

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ TW-CLHFS/2

<u>Applicants</u>	Tat Fung Enterprises Company Limited and Cathay Motion Pictures Studios Limited represented by Ove Arup & Partners Hong Kong Limited
<u>Site</u>	Tsuen Wan Town Lot (TWTL) 389 (Part) and Adjoining Government Land (GL), Chuen Lung, Tsuen Wan
<u>Site Area</u>	About 13,850m ² (including 545m ² GL)
<u>Land Status</u>	<p><u>TWTL 389 (about 13,306.9 m² or 96% of site area):</u></p> <ul style="list-style-type: none">(a) held under New Grant No. TW7217 for a term of 50 years commencing on 23.5.2003(b) restricted for the purpose of a recreational club building and a golf driving range, and such ancillary club facilities(c) shall not be used for residential purposes except for staff quarters and shall not be used for sleeping or residential accommodation for the members of the club and their visitors, guests and invitees(d) restricted to a maximum gross floor area (GFA) of 5,400m², a maximum site coverage (SC) of 20% and a maximum building height (BH) of not exceeding 3 storeys (including basements but excluding one basement floor predominately used for the purposes of installation of sewage treatment facilities and water storage tanks)(e) to provide 55 to 65 private car parking spaces(f) to uphold, maintain and repair the existing footpath and vehicular access road to permit the public freely and without payment to pass and repass the existing footpath and vehicular access road through the Lot <p><u>GL (about 545 m² or 4% of site area):</u></p> <ul style="list-style-type: none">(a) Brown Area of TWTL 389 for non-exclusive right-of-way (ROW)
<u>Plan</u>	Draft Chuen Lung and Ha Fa Shan Outline Zoning Plan (OZP) No. S/TW-CLHFS/1
<u>Zoning</u>	<p>“Recreation” (“REC”)</p> <ul style="list-style-type: none">(a) maximum plot ratio (PR) of 0.4(b) maximum SC of 20%(c) maximum BH of 3 storeys (excluding one basement floor)¹
<u>Application</u>	Proposed Hotel Use and Minor Relaxation of PR and BH Restrictions

¹ According to the Explanatory Statement (ES) of the OZP, the permitted one basement floor should be predominantly used for the purposes of installation of sewage treatment facilities and water storage tanks.

1. The Proposal

- 1.1 The applicants seek planning permission for ‘Hotel’ use and minor relaxation of maximum PR restriction from 0.4 to 0.6 (i.e. +0.2 or +50%) and maximum BH restriction from 3 storeys to 5 storeys (excluding a basement floor, i.e. +2 storeys above ground or +66.7%) to facilitate the redevelopment of a recreational club building with golf driving range into a proposed resort hotel at the application site (the Site). The Site falls within the “REC” zone on the draft Chuen Lung and Ha Fa Shan OZP No. S/TW-CLHFS/1 (**Plan A-1**). According to the Notes of the OZP, ‘Hotel’ use requires planning permission from the Town Planning Board (the Board) in the “REC” zone. Minor relaxation of both PR and BH restrictions may also be considered by the Board on application under section 16 of the Town Planning Ordinance.
- 1.2 The proposed resort hotel development comprises a five-storey elongated hotel block (excluding a basement floor for electrical and mechanical (E&M) facilities and carpark use) at the western part of the Site and 13 three-storey resort villas at the eastern part. The master layout plan (MLP), landscape master plan (LMP), sections and photomontages submitted by the applicants are shown in **Drawings A-1 to A-14d**. Major development parameters are summarised as follows:

Development parameters	
Site area (m ²) (about)	13,850
– Net site area (NSA)	13,305
– Non-exclusive ROW on GL (access to the Site)	545
Total PR (based on NSA)	Not more than 0.6
Total gross floor area (GFA) (m ²)	Not more than 7,983
SC	No more than 20%
No. of guestrooms (about)	197
BH (mPD)	
– Hotel block	326.5 (21.5m above ground)
– Resort villas	325.5 (12.5m above ground)
No. of storeys	
– Hotel block	5 (excluding 1 basement floor)
– Resort villas	3
Parking provision	
– Private car	20 (including 1 accessible parking space)
– Motorcycle	2
– Single-deck tour bus	1
Loading/unloading bays	
– Light goods vehicle	1
– Heavy goods vehicle	1
Greenery area	Not less than 20%
Main Floor Uses of Hotel Block	
B/F	Pick-up/drop-off area, carparking spaces, reception area and hotel supporting facilities including E&M, back of house (BOH) facilities ,etc.
G/F	hotel lobby, indoor swimming pool, gymnasium, restaurant, ancillary office and other BOH facilities
1/F-4/F	guestrooms

- 1.3 The Site adjoins Tai Lam Country Park (TLCP)² and Tai Mo Shan Country Park (TMSCP) to its northeast and south respectively. According to the Ecological Impact Assessment (EcoIA), no endangered species are found within the Site. The proposed development will have a 7.5m wide green buffer along the northern boundary of the Site adjoining TLCP where one to two rows of native tree species and greenery will be provided, except a small portion occupied by an access road traversing the Site in the middle for the use of public as required under the lease (**Drawings A-1 and A-7**). 1.5m high fence wall will be erected along the boundary of the Site and that adjacent to TLCP will be erected at least 0.5m away from TLCP (**Drawing A-10**).
- 1.4 Trees and shrubs are proposed along site boundary to screen off the proposed development from the surrounding areas (**Drawing A-7**). Landscape provision including landscaped garden, lawn and outdoor recreation area are proposed at-grade to provide a total greenery of not less than 20% of the net site area (**Drawing A-11**). Vertical greening is proposed on the southern tip of the hotel building façade and the boundary walls at the entrance and the access road traversing the Site in the middle (**Drawings A-7 and A-8**).
- 1.5 According to the Tree Preservation and Removal Proposal (TPRP), there are total 61 existing trees within the Site, none of which are endangered tree species nor “Old and Valuable trees” (“OVT”). While 13 trees will be retained, 48 trees will be felled and replaced by 137 compensatory trees to achieve a compensation ratio of 1:2.9 by quantity. Native tree species and tree species that are commonly found within Country Parks will be suitably selected for new tree planting.
- 1.6 All vehicular activities including the pick-up/drop-off area, carpark, refuse collection will be confined to the basement floor. The internal at-grade driveway will serve as Emergency Vehicular Access (EVA) only. The ingress/egress point at Route Twisk in the GL portion will be located at the southwestern tip of the Site (**Drawing A-1**).
- 1.7 The hotel check-out and check-in periods are proposed to be 11:00am and 3:00pm respectively to stagger the traffic peak hours of Route Twisk at 8:00am to 9:00am and 5:30pm to 6:30pm. Shuttle bus service will be provided for staff and visitors with drop-off and pick-up points at MTR Kwai Fong and Tsing Yi Stations and China Hong Kong City at Tsim Sha Tsui.
- 1.8 Since the Site falls within the upper indirect water gathering ground (WGG) with public sewerage system in the area, the applicants propose to upgrade a section of public sewer underneath Route Twisk (about 63m) to the west of the Site in support of the proposed development at their own cost (**Drawing A-15**). Other mitigation measures to avoid pollution to the WGG are proposed, including that swimming pool will be located indoor to prevent the overflow and leakage of swimming pool water into the WGG; and regular maintenance to ensure the layer of waterproofing coating performs well. Application for a discharge licence issued under the Water Pollution Control Ordinance (WPCO) for discharge of effluent generated from the operation of swimming pool is required. Furthermore, to avoid surface runoff from the landscaped area, no chemical including fertilizers, pesticides, herbicides, algicides, veterinary medicine or other toxic

² About 193m² of TWTL 389 falling within TLCP is excluded from the Site.

chemicals shall be stored or used without Water Supplies Department (WSD)’s prior approval under WPCO. The applicants also propose a water quality monitoring programme as detailed in the Environmental Assessment (EA).

1.9 In support of the application, the applicants have submitted the following documents:

- (a) Application form and letters received on 20.4.2022 (Appendix I)
- (b) Further information (FI) submissions received on 13.6.2023 and 20.6.2023 providing a consolidated supplementary planning statement (SPS) and technical clarifications of the SPS which supersede the original and all previous FI submissions³ (Appendix Ia)

1.10 The Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application at the request of the applicant on 14.10.2022.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in the consolidated SPS at **Appendix Ia**, which are summarised as follows:

In line with policy direction and planning intention

- (a) The proposed development echoes the policy initiatives in Policy Address 2021 to consolidate the position of Hong Kong as a core demonstration zone for multi-destination tourism and an international tourism hub.
- (b) The proposed development aims to attract local and foreign visitors to spend holidays near home by offering a place for retreat in high-quality resort and enjoying a natural setting. Small-group tours to the nearby trails of TLCP and TMSCP and to experience the local farms nearby will help realise the opportunities of local-based ecotourism. The proposed development is intended primarily for contributing to the tourism/eco-tourism industry which is in line with planning intention of the “REC” zone.

Compatible development scale

- (c) The proposed development is designed with a similar scale as existing resort hotels in Hong Kong, such as Silvermine Beach Resort in Mui Wo (accommodate about 130 hotel rooms) with 3 to 5 storeys. The minor relaxation allows a self-contained, viable and attractive resort hotel development at the fringe of Tsuen Wan New Town.
- (d) It will align with the maximum permitted SC of 20%, as well as optimise the provision of open space and greenery at-grade. The proposed minor relaxation of

³ Prior to the submission of the consolidated supplementary planning statement, the applicants submitted nine FI submissions (received on 30.5.2022, 18.7.2022, 26.8.2022, 10.10.2022, 16.12.2022, 13.1.2023, 23.2.2023, 27.3.2023 and 2.5.2023) to respond to departmental comments and to revise relevant technical assessments. Eight FI submissions were accepted but not exempted from publication and recounting requirements except the FI submission received on 10.10.2022 was accepted and exempted from publication and recounting requirements.

