

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/FLN/32

- Applicant** : Sun Prosper Company Limited represented by Townland Consultants Limited
- Site** : Fanling/Sheung Shui Town Lot 182 S.A, Lots 2020 S.A and 2021 S.B in D. D. 51 and Adjoining Government Land at Area 14, Fanling North Area New Development Area, New Territories
(New Lot to be known as Fanling/Sheung Shui Town Lot 297 (FSSTL297))
- Site Area** : About 14,432 m² (including about 139.2m² of Government land (about 0.96%))
- Lease** : New Lot to be known as FSSTL 297
- (i) Restricted for non-industrial (excluding godown, hotel and petrol filling station) purposes
 - (ii) Subject to maximum gross floor area (GFA) of not exceeding 103,910.4m²
 - maximum GFA of 17,318.4m² for non-industrial purpose (excluding private residential, godowns, hotels, and petrol filling stations)
 - maximum GFA of 86,592m² for private residential purposes
- Plan** : Approved Fanling North Outline Zoning Plan (OZP) No. S/FLN/4
- Zoning** : “Residential (Group A) 1” (“R(A)1”)
- [Restricted to a total maximum plot ratio (PR) of 6 (of which the domestic PR should not exceed 5), and a maximum building height (BH) restriction of 115mPD, or the PR and height of the existing building, whichever is the greater.]
- Application** : Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Composite Commercial/Residential Development

1. **The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 6 to 7.2 (i.e. +1.2 or 20%) and BH restriction from 115mPD to 144.14mPD (i.e. +29.14m or +25.3%) for permitted composite commercial/residential development (the Proposed Development) on the application site (the Site), which falls within an area zoned “R(A)1” on the OZP and is subject to a total maximum PR of 6 (of which the domestic PR should not exceed 5) and a maximum BH of 115mPD (**Plans A-1 and A-2**). According to the Notes of the OZP of the “R(A)” zone, ‘Flat’ is always permitted, and commercial uses including ‘Eating Place’ and ‘Shop and Services’ are always permitted on the lowest two floors of a building, excluding basements, or in a freestanding purpose-designed non-domestic building up to five storeys. Minor relaxation of the PR and BH restrictions may be considered by the Town Planning Board (the Board) on application. As shown on the OZP, a 20m-wide non-building area (NBA) running in northeast to southwest direction is designated within the Site to facilitate wind penetration to the Fanling area through the Site together with the adjacent site (**Plan A-2**). The Site also falls within the Remaining Phase of the Fanling North New Development Area (FLN NDA) project (**Plan A-1**) under which infrastructural works are being carried out by the Civil Engineering and Development Department (CEDD). Previously used as a community isolation facility (**Plan A-3**), the Site is paved and currently vacant (**Plan A-4**).
- 1.2 In view of the Government’s policy of relaxing the domestic PR of private housing sites by 20% and the incentives to promote the adoption of Modular Integrated Construction (MiC) for new developments, the applicant proposes to intensify the development potential of the Site through minor relaxation of the domestic PR restriction from 5 to 6 and non-domestic PR from 1 to 1.2 and with the said intensification and the adoption of MiC for the Proposed Development, the applicant also applies for minor relaxation of BH restriction from 115mPD to 144.14mPD. The comparison of major development parameters between the OZP provisions and the Proposed Development are summarised as follows:

Major Development Restrictions	Under the OZP [A]	Proposed Development [B]	Difference [B] – [A]
Total PR	6	7.2	+ 1.2 (+20%)
- Domestic PR	5	6	+1 (+20%)
- Non-domestic PR	1	1.2	+0.2 (+20%)
Maximum BH	115mPD	144.14mPD	+29.14m (+25.3%)

- 1.3 The indicative block plan, floor plans, section plan and photomontages submitted by the applicant are at **Drawings A-1 to A-12** respectively. The major development parameters of the Proposed Development with the proposed minor relaxation of PR and BH restrictions are as follows:

