applicant for the trees located outside the Development Site when it is available at detailed design stage and/or there are landscape works intended to be handed over to LCSD in future for maintenance in accordance with DEVB TC(W) No. 6/2015; and
- (iii) should any tree under LCSD maintenance be inevitably affected by the captioned, the project department should act in accordance with the prevailing DEVB TC(W) No. 4/2020 and relevant guidelines stipulated by DEVB and other departments. The applicant should observe and adhere to the requirement of DEVB TC(W) No. 4/2020 for necessary compensatory arrangement.

Secretary, Town Planning Board
15/F, North Point Government Offices,
333 Java Road,
North Point,
Hong Kong

Our ref: T&ESD/E&IC/ES/EnvE/L1309

Date: - 6 JAN 2026

By Post and Fax
(Fax no.: 2877 0245 / 2522 8426)

Dear Sir/Madam,

Comments on the Section 16 Planning Application regarding Proposed Residential Development (Flat) with Shop and Services Use and Minor Relaxation of Plot Ratio and Building Height Restrictions at Lots 531 RP, 532 S.D RP and 532 RP in D.D. 130 and Adjoining Government Land, Lam Tei, Tuen Mun, New Territories
(Application No. A/TM-LTYYY/502)
Operational Railway Noise Concerns

The Corporation has, in general, no objection to the captioned Section 16 application (Application No. A/TM-LTYYY/502) for a proposed residential development (flat) with shop and services use and minor relaxation of plot ratio and building height restrictions at Lots 531 RP, 532 S.D RP and 532 RP in D.D. 130 and Adjoining Government Land, Lam Tei, Tuen Mun, New Territories. As the proposed development is situated close to the MTR Tuen Ma Line (TML) and Light Rail (LR), noise from train operations could potentially impact future occupants.

We note that this planning application mainly involves an increase of nearly double the number of residential units compared to the previously approved scheme in 2023 under Application No. A/TM-LTYYY/426, and that in the new scheme, the single-aspect building design adopted in the previous scheme has not been retained, and nearly half of the residential units will directly face the TML viaduct.

We understand that the applicant has already conducted a Noise Impact Assessment, including a Railway Noise Impact Assessment (RNIA), which will be reviewed by the Environmental Protection Department (EPD) to ensure full compliance with the statutory requirements.

According to the RNIA, fixed glazing, acoustic windows (baffle type) and enhanced acoustic balconies (baffle type) are recommended for certain residential units to meet statutory requirements, while units with marginal compliance will not receive noise mitigation measures.

Our ref: T&ESD/E&IC/ES/EnvE/L1309

Date: - 6 JAN 2026

We wish to caution that, despite the existing a noise enclosure near the subject site, the close proximity of only about 15 meters between the TML viaduct and the future residential units raises concern about structure-borne re-radiated noise from the TML viaduct enclosure. This condition may contribute to potential noise concerns for the future occupants, which may influence their overall comfort.

We recommend that the project proponent conduct an updated RNIA during detailed design stage by collecting more recent and specific on-site noise data, which can be used to validate the accuracy of the computer noise model for the assessment. The project proponent is also recommended to review the adequacy of the proposed noise mitigation measures, making reference to similar property development projects in close proximity to the TML viaduct where single aspect building design or full implementation of acoustic windows/balconies is normally adopted, so as to ensure a more comfortable living environment for future occupants.

It is also recommended that the project proponent conduct on-site noise measurements to verify the assumed noise reduction effectiveness of acoustic windows/balconies, ensuring that the noise levels at all floors are within the statutory limits before occupation.

Should approval be granted to the Section 16 Planning Application, we respectfully urge the Town Planning Board to give due consideration to our concerns and impose related development requirements through planning approval conditions.

Should you have any queries, please feel free to contact our Lead Environmental Manager Ms. Catherine Leung at [REDACTED]

Yours faithfully,



Chan Hing Keung
Chief of Operations Engineering Service & Innovation

c.c Mr. TAM Cheuk Wai, Gary - Assistant Director of EPD (Environmental Assessment)
Dr. LAW Chi Wing - Principal Environmental Protection Officer
(Assessment & Noise)

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年01月06日星期二 3:58
收件者: tpbpd/PLAND
主旨: Re: A/TM-LTYY/502 DD 130 Lam Tei
類別: Internet Email

A/TM-LTYY/502 (426) (290)

Lots 531.RP, 532 S.D RP and 532 RP in D.D. 130 and Adjoining Government Land, Lam Tei

Site area: About 3,936.347sq.m (1,569.02sq.m) (1,716.65m²) Includes Government Land of about 3,287.847sq.m (905.72 (1,053.35m²))

Zoning: "Commercial"

Applied Development: 336 (184) (132) Units / PR 5 (3.69) / 20 (19) (12) Storeys / OS 874sq.M (378) (520)sq.m / 54 (33) (17) Vehicle Parking

Dear TPB Members,

426 approved 19 May 2023. But despite numerous approvals over many years, the developer is holding out for GIMME MORE.

Strong Objections. Increase in height and bulk and more residents squeezed into ever smaller units. **"an average unit size of about 32.55m²". This is barely over the newly required minimum size and certainly not adequate for a family with children.**

*The Applicant has proactively increased flat supply by 152 units under the Revised Development Scheme, which is **in line with the Government's ongoing policy** and the Long-Term Housing Strategy to provide residential flats.*

Really, but the propaganda the community has been fed its that the increasing development in NT would provide better living conditions and quality of life. But this plan is for 300+ mini units sandwiched between a busy highway and railway line with the Open Space actually not open but under cover. That the OS for this development be genuine is essential in view of the small size of the units and the isolated nature of the site that makes it difficult for carers of young children and the elderly to venture out to alternative recreational spaces.

No indication as to the length of the building. New members should note that in 2023 some members had reservations about the wall effect. Now additional height and does the plan comply the maximum 60mts stipulation?

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

Previous objections applicable and upheld. The site is GL. It should not be granted to a development that provides an inferior level of accommodation.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 12 October 2022 3:10 AM HKT
Subject: A/TM-LTTY/426 DD 130 Lam Tei

A/TM-LTTY/426 (290)

Lots 531 RP, 532 S.D RP and 532 RP in D.D. 130 and Adjoining Government Land, Lam Tei

Site area: About 1,569.02sq.m (1,716.65m²) Includes Government Land of about 905.72 (1,053.35m²)

Zoning: "Commercial"

Applied Development: 184 (132) Units / PR 5 (3.69) / 19 (12) Storeys / OS 378 (520)sq.m / 33 (17) Vehicle Parking

Dear TPB Members,

The site was the subject of five previous applications for proposed residential development with retail facilities. The last approved Application No. A/TM-LTTY/151 was approved with conditions by the Committee on 10.8.2007.

Application 290 approved 27 March 2015. The applicant also stated that the only implication was that the average flat size would change from 48m² to 46m² (i.e. 2m² less).

To mitigate the traffic noise impact on the site which was sandwiched between the elevated West Rail (WR) and at grade Light Rail (LR) to the west and Castle Peak Road – Lam Tei to the east, the applicant proposed single-aspect building design with non-noise sensitive rooms directly facing the WR and LR and architectural fins of 0.6m to 1m long, fixed windows and acoustic windows facing Castle Peak Road – Lam Tei.

This is a classic example of why we have the much lamented shortage of housing. Approved in 2007 but now it is 2022 and the developer is still procrastinating and looking to substantially increase the mass of the development.

That a residential development was approved in the first place for a site so exposed to both road and rail traffic is shocking. However back in 2007 the Tuen Ma Line had not been conceived and the traffic on the MTR was far less than it is now. In addition we had yet to encounter traumatic health issues like Sars and Covid that have underlined the importance of good ventilation in homes.

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The increase in PR is anything but minor. The location is clearly not suitable for human habitation because of significant increases in both rail and road traffic – development of Northern Metropolis will further impact – and the inevitable further degradation of air quality and increase in noise levels.

Note also that the footprint and OS have been further reduced but the number of units increased. So much for the much touted improvements in living conditions.

At most members should demand that the developer get on with the approved development. Approval would merely encourage further delays.

Mary Mulivhill

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

260210-154607-28325

提交限期

Deadline for submission:

20/02/2026

提交日期及時間

Date and time of submission:

10/02/2026 15:46:07

有關的規劃申請編號

The application no. to which the comment relates:

A/TM-LTY Y/502

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 桃園圍原居民代表李祖貽

意見詳情

Details of the Comment :

本人同意上述申請!

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年07月07日星期二 23:48
收件者: tpbpd/PLAND
主旨: Re: A/TM-LTYT/502 DD 130 Lam Tei
類別: Internet Email

DearTPB Members,

Note that the tree compensation is not 1;1 and the new 'trees' will be PALMS.

Palm trees belong to a large family of flowering plants called *Arecaceae*. They provide no shade and are nothing more than decorative plants.

This development is a classic ploy that creates unsightly mosquito infested plots. Delay, delay, delay, wait for yet another Policy excuse to increase GFA, like the recent parking relaxation. There should be more strict supervision to ensure Use it or Lose it to encourage developers to get on with the project once they have secured a reasonable approval.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 6 January 2026 3:58 AM HKT
Subject: Re: A/TM-LTYT/502 DD 130 Lam Tei

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