BH restriction at the western part of the Site from 3 to 5 storeys above ground is mainly to accommodate the increased GFA arising from the minor relaxation of PR and to respect the OZP restriction on SC. While the eastern part of the Site, closer to Chuen Lung Village, will be maintained as 3 storeys for resort villas with similar footprint as typical village houses.

- (e) The uppermost floor of the hotel block will be set back to merge with the natural ridgeline and the roof features will soften the roofline. The hotel block of about 326.5mPD (21.5m above ground) is anticipated to be visually screen off and embedded into the natural terrain by the two nearby vegetated knolls at about 336 to 364mPD. The proposed development will be compatible with the existing rural setting of Chuen Lung and will unlikely induce significant adverse impacts on the visual character of Chuen Lung as demonstrated in the Visual Impact Assessment (VIA) (**Drawings A-14a to 14d**).
- (f) Recreational activities will be arranged in small group (i.e. 4 to 6 persons) on the at-grade landscaped area as illustrated in **Drawing A-13**. Banquet and convention facilities will not be provided for non-hotel-guests to avoid over-crowdedness and disturbance to the area.

Planning and Design merits

- (g) In terms of building design, the hotel block will have a 15m building gap above the first storey to provide visual, air and sunlight permeability (**Drawings A-8 and A-12**). The built form will be split and curved to respond to the flowing form of hills and streams nearby (**Plan A-9**). Soft tone painting and transparent materials are proposed to reduce the sense of bulkiness of the building. Proposed green buffer from TLCP and other landscape design are detailed in paragraphs 1.3 to 1.5 above.
- (h) The Site has been left vacant for years and there are existing open storage/workshop activities in the surrounding areas. The proposed development will upgrade the area by creating a landscape corridor for a smooth transition between TLCP to the north and the village settlements to the south. Upon the completion of the proposed development, it will also act as a catalyst to phase out the existing workshop uses in the surrounding areas.
- (i) There is an existing access road connecting to Route Twisk passing through the Site in the middle, which serves as the main access for vehicles to nearby temporary uses and residential structures located to the east and further northwest respectively. Emergency crash gate will be provided at the western and eastern sides of the existing access road to prohibit non-emergency vehicles to enter the Site and all vehicles will enter the basement carpark through the main hotel entrance in the southwestern tip of the Site to provide better walking experience and landscaping at-grade.
- (j) Landscape treatments are proposed to visually screen off the existing vehicle repair workshop activities at the unacquired lot and the surrounding areas in order to minimise the impacts on future visitors. In terms of environmental measures, the proposed guestrooms will be provided with air-conditioning without any openable window and orientation of the hotel guestrooms is carefully designed to avoid direct view to the workshop in order to minimise the potential impacts from the workshop.

No adverse technical impacts

- (k) Various technical assessments including LMP, TPRP, VIA, EA, EcoIA, Traffic Impact Assessment (TIA), Sewerage Impact Assessment (SIA), Drainage Impact Assessment (DIA), Water Supply Impact Assessment (WSIA) and Geotechnical Planning Review (GPR) have been conducted to demonstrate there will be no adverse impacts on visual, landscape, environmental, ecological, traffic, sewerage, drainage, water supply and geotechnical aspects.
- (l) EcoIA covering a total of 12 months for dry and wet seasons were conducted. According to the EcoIA, no endangered species are found within the Site which has been formed since 2008 comprising mainly developed area and wasteland of low ecological value. Mitigation measures are proposed to minimise the impacts of the proposed development which include adjusting the MLP by relocating swimming pool from outdoor to indoor, rearranging the orientation of the building blocks not immediate adjacent to and not directly towards the boundary of Country Parks, provision of 7.5m buffer area adjacent to TLCP, materials of lower light transparency adopted for the windows toward TLCP, etc. In addition, the transplantation and maintenance proposal for a flora species, namely *Pavetta hongkongensis* within the Site would be submitted to the Agriculture, Fisheries and Conservation Department for approval.

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

- 3.1 The applicants are two of the three “current land owners” of the private land portion. In respect of the remaining “current land owner”, the applicants have complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by notifying the remaining owner. Detailed information would be deposited at the meeting for Members’ inspection.
- 3.2 The “owner’s consent/notification” requirement as set out in the TPB-PG No.31 is not applicable to the Government land portion.

4. Background

- 4.1 Before 2013, there was no statutory plan covering the Chuen Lung and Ha Fa Shan area (the Area), where the Site is located.
- 4.2 On 23.5.2003, TWTL 389 was granted by way of land exchange for the recreational club building with golf driving range. Building plan for the recreational club development with golf driving range and the access road at the middle of the Site was approved by the Building Authority on 18.12.2008. Occupation permit (OP) was granted on 2.1.2009. According to the applicants, the golf club has never been in operation.
- 4.3 On 20.12.2013, the first statutory plan, i.e. the draft Chuen Lung and Ha Fa Shan DPA Plan No. DPA/TW-CLHFS/1 was exhibited for public inspection. The Site

was designated as “Unspecified Use” (“UNSP”) area pending further study on the appropriate land use zoning in the course of OZP preparation.

- 4.4 Subsequently, for the preparation of the OZP, the Site was considered suitable to be zoned “REC” to reflect the permitted recreational club building and golf driving range. Since then, the zoning has remained unchanged.

5. **Previous Application**

The Site was the subject of an application (No. A/DPA/TW-CLHFS/3) (**Plan A-1**) submitted by the same applicants for a proposed residential development (comprising 27 three-storey houses) and excavation when the Site fell within “UNSP” area on the approved Chuen Lung and Ha Fa Shan DPA Plan No. DPA/TW-CLHFS/2. The application was rejected upon review on 3.11.2017 mainly on the grounds that the proposed residential development was considered not in line with the planning intention for Chuen Lung and Ha Fa Shan Area to protect the natural habitats and the rural landscape at that time and not compatible with the surrounding natural environment and the Country Parks. Details of this application are summarised at **Appendix II**.

6. **Similar Application**

There is no similar application in the “REC” zone on the OZP.

7. **The Site and Its Surrounding Areas** (**Plans A-1, A-2, A-9**, aerial photo on **Plan A-3** and site photos on **Plans A-4 to A-8**)

7.1 The Site:

- (a) is located off Route Twisk in Chuen Lung and along the valley between TLCP to the northeast and a vegetated knoll zoned “Green Belt” (“GB”) to the immediate south;
- (b) has been formed since 2008 and is occupied by a vacant 3-storey recreational club building erected in the western portion with its OP issued in 2009 and golf driving range erected in the eastern portion. The remaining open area is either hard-paved for driveway and parking spaces, or covered by vegetation;
- (c) has a vehicular ingress/egress point at Route Twisk in the southern end of the GL portion, which is the ROW of TWTL 389;
- (d) has an existing access road in the middle linking Ma Tong and Route Twisk which is required to be opened for public use under the lease of TWTL 389. Currently, there are entrance gates giving access to the eastern and western portions of the Site on the access road (**Plans A-6 and A-7**); and
- (e) is within the upper indirect WGG (**Plan A-9**).

- 7.2 The surrounding areas have the following characteristics: (**Plans A-2 and A-3**)
- (a) to the immediate northeast is TLCP;
 - (b) some open storage yards and vehicle repair workshops are located between the Site and TLCP to the northeast;
 - (c) to the northwest and west are some scattered temporary structures mainly for domestic use and to the further northwest is Ngau Liu Stream (**Plan A-9**);
 - (d) the unacquired lot encircled by the Site near the middle is being used for a vehicle repair workshop;
 - (e) to the south across Route Twisk are the cluster of village houses of the recognised village, namely Chuen Lung, a rest garden zoned “Open Space” and Chuen Lung Barbecue Site No. 1. To the further south is TMSCP; and
 - (f) to the immediate southwest of the Site are minibuses and bus stops located on Route Twisk (**Plan A-2**).

8. Planning Intention

- 8.1 The planning intention of the “REC” zone for the Site is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.
- 8.2 According to the ES of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the concerned development restrictions may be considered by the Board through the planning permission system. Each application will be considered on its individual planning merits.

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/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):
- (a) the Site comprises majority part of TWTL 389 (the Lot) held under New Grant (NG) No. TW7217 and the adjoining GL which currently serves as a non-exclusive ROW (the Brown Area) providing access to and from the Lot as stipulated under the NG (**Plan A-2**). Two

portions of the Lot (at the north of the Lot) fall within TLCP and are excluded from the site boundary;

- (b) the Lot is also granted together with the aforesaid ROW under the lease for access to and from the Lot. The ROW shall not be used for parking, waiting, loading and unloading of any vehicle. The Grantee shall at his own expense uphold, maintain and repair the ROW and shall be responsible for the whole as if he were the absolute owner thereof;
- (c) the Grantee shall also uphold, maintain and repair the existing footpath and the existing vehicular access road (or such altered or diverted footpath and access roads as may be approved) to permit the public freely and without payment to pass and repass the existing footpath and to use for vehicular traffic on the existing vehicular access road through the Lot (**Drawing A-1**);
- (d) the proposed development contravenes the existing lease conditions. Should the application be approved by the Board, the applicants are required to apply to LandsD for a lease modification for the implementation of approved scheme. The proposal will only be considered upon his receipt of valid application from the lot owner(s). There is no guarantee that the lease modification application will be approved and his office reserves comment on such. The lease modification application will be considered by LandsD acting in the capacity as landlord at its sole discretion. In the event that the lease modification application is approved, it will be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, the payment of premium and administrative fee; and
- (e) other detailed comments are provided in **Appendix III**.

Building Matters

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

- (a) no objection to the application; and
- (b) detailed comments under the Buildings Ordinance are set out at **Appendix III**.

Traffic

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

- (a) no in-principle objection to the application from transport management and transport operation viewpoints; and
- (b) no comment on the submitted conceptual design of the temporary traffic arrangement (TTA) plan for the proposed sewerage

upgrading works along Route Twisk subject to all TTAs shall be in compliance with the latest version of the Code of Practice for the Lighting, Signing and Guarding of Road Works published by the Highways Department (HyD); the work should be coordinated with other works, if any, in close proximity to avoid cumulative traffic impact; no concurrent public works requiring TTAs will be allowed; and all concerned stakeholders should be consulted prior to the implementation of the TTAs, in particular those premises with their access affected.

Environment, Drainage and Water Supply

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

- (a) no objection to the application from environmental planning perspective;
- (b) the applicants have set back the proposed development from the boundary of TLCP to avoid encroachment on it and also conducted EA and SIA with the following findings to support the application:
 - (i) no fresh air intake including openable windows and fresh air intake of mechanical ventilation of air sensitive uses of hotel and recreational uses, etc., shall be located within the road buffer zones. Any air sensitive uses within the road buffer zones shall not rely on openable windows for ventilation. Meanwhile, no recreational uses shall be located within the buffer zones. No adverse air quality impact on the proposed development from industrial emission and vehicular emission is anticipated;
 - (ii) since the noise sensitive uses will be provided with central air conditioning and maintenance windows which they will not rely on openable windows for ventilation, such uses will not be subject to adverse fixed plant or traffic noise impact;
 - (iii) all sewage and wastewater effluents arising from the operation of the proposed development will be discharged to public sewerage system, with upgrading of relevant section of sewer pipe proposed (**Drawing A-15**); and
- (c) should the application be approved, it is recommended to impose the following conditions:
 - (i) the submission of an updated EA to the satisfaction of DEP or of the Board; and
 - (ii) the submission of an updated SIA to the satisfaction of DEP or of the Board.

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

- (a) no objection to the application; and
- (b) should the application be approved, the following approval condition is recommended:

the implementation of sewer upgrading works as identified in the updated SIA to the satisfaction of Director of Drainage Services or of the Board.

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

- (a) no in principle objection to the application provided that the following requirements can be met:
 - (i) the applicant shall comply with WSD's "Conditions for Working within Water Gathering Ground" during construction works;
 - (ii) no chemicals of fertilizers or pesticides are allowed to be used or stored in the site;
 - (iii) no detergents or disinfectants shall be used for cleaning of road or open spaces;
 - (iv) the applicants shall implement preventive, mitigation, control and contingency measures as proposed in the EA to ensure that the proposed development would not cause material increase in pollution effect within WGG;
 - (v) the applicants shall submit (a) an effective water quality monitoring programme as a long-term commitment on no material increase in pollution effect within WGG arising from the proposed development, and (b) a contingency plan for handling exceedance in any parameters for WSD's consideration;
 - (vi) the applicants shall implement the water quality monitoring programme as provided in Item (v) above and agreed by WSD. Baseline water quality monitoring records shall be provided before commencement of construction works. Water quality monitoring records during construction and operation phases shall be submitted to WSD on quarterly and need bases such as when exceedance occurs; and
 - (vii) prior to commencement of construction works and operation, the applicant shall submit a list of chemicals to be stored and used on site to WSD for approval;

- (b) while two of the above requirements (ii) and (iii) have been included in the existing lease conditions and the rest of the requirements should be included upon lease modification, should the application be approved, the following approval condition is recommended:

the implementation of preventive, mitigation, control and contingency measures as proposed in the updated EA to the satisfaction of Director of Water Supplies or of the Board; and

- (c) the applicants have provided an undertaking letter to WSD for meeting the aforesaid requirements.

Nature Conservation

9.1.7 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) provided that the proposed development will be confined to the Site and will not result in any works (including ground investigation and natural terrain hazard mitigation works) within TLCP as specified in the revised EcoIA, DAFC has no comment on the application from country park and nature conservation points of view; and
- (b) should the application be approved, the following approval condition is recommended:

the implementation of the proposed mitigation measures identified in the EcoIA to the satisfaction of DAFC or of the Board.

Urban Design and Landscape

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

Urban Design

- (a) the Site of about 13,850m² is elongated in shape and sandwiched between TLCP to the north and areas zoned “GB” to the east, south and west of the site. The surrounding areas are mainly characterised by natural landscape with scattered small-scale village-type developments and workshops with BH ranging from 1 to 3 storeys. While the proposed 3-storey resort villas in the eastern portion of the site are compatible with the development scale and prevailing character of the area, the 5-storey hotel block excluding basement in the western portion of the site will be larger than the surrounding village-type developments. Notwithstanding, as illustrated in the photomontages in the VIA, the proposed development is largely screened off by the surrounding existing vegetation, and the vertical greenery and uppermost floor setback incorporated at the hotel block helps reduce its perceivable mass. Given the above, the proposed

development will unlikely induce significant adverse effects on the visual character of the surrounding townscape;

- (b) the proposed development has incorporated setback from TLCP, and trees and landscaping are provided along the site boundary. For the hotel block, various design measures including curvy design, building gap, uppermost floor setback and vertical greening have been incorporated. The above design measures may soften the interface of the proposed development with its surroundings and provide visual interest;

Landscape

- (c) no comment on the application from landscape planning perspective;
- (d) according to the aerial photo of 2020, the Site is situated in an area of rural landscape character comprising village-type houses, temporary structures, workshops and open storage yards. The eastern part of the Site is currently vacant with tree groups and vegetation while the western part is occupied by an unused golf club building. The proposed development is not incompatible with the surrounding environment; and
- (e) the applicants are reminded that approval of the subject section 16 application does not imply approval of the site coverage of greenery requirements under APP PNAP-152 and/or under the lease. The SC of greenery calculation should be submitted separately to BD for approval.

9.1.9 Comments of the Chief Architect/CMD2, Architectural Services Department (CA/CMD2, ArchSD):

the hotel block with 5 storeys are about 66.7% higher than adjacent village-type development with 3 domestic storeys. It is undesirable from visual impact point of view and may not be compatible to adjacent village-type development.

Others

9.1.10 Comments of the Commissioner for Tourism (C for Tourism):

- (a) no objection to the application; and
- (b) the proposed resort hotel development in Chuen Lung will help increase the provision of hotel facilities and broaden the range of accommodations for our visitors.

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

- (a) no comment on the application from electricity supply safety and town gas safety aspects;

- (b) there is a high pressure town gas pipeline (HP pipeline) running along Route Twist in close vicinity of the Site;
- (c) should the application be approved, the following approval condition is recommended:

the submission of a Quantitative Risk Assessment (QRA) is required to assess the potential risks associated with the HP pipeline, having considered the proposed development and implement mitigation measures if necessary for compliance with the risk guidelines of the Hong Kong Planning Standards and Guidelines; and

- (d) other detailed comments are provided in **Appendix III**.

Geotechnical

9.1.12 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) no in-principle geotechnical objection to the application; and
- (b) should the application be approved, the following approval condition is recommended:

the submission of a Natural Terrain Hazard Study and implementation of the mitigation measures recommended therein outside TLCP to the satisfaction of the Director of Civil Engineering and Development or of the Board.

Heritage

9.1.13 Comments of the Antiquities and Monument Office (AMO):

- (a) no adverse comment on the application from heritage conservation perspective provided that the works arising from the proposed development, if approved by the Board, will not impose any adverse impact on the Grade 3 historic building, Tsang Ancestral Hall; and
- (b) Tsang Ancestral Hall is located over 140m away from the Site.

9.2 The following Government departments have no comment/no objection on the application and their advisory comment are provided at **Appendix III**:

- (a) Chief Highway Engineer/New Territories West (CHE/NTW), HyD;
- (b) Commissioner of Police;
- (c) Project Manager (West), CEDD;
- (d) Director of Fire Services (D of FS);
- (e) Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department; and
- (f) District Officer/Tsuen Wan, Home Affairs Department.

10. Public Comments Received During Statutory Publication Periods

- 10.1 During the statutory public inspection periods, a total of 185 public comments were received. Among them, there are 6 supporting from individuals, 175 objecting (including Tsuen Wan Rural Committee, members of Tsuen Wan North Area Committee, Chuen Lung Village Office, indigenous village representatives, Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Conservancy Association, Designing Hong Kong Limited, Green Sense, Greenpeace and individuals) and 4 providing general views (including Hong Kong and China Gas Company Limited (Towngas) and individuals).

Supporting Views

- 10.2 The supporting grounds are mainly as follows:

- (a) the proposed development will encourage tourism development in Chuen Lung;
- (b) the Site is a desirable location for low-density resort hotel and a balance between the hotel development and natural and rural setting of Chuen Lung has been struck by provision of buffer from the Country Parks; and
- (c) the proposed development has given a sensitive consideration to exclude banquet and convention facilities to minimise the visitors and provide local job opportunities.

Objecting Views

- 10.3 The objecting grounds are mainly as follows:

- (a) the Site adjoins TMSCP and TLCP which have high ecological value and support a population of birds and butterflies. There are endangered species such as *Amolops hongensis*, Crested Serpent Eagle and Crested Goshawk. Agricultural land is located in proximity to the Site and rehabilitation of agricultural land has been carried out in the surrounding areas. The proposed development will involve removal of natural vegetation, generate construction waste, noise and sewage, which will destroy natural environment and bring nuisances to the residents;
- (b) the proposed development will cause pollution to WGG and streams in the vicinity;
- (c) there is inadequate sewage treatment facility, and the proposed development will result in adverse sewerage impact;
- (d) there is lack of public transport in the area and Route Twisk has reached its full capacity. Additional traffic brought by the proposed development will cause traffic congestion, create traffic road safety problems as well as worsening the illegal parking problem in the area;
- (e) the proposed development will block access to ancestral graves and a Grade-3 historic building, namely Tsang Ancestral Hall and adversely affect fung shui.

The proposed development will block the access to Ma Tong and deprive local villagers and the public of the right of access;

- (f) the proposed development is incompatible with the rural setting and local character and is not in line with the general planning intention of the area. There are insufficient justifications for the proposed resort hotel development and previous planning application at the Site was rejected. Approval of the case will create undesirable precedent; and
- (g) the proposed development will adversely affect internet and telecommunication infrastructure.

Other Views

10.4 There are also other views as follows:

- (a) for the existing HP gas pipeline, the applicants should conduct QRA and implement necessary mitigation measures as well as consult the Towngas in the design stage and closely coordinate with the company during the construction stage, and provide necessary protective measures;
- (b) it is suggested that the proposed development should provide hostel use for teenagers; and
- (c) the demand for camping in the area should be taken into account. Environmental-friendly and eco-friendly design/materials should be considered in the construction and operation stages.

11. Planning Considerations and Assessments

11.1 The applicants seek planning permission for ‘Hotel’ use and minor relaxation of maximum PR restriction from 0.4 to 0.6 (i.e. +0.2 or +50%) and maximum BH restriction from 3 storeys to 5 storeys (excluding a basement floor, i.e. +2 storeys above ground or +66.7%) to facilitate the redevelopment of a recreational club building with golf driving range into the proposed resort hotel at the Site zoned “REC”.

Planning Intention

11.2 The planning intention of the “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/ eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission. The proposed resort hotel to promote eco-tourism is considered generally in line with the planning intention of the “REC” zone. C for Tourism considers that the proposed resort hotel development in Chuen Lung will help increase the provision of hotel facilities and broaden the range of accommodations for visitors to Hong Kong.

Land Use Compatibility

11.3 While TLCP and TMSCP is located to the north and south of the Site respectively, the Site is situated in an area of rural landscape character comprising village-type houses, temporary structures, vehicle repair workshops and open storage yards. The Site has already been formed with the 3-storey recreational club building and largely hard paved in the open area at the western portion of the Site since 2008 before the publication of the DPA Plan. The proposed resort hotel development which would have integrated building and landscape designs and suitable mitigation measures to address the interface with the surroundings may not be incompatible with the area including the Country Parks.

Minor Relaxation of PR and BH Restrictions

11.4 The applicants propose to relax the PR restriction from 0.4 to 0.6 (i.e. +50%) in order to implement a self-contained resort hotel for provision of 197 guestrooms and to optimise the site potential with development scale similar to that of Silvermine Hotel accommodating about 130 rooms in Mui Wo. Various technical assessments submitted by the applicants have demonstrated that the proposed development is technically feasible and will not cause adverse technical impacts on the surroundings, as detailed in paragraph 11.6 to 11.9 below.

11.5 While the 3-storey villas at the eastern part of the Site are in compliance with the BH restriction, the proposed 5-storeys hotel block excluding a basement floor with 326mPD (21.5m above ground) will be lower than two adjoining vegetated knolls from about 336mPD to 364mPD. The proposed minor relaxation of BH restriction from 3 storeys to 5 storeys above ground at the western portion of the Site to accommodate the increased GFA arising from the proposed minor relaxation of PR is considered not unacceptable as the visual impact of the hotel block will be embedded in the surrounding natural terrain. The use of basement floor for reception area and other hotel supporting facilities, as well as car parking and loading/unloading facilities has helped minimise the building bulk above ground and allowed better walking experience and landscaping at-grade. CTP/UD&L of PlanD opines that the proposed development will largely be screened off by the surrounding existing vegetation, and the vertical greenery and uppermost floor setback incorporated at the hotel block helps reduce its perceivable mass. The proposed development will unlikely induce significant adverse effects on the visual character of the rural landscape. Various measures including curvy design, building gap, uppermost floor setback and vertical greening have been incorporated into the design of hotel block. The above design measures may soften the interface of the proposed development with its surroundings and provide visual interest. In view of the above, the proposed minor relaxation of BH is generally considered not unacceptable.

Water Quality and Ecology

11.6 The Site falls within the upper indirect WGG. The applicants submitted various technical assessments including EA, SIA and DIA to demonstrate that the proposed resort hotel will not cause any adverse impacts on the water quality in the area. The applicants have committed to upgrading the local sewerage network for sewage disposal at their own cost and various measures as detailed in paragraph 1.8 above. The applicants have also undertaken to meet the requirements as set by WSD.

Taking into account the above measures, DEP, CE/MS of DSD and CE/C of WSD have no objection to the application subject to the imposition of approval conditions on the submission of relevant updated assessment reports and implementation of respective measures identified therein.

- 11.7 The Site is located in close proximity to TLCP. The EcoIA covering wet and dry seasons surveys has demonstrated that there are no endangered species within the Site and suitable mitigation measures to address the interface with TLCP including a 7.5m wide buffer area with landscape treatment will be provided between the proposed development and TLCP (**Drawing A-7**). DAFC has no comment on the application from country park and nature conservation perspectives subject to the imposition of approval condition on implementation of proposed mitigation measures identified in the EcoIA.

Other Technical Considerations

- 11.8 To support the application, other relevant technical assessments submitted by the applicants have demonstrated that the proposed development will not cause adverse traffic, environmental, drainage, sewerage, water supplies and geotechnical impacts on the surrounding areas. In this regard, C for T, CHE/NTW of HyD, DEP, CE/MS of DSD, CE/C of WSD, D of FS and H(GEO) of CEDD have no objection to the application subject to the imposition of approval conditions as set out in paragraph 12 below. The applicants have also committed to retain the existing vehicular and pedestrian access for the public to use as required under the lease.
- 11.9 Although there are existing open storage yards and workshops at the unacquired lot near the middle of the Site and in the vicinity, landscape treatments are proposed to screen them off to minimise their impacts onto future hotel users. The EA has also confirmed that there will be no adverse environmental impact from these uses on the proposed resort hotel. The implementation of the proposed resort hotel may be able to serve as a catalyst to phase out the surrounding open storage/workshop uses in the long term resulting in the improvement to the rural environment.

Previous Application

- 11.10 The Site was the subject of the previously rejected application No. A/DPA/TW-CLHFS/3 submitted by the same applicants for proposed residential development when the Site fell within “UNSP” area on the approved DPA Plan. As the zoning of the Site and the applied use under the previous application are different from those in the current proposal, the planning considerations for the previous application are not relevant.

Public Comments

- 11.11 With regard to the public comments on local traffic, local access, environment, infrastructure, ecology and water quality, the planning assessments above and departmental comments in paragraph 9 are relevant. In respect of the concern over local access, the existing access road and footpath will remain open to the public and hikers to use upon completion of the proposed development as required under the lease. Furthermore, considering that the agriculture land is located near Ma Tong and not in proximity of the Site, the proposed development will not have direct impact on agricultural rehabilitation. In general, fung shui is not a relevant

planning consideration under planning application. The applicants have indicated proposal for telecommunication infrastructure to be formulated at detailed design stage to ensure no adverse impact on the existing villagers. Tsang Ancestral Hall is located in Chuen Lung Village across Route Twisk with a distance of over 140m from the Site and AMO has no adverse comment on the application from heritage conservation perspective.

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, 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 23.6.2027, 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 are suggested for Members' reference:

Approval Conditions

- (a) the submission of the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of an updated Environmental Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the implementation of preventive, mitigation, control and contingency measures as proposed in the updated Environmental Assessment to the satisfaction of Director of Water Supplies or of the Town Planning Board;
- (d) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (e) the implementation of the proposed mitigation measures identified in the updated Sewerage Impact Assessment under approval condition (d) to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (f) the implementation of the proposed mitigation measures identified in the Ecological Impact Assessment to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (g) the submission of a Quantitative Risk Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board; and

- (h) the submission of a Natural Terrain Hazard Study and implementation of the mitigation measures recommended therein outside Tai Lam Country Park to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board.

Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members' reference:

the development scale of proposed development is considered not compatible with the surrounding rural environment and Country Parks and there is no strong justification for the proposed relaxation of PR and BH restrictions.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), 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 applicants.

14. Attachments

Appendix I	Application form and letters received on 20.4.2022
Appendix Ia	FI received on 13.6.2023 and 20.6.2023
Appendix II	Previous application
Appendix III	Detailed departmental comments
Appendix IV	Extracted public comments
Appendix V	Recommended advisory clauses
Drawing A-1	Master layout plan
Drawings A-2 to A-6	Floor plans
Drawing A-7	Landscape master plan
Drawings A-8 to A-10	Landscape sections
Drawing A-11	Greenery demarcation plan
Drawing A-12	Architectural rendering
Drawing A-13	Proposed recreation facilities at-grade
Drawings A-14a to A-14d	Photomontages of VIA
Drawing A-15	Proposed sewerage upgrading works
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo

Plans A-4 to A-8
Plan A-9

Site photos
WGG in the vicinity

PLANNING DEPARTMENT
JUNE 2023