Site Area	14,432 m ² (Includes Government Land of about 139.2m ²)
Total PR	7.2
- Domestic PR	6
- Non-domestic PR	1.2
Total Gross Floor Area (GFA) ⁽¹⁾	Not more than 103,910m ²
- Domestic GFA	Not more than 86,592m ²
- Non-domestic GFA	Not more than 17,318m ²
BH / Number of Storeys	144.14mPD / 36 storeys ⁽²⁾ (on top of 2 basement floors)
Number of Towers	4
Number of Flats	About 2,300
Parking Spaces	
- Private Cars	576 (including 5 disabled parking)
- Motorcycles	36
- Bicycles	154
Loading/Unloading Bays	
- Heavy Goods Vehicle Spaces	26
Greenery Coverage	Not less than 20%

Note:

(1) Not including the 10% concession of GFA for MiC floor area (i.e. about 86,592m² × 10% = about 8,659m²) by adopting MiC for construction under Joint Practice Note (JPN) No. 8 on 'Enhanced Facilitation Measures for Buildings Adopting MiC', which is subject to approval of the Building Authority.

(2) Including 30 MiC storeys (with 4% relaxation of BH restriction) for residential use.

- 1.4 According to the applicant's submitted scheme, the Proposed Development comprises two podium block each with car parking facilities on two basement floors, shops on G/F and 1/F, residents' recreational facilities on 2/F and 3/F and two residential towers above (providing a total of about 2,300 flats) with a sky garden on 17/F of each tower for residents' enjoyment (**Drawings A-1 to A-9**). The area designated as NBA on the OZP is maintained in the Proposed Development to preserve the breezeway to facilitate wind penetration to the Fanling area. The NBA with suitable landscape greenery incorporated will also provide a seamless pedestrian connection for the proposed retail facilities on both sides on the G/F of the two podia throughout the Site. In addition, various planning and design elements will be incorporated in the Proposed Development including integration of multi-level and vertical greenery, a green coverage of not less than 20%, and provision of building setback and building separation in compliance with the requirements under Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-152 Sustainable Building Design Guidelines (SBD Guidelines) promulgated by the Buildings Department (BD). The Site will be accessible from the planned Road L1 to be implemented by CEDD. In support of the application, a visual appraisal (VA) and a traffic review (TR) have been submitted which demonstrated that the Proposed Development with the relaxed

PR and BH is technically feasible and acceptable. The Proposed Development is anticipated to be completed in 2029 tentatively.

- 1.5 The Site is the subject of six previous applications for residential developments. The last approved application (No. A/FLN/30) (the Approved Application) was submitted by CEDD for minor relaxation of PR and BH restrictions for 20 planned public and private housing sites (including the Site) in FLN NDA in view of the Government's policy of relaxing the domestic PR of public and private housing sites by 30% and 20% respectively. It was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 23.9.2022. Under the Approved Application, the Site involves minor relaxation of domestic PR from 5 to 6, non-domestic PR from 1 to 1.2, and BH from 115mPD to 140mPD for composite private commercial/residential development with an assumed flat production of about 1,240 flats. The building plan submission for the Approved Application at the Site submitted by the applicant was approved by the Building Authority on 27.5.2024.
- 1.6 According to the applicant, comparing with the Approved Application, the Proposed Development will have the same total PR of 7.2 (including domestic PR of 6 and non-domestic PR of 1.2) and an increase in BH from 140mPD to 144.14mPD (+4.14m or +2.96%) solely for the adoption of MiC. While the relaxed domestic PR is the same as the Approved Application, the Proposed Development will provide about 2,300 flats (i.e. an increase of 1,060 comparing with 1,240 flats under the Approved Application) solely due to the adjustment on the average flat size from 70m² to about 38.9m² with a view to providing more flats to meet housing demand.
- 1.7 In support of the application, the applicant has submitted the following documents:
- (a) Application Form and Supplementary Information (Appendix I) received on 20.8.2024
 - (b) Supplementary Planning Statement (SPS) including a VA (Appendix Ia)
 - (c) Further information (FI) received on 20.9.2024 (Appendix Ib) including a TR*
 - (d) FI received on 24.9.2024 including replacement pages of VA* (Appendix Ic)
 - (e) FI received on 27.9.2024* (Appendix Id)
 - (f) FI received on 25.10.2024* (Appendix Ie)
 - (g) FI received on 18.11.2024* (Appendix If)
- * Exempted from publication and recounting requirements
- 1.8 On 4.10.2024, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form with Supplementary Information, SPS and FIs at **Appendices I to If**, and can be summarised as follows:

