

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H12/30

- Applicant** : Sydney Fung & Son Limited represented by KTA Planning Limited
- Site** : 17 Bowen Road (Inland Lot (IL) 2460) and its adjacent Government Land (GL), Mid-Levels, Hong Kong
- Site Area** : About 89.6m²
- Land Status** : GL (about 69.7m² or 77.8%)
IL2460 (about 19.9m² or 22.2%)
 - restricted to one house of European type with a maximum height of thirty-five feet and its exterior elevation and disposition require approval under lease
 - shall construct a road or path within the Right of Way (ROW) and shall uphold and maintain such road or path and everything forming portion of it or appertaining to it
- Plan** : Approved Mid-Levels East Outline Zoning Plan (OZP) No. S/H12/14
- Zoning** : “Green Belt” (“GB”) [about 77.8%]
“Residential (Group C) 1” (“R(C)1”) [about 22.2%]
 - restricted to the maximum building height (BH) of 10.67m, or the height of the existing building, whichever is the higher
 - the maximum BH for all building development should be measured from the existing mean site formation level. The overall BH should not exceed 4 storeys including carports
- Application** : Proposed Access (Inclined Lift) for the Existing Residential Development

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed access (inclined lift) exclusively serving the existing residential development, a single house at 17 Bowen Road (known as Caronia) situated on a platform approximately 27m above Bowen Road and immediately to the south of the application site (the Site). The Site comprises a strip of hillside slope of approximately 26 degrees in gradient situated between Bowen Road and Caronia. It is predominantly GL falling within an area zoned “GB” (about 77.8%), with a minor portion encroaching onto a private lot (where Caronia is situated) which falls within an area zoned “R(C)1” (about 22.2%) on the approved Mid-Levels East OZP No. S/H12/14 (**Plan A-1**). The

proposed access (inclined lift) is intended solely for the use of residents of Caronia and is therefore considered an integral part of the 'house' use which requires planning permission from the Town Planning Board (the Board) for the part falling within the "GB" zone, while the part within the "R(C)1" zone is always permitted. The Site is currently partly occupied by a manual goods conveying system¹(**Plans A-8 and A-9**).

Proposed Access (Inclined Lift) Connecting the Existing House and Bowen Road

- 1.2 Currently, the house has no vehicular access and is accessible only via an existing pedestrian ROW branching off from Bowen Road (about +120mPD). The ROW comprises a staircase, followed by a bridge spanning a stream course and a 1.5 to 2m wide winding footpath. A separate flight of stairs, located beyond the ROW and on GL, provides further ascent to the house (**Plans A-4, A-7 and A-8**). According to the applicant, the current proposal is intended to facilitate the re-alignment of the existing ROW², which will be partially replaced by the proposed inclined lift and existing staircase, so as to enhance accessibility for the residents of Caronia.
- 1.3 According to the proposed layout submitted by the applicant (**Drawing A-2**), the proposed inclined lift system will connect the lower section of the ROW (+127.6mPD) uphill to the front garden of the house (+146mPD). The system, which occupies a total area of about 89.6m² (subject to further review in the detailed design stage), comprises (a) a lift compartment measuring about 2.2m in height, 1.2m in width and 1.5m in length; (b) an inclined track approximately 32m in length with 1.1m to 1.5m high perforated boundary fences and maintenance footpaths along both sides of the track; and (c) two aboveground landing platforms of about 2m x 2m with an underground machine room under the upper landing platform. The applicant confirms that the existing temporary manual goods conveying system currently occupying the Site (**Plans A-8 and A-9**) will be replaced by the proposed inclined lift, and that the lift is intended to provide easier access to Caronia, but not to fulfil any statutory or non-statutory requirements on barrier free access provision.
- 1.4 The applicant had previously submitted four planning applications (No. A/H12/3, 14, 18 and 28) (**Plan A-2 and Appendix III**) for the provision of access (inclined passenger lift, vehicular access, and ancillary car parking spaces) to the house at 17 Bowen Road. All were rejected by the Metro Planning Committee (the Committee) or the Board upon review, and appeals lodged against the Board's decision were dismissed by the Town Planning Appeal Board (TPAB) between 1992 and 2015 (details at Paragraph 5 below). In response to concerns raised by the Board in these earlier applications, particularly regarding potential impacts on public amenity and the nearby declared monument (i.e. the 21-arch Section of the Bowen Aqueduct) (**Plans A-4 and A-11**), the applicant states that the current proposal for an inclined lift has been deliberately sited away from both Bowen Road and the declared monument to avoid interface issue and to strike a balance between accessibility,

¹ The applicant asserts that the existing manual goods conveying system is of a temporary nature. There is no record of any planning permission, lease modification/ land grant, or building plans for the manual goods conveying system and flight of stairs.

