

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/499

<u>Applicant</u>	:	Hong Kong Housing Authority (HKHA)
<u>Site</u>	:	San Kwai Street, Kwai Chung
<u>Site Area</u>	:	About 5,390m ²
<u>Land Status</u>	:	Government Land
<u>Plan</u>	:	Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/31 <i>[currently in force]</i> Approved Kwai Chung OZP No. S/KC/30 <i>[in force at the time of submission. The zoning and development restrictions for the site remain unchanged on the current OZP]</i>
<u>Zoning</u>	:	“Residential (Group A)2” (“R(A)2”) (a) maximum domestic/non-domestic plot ratio (PR) of 6/9.5 (b) maximum building height (BH) of 130 metres above Principal Datum (mPD)
<u>Application</u>	:	Proposed Minor Relaxation of PR and BH Restrictions for Permitted Public Housing Development

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of domestic PR restriction from 6 to 6.5 (i.e. +8.3%) with a non-domestic PR of 0.54 and BH restriction from 130mPD to 153mPD (i.e. + 17.7%) for permitted public housing development and social welfare facilities at the application site (the Site), which falls within an area zoned “R(A)2” on the draft Kwai Chung OZP No. S/KC/31 (**Plan A-1**). According to the Notes for “R(A)2” zone of the OZP, ‘Flat’ and ‘Social Welfare Facility’ are Column 1 uses, which are always permitted. Minor relaxation of the PR and BH restrictions may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance) based on the individual merits of the development proposal.
- 1.2 The proposed development comprises one public housing block of 42 domestic storeys with one refuge floor over a 4-storey podium. The podium is mainly to accommodate car parking and loading/unloading (L/UL) facilities, social welfare

facilities and communal podium garden with children play area (**Drawings A-1 and A-2**). Retail facilities at G/F fronting Tai Lin Pai Road and San Kwai Street are proposed (**Drawings A-2 and A-4**). Subject to detailed design, the proposed development will provide 798 flats with the proposed minor relaxation of PR and BH restrictions. As compared with the OZP compliant scheme¹, an additional 98 flats could be provided. According to the applicant's tentative programme, the proposed development is targeted for completion in 2026/27.

- 1.3 The Site will be linked with Kwai Tsui Estate to the west across Kwai Chung Road and the proposed public housing development under construction at Lai Cho Road to the south of the Site at higher terrain level via two new covered footbridges to be funded and provided by HKHA, i.e. Footbridges 'A' and 'B' respectively (**Drawing A-1 and A-3**). A drainage reserve (DR) area is located at the southern portion of the Site, which is partly proposed as local open space. Both footbridges will be accessed via an elevated walkway over the DR area to connect with the podium of the public housing block. A lift tower is proposed at the southern end of the Site at the connection point of the elevated walkway and the footbridges (**Drawings A-1 to A-3**), and all these pedestrian facilities are all-weather protected and universally accessible. The two proposed footbridges will be open to the public to facilitate pedestrian connection between the residential clusters near Lai Yiu Estate uphill and Kwai Tsui Estate as well as the major transportation nodes and shopping centres across Kwai Chung Road through the site (**Drawing A-3**). The pedestrian and vehicular entrances are located at Kwai Chung Road and San Kwai Street respectively (**Drawing A-1**).
- 1.4 Communal podium garden with seating and children play area, amenity planting at G/F, UG2 and podium floor, as well as vertical greening fronting Kwai Chung Road are proposed (**Drawings A-4 to A-6**). Subject to detailed design, a total of 43 trees within the Site will be felled and 43 trees will be planted within the Site resulting in a compensation ratio of 1:1. Not less than 2,106m² of local open space (LOS) will be provided within the Site in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). A minimum 20% of overall greenery coverage of the Site will be provided with the landscape and greening proposals.
- 1.5 Design features, including building setback of podium for not less than 40m from the block to Ha Kwai Chung Village, building setbacks of tower for not less than 15m and 20m from the road kerb of Kwai Chung Road and the northern site boundary respectively are proposed (**Drawing A-12**). Amenity planting, landscape treatments, adoption of building design with use of compatible finishing materials/colour/façade treatment, are proposed to alleviate the potential visual impacts.

¹ OZP compliant scheme in this application refers to a development proposal under maximum domestic/non-domestic PR of 6/9.5 and maximum BH of 130 mPD.