In-line with the Government's Policy to for the Adoption of MiC

- (a) To enhance the productivity and cost-effectiveness of the construction industry and expedite housing supply, the Government has been encouraging the use of MiC for construction. The adoption of MiC will also enhance quality control and minimise nuisance to the surrounding areas. The current application will set a precedent case for promoting MiC application in new developments and is considered beneficial to the Proposed Development, the construction industry and the environment.
- (b) Compared with the Approved Application, the proposed further minor relaxation of the BH restriction from 140mPD to 144.14mPD (+4.14m or +2.96%) is solely for the adoption of MiC for all domestic floors of the Proposed Development. As stated in the JPN No. 8, which promulgates enhanced facilitation measures for promoting wider adoption of MiC in new buildings, an increase of BH up to 4% of the total storey height of MiC floors should be supported.

In compliance with the Planning Intention and Permitted Development Intensity

- (c) The proposed composite commercial/residential development is in line with the planning intention of the "R(A)" zone for high-rise residential development with commercial uses on the lowest two floors of a building excluding basements. The Proposed Development with the proposed minor relaxation is compatible with the surrounding areas. The development intensity is also in line with the PR/GFA under the Approved Application.

Relaxation of BH required for the Adoption of MiC

- (d) The proposed further increase in BH of 4.14m or 2.96% from the BH of 140mPD under the Approved Application is considered minor in nature and will not affect the stepped building height profile and jeopardise the urban design concept of the FLN NDA. The Proposed Development will maintain the NBA for breezeway and comply with the SBD Guidelines on building separation, building setback and site coverage (SC) of greenery.

Technical Feasibility

- (e) Various technical assessments were conducted by CEDD under the Approved Application No. A/FLN/30 on landscape, visual, traffic, environmental, air ventilation, drainage, sewerage and water supply aspects, which demonstrate that the minor relaxation of PR and BH of the Approved Application would not cause any insurmountable problem to the surrounding areas. As the current application only seeks for further relaxation of the BH by 4.14m solely for the adoption of MiC while the domestic and non-domestic PR approved under

application No. A/FLN/30 remain unchanged, no adverse impact on the road network and other infrastructure provision is expected. The noise mitigation measures recommended under the Approved Application would be reviewed and updated as necessary at detailed design stage to meet relevant noise standards and regulations.

- (f) Compared with the Approved Application, although the number of flats would be increased from 1,240 to 2,300 (+1,060), the TR demonstrated that the traffic induced by the increase in flat numbers would be insignificant to the road network. The technical requirements and provision of internal transport facilities would be fulfilled in accordance with the lease conditions in consultation with the relevant government departments.

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

The applicant is the “current land owner”. Detailed information would be deposited at the meeting for Member’s inspection. For the Government land, the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) are not applicable.