² Details of the re-alignment proposal are subject to further discussion and negotiation with relevant Bureaux/ Departments (B/Ds) in the subsequent land administration stage.

convenience and preservation of the declared monument. To further mitigate visual impact, the applicant proposes sensitive design features, including a compact and glassy lift compartment, non-reflective materials, and a natural colour tone. The applicant further contends that the proposed lift will be largely screened by existing vegetation, with no direct sightline from Bowen Road (**Drawing A-5**).

Tree Preservation and Landscape Proposal

- 1.5 As outlined in the Tree Preservation and Landscape Proposal submitted by the applicant, five of the 11 existing trees surveyed within and in close proximity to the Site will be affected by the proposed development (**Drawing A-3**). None of these trees is classified as old and valuable trees (OVT), protected species and Tree of Particular Interest (TPI). The applicant proposes to fell two affected trees within the Site (T9 and T11) and three affected trees outside the Site (T01, T02 and T08) and to compensate by planting eight new standard trees along the eastern and western peripheries outside the Site (**Drawing A-4**), resulting in a compensation ratio of 1: 1.6

Place-making Proposal

- 1.6 To enhance the planning merit of the proposal, the applicant proposes to install a curated signboard (**Drawing A-6**). According to the applicant, the panel would feature a directional marker guiding visitors and tourists toward the declared monument (the 21-arch Section of the Bowen Aqueduct) along with curated background information.

Site Formation Works

- 1.7 According to the submitted Geotechnical Planning Review Report (GPRR), the affected slope will be upgraded to achieve an adequate factor of safety through the installation of new soil nails and/or rock dowels, subject to detailed engineering design. Proper surface drainage systems will be provided to channel runoff into the natural stream course. All construction materials and plants shall be transported via the existing public road and footpath.
- 1.8 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 10.3.2026 (**Appendix I**)
 - (b) Supporting Planning Statement (SPS) received on 10.3.2026 (**Appendix Ia**)
 - (c) FI received on 23.6.2026 (**Appendix Ib**)
- 1.9 On 8.5.2026, the Committee agreed to defer making a decision on the application for two months in order to allow time for the applicant for preparation of FI to respond to departmental comments.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the SPS and FI at **Appendices Ia and Ib**, which are summarised as follows:

- (a) 17 Bowen Road is situated on a steep slope with no direct vehicular access and barrier-free facilities. The proposed inclined lift would effectively improve accessibility for residents, particularly elderly or people with disability on a steep site, thereby enhancing the overall liveability, inclusivity and safety of the property. The proposal is designed to achieve these benefits without compromising the integrity of the “GB” zone;
- (b) the proposed access is in line with the Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) as it is small and minimal in scale, and serving only essential access functions. Sensitive design features, such as non-reflective finishes and natural colour tone, will ensure negligible visual impacts, allowing seamless integration with the surrounding environment;
- (c) the proposed access is compatible with the surrounding environment in terms of land use and character, i.e. low-rise residential character of the area including hard-paved infrastructures such as staircases and footpaths;
- (d) to avoid adverse effects on public amenity and the nearby declared monument, the proposed lift is deliberately sited away from the public walking trail along Bowen Road (**Plan A-4**). The Site is located on GL, fully gated, and not publicly accessible. Through careful siting and alignment, the proposed development will not adversely affect public enjoyment of the area or the historical value of the monument;
- (e) adjustments have been incorporated into the current proposal in response to the Board’s concerns raised in previous planning applications, including optimised site selection, a substantial reduction in site area (**Appendix III**) and disruption on the “GB” zone;
- (f) through the proposed signboard, the Bowen Road fitness trail would be transformed into an enriched historical pathway, offering the public an enhanced opportunity to pause, connect with, and appreciate the legacy of this historic landmark;
- (g) the proposal has no adverse geotechnical, visual and landscape impacts. A GPRR has been prepared to demonstrate the geotechnical feasibility of the proposed works. Whilst a natural terrain hazard study is not required, detailed geotechnical assessment report, and detailed design and works proposal of associated works shall be submitted for approval at subsequent stages. Photomontages (**Drawing A-5**) demonstrate that the proposed inclined lift will be largely or entirely screened from views along Bowen Road by existing vegetation. Compensatory trees at a ratio of 1:1.16 will also be implemented at the immediate surrounding of the Site and the landscape environment of the area will be enhanced by the current proposal;