- 1.6 The master layout plan, section plan, master landscape plans and photomontages submitted by the applicant are shown at **Drawings A-1 to A-11**. Major development parameters of the proposed scheme are summarised below:

Development Parameters	Proposed Scheme^[1]
Site Area ^[2]	About 5,390m ²
Gross Floor Area (GFA) <ul style="list-style-type: none"> Domestic GFA Non-domestic GFA 	Not more than 35,035m ² Not more than 2,924m ²
Maximum PR <ul style="list-style-type: none"> Domestic PR Non-domestic PR 	6.5 0.54
Maximum BH (main roof level)	153mPD or about 147m above ground ^[3]
No. of Block	1
No. of Storeys	42 domestic storeys with one refuge floor on a 4-storey podium
Flat Production	About 798 flats
Design population ^[4]	2,106
Social Welfare Facilities ^{[5][6]}	<ul style="list-style-type: none"> 120-person Day Care Centre for the Elderly 100-person Child Care Centre
Recreation Facilities	<ul style="list-style-type: none"> Not less than 2,106m² of LOS Not less than 169m² of Children Play Area
Retail Facilities	About 260m ² (Internal floor area)
Green Coverage	Not less than 20% of the Site Area
Parking Facilities & L/UL Bays ^[7]	
Domestic <ul style="list-style-type: none"> Car Parking Space Light Goods Vehicle Parking Space Motorcycle Parking Space L/UL Bays 	46 (including 1 accessible parking space) 4 8 2
Non-domestic and others <ul style="list-style-type: none"> Car Parking Space (Visitors) Car Parking Space (Retail and Commercial) Welfare Facilities Parking Space L/UL Bays (Retail/Commercial)^[8] 	5 2 (including 1 accessible parking space) 3 1

Note :

- [1] The proposed development scheme is indicative in nature which is subject to detailed design.
[2] The site area is subject to detailed survey.
[3] After review by the applicant, the proposed development would not adopt Modular Integrated Construction (MiC).
[4] The design population is based on actual flat mix.
[5] The actual provision of the facilities will be subject to confirmation/advice by relevant Government departments at detailed design stage.
[6] The proposed social welfare facilities as required by the Government are GFA countable and included in the non-domestic GFA/PR calculations.
[7] The parking and L/UL provisions have been agreed by the Transport Department (TD).
[8] The L/UL bay would be shared by the social welfare and retail facilities as requested by the Social Welfare Department and agreed by TD.

- 1.7 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 18.10.2022 (Appendix I)
 - (b) Supporting Planning Statement received on 18.10.2022 (Appendix Ia)
 - (c) Further Information (FI) received on 2.12.2022[#] (Appendix Ib)

Remarks:

[#] accepted and exempted from publication and recounting requirement

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are set out in the Supporting Planning Statement and FI at **Appendices Ia to Ib** which are summarised as follows:

- (a) The proposed minor relaxation of PR and BH restrictions is in line with Government's relevant initiatives/policies to enhance the development intensity and better utilise land resources to meet the imminent housing need.
- (b) Floor area for social welfare facilities equivalent to about 6.5% of the domestic GFA will be provided subject to the confirmation of the Social Welfare Department (SWD) on funding and detailed design.
- (c) The proposal is in line with the planning intention of the "R(A)2" zone. Given the high-rise and high-density residential developments in the vicinity, the proposed scheme is also compatible with the context of surrounding developments in terms of development intensity and BH (**Plan A-6**).
- (d) The minor relaxation of BH is required to (i) accommodate the specifically designed disposition and layout of the public housing blocks so as to address the site constraints, such as the disposition of the blocks away from Kwai Chung Road and Tai Lin Pai Road for minimising the noise impacts from road traffic; (ii) accommodate the additional domestic floors in optimising development potential of the Site; (iii) accommodate the required social welfare facilities and car parking facilities; and (iv) to overcome the site constraint imposed by DR within the Site.
- (e) The planning and design features are proposed as follows:
 - (i) universally and publicly accessible pedestrian linkage between the Site and Kwai Tsui Estate to east/the proposed Lai Cho Road public housing development to the south for promoting connectivity and pedestrian comfort;
 - (ii) retail facilities at the street frontages at the northern boundary adjoining the junction of Tai Lin Pai Road and San Kwai Street for creating street vibrancy and welcoming shopfront to the pedestrian;
 - (iii) communal podium garden with seating and children play area, as well as soft landscaping, serving as open recreational space for creating a visually

pleasing and enjoyable environment for the proposed development and surroundings;

- (iv) landscape treatments including amenity planting at G/F, UG2 and podium floor, vertical greening and adoption of sensible and compatible building design, promoting visual interest and alleviating the potential visual impacts. A total of 43 trees will be planted within the Site to achieve a compensatory ratio of 1:1; and
- (v) various building setbacks as stated in paragraph 1.5 above are proposed to enhance the air ventilation and visual permeability.
- (f) Various technical assessments have been conducted to demonstrate that the proposed redevelopment would not induce adverse/insurmountable impacts on air ventilation, environmental, sewerage, traffic and visual aspects, etc.

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

As the Site involves Government land only, the “owner’s consent/notification” requirements as set out in the “Town Planning Board Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance” (TPB PG-No. 31A) are not applicable.

4. Background

Policy of “Enhancement of the Development Intensity of Public Housing Sites”

- 4.1 As announced in the 2014 Policy Address (PA), except for the north of Hong Kong Island and Kowloon Peninsula, which are more densely populated, the maximum domestic PR that can be allowed for housing sites located in the other Density Zones of the Main Urban Areas and New Towns would be raised generally by about 20% as appropriate. According to 2015 PA and decision of Executive Council in 2018, the Government will increase development intensity as appropriate by allowing further increase of domestic PR for public housing sites by 10% (i.e. up to 30% in total) (i.e. up to PR 6.5) where technically feasible.
- 4.2 In 2020 PA, the CE announced to increase the PR of future public housing projects so that 5% of the attainable domestic GFA would be set aside for social welfare facilities without compromising flat production.

5. Previous Application

There is no previous application at the Site.

6. Similar Applications

- 6.1 There are three similar applications (No. A/KC/445, A/KC/447 and A/KC/495) submitted by HKHA for minor relaxation of PR and/or BH restrictions for permitted public housing developments in the Kwai Chung area, all of which were approved with condition(s) on 12.5.2017, 14.7.2017 and 28.10.2022 respectively (**Plan A-1**). These applications were approved mainly on the considerations that the applications are in line with the Government's policy to increase housing supply; relevant technical assessments were submitted to support the technical feasibility; and there was no adverse comment from relevant government departments.
- 6.2 Details of the similar applications are summarised at **Appendix II** for Members' reference.

7. The Site and Its Surrounding Areas (Plans A-1, A-2 and A-5; photos on Plans A-3 and A-4 and Drawing A-1)

7.1 The Site:

- (a) is located at the central part of Kwai Chung, which is bounded by San Kwai Street to the east, Tai Lin Pai Road to the north and Kwai Chung Road to the west;
- (b) is a piece of Government land currently and temporarily occupied by the Housing Department (HD) and Drainage Services Department (DSD) as works area / maintenance depot. There is an existing DR for DSD's drains and ramp to the box culvert at Kwai Chung Road at the southern portion;
- (c) is currently accessed via pedestrian and vehicular entrances at San Kwai Street; and
- (d) is well served by public transport services at the nearby public transport interchange at Kwai Tsui Estate. MTR Kwai Fong Station is at about 250m to the west (**Plan A-6**).

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate east are government, institutional and community facilities (i.e. the Kwai Chung Depot of the Food and Environmental Hygiene Department (FEHD) and Vocational Training Council (VTC) Kwai Chung Complex). To the southeast is Ha Kwai Chung Village zoned "Village Type Development" ("V") and the Central Kwai Chung Park to the further east (**Plans A-1 and A-2**);
- (b) to the south is Lai Yiu Estate on top of a vegetated slope. The proposed public housing development at Lai Cho Road with an approved application

No. A/KC/445 for minor relaxation of domestic PR and BH restrictions up to 6 and 165mPD respectively is under construction (**Plans A-1 and A-2**). Footbridge ‘B’ as stated in paragraph 1.3 above will provide pedestrian connection between the proposed Lai Cho Road public housing development and the Site (**Drawing A-1**);

- (c) to the immediate west across Kwai Chung Road are Kwai Tsui Estate and the Kwai Chung Police Station. Footbridge ‘A’ as stated in paragraph 1.3 above will provide pedestrian connection between the Kwai Tsui Estate and the Site in the form of footbridge across Kwai Chung Road (**Drawing A-1**); and
- (d) to the north across Tai Lin Pai Road is an area zoned “Other Specified Uses” annotated “Business” (“OU(B)”), which is undergoing gradual transformation from a traditional industrial area to commercial, business and non-polluting industrial uses.

8. Planning Intention

- 8.1 The planning intention of the “R(A)2” is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 8.2 According to the Explanatory Statement of the OZP, to provide incentive for developments/redevelopments with design merits/planning gains, each application for minor relaxation of BH restriction under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
 - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus PR granted under the Buildings Ordinance (BO) in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the OZP; and
 - (f) other factors such as site constraints, the 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 and visual impacts would be resulted from the innovative building design.

9. Comments from Relevant Government Departments

9.1 The following Government bureau/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/Tsuen Wan & Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):

- (a) no comment on the application; and
- (b) the District Lands Conference has approved to grant the Site to HKHA for carrying out public housing development by way of Short Term Tenancy (STT) under reference no. STTTK0020. The basic term offer of the STT has been accepted by the Director of Housing and the Site handover was completed in November 2022.

Traffic

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

- (a) no in-principle objection to the application from traffic engineering perspective given that:
 - (i) the Traffic Impact Assessment (TIA) illustrated that the traffic impact arising from the subject development to the adjacent road network within the area of influence is acceptable;
 - (ii) the junction improvement works of the junction of (1) Tai Lin Pai Road and Kwai On Road, (2) Kwai Chung Road, Kwai On Road and Kwai Yik Road; and (3) Kwai Chung Road, Kwai Foo Road and Tai Lin Pai Road, that are essential to the proposed development, would be carried out under the project of public housing development at Kwai On Factory Estate before the population intake of public housing development at San Kwai Street; and
 - (iii) the development proposal would accommodate the high-end provision of parking and L/UL within the development; and
- (b) should the application be approved, the following approval condition is suggested:

the design and provision of parking facilities, L/UL spaces and vehicular access for the proposed development to the satisfaction of C for T or of the Board.

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

no comment on the subject application from highways' maintenance point of view given that:

- (a) C for T has no comment on the TIA from traffic engineering perspective; and
- (b) HKHA will take up the construction and maintenance of the associated footbridge, lift and slopes.

Environment

9.1.4 Comments of the Director of Environment Protection (DEP):

- (a) no objection to the application from environmental planning perspective as:
 - (i) the Air Quality Impact Assessment under Environmental Assessment Study (EAS) demonstrated that no insurmountable air quality impact is anticipated;
 - (ii) the Noise Impact Assessment (NIA) demonstrated that based on the traffic data, no adverse noise impact on the domestic block and social welfare facilities is anticipated with the implementation of proposed mitigation measures; and
 - (iii) the Sewerage Impact Assessment (SIA) concluded that no adverse impact on the existing sewerage system is anticipated with the implementation of upgrading works under Contract No. DC/2020/01 proposed by DSD;
- (b) to address any potential change in actual layout/design of the proposed development, it is recommended to impose the following approval conditions:
 - (i) the submission of an updated NIA and the implementation of the noise mitigation measures identified therein to the satisfaction of DEP or of the Board;
 - (ii) the submission of an updated SIA to the satisfaction of DEP or of the Board; and

- (iii) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated SIA to the satisfaction of the Director of Drainage Services or of the Board; and
- (c) since excavation works would be required, the applicant is advised to minimise the generation of construction and demolition (C&D) materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development.

Social Welfare

9.1.5 Comments of the Director of Social Welfare (DSW):

no comment from welfare perspective given that the social welfare facilities as proposed by the SWD are included in the current proposal.

Urban Design, Air Ventilation and Landscape

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

Urban Design

- (a) to the north, southeast, south and west are buildings in the “OU(B)” zone with intended BH of 105mPD, Ha Kwai Chung Village with an intended BH of 3 storeys, Lai Yiu Estate and the proposed Lai Cho Road public housing development with intended BHs ranging from 160mPD to 190mPD and existing high-rise residential developments with intended BHs generally ranging from 90mPD to 120mPD respectively. With the proposed BH of 153mPD at the Site, the intended stepped height profile descending from Lai Yiu Estate towards the residential area to the west of Kwai Chung Road is generally maintained. Given the context and as illustrated in the photomontages of the Visual Appraisal (**Drawings A-8 to A-11**), the proposed public housing development would unlikely induce significant adverse effect on the visual character of the surrounding townscape;
- (b) the proposed development has incorporated two universally and publicly accessible all-weather pedestrian connections with surrounding developments. Building setback as stated in paragraph 1.5 above and communal podium garden have been incorporated. Landscape treatment including amenity planting and adoption of compatible building design are also proposed. Retail frontage at

ground level is proposed at the northern boundary adjoining the junction of Tai Lin Pai Road and San Kwai Street. Landscape treatments in the form of tree planting, planter and vertical greening are proposed at G/F, UG2 and podium floor. The above measures may promote connectivity, building permeability, vibrancy, pedestrian comfort and visual interest;

Air Ventilation

- (c) an Air Ventilation Assessment (AVA)-Expert Evaluation was already conducted for the Site in 2017 in support of the rezoning of the Site to “R(A)2” stipulated with a maximum BH and domestic PR of 130mPD and 6 respectively. It is also noted that the Site is not located within the breezeway. Significant adverse impact on the surrounding pedestrian wind environment is not anticipated;

Landscape

- (d) the Site is situated in an area of residential urban landscape character surrounded by residential, “OU(B)” and “G/IC” developments to the north, east and west including industrial buildings, depot of FEHD, VTC Kwai Chung Complex and Kwai Tsui Estate. The proposed scheme is not incompatible with the surrounding environment;
- (e) with reference to the Planning Statement and Tree Survey Report, existing tree of common species generally in fair condition are identified, of which 43 trees are proposed to be felled within the Site. New landscape treatments such as planting proposal with 43 new trees are proposed in the Site. Hence, she has no objection to the application from landscape planning perspective; and
- (f) the applicant is reminded that approval of the planning does not imply approval of the site coverage of greenery requirements under the Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to concerned party for approval. Similarly, for any proposed tree preservation/removal scheme and compensatory planting proposal, the applicant should approach relevant authority direct to obtain necessary approval as appropriate.

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

no comment from architectural and visual impact point of view since the adjacent “R(A)” zone is subject to a BH restriction of 160mPD to 190mPD.

Fire Safety

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

- (a) no specific comment on the application; and
- (b) PNAP ADV-3 – “Standardization of Floor Numbering” should be observed regarding floor numbering system of the subject public housing development.

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

- (a) District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD);
- (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (c) Chief Building Surveyor/ New Territories West (CBS/NTW, Buildings Department (BD);
- (d) Head of Geotechnical Engineering Office (H(Geo)), CEDD;
- (e) Project Manager (West) (PM(W)), CEDD;
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (g) Director of Electrical and Mechanical Services (DEMS);
- (h) Director of Food and Environmental Hygiene (DFEH);
- (i) Director of Leisure and Cultural Services (DLCS); and
- (j) Commissioner of Police (C of Police).

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection period, a total of nine public comments objecting to the application from individuals were received (**Appendix III**). Their major grounds are that there is inadequate provision of retail/catering facilities and public amenities; adverse traffic/environmental/air ventilation impacts may arise from the proposed development; and that there is insufficient information regarding the drainage reserve in the application.

11. Planning Considerations and Assessments

11.1 The application is for minor relaxation of domestic PR restriction from 6 to 6.5 (i.e. +8.3%) with a non-domestic PR of 0.54 and BH restriction from 130mPD to 153mPD (i.e. + 17.7%) for permitted public housing development at the Site zoned “R(A)2”. The proposed development comprises one public housing block of 42 domestic storeys with one floor of refuge over a 4-storey podium for social welfare and retail facilities. The proposed development is in line with the planning intention of “R(A)2” zone, which is primarily for high-density residential developments.

Development Intensity

- 11.2 The proposed minor relaxation of PR and BH restrictions for the development would allow for an extra 98 public housing flats (total of about 798 flats) as compared with the OZP compliant scheme (total of about 700 flats) and the provision of floor area equivalent to about 6.5% of the domestic GFA for social welfare facilities. The proposal is in line with the Government policy of enhancing development intensity of public housing sites (up to domestic PR of 6.5, i.e. +30%) to increase housing supply with social welfare facilities and better utilise land resources, where technical feasibility permits. Besides, minor relaxation of PR and BH is required to accommodate the provision of social welfare facilities and car parking facilities, as well as the specifically designed disposition and layout of public housing blocks so as to address the site constraints, including the need for minimising the noise impacts from the adjacent road traffic, and the site constraint imposed by DR within the Site.

Building Height

- 11.3 To the north, southeast, south and west are developments within the “OU(B)” zone with intended BH of 105mPD, Ha Kwai Chung Village with intended BH of 3 storeys, Lai Yiu Estate and the proposed Lai Cho Road public housing development with intended BHs ranging from 160mPD to 190mPD, and existing high-rise residential developments with intended BHs generally ranging from 90mPD to 120mPD respectively (**Plan A-5**). With the proposed BH of 153mPD at the Site, the intended stepped height profile descending from Lai Yiu Estate towards the residential area to the west of Kwai Chung Road is generally maintained. CTP/UD&L, PlanD considers that the proposed public housing development with the proposed mitigation measures as stated in paragraph 1.5 would unlikely induce significant adverse effect on the visual character of the surrounding townscape. CA/CMD2, ArchSD has no comment from architectural and visual impact point of view.

Planning and Design Merits

- 11.4 The proposed development has incorporated two pedestrian linkages as stated in paragraph 1.4 above, both of which are universally and publicly accessible as well as all-weather protected to facilitate the connection between the residential clusters near Lai Yiu Estate uphill and Kwai Tsui Estate as well as the major transportation nodes and shopping centres across Kwai Chung Road through the Site (**Drawings A-1 to A-3**). Building setback of podium for not less than 40m from the Ha Kwai Chung Village, building set back of tower for not less than 15m and 20m from Kwai Chung Road and the northern site boundary respectively, are proposed (**Drawings A-4 and A-2**). Communal podium garden with seating, children play area and amenity planting are also proposed (**Drawings A-4 to A-7**). CTP/UD&L, PlanD considers that the proposed scheme is not incompatible with the surrounding environment and the above measures may promote connectivity, building permeability, vibrancy, pedestrian comfort and visual interest.

Technical Aspects

- 11.5 Regarding the air ventilation, an AVA-Expert Evaluation was already conducted for the Site in 2017 in support of the rezoning of the Site to “R(A)2” stipulated with the maximum BH and domestic PR restrictions of 130mPD and 6 respectively. Since the Site is not within the breezeway, CTP/UD&L, PlanD considers that significant adverse impact on the surrounding pedestrian wind environment is not anticipated.
- 11.6 Other relevant technical assessments including TIA, EAS and SIA have demonstrated that the proposed minor relaxations would not cause adverse nor insurmountable traffic, environmental and sewerage impacts to the surrounding area. C for T has no in-principle objection to the application subject to the incorporation of approval conditions set out in paragraph 12.2(a) below. DEP also has no objection to the application subject to the incorporation of approval conditions set out in paragraphs 12.2(b) to (d). Other relevant Government departments, including FSD, EMSD, DSD and WSD have no objection to/adverse comment on the application.
- 11.7 The approval of the current application is in line with the criteria for consideration of BH relaxation under Explanatory Statement of the OZP as summarized in paragraph 8.2 above, i.e. provision of better streetscape, provision of separation between buildings to enhance air ventilation and visual permeability, and accommodation of building design to address site constraints.

Similar Applications

- 11.8 There are three similar applications (No. A/KC/445, A/KC/447 and A/KC/495) submitted by HKHA for minor relaxation of PR and/or BH restriction(s) for permitted public housing developments as stated in paragraph 6 above. The applications were approved by the Committee on 12.5.2017, 14.7.2017 and 28.10.2022 respectively. Approval of the current application is generally in line with the Committee’s previous decisions.

Public Comments

- 11.9 Regarding the public comments received, the above planning assessments and departmental comments in paragraph 9 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 9.12.2026, 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 suggested for Members' reference:

Approval Conditions

- (a) the design and provision of parking facilities, loading and unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of an updated Noise Impact Assessment and the implementation of the noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

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

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

13. Decision Sought

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

14. Attachments

Appendix I	Application Form received on 18.10.2022
Appendix Ia	Supporting Planning Statement received on 18.10.2022
Appendix Ib	FI received on 2.12.2022
Appendix II	Similar Applications
Appendix III	Public Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Drawing A-2	Section Plan
Drawing A-3	Pedestrian Connection
Drawings A-4 to A-6	Conceptual Landscape Plans
Drawing A-7	Local Open Space Diagram
Drawings A-8 to A-11	Photomontages
Drawing A-12	Proposed Building Setbacks
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 and A-4	Site Photos
Plan A-5	Height of Existing Buildings in Surrounding Areas
Plan A-6	Pedestrian Access Network in Kwai Chung

**PLANNING DEPARTMENT
DECEMBER 2022**