4. Background

- 4.1 In the 2014 Policy Address, the then Chief Executive announced that in order to address the continued shortage of land supply for housing development, the maximum domestic PR for housing sites outside the north of Hong Kong Island and Kowloon Peninsula could be generally increased by around 20% (i.e. from 5 to 6 for Residential Density Zone 1 for most New Towns including the FLN NDA), subject to availability of infrastructural capacities (such as traffic and sewerage capacities), environmental and other technical constraints as well as urban design considerations.
- 4.2 In July 2022, BD, Lands Department (LandsD) and Planning Department (PlanD) jointly issued JPN No. 8 on ‘Enhanced Facilitation Measures for Buildings Adopting MiC’ to provide a 10% concession for MiC floor area in the calculation of GFA and SC, and a 4% storey height concession for MiC floors in the calculation of the BH restriction, to enhance facilitation measures for promoting wider adoption of MiC in new buildings. If MiC is not adopted in the proposed building, the GFA/SC concessions and minor relaxation of BH restriction for the MiC floors as approved will no longer be applicable.

5. Previous Applications

- 5.1 The Site is the subject of six previous applications. The locations and details of the previous applications are at **Plan A-1** and **Appendix II** respectively.

- 5.2 Five of the previous applications (No. A/FSS/12, 19, 25, 31 and 52) submitted by the same applicant for proposed low-rise residential development were considered by the Committee between 1990 and 1994 when the Site was then zoned “Green Belt” and not yet incorporated in the FLN NDA development. The considerations of these previous applications are not relevant to the current application for minor relaxation of PR and BH restrictions within “R(A)1” zone of the FLN NDA.
- 5.3 The last previous application (No. A/FLN/30) submitted by CEDD was for proposed minor relaxation of PR and BH restrictions for a total of 20 planned public and private housing sites (including the Site) in the FLN NDA as mentioned in paragraph 1.5 above. It was approved by the Committee on 23.9.2022 mainly on the considerations that the proposal was in line with the Government’s policy in boosting housing supply by increasing the development intensity where technically feasible; the proposed intensity was considered acceptable for the subject locations and site context; and the proposed minor relaxation of PR and BH restrictions of the development would not induce significant adverse impacts on the traffic, environmental, landscape, drainage and sewerage aspects.

6. **Similar Application**

While there is no similar application within the “R(A)” zones on the Fanling North OZP, there is one similar application (No. A/FSS/294) within the “R(A)12” zone on the Fanling/Sheung Shui OZP which is located to the immediate south of the Site (**Plan A-1**). Application No. A/FSS/294 was for proposed minor relaxation of the domestic PR restriction from 5 to 6 (+20% to cater for the intensification of the permitted flat use) and the BH restriction from 110mPD to 132mPD (+20% to cater for the additional flats and adoption of MiC) for a permitted private residential development with social welfare facilities and public vehicle park. It was approved with conditions by the Committee on 21.6.2024 mainly on the similar considerations as stated in paragraph 5.3 above. The location and details of the similar application are at **Plan A-1** and **Appendix III** respectively.

7. **The Site and its Surrounding Areas** (**Plan A-2**, aerial photo on **Plan A-3** and site photos on **Plans A-4a** and **A-4b**)

7.1 The Site:

- (a) is paved and currently vacant;
- (b) was used as a community isolation facility; and
- (c) will be accessible from the planned Road L1 to be implemented by CEDD.

- 7.2 The Site is within the Remaining Phase of the FLN NDA and is generally surrounded by existing and planned high-rise residential developments, including several planned public and private housing developments with BHs ranging from 120mPD to 135mPD as approved under application No. A/FLN/30, a planned private residential development with a BH of 132mPD as approved under application No. A/FSS/294, and existing high-rise residential development (Wing Fok Centre) with a BH of 92mPD, low-rise residential development (Good View New Village) and village settlement of Ling Shan Tsuen.

8. Planning Intention

- 8.1 The “R(A)” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.
- 8.2 According to the Notes of the OZP, based on the individual planning merits of a development or redevelopment proposal, minor relaxation of the PR and/or BH restrictions may be considered by the Board through planning permission.