- (h) approval of this application would be consistent with the Board's previous decisions on similar applications in the Peak Area OZP and the Tsuen Wan West OZP. The current application will not set any undesirable precedent; and
- (i) no temporary access road or haul road will be required during construction, and no insurmountable environmental impacts are anticipated.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection. For the GL portion within the Site, TPB PG-No. 31B is not applicable.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) are relevant to the application. The relevant assessment criteria are detailed at **Appendix II**.

5. Previous Applications

- 5.1 There are four previous applications (No. A/H12/3, 14, 18 and 28) associated with the provision of an inclined passenger elevator/ access, and/or ancillary car parking spaces within the "GB" zone linking Bowen Road to the house at 17 Bowen Road. All four applications were submitted by the same applicant as the current application (**Plan A-2**).
- 5.2 Application No. A/H12/3 was for an inclined passenger elevator within the "GB" zone connecting the house to Bowen Road. The application was rejected by the Board upon review in 1992, and the appeal was dismissed by the TPAB in 1993 on the grounds that the proposed development in the "GB" zone, although having only a slight environmental impact, had no benefit to the public at large and should not be allowed merely to enhance the amenity of a single house.
- 5.3 Applications No. A/H12/14, 18 and 28 were for vehicular access with or without car parking spaces within the "GB" zone linking Bowen Road to the house. These applications were rejected by the Committee or, upon review, by the Board between 2002 and 2015. The rejections were mainly based on the grounds that the proposed developments were not in line with the planning intention of the "GB" zone and TPB PG-No. 10. The proposed developments were intended solely for the convenience of a single house at the expense of public interest which did not warrant a departure from policy of discouraging development within "GB" zone. In addition, there may have been adverse landscape and visual impacts, and/ or interface issues with pedestrian and the declared monument. Details of the four previous applications are summarised at **Appendix III**.

6. Similar Applications

- 6.1 There are three similar applications (No. A/H12/16, 21 and 29) within the Mid-levels East OZP (**Plan A-1**).
- 6.2 Application No. A/H12/16 was for an elevated podium to accommodate a vehicular ramp with carparking spaces on a piece of GL mostly zoned “GB” with a minor portion zoned “R(C)1” to serve an existing residential development at 15 Bowen Road. The application was rejected by the Board upon review on 24.1.2003, primarily due to departure from the planning intention of the “GB” zone, the setting of an undesirable precedent, and adverse landscape and visual impacts.
- 6.3 Applications No. A/H12/21 and 29 are both related to 16 Bowen Road. Application No. A/H12/21 was for a 3-storey house redevelopment within the “R(C)1” portion and ancillary facilities including a garden, a vehicular access and an open staircase within the “GB” portion. The house and garden use were in existence before the publication of the draft Mid-levels East OZP no. S/H12/1 in August 1985. Application No. A/H12/29 was for proposed ancillary facilities, including a vehicular access, car parking spaces, mechanical and electrical facilities, an elevator, a footbridge, gardens, and fence/retaining walls within the “GB” portion. Both applications were approved with conditions by the Committee in 2008 and 2014 respectively, mainly on the considerations that this “GB” portion was a paved area and did not involve the clearance of existing natural vegetation or affect the existing natural landscape, and would not adversely affect slope stability. All relevant government departments had no adverse comments on the provision of the proposed ancillary facilities within the “GB” zone. The applications generally complied with the relevant planning criteria in the TPB PG-No. 10. Details of the three similar applications are summarised at **Appendix IV**.

7. The Site and Its Surrounding Areas (**Plans A-1 to A-4** and Photos on **Plans A-5 to A-11**)

- 7.1 The Site is:
- (a) mainly a strip of slope, which is partially occupied by a manual goods conveying system and partially covered by vegetation (**Plans A-2, A-8 and A-9**), with a portion encroaching upon a platform of the residential house named Caronia at 17 Bowen Road (**Plan A-10**); and
 - (b) located about 15m above the declared monument known as the 21-Arch Section of the Bowen Aqueduct³, which forms a section of Bowen Road and the Bowen Road fitness trail (**Plans A-4 and A-11**).
- 7.2 The surrounding areas have the following characteristics:

³ The 21-Arch Section of the Bowen Aqueduct that forms part of Bowen Road was constructed between 1885 and 1887. It is part of the 22 historic structures of Tai Tam Group of Reservoirs which were declared as monuments in 2009.

- (a) to the immediate north is Bowen Road, which is a popular jogging and hiking trail. The section of Bowen Road to the east of Bowen Road Park up to the ROW for the house at 17 Bowen Road is sub-standard vehicular access approximately 3m to 4m wide, which is subject to a 24-hour weight restriction for vehicles exceeding 4 tonnes. This section of Bowen Road is characterised by a tranquil neighbourhood environment, with four low-rise, low-density residential developments (i.e. 12, 15, 16, and 17 Bowen Road) scattered along it. Further north of the Site are natural and man-made slopes covered with dense vegetation;
- (b) to the northeast is the declared monument, known as the '21-Arch Section of the Bowen Aqueduct', which is about 2m wide forming part of the Bowen Fitness Trail which is accessible to vehicles with permit holders; and
- (c) to the immediate west of the Site is an existing stream flowing downhill. Further west are two new houses within the residential lot zoned "R(C)1" (IL2304& Ext at 16 Bowen Road) and a single-storey government garage (HKNHX678) providing four parking spaces under short-term tenancy granted to the applicant.

8. Planning Intention

The "GB" zone is intended primarily for the conservation of the existing natural environment amid the build-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within the "GB" zone.

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/Hong Kong East, Lands Department (DLO/HKE, LandsD):

- (a) the proposed inclined lift and the associated works fall within a portion of IL2460 and part of the ROW designated for IL2460 under lease. IL2460 is held under a government lease for a term of 75 years from 24.12.1923, renewable for 75 years. According to the lease conditions, development on IL2460 is restricted to one house of European type with a maximum height of thirty-five feet, and its exterior elevation and disposition require approval under the lease. Besides, the Lessee shall construct a road or path within the ROW and shall uphold and maintain such road or path and everything forming a portion of it or appertaining to it to the satisfaction of the Director of Public Works;

- (b) the owner of the house has obtained a short-term tenancy (STT No. NHX678) from the LandsD to use the government garage about 70m away on Bowen Road (**Plans A-4 and A-10**) to serve their parking needs;
- (c) the existing manual conveying system at the Site, the gate erected on the ROW and the flight of stairs involve unauthorized occupation of GL. As per the site inspection by his office on 8.7.2026, unauthorised occupation of unleased and unallocated government land (UUGL) by the owner of the lot was observed. The applicant is required to rectify the unauthorised occupation of UUGL. The land application related to the planning application will not be processed until the abovementioned illegal occupation of UUGL is rectified;
- (d) the proposed inclined lift also falls within GL and would affect Slope Feature No. 11SW-D/1400 maintained by the owner of IL2460 (**Plan A-4**). The area of the proposed inclined lift is subject to survey. As the proposed inclined lift would affect the existing slope, expert advice from Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) and Slope Maintenance Section of LandsD should be sought as to whether the proposed inclined lift would adversely affect the slope stability;
- (e) according to para. 3.1.1 of the SPS (**Appendix Ia**), the proposed inclined lift provides a barrier-free access to enhance accessibility for the residents of IL2460. In this regard, advice from relevant departments, including Transport Department (TD) and Buildings Department (BD), should be sought. Subject to the advice of relevant B/Ds, the Roads (Works, Use and Compensation) Ordinance (Cap. 370) may need to be invoked in order to effect the proposed inclined lift. In this connection, subject to paragraph (f) below, the applicant has to bear all relevant costs (e.g. government administrative costs and compensation) for processing the proposed inclined lift under Cap. 370;
- (f) while the applicant has not mentioned the future maintenance and management of the proposed inclined lift subject to paragraph (g) below, the applicant should take up the responsibilities of maintenance and management of the proposed inclined lift, including the portion/area falling within GL; and
- (g) the proposed inclined lift to be erected within IL2460, the ROW and the adjacent GL is considered non-compliance with the lease conditions. If the planning application is approved, the owner of IL2460 needs to apply for a lease modification and/or other appropriate land documentation to implement the subject proposal. However, it must be stressed that there is no guarantee that such application will be approved, and if such application is approved by this department, acting in its capacity as the landlord, at its discretion, it will be subject to such terms and conditions, including payment of premium and fees as imposed by this department.

Traffic

9.1.2 Comments of the Commissioner for Transport (C for T):

- (a) vehicular access to Bowen Road is via Bowen Drive which has been designated as a prohibited zone for vehicles exceeding 4 tonnes in permitted gross vehicle weight (**Plan A-1**);
- (b) it is noted from the submission that the proposed inclined lift serves as a private access facility connecting the private residential lot (IL 2460) and part of the ROW designated for the lot under lease, which is located away from public roads and does not serve as a public vehicular or pedestrian access. Furthermore, the Site also falls within GL and will affect a slope feature, which is outside the management ambit of TD. Since the proposed inclined lift is not related to the management of public roads, she is not in a position to offer comments on the planning application of the proposed inclined lift; and
- (c) notwithstanding the above, if the planning application is approved, the applicant is required to (i) submit a construction traffic impact assessment and (ii) devise and implement appropriate temporary traffic and transport arrangements on any affected public roads prior to the construction and operation of the proposed inclined lift, taking into account the severe geometric and traffic constraints of Bowen Road, to mitigate any potential traffic impact on the adjacent public road network during the construction and operation of the proposed inclined lift.

9.1.3 Comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD):

- (a) the current vehicle weight restriction (i.e. Bowen Drive is designated as a prohibited zone for vehicles exceeding 4 tonnes in gross weight (except buses), 24 hours daily) should be maintained during the construction and operation stage;
- (b) the loading and unloading of materials and machinery, and the access path for construction works should be provided to this office, especially to the structural maintenance team, for comment, as highways structure No. HF10 (Bowen Road) is located in the vicinity of the construction site;
- (c) the proposed method statement, including the foundation plan, hoarding plan, and drainage plan should be provided to this office to ensure minimal disturbance to the existing carriageway and footpath; and
- (d) Bowen Road is currently a major jogging path, the proposed construction works should minimize the effect on pedestrian and traffic flow along Bowen Road.

Building Matters

9.1.4 Comments of the Chief Building Surveyor/Hong Kong East and Heritage, BD (CBS/HKE&H, BD):

- (a) in case LandsD approves a lease modification and/or other appropriate land documentation to the GL under the subject proposal, BD would also have no in-principle objection under the BO to the s.16 application;
- (b) detailed comments on the proposed works including those on the GL will be provided upon formal building plans submission; and
- (c) whether the proposed access by inclined lift could effectively enhance accessibility of the residential house is outside the ambit of the BO, and the BO is not in a position to provide comment.

Urban Design and Visual

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

she has no adverse comment on the application from visual perspective. It is noted from the updated SPS that an inclined lift of about 32m in length is proposed to link the lower section of the existing right of way leading from Bowen Road (+127.6mPD) to the platform of Caronia (+146mPD). As the proposed lift is small in size and scale (with a dimension of about 2.2m in height, 1.2m in width and 1.5m in length) and would be largely shielded off by the existing vegetation when viewed from Bowen Road, no significant adverse visual impact is anticipated.

Landscape

9.1.6 Comments of the CTP/UD&L, PlanD:

- (a) based on the aerial photo taken in 2024, the Site is located in an area of residential urban fringe landscape character comprising woodlands within the “GB” zone, sports facilities and residential buildings. The proposed use is considered not entirely incompatible with the surrounding environment;
- (b) with reference to site photos taken on 20.3.2026 and Figure 2.2 of the SPS, the Site is generally a vegetated slope with a portion occupied by a temporary manual conveying system. According to Appendix 1 of the SPS, two trees of common species were identified within the Site and proposed to be felled. No OVT, TPI, protected species, or mature tree with DBH over 750mm were identified within the Site. To compensate, eight new trees are proposed to be planted at various locations outside the Site by the applicant;
- (c) in view of the above, a significant adverse landscape impact arising

from this application is not anticipated; and

- (d) advisory clauses are at **Appendix VI**.

Heritage Conservation

9.1.7 Comments of the Executive Secretary of the Antiquities and Monuments Office (AMO):

- (a) with reference to the FI (**Appendix Ib**), the applicant indicates that the proposed works are not expected to cause adverse physical or visual impacts on the declared monument, namely the 21-Arch Section of the Bowen Aqueduct. However, the proposed works site is in the vicinity of the declared monument (approximately 15m away). The applicant should be explicitly reminded that any interference with the Declared Monument should be avoided. Should the proposed works affect the Declared Monument, full compliance with the Antiquities and Monuments Ordinance (Cap.53) is required. If the planning application is approved, the applicant would submit relevant detailed works proposals, including plans, to the Buildings Department, which would be referred to the AMO for comment in accordance with the prevailing internal monitoring mechanism for heritage sites; and
- (b) it is also noted that an indicative curated signboard is proposed to be erected at Bowen Road. While he appreciates the applicant's intention to enhance public appreciation of the declared monument, it is advised that the proposed signboard lies on GL which will not be under the management or maintenance responsibility of AMO. The applicant is advised to consult and obtain approvals from the relevant authorities or departments which may be required in connection with the proposed signboard. Having said that, Water Supplies Department (WSD) has already installed an information board to introduce the declared monument, which is maintained by WSD (**Plan A-6**).

Geotechnical

9.1.8 Comments of the H(GEO), CEDD:

- (a) he has no adverse comment on the GPRR, which states that the extent of works area to be further studied with ground investigation and slope upgrading works by soil nail/ rock dowel/ retaining wall will be provided as necessary; and
- (b) the applicant is reminded that (1) the GPRR is considered from a feasibility assessment perspective only, and (2) the effect of the proposed works on the stability of adjacent slope features, or vice versa, and any necessary stabilization/ mitigation measures should be addressed in a formal site formation submission to BD or DLO, LandsD for approval as appropriate. The maintenance responsibility

of all new/ modified/ upgraded geotechnical features in connection with the proposed works should be taken up by the applicant.

Infrastructural

9.1.9 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) no in-principle adverse comment on the proposed inclined lift from the public drainage maintenance viewpoint;
- (b) there is an existing stream to the west of the proposed inclined lift (**Plan A-4**). The Authorised Person (AP) shall exercise extreme care to avoid polluting the natural stream; and
- (c) advisory clauses are at **Appendix VI**.

9.1.10 Comments of the Chief Engineer/Construction, WSD (CE/C, WSD):

there are some existing fresh water mains within the Site that are affected by the proposed development. Free access should be allowed for WSD at any time to carry out operation and maintenance of these water mains. In case the project proponent considers that diversion of these water mains is required, they should study the feasibility and submit their proposal for WSD's consideration and approval. The diversion works shall be carried out by the proponent at their own costs to the satisfaction of WSD. WSD will only carry out the connection works to the existing network, and the associated connection costs shall be borne by the project proponent.

Local Views

9.1.11 Comments of the District Officer (Wan Chai), Home Affairs Department (DO(WC), HAD):

she has no comment on the proposed development.

9.2 The following departments have no adverse comments on or no objection to the application:

- (a) Director of Environmental Protection (DEP);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) Project Manager (South and Sustainable Lantau), CEDD (PM(SSL), CEDD);
- (d) Director of Fire Services (D of FS);
- (e) Director of Electrical and Mechanical Services (DEMS); and
- (f) Commissioner for Police (C of P).

10 Public Comments Received During the Statutory Publication Period

During the statutory publication period, five public comments were received from

individuals objecting to the application (**Appendix V**). The main objecting reasons are summarised below:

- (a) Bowen Road is a popular hiking trail. The proposed development is intended solely for the convenience of a single house at the expense of public interest. There is a general presumption against development in “GB” zone. The proposed development does not warrant any departure from the current policy of discouraging development within the “GB” zone; and
- (b) approval of the application would set an undesirable precedent for similar cases in the Mid-Levels area.

11 Planning Considerations and Assessments

11.1 The applicant seeks planning permission to use the Site (i.e. a piece of GL with an area of about 69.7m² zoned “GB” (77.8% of the Site), together with the adjoining private land within IL2460 with an area of about 19.9m² zoned “R(C)1” (22.2%)) for a proposed access (inclined lift) exclusively serving the existing single house at 17 Bowen Road, known as Caronia. As the proposed inclined lift within the “GB” zone forms an integral part of the residential development, it requires planning permission from the Board (**Plan A-2**). The part within “R(C)1” is always permitted.

Planning Intention

11.2 The Site mainly comprises a vegetated slope predominantly on GL zoned “GB”, and is currently partially occupied by a manual goods conveying system. The planning intention of the “GB” zone is primarily to conserve the existing natural environment amid the build-up areas/ at the urban fringe, safeguarding it from encroachment by urban type development. There is a general presumption against development within the “GB” zone.

11.3 The proposed inclined lift, which would serve exclusively a single residential development, is considered not in line with the planning intention of the “GB” zone. The house at 17 Bowen Road is currently accessible via an existing pedestrian ROW which comprises a short section of staircases leading from Bowen Road at 120mPD to the gate of the house at 127.6mPD, and a footpath from the gate to the platform of the house at 146mPD (**Plans A-4 to A-10**). The proposed lift would connect only from the gate (**Plan A-7**) to the platform of the house (**Plan A-10**), hence users still have to climb a section of existing staircase from Bowen Road to the gate. While the applicant claims that the proposed lift will provide easier access to Caronia, it would not deliver full barrier-free access for residents of the house. In any case, there is no strong planning justification for removing vegetation including trees within and outside the Site to install an inclined lift on this piece of GL to serve solely private purposes. Therefore, the proposal does not justify a departure from the planning intention of the “GB” zone.

Compatibility and Visual and Landscape Impacts

- 11.4 According to the applicant, the proposed inclined lift is small and minimal in scale (approximately 2.2m in height, 1.2m in width and 1.5m in length) and would be largely shielded from view by existing vegetation when viewed from Bowen Road (**Drawing A-5**), and no significant adverse visual impact is anticipated. In view of this, CTP/UD&L of PlanD has no adverse comment on the application from a visual perspective.
- 11.5 According to the Tree Preservation and Landscape Proposal, two trees within the Site and three trees located outside the Site would be unavoidably affected by the proposed works and would be felled. The applicant proposes to plant eight new trees at various locations outside the Site as compensation. CTP/UD&L of PlanD considers that the proposed development is not entirely incompatible with the surrounding environment and, taking into account the compensatory tree planting proposal (**Drawing A-4**), significant adverse landscape impact is not anticipated. Nevertheless, the approval of the application may encourage similar applications for providing private access within “GB” zone to serve private developments, and the cumulative effect of such proposals may result in irreversible damage to the existing natural landscape.

Interface with the Declared Monument

- 11.6 The Site is approximately 15m away from the declared monument, known as the 21-Arch Section of the Bowen Aqueduct. AMO advises that, if the planning application is approved, the applicant would submit relevant detailed works proposals to the BD, which would be referred to the AMO for comment in accordance with the prevailing internal monitoring mechanism for heritage sites.
- 11.7 The applicant proposes to install a curated signboard with a directional marker guiding visitors and tourists toward the declared monument, with background information as a planning merit (**Drawing A-6**). AMO advises that the proposed signboard lies on GL and AMO would not manage or maintain the signboard. Moreover, there is already an existing information board maintained by WSD that provides information on the declared monument (**Plan A-10**).

Technical Assessments

- 11.8 The applicant has submitted a GPRR to demonstrate that the proposed inclined lift will not adversely affect the stability of surrounding slopes. H(GEO) of CEDD has no adverse comment on the GPRR which states that the extent of the works area will be further studied and he advises that the effect of the proposed works on the stability of adjacent slope features, or vice versa, and any necessary stabilization/mitigation measures should be addressed in a formal site formation submission. Given that there is a vehicle weight restriction (i.e. Bowen Drive is designated as a prohibited zone for vehicles exceeding 4 tonnes in gross weight (except buses), 24 hours daily), CHE/HK of HyD considers that the applicant is required to provide information on the loading and unloading of materials and machinery, a method statement for construction works, and the access path for construction works for consideration if the planning application is approved. As

there are existing fresh water mains within the Site, CE/C of WSD considers that should the water mains be affected, the applicant should study the feasibility of diverting them. Other departments, including CBS/HKE&H of BD, DEP and CE/HK&I of DSD, have no adverse comments on or no objection to the application.

TPB PG-NO.10

- 11.9 In light of the above, it is considered that the proposed development does not meet the relevant assessment criteria (a) and (b) of the TPB PG-No.10 in **Appendix II**. Specifically, there are no exceptional circumstances to justify the proposed development within the “GB” zone; and no strong planning grounds have been provided to justify the proposal as set out in the assessments in paragraphs 11.2 and 11.3 above. Approval of this application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such applications will result in a general degradation of the natural environment and the general amenity of the area.

Previous and Similar Applications

- 11.10 As stated in paragraph 5 above and **Appendix III**, four previous applications relating to access provision for the house at 17 Bowen Road were all rejected by the Committee, the Board upon review, or upon dismissal of appeal by the TPAB. These applications were rejected on the grounds that there was no strong justification for departing from the planning intention of “GB” zone; no strong justification to support the proposed development for private convenience or benefits at the expense of public interest; the proposals were not in line with the TPB PG-No. 10; there was insufficient information to demonstrate that the proposals would not cause interface issues with pedestrians or the declared monument; there was insufficient assessment of potential adverse landscape and visual impacts; and they would set an undesirable precedent.
- 11.11 As stated in paragraph 6 above and **Appendix IV**, a similar application (No. A/H12/16) for an elevated podium to accommodate a vehicular ramp with car parking spaces on GL mostly zoned “GB” to serve an existing residential development at 15 Bowen Road was rejected on the grounds that the proposed development involving tree felling would result in adverse landscape and visual impacts on the surrounding environment; the proposal was intended solely for the convenience of a single house at the expense of public interest and would not warrant any departure from the prevailing policy discouraging development within “GB” zone; and approval would set an undesirable precedent for similar developments in “GB” zone, with cumulative effects likely to cause irreversible damage to the existing natural landscape, and would raise adverse traffic and road safety implications. In contrast, two similar applications (No. A/H12/21 and 29), both relating to 16 Bowen Road, were approved on the basis that the ancillary facilities including a garden, vehicular access and open staircase within the “GB” zone were located on land that had been formally granted by the Government as an ancillary garden to the residential development; and the house and garden uses were in existence before the publication of the first Mid-levels East OZP. This “GB” portion was a paved area that did not involve the clearance of existing natural vegetation or affect the existing natural landscape, nor did it adversely affect slope stability. The planning circumstances surrounding these approvals are

materially different from the current application.

11.12 The five planning applications⁴ for access roads within “GB” zones located within The Peak Area OZP and TWW OZP referenced in the SPS submitted by the applicant mainly involved the upgrading/improvement of existing access roads. They are different from the current application, which involves the provision of new access (an inclined lift) in addition to the existing ROW. Each planning application should be evaluated on a case-by-case basis having regard to the local context and relevant assessment criteria. Given that the cited cases are in a different planning area with different and distinct planning circumstances, these approved applications are not directly relevant to the current application.

11.13 Taking into account the above considerations and assessments, the rejection of the current application is generally consistent with the Board’s previous decisions on previous and similar cases.

Public Comments

11.14 The five public comments received object to the application on the grounds listed out in paragraph 10 above. The planning assessments set out above are relevant.

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 above, PlanD does not support the application for the following reasons:

- (a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for conservation of the natural environment and to safeguard it from encroachment by urban-type development. There is a general presumption against development in “GB” zone, and there is no strong justification for a departure from such planning intention; and
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for Application for Development within the Green Belt Zone in that there are no exceptional circumstances to justify the proposed development within the “GB” zone.

12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 14.8.2030, 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:

⁴ The five applications are nos. A/H14/48 approved on 14.1.2005, A/H14/61 approved on 24.7.2009, A/H14/66 approved on 18.3.2011, A/H14/69 approved on 4.11.2011 and A/TWW/114 approved on 16.11.2018.

Approval conditions

- (a) the submission of a construction traffic impact assessment prior to the commencement of the works for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (b) in relation to (a) above, the implementation of traffic and transport arrangements identified in the construction traffic impact assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

Advisory clauses

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

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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, 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.

14. Attachments

Appendix I	Application Form received on 10.3.2026
Appendix Ia	SPS received on 10.3.2026
Appendix Ib	FI received on 23.6.2026
Appendix II	Extracts of TPB PG-No. 10
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Public Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Lot Index Plan
Drawing A-2	Section Plan of the Proposed Development
Drawing A-3	Tree Treatment Plan
Drawing A-4	Landscape Proposal
Drawing A-5	Photomontages
Drawing A-6	Proposed Signboard
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Land Status Plan of Affected Developments/ Features

Plans A-5 to A-11

Site Photos

**PLANNING DEPARTMENT
AUGUST 2026**