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 Chief Estate Surveyor/New Development Area (CES/NDA) and District Lands Officer/North (DLO/N), LandsD:
- (a) the Site (i.e. FSSTL 297) is the subject of a land exchange application currently handled by LandsD for a composite commercial/residential development; and
 - (b) the relaxation of the PR and BH under the Approved Application have been incorporated into the relevant land exchange documents. Since the proposed lease conditions would contain no building height requirement, LandsD has no comment on the application and the further relaxation of the BH from 140mPD to 144.14mPD.

Urban Design, Visual and Landscape Aspects

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

Urban Design and Visual Aspects

- (a) the Site is located at the planned District Centre of the FLN NDA. As compared with the Approved Application, the Proposed Development under the current application would remain the same total PR of 7.2 while seeking further relaxation of BH by 4.14m to 144.14mPD due to adoption of MiC. The current proposal is considered generally in line with the planned BH concept for the District Centre of the NDA as stated in the Explanatory Statement of the OZP, i.e., development sites in the central area generally have higher BHs and descend gradually towards the riverside;

Landscape Aspect

- (b) no objection to the application from landscape planning perspective; and
- (c) with reference to the aerial photo of February 2023 and site photos taken in August 2024, the Site is currently of rural fringe landscape character and the site formation works is in progress. Further adverse landscape impact on landscape resources and landscape character areas generated from the proposed minor relaxation of PR and BH restriction is not anticipated.

9.1.3 Comments of the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

- (a) no comment from architectural and visual impact point of view; and
- (b) the development proposal mainly consists of four residential towers with an overall PR of 7.2 (no change from the Approved Application) and BH of 144.14mPD (a 2.96% increase from 140mPD approved under application No. A/FLN/30). It is noted that the further relaxation of BH is solely for adoption of MiC. Based on the photomontages in the VA, it appears that the increase in BH has negligible visual impact compared with the Approved Application.

Traffic

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

- (a) no objection to the planning application from traffic engineering perspective; and

- (b) the TR prepared by the applicant incorporated with updated assumptions and trip generations concludes that the traffic induced by the increase of flat number by 1,060 flats under the current application, comparing with the flat number under the Approved Application, would have no significant traffic impact.

Environment and Sewerage Aspects

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

- (a) no objection to the planning application from environmental perspective as the standard Noise Impact Assessment and Sewerage Impact Assessment clauses have been incorporated into the relevant land exchange documents; and
- (b) the proposed minor relaxation will not incur insurmountable environmental impact.

9.1.6 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

no in-principle objection to the application from public drainage point of view as the standard Sewerage Impact Assessment clauses have been incorporated into the relevant land exchange documents.

Water Supply

9.1.7 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no objection to the application from water supply system planning point of view;
- (b) the existing water mains inside the Site may be affected. The applicant is required to either divert or protect the water mains found on the Site; and
- (c) advisory comments are set out at **Appendix V**.

Fire Safety

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

- (a) no specific comment on the application subject to water supplies for firefighting and fire service installations being provided to the satisfaction of D of FS; and
- (b) advisory comments are set out at **Appendix V**.

Building Matter

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

- (a) no objection under the Buildings Ordinance to the application, subject to the requirements under JPN No. 8 are complied with; and
- (b) detailed comments would be provided during the stage of building plan submission.

Other Aspect

9.1.10 Comments of Director of Food and Environmental Hygiene (DFEH):

- (a) no comment on the application; and
- (b) advisory comments are set out at **Appendix V**.

District Officer's Comments

9.1.11 Comments of the District Officer/North, Home Affairs Department (DO/N, HAD):

his office has not received comment from the locals upon close of consultation and have no particular comment on the application.

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

- (a) Commissioner of Police;
- (b) Director of Electrical and Mechanical Service;
- (c) Director of Social Welfare;
- (d) Chief Highway Engineer/New Territories East, Highways Department; and
- (e) Project Manager/North, Civil Engineering and Development Department.

10. Public Comments Received During Statutory Publication Period

10.1 On 27.8.2024, the application was published for public inspection. During the statutory public inspection period, seven public comments were received including one supporting comment (**Appendix IVa**), four objecting comments (**Appendix IVb**) and two comments from individuals indicating no comment on the application (**Appendix IVc**).

10.2 The supporting comment was received from an individual. The supportive views mainly include that the adoption of MiC would help the problem of labour shortage in the construction industry and reduce lengthy construction time; and

the current application could be a precedent case for the private sector for the use of MiC.

10.3 The four objecting comments were submitted by the Chairman, 1st Vice-chairman and 2nd Vice-chairman of the Fanling District Rural Committee and an individual. Their major objection grounds are summarised as follows:

- (a) the development of the Fanling and Sha Tau Kok areas with lots of new developments and infrastructure/construction works have generated traffic congestions at Sha Tau Kok Road and Ma Sik Road, causing serious disturbances to the livelihood of the community;
- (b) the new developments would consume more water and electricity, and also cause adverse drainage and environmental impacts; and
- (c) there is no community facility to be provided in the Proposed Development and the adoption of MiC is not a justification for the proposed minor relaxation.

11. Planning Considerations and Assessments

11.1 The application is for minor relaxation of PR restriction from 6 to 7.2 (+1.2 or +20%), including domestic PR from 5 to 6 (+1 or +20%) and non-domestic PR from 1 to 1.2 (+0.2 or +20%), and BH restriction from 115mPD to 144.14mPD (+29.14m or +25.3%) for the Proposed Development, i.e. a permitted composite commercial/residential development, at the Site zoned “R(A)1”. The Proposed Development is in line with the planning intention of the “R(A)” zone which is primarily for high-density residential developments.

11.2 The Site is subject to a previous application (No. A/FLN/30) for minor relaxation of PR restriction from 6 to 7.2 (including domestic PR of 6 and non-domestic PR of 1.2) and BH restriction from 115mPD to 140mPD approved by the Committee in September 2022. Compared with the Approved Application, the current application involves the same relaxed PR of 7.2 and further relaxation of the BH from 140mPD to 144.14mPD (+4.14m) solely for the adoption of MiC for the Proposed Development.

Minor Relaxation of PR Restriction

11.3 The proposed minor relaxation of domestic PR restriction from 5 to 6 is in line with the Government’s policy of enhancing the development intensity of private housing sites by 20% to increase the housing supply subject to availability of infrastructural capacities, environmental and other technical constraints as well as urban design considerations. The Remaining Phase of the FLN NDA where the Site is located is one of the major land supply sources of the Government’s latest ten-year supply forecast of developable land for 2025-26 to 2034-35. The Site together with the surrounding development sites with planned domestic PR of 6 or 6.5 (some with a non-domestic PR ranging from 0.48 to 1.3) forming the District Centre of the FLN NDA would be developed into a residential cluster

which could help boost the housing supply. The proposed domestic PR of 6 and non-domestic PR of 1.2 for the Proposed Development are also not considered incompatible with the development intensity in the surroundings.

- 11.4 The technical assessments conducted by CEDD under the Approved Application have already concluded that the proposed minor relaxation of development intensity would not have significant adverse impact on traffic, water supply, sewerage, drainage, environmental, visual, landscape and air ventilation aspects. While the relaxed domestic PR is the same as that under the Approved Application, the Proposed Development involves an increase in number of flats by about 1,060 (i.e. about 2,300 in total) due to the adjustment on the average flat size from 70m² to about 38.9m² with a view to provide more flats to meet housing demand. On traffic aspect, the applicant submitted a TR with updated assumptions and trip generations which demonstrated that the traffic induced by the increased number of flats would have no significant traffic impact. C for T has no objection to the application from traffic engineering perspective. Besides, other relevant government departments consulted, including DEP, CE/MN of DSD, and CE/C of WSD have no objection to/no adverse comment on the application from environmental, sewerage and water supply perspectives. Other technique requirements including the submission of Noise Impact Assessment and Sewerage Impact Assessment would be addressed under the lease conditions governing the development of the Site.

Minor Relaxation of BH Restriction

- 11.5 Locating at the planned District Centre of the FLN NDA, the Site is generally surrounded by existing and planned high-rise residential developments with BHs ranging from 120mPD to 135mPD. The proposed BH of about 144.14mPD is considered not incompatible with the surrounding BH profile. As demonstrated in the VA conducted by the applicant, the Proposed Development with relaxed BH would unlikely cause any significant adverse visual impact. CA/ASC of ArchSD considered that the increase in BH solely for adoption of MiC will have negligible visual impact compared with the Approved Application. CTP/UD&L of PlanD also has no adverse comment on the application from urban design, visual and landscape perspectives.
- 11.6 The proposed BH of 144.14mPD involves an increase of 29.14m (+25.3%) or an increase of 4.14m (+2.96%) when compared with the BH stipulated on the OZP (115mPD) and with the relaxed BH under the Approved Application (140mPD) respectively. While the relaxed BH of 140mPD was considered acceptable by the Committee under the Approved Application, the further relaxation of 4.14m under the current application, according to the applicant, is solely for the adoption of MiC for domestic floors of the Proposed Development. The proposed further relaxation is in line with the JPN No. 8 on 'Enhanced Facilitation Measures for Building Adopting MiC' in that favourable consideration may be given to an increase in BH for the adoption of MiC up to 4% of the total storey height of the MiC floors, i.e. 4.14m (4% of 103.5m) for the domestic floors with adoption of MiC (**Drawing A-9**). If planning permission is granted but MiC is not adopted for the Proposed Development as submitted under the current application, the minor relaxation of the BH

restriction for the MiC floors (i.e. further relaxation of 4.14m or the overall relaxed BH of 144.14mPD) will not be applicable.

Planning and Design Merits

- 11.7 The applicant has proposed various planning and design elements, such as designation of 20m-wide NBA for air ventilation purpose as required under the OZP, provision of landscaping at the NBA for better pedestrian environment and seamless pedestrian connectivity throughout the Site with retail facilities alongside, incorporation of various landscape measures including multi-level and vertical greening (e.g. sky garden for each residential tower) to enhance the overall environment, as well as provision of a green coverage of not less than 20% and building setback and building separation in accordance with the SBD Guidelines. In this regard, CTP/UD&L has no adverse comment on the application from the urban design, visual and landscape perspective.

Previous and Similar Applications

- 11.8 There has been no major change in the planning circumstances since the approval of the Approved Application on 23.9.2022 as mentioned in paragraph 5.3 above. Besides, there is one similar application (No. A/FSS/294) for proposed minor relaxation of domestic PR from 5 to 6 and BH from 110mPD to 132mPD to cater for the increased development intensity and adoption of MiC for a proposed private residential development which was approved with condition by the Committee on 21.6.2024 as mentioned in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.

Public Comments

- 11.9 Regarding the public comments mentioned in paragraph 10 above, the departmental comments and planning assessments above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and 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 22.11.2028 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 recommended advisory clauses attached at **Appendix V** are suggested for Members' reference.
- 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 refuse to grant the 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 and Supplementary Information received on 20.8.2024
Appendix Ia	Supplementary Planning Statement and VA
Appendix Ib	FI received on 20.9.2024
Appendix Ic	FI received on 24.9.2024
Appendix Id	FI received on 27.9.2024
Appendix Ie	FI received on 25.10.2024
Appendix If	FI received on 18.11.2024
Appendix II	Previous Applications
Appendix III	Similar Application
Appendices IVa to IVc	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Block Plan
Drawings A-2 to A-8	Floor Plans
Drawing A-9	Section Plan
Drawings A-10 to A-12	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plans
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos