

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/FSS/295**

- Applicant** : Civil Engineering and Development Department represented by WSP (Asia) Limited
- Site** : Government Land in Area 48, Fanling
- Site Area** : 40,185m<sup>2</sup>
- Land Status** : Government Land
- Plan** : Draft Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/27
- Zoning** : “Residential (Group A)3” (“R(A)3”)  
[Subject to a maximum gross floor area (GFA) of 178,100m<sup>2</sup> and maximum building height (BH) of 140mPD]
- Application** : Proposed Minor Relaxation of GFA and BH Restrictions for Permitted Public Housing Development

**1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of GFA and BH restrictions for permitted public housing development with provision of social welfare facilities, kindergarten and other ancillary facilities at the application site (the Site) (**Plans A-1a and A-1b**). The Site comprises the entire “R(A)3” zone, which is subject to a maximum GFA of 178,100m<sup>2</sup> (i.e. a total plot ratio (PR) of 6.5<sup>1</sup>) and a maximum BH of 140mPD. According to the Notes of the OZP, ‘Flat’ and ‘Social Welfare Facility’ are Column 1 uses which are always permitted, while ‘School’ use is also always permitted on the lowest three floors of a building including basements. In addition, based on the individual merits of a development proposal, minor relaxation of the GFA 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).
- 1.2 The proposed public housing development mainly comprises seven housing blocks over 4 to 6 storey-podia. The podia are mainly to accommodate car parking facilities, retail shops, kindergarten, social welfare facilities and other ancillary facilities (**Drawings A-1 to A4**). The Site is accessible from Tai Wo Service Road West

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<sup>1</sup> Equivalent to a domestic PR of 6 and a non-domestic PR of 0.5 based on net site area of 27,400m<sup>2</sup> of the proposed scheme, which has excluded the slope area and road.

(**Drawing A-1**) and part of the Site is currently under construction, while the remaining part is occupied by workshops, domestic dwellings and shops (**Plans A-2 to A-4b**).

- 1.3 In pursuit of the Government's initiatives to increase the maximum domestic PR of public housing sites where their technical feasibility permits, and to increase the provision of social welfare facilities with no less than 5% of domestic GFA of social welfare facilities, the applicant has reviewed the technical feasibility of intensifying the public housing development at the Site, while foundation works have been commenced. Upon the technical feasibility study, it is proposed to increase the flat production through minor relaxation of the maximum GFA restriction from 178,100m<sup>2</sup> to 198,000m<sup>2</sup> (i.e. +19,900m<sup>2</sup>/+11.2%) and BH restriction from 140mPD to 175mPD (i.e. +35m/+25%) for the proposed public housing development. After intensification, the total number of flats will increase by 200 (+5%), as compared with OZP compliant scheme, to about 4,200 units.
- 1.4 The layout plans, sections, Landscape Master Plan (LMP), and photomontages submitted by the applicant are at **Drawings A-1 to A-14**. The major development parameters of the proposed scheme are included in the table below:

Development Parameters	Proposed Scheme
Gross Site Area	About 40,185 m <sup>2</sup>
Net Site Area	About 27,400m <sup>2</sup>
GFA restriction under OZP	178,100m <sup>2</sup> (equivalent to total PR of 6.5 <sup>[a]</sup> )
Proposed GFA	
- Overall	198,000m <sup>2</sup> (equivalent to total PR of 7.23 <sup>[a]</sup> ) (i.e. +19,900m <sup>2</sup> /+11.2% over OZP GFA restriction)
- Domestic	178,100m <sup>2</sup> (equivalent to domestic PR of 6.5 <sup>[a]</sup> )
- Non-domestic	19,900m <sup>2</sup> (equivalent to non-domestic PR of 0.73 <sup>[a]</sup> )
BH restriction under OZP	140mPD
Proposed Maximum BH (main roof level)	175mPD (i.e. +35m/+25% over OZP BH restriction)
Flat Production	About 4,200 <sup>[b]</sup> (i.e. +200 / +5% over OZP compliant scheme)
Design Population	About 10,800 <sup>[b]</sup> (i.e. +800 / +8% over OZP compliant scheme)
Retail Facilities	About 3,500m <sup>2</sup> <sup>[b]</sup>
Social Welfare Facilities	About 9,121m <sup>2</sup> <sup>[b], [c]</sup> (about 5.1% of domestic GFA), including: <ol style="list-style-type: none"> <li>1. 150-place Residential Care Home for the Elderly (RCHE) cum 30-place Day Care Unit (DCU);</li> <li>2. 50-place Hostel for Moderately Mentally Handicapped Persons (HMMH);</li> <li>3. 80-place Integrated Vocational Rehabilitation Services Centre (IVRSC);</li> </ol>

Development Parameters	Proposed Scheme
	4. 30-place Supported Hostel for Mentally/Physically Handicapped Persons (SHOS(MPH)); and 5. Neighbourhood Elderly Centre (NEC).
Education Facilities	7-classroom Kindergarten <sup>[b]</sup> (about 1,000m <sup>2</sup> )
Management Facilities	About 1,000m <sup>2</sup> <sup>[b]</sup>
Ancillary Facilities	About 1,000m <sup>2</sup> <sup>[b]</sup>
Covered Landscape Area	About 4,279m <sup>2</sup> <sup>[b]</sup>
Ancillary Parking & Loading/Unloading (L/UL) Facilities (tentative)	
- Private Car	466
- Light Goods Vehicle (LGV)	16
- Motorcycle	30
- Bicycle	280
- L/UL	19 <sup>[d]</sup>
- Light Buses/16-seat Van	To be confirmed by Social Welfare Department (SWD)
Local Open Space	10,800m <sup>2</sup> with 4,500m <sup>2</sup> at grade <sup>[b]</sup>
Recreational Facilities <sup>[b]</sup>	One basketball court; One badminton court Two table tennis tables Children play areas
Completion Year	2029 and beyond by phases

Notes:

[a] Based on net site area of 27,400m<sup>2</sup>

[b] Approximate figures subject to detailed design

[c] Social Welfare Facilities to be included in the non-domestic GFA and PR calculation

[d] Provisions for social welfare facilities to be confirmed by SWD

- 1.5 As advised by the applicant, the proposed maximum BH of 175mPD has taken account of the adoption of Modular Integrated Construction (MiC). Taking into account the surrounding environment, stepped BH profile ranging from 118mPD to 175mPD is adopted in the proposed scheme with BH descending from southeast to northwest towards Wo Hop Shek Village and southwest to northeast towards Fanling Highway. Besides, building separation with a minimum width of 15m will be incorporated to enhance visual permeability and reduce the visual impact.
- 1.6 In order to alleviate the road traffic noise from Fanling Highway and the planned Fanling Bypass Eastern Section (**Drawing A-5**), single-aspect design is adopted for Blocks 1 and 2 (**Drawing A-1**). Due to structural reason, relative lower BHs (i.e. BHs of about 118mPD and 121mPD respectively) are proposed for these single-aspect blocks to maintain the flat production efficiency. Besides, these two blocks could screen off the traffic noise for the taller blocks behind.
- 1.7 According to the applicant, a total of 614 trees (488 individual trees and 126 trees in 5 tree groups) were surveyed. Six Trees of Particular Interest (TPIs) are identified. Among these 614 trees, 314 trees are proposed to be retained (including two TPIs) and 300 trees (including one tree of an undesirable tree species (i.e. *Leucaena leucocephala* 銀合歡) and four TPIs) are proposed to be felled as most of them are in fair to poor conditions and are common species, except the remaining four TPIs. The four TPIs

proposed to be felled are assessed not suitable for transplanting due to their location on slopes deep within hillside woodland with no proper access, which removal is considered unavoidable.

- 1.8 To compensate the loss of trees, a total of 620 trees, including 220 new trees within the proposed housing development and 400 trees at an off-site compensatory planting area are proposed. The off-site compensatory planting area is located near Man Kam To Control Point (**Drawing A-7**) due to the planting space within the Site is highly restricted, and suitable planting locations in nearby areas are not readily available.
  - 1.9 A new public road will be provided at the northeast of the Site connecting Tai Wo Service Road West with a cul-de-sac at the southern end (**Drawing A-1**). Lay-bays will be provided on both sides of the new public road. A new bus route is proposed to run between the Site and Fanling MTR Station to serve the future population.
  - 1.10 In support of the application, the applicant has submitted the following documents:
    - (a) Application form received on 13.11.2023 **(Appendix I)**
    - (b) Supplementary Planning Statement (SPS) enclosing Landscape and Visual Impact (LVIA), Air Ventilation Assessment – Expert Evaluation (AVA-EE), Traffic and Transport Impact Assessment (TTIA), Preliminary Environmental Review (PER), Sewerage Impact Assessment (SIA), Drainage Impact Assessment (DIA) and Water Supply Impact Assessment (WSIA) received on 13.11.2023 **(Appendix Ia)**
    - (c) Further Information (FI) received on 9.1.2024 \* **(Appendix Ib)**
- \* exempted from publication and recounting requirements*

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the application form, SPS including various technical assessments and FI in **Appendices I to Ib**. They can be summarised as follows:

### **In line with Government's Policy on Intensification of Public Housing Sites**

- 2.1 To enhance the development intensity of public housing sites, the Executive Council agreed in December 2018 that for sites including those in Density Zone 1 of New Towns, the maximum domestic PR of public housing sites will be allowed to increase by additional 10% (i.e. from 20%<sup>2</sup> to 30%) where technical feasibility permits. In line with this policy, the maximum domestic PR for the Site, which is under Density Zone 1 of the New Towns, is allowed to increase from 6 to 6.5 (i.e. equivalent to domestic GFA from 164,400m<sup>2</sup> to 178,100m<sup>2</sup>, based on net site area of 27,400m<sup>2</sup>). Together with kindergarten and other social welfare facilities, minor relaxation of maximum

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<sup>2</sup> As announced in the 2014 Policy Address, the maximum domestic PR of housing sites located in New Towns could be generally increased by about 20% (i.e. from 5 to 6) as appropriate.

GFA restriction from 178,100m<sup>2</sup> to 198,000m<sup>2</sup> (i.e. +19,900m<sup>2</sup>/+11.2%) is therefore proposed.

Meet Acute Demand for Public Housing

- 2.2 The application would increase the public housing production by 200 flats, which is in line with the Government's policy to better utilize land resources in order to meet the imminent housing need.

Proposed Increase in BH

- 2.3 Minor relaxation of BH restriction from 140mPD to 175mPD (i.e. +35m/+25%) is proposed to accommodate (i) the increased GFA for the additional 200 flats and social welfare facilities as detailed in paragraphs 1.3 and 2.1 above; (ii) additional parking spaces as compared with the OZP compliant scheme to meet the latest parking standards of Hong Kong Planning Standards and Guidelines (HKPSG); and (iii) adoption of MiC, which apart from requiring higher floor-to-floor height of MiC floor, allows 10% of the MiC floor area to be disregarded from GFA calculation under the Joint Practice Notes (JPN) No. 8.

Optimise Development Potential and Minimise Implications of BH with Site Constraints

- 2.4 The disposition and layout of the housing blocks have been specifically designed in response to site constraints and opportunities to optimise development potential of the Site as far as practical, while addressing various environmental and technical aspects in minimising their impacts by means of various design measures including adoption of single-aspect layout (i.e. self-protecting block design) in Blocks 1 and 2 (**Drawing A-1**) to mitigate traffic noise from Fanling Highway and the planned Fanling Bypass Eastern Section; adoption of building separations between housing blocks to facilitate wind penetration and enhance wind environment.

Compatible with Surrounding Development Context

- 2.5 Taking into consideration of the BH context of the existing and planned developments in surrounding area, stepped BH profile is proposed in the Site not only to enhance visual interest but also echo with the surrounding development context. Minimum 15m building separation has also been adopted to enhance visual permeability and alleviate the visual blockage of building mass to the surrounding environment.

No Adverse Technical Impacts

- 2.6 TTIA has been conducted, which concludes that traffic impact brought about by the proposed development is limited, and with the completion of the planned road and junction improvement works proposed under other projects/developments, all key junctions and road links will operate within capacity. In addition, all pedestrian facilities will be operating within satisfactory levels with no pedestrian circulation problems.
- 2.7 According to the LVIA, with the implementation of mitigation measures as detailed in paragraphs 1.5 to 1.7 above, the residual landscape and visual impacts are insubstantial to slightly adverse respectively, the proposed development would unlikely induce significant landscape and visual impacts.

- 2.8 An AVA-EE has been undertaken for the proposed public housing development, which concludes that with various mitigation measures, such as building separations and effective wind corridors, it is expected that the proposed public housing development would not induce a significant adverse impact on air ventilation.
- 2.9 PER has been conducted and concludes that with the implementation of mitigation measures, such as single-aspect building design as described in paragraph 1.6 above, the proposed development will have no insurmountable environmental impact.
- 2.10 Other technical assessments, including DIA, SIA and WSIA have been conducted, which conclude that no adverse impacts from drainage, sewerage and water supply aspects arising from the proposed public housing development are anticipated.

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

As the Site only involves Government land, the “owner’s consent/notification” requirement as set out in the Town Planning Board Guidelines on satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Ordinance (TPB PG-No. 31B) is not applicable to the application.

### **4. Previous Application**

The Site is not involved in any previous application.

### **5. Similar Applications**

- 5.1 There are three approved similar applications (Nos. A/FSS/223, 236 and 280) for proposed minor relaxation of GFA/PR and BH restrictions for permitted public housing development within the “R(A)2”, “R(A)1” and “R(A)4” zones of the same OZP respectively. The applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 12.9.2014, 7.8.2015 and 14.5.2021 respectively on similar grounds that that proposal was in line with the Government policy in boosting public housing supply by increasing the development intensity where technically feasible; the proposed minor relaxation to increase flat supply could help optimise scarce land resources, meet the community’s imminent demand for housing, which was in the public interest, in line with Government policy and hence had planning merits; the proposed intensity was considered acceptable for the subject locations and site context; and the proposed minor relaxation of GFA/PR and BH restrictions of the development would not induce significant adverse impact on the traffic, environmental, landscape, drainage, sewerage, water supplies, geotechnical and fire services aspects.
- 5.2 Details of these similar applications are summarised at **Appendix II** and the locations are shown on **Plans A-1a and A-1b**.

## **6. The Site and Its Surrounding Areas (Drawing A-5, Plans A-1a to A-4b)**

6.1 The Site is:

- (a) accessible from Tai Wo Service Road West; and
- (b) part of the Site is currently under construction and the remaining part is occupied by workshops, domestic dwellings and shops.

6.2 The Site is located at the fringe of Fanling New Town, to the immediate south of Fanling Highway and the planned Fanling Bypass Eastern Section (**Drawing A-5**), and is about 1.2km from the Fanling MTR Station. The surrounding areas are predominantly domestic dwellings mixed with workshops and storage uses with unused land, and have the following characteristics:

- (a) to the immediate east is an area zoned “Government, Institution or Community” (“G/IC”) which is planned for a primary school;
- (b) to the west are workshops within another “G/IC” zone and the “Village Type Development” (“V”) zone for Wo Hop Shek Village; to the further west/southwest across Wo Hing Road and Wah Ming Road are some high-rise housing developments, including Dawning Views (about 115mPD), Wah Sum Estate (about 130mPD), Wah Ming Estate (about 120mPD) and Flora Plaza (about 130mPD) etc.;
- (c) to the immediate south is a densely vegetated area zoned “Green Belt” (“GB”); to the further south is Wo Hop Shek Cemetery which is not covered by any OZP; and
- (d) to the north across the Fanling Highway are petrol filling station, open storage, construction sites and vegetated areas.

## **7. Planning Intention**

7.1 The “R(A)” zone is intended 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. The “R(A)3” zone in Fanling Area 48 is intended for public housing development.

7.2 According to the Notes of the OZP, based on the individual merits of a development or redevelopment proposal, minor relaxation of the GFA / BH restrictions may be considered by the Board on application under section 16 of the Ordinance.

## **8. Comments from Relevant Government Departments**

8.1 The following Government departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

- 8.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

since the proposal is regarding minor relaxation of maximum GFA and BH restrictions for proposed public housing development in “R(A)3” zone, his office has no particular comment from land administrative point of view.

### **Urban Design and Landscape**

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

#### **Urban Design and Visual**

- (a) the Site is located at the fringe of Fanling New Town and situated at the foothill with Wo Hop Shek Village (up to 3 storeys) to the immediate west. To the further west are some high-rise developments including Wah Ming Estate, Wah Sum Estate and Flora Plaza (up to about 130mPD), near the Fanling MTR Station. To the further south is Wo Hop Shek Cemetery and the traditional burial grounds of the indigenous villagers. The proposed public housing development with the proposed BH of 175mPD would inevitably alter the visual character of the surroundings; and
- (b) the applicant compares the proposed scheme with the proposed BH restriction of 175mPD against the OZP compliant scheme with BH restriction of 140mPD. With the proposed mitigation measures in the proposed scheme, such as stepped BH descending from the south to north (from 175mPD to about 118mPD), building separations to enhance the visual permeability, provision of buffer planting, etc., the proposed increase in BH of 35m will not result in significant adverse visual impact;

#### **Air Ventilation**

- (c) in the proposed scheme, there are building separations, 1) between Blocks 1/2 and 4/3; and 2) to the east of Blocks 2 and 3, to facilitate the S and SSW wind. Another building separations are provided, 1) between Blocks 2/3 and 1/4 and 7; 2) between Blocks 5/6 and 4/7, to facilitate E and SE winds. With the design measures to allow wind corridors penetrating the Site, no significant air ventilation impact is anticipated from the proposed scheme.

#### **Landscape**

- (d) with reference to the aerial photos (**Plans A-3 to A-4b**), the proposed development is not incompatible with the landscape character of the surrounding environment;



- (e) with reference to Table 1 and Figures 3 to 7 of the SPS (**Appendix Ia**) (i.e. comparison between the current OZP compliant scheme and the proposed scheme), further significant adverse landscape impact arising from proposed minor relaxation of GFA and BH restrictions for the development is not anticipated. She has no objection to the application from the landscape planning perspective; and
- (f) the applicant is advised that approval of the application does not imply approval of tree works, if any, such as pruning, transplanting and felling. Application for any tree works should be submitted direct to relevant authority for approval.

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

based on the information provided, it is noted that the development proposed consists of construction of seven 26 to 47 storeys building blocks on podium 4 to 6 storeys. The proposed BH of the building blocks range from about 118mPD to 175mPD. Apart from the natural hills such as Wu Tip Shan (250mPD) and Pak Tai To Yan (500mPD) to the southwest, the Site is surrounded by Wo Hop Shek Cemetery (120mPD) to the south and a series of high-rise developments such as Flora Plaza, Wah Ming Estate and Wah Sum Estate (120mPD to 130mPD) to the west. A stepped BH profile is proposed for the building blocks on the Site. It appears that the proposed BH may not be incompatible with the existing surrounding area. He has no particular comment from architectural and visual impact point of view.

**Traffic**

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

based on the FI (**Appendix Ib**), he has no further comment on the application.

**Environment**

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

- (a) having reviewed, he has no objection on the application, as he consider the proposed development will not give rise to insurmountable problem from environmental planning perspective;
- (b) no environmental complaint concerning the premises received in the past three years; and
- (c) detailed comments are at **Appendix III**.

**Sewerage**

8.1.6 Comments of the DEP:

- (a) he has no insurmountable sewage concern on the application; and

(b) detailed comments are at **Appendix III**.

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

the FI (**Appendix Ib**) is acceptable and he has no further comment at this stage.

### **Drainage**

8.1.8 Comments of the CE/MN, DSD:

given the limited change in catchment characteristic as compared to previous submission, he has no comment on the DIA of the proposed application from the drainage perspective.

### **Water Supply**

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

(a) he has no objection to the application; and

(b) detailed comments are at **Appendix III**.

### **Electricity and Town Gas Safety**

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

(a) he has no particular comment on the application from electricity supply safety aspect;

(b) there is a high pressure town gas pipe running along Fanling Highway;

(c) the project proponent is required to observe the requirements of the Electrical and Mechanical Services Department's "Guidance Note on Quantitative Risk Assessment Study for High Pressure Town Gas Installations in Hong Kong" for carrying out the QRA. The guidance note can be downloaded via the following web-link:

[https://www.emsd.gov.hk/en/gas\\_safety/publications/guidance\\_notes/index.html](https://www.emsd.gov.hk/en/gas_safety/publications/guidance_notes/index.html)

(d) the project proponent should liaise with The Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity to the site and any required minimum set back distance away from them during the planning, design and construction stages of the proposed development.

### **Social Welfare**

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

noting that all the proposed social welfare facilities of Social Welfare Department, including 150-place RCHE cum 30-place DCU; 50-place HMMH; 80-place IVRSC; 30-place SHOS(MPH); and NEC have been incorporated into the application, he has no objection to the application.

### **Education**

#### 8.1.12 Comments of the Secretary for Education (SED):

- (a) it is noted that there is no major change in the planning parameters of the housing development; and
- (b) detailed comments at **Appendix III**.

### **Fire Safety**

#### 8.1.13 Comments of the Director of Fire Services (D of FS):

- (a) he has no specific comment on the current proposal;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of layout plan, if any; and
- (c) furthermore, the EVA provision in the captioned work shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the Buildings Authority.

### **District Officer's Comments**

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

- (a) he consulted the locals from 27.11.2023 to 11.12.2023;
- (b) the Chairman of Fanling District Rural Committee, three Indigenous Inhabitant Representatives (IIRs) and the Resident Representative (RR) of Wo Hop Shek and 82 Villagers of Wo Hop Shek objected the application with comments/views as followings:
  - (i) with additional population, the proposed development will induce adverse impact to the surrounding areas from traffic and security perspectives, in particular during Ching Ming and Chung Yeung Festivals;
  - (ii) the proposed minor relaxation of BH restriction will bring adverse visual impact, and hence, affect the fung shui; and
  - (iii) the Government should respect the stakeholders while proposing new development in the area;

(c) the Chairman of Lung Shan Area Committee had no comment.

8.2 The following departments have no comment or no objection to the application. Their other detailed comments, if any, are at **Appendix III**:

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) Chief Building Surveyor/New Territories West, Buildings Department;
- (c) Commissioner of Police;
- (d) Director of Food, Environmental Hygiene; and
- (e) Project Manager (North), Civil Engineering and Development Department.

## **9. Public Comments Received During Statutory Publication Period**

On 21.11.2023, the application was published for public inspection. During the three-week statutory publication period, two public comments were received. One comment (**Appendix IVa**) from an individual indicates no comment on the application. The other comment (**Appendix IVb**) submitted by an individual objects to the application on grounds that there is no longer pressure to provide housing sites as steady supply of housing units will be available from redevelopment, the focus should be on providing better living quality; the quality of proposed open space is low as only rooftop greenery is provided; there is inadequate outdoor sports facilities and communal spaces; and there is potential adverse impact on slope safety.

## **10. Planning Considerations and Assessments**

10.1 The application is for minor relaxation of GFA and BH restrictions of the Site, which fall within an area zoned “R(A)3” on the OZP, from 178,100m<sup>2</sup> to 198,000m<sup>2</sup> (+19,900m<sup>2</sup>/+11.2%) and from 140mPD to 175mPD (+35m/+25%) respectively for permitted public housing development.

### **Minor Relaxation of GFA Restriction**

10.2 The proposed minor relaxation of GFA restriction is in line with the Government’s policy of enhancing the development intensity of public housing sites to increase supply where technical feasibility permits, and to increase the provision of social welfare facilities with no less than 5% of domestic GFA of social welfare facilities. According to the applicant, the proposed minor relaxation of GFA restriction (with domestic PR increased from 6 to 6.5) would provide an addition of 200 public housing flats to meet the pressing demand for public housing units. The completion year of the concerned public housing development is targeted to be from 2029 onwards. In addition, social welfare facilities with total floor area of about 9,121m<sup>2</sup> (i.e. 5.1% of domestic GFA) will be provided in the public housing development. The proposed minor relaxation of GFA restriction will optimise the use of scarce land resource to meet the acute public housing demand in Hong Kong, which is in line with the Government’s policies on intensification of public housing sites and provision of social welfare facilities. Relevant departments including C for T, CHE/NTE of HyD, DEP, CE/MN of DSD, CE/C of WSD, D of FS and DEMS have no comment or no objection to the application. It is anticipated that the proposed minor relaxation of GFA restriction would not result in adverse traffic, environmental, sewerage, drainage, water supply, fire safety, electricity and town gas impacts.

- 10.3 Given that the proposed increase in population due to the proposed minor relaxation of GFA restriction is minor in nature (+8%), the overall planned provision of the community facilities and open space will be adequate to serve the need of the design population. In this regard, DSW, SED, CTP/UD&L of PlanD and DO/N of HAD have no adverse comment on the community facilities and open space provision for the proposed public housing development.

Minor Relaxation of BH Restriction

- 10.4 The Site is located at the fringe of Fanling New Town. Although it is situated at the foothill with Wo Hop Shek Village to the immediate west, there are high-rise housing developments, i.e. Dawning Views (about 115mPD), Wah Sum Estate (about 130mPD), Wah Ming Estate (about 120mPD) and Flora Plaza (about 130mPD) etc., in the surrounding areas. To echo with the surrounding environment, stepped BH profile ranging from 118mPD to 175mPD is proposed with BH descending from southeast to northwest and southwest to northeast. The proposed public housing development with minor relaxation of BH restriction is not incompatible with the surrounding areas.
- 10.5 As compared with the percentage of the proposed minor relaxation of GFA restriction (i.e. +11.2%), larger percentage of minor relaxation of BH restriction (i.e. +25%) is sought to accommodate (i) the increased GFA for the additional 200 flats and social welfare facilities; (ii) additional parking spaces as compared with the OZP compliant scheme to meet the latest parking standards of HKPSG; and (iii) adoption of MiC which, apart from requiring higher floor-to-floor height of MiC floor, allows 10% of the MiC floor area to be disregarded from GFA calculation under the JPN No. 8. In order to alleviate the visual impact, mitigation measures, such as stepped BH, building separations, provision of buffer planting, etc., are proposed. According to the LVIA, the proposal would unlikely cause any significant adverse visual impact. Moreover, the AVA-EE concludes that with building separations proposed, no significant air ventilation impact is anticipated from the proposed scheme. In this regards, CTP/UD&L of PlanD and CA/ASC of ArchSD have no adverse comment on the application from urban design, visual and air ventilation perspectives.
- 10.6 Regarding the stepped BH ranging from about 118mPD to 175mPD, as advised by the applicant, due to structural reason, relative lower BH of about 118mPD and 121mPD are proposed for Blocks 1 and 2 respectively facing Fanling Highway and the planned Fanling Bypass Eastern Section to avoid a lower building efficiency and hence a lower flat production in these two housing blocks whilst the proposed increase in GFA would mainly distributed to the remaining blocks, leading to a maximum BH of 175mPD (Blocks 3 and 5) of the proposed development. In addition, with more GFA allocated to the remaining blocks, less number of flats would potentially being affected by the Fanling Highway and the planned Fanling Bypass Eastern Section.

Similar Applications

- 10.7 There are three similar applications (Nos. A/FSS/233, 236 and 280) for minor relaxation of GFA/PR and BH restrictions for permitted public housing developments under “R(A)2”, “R(A)1” and “R(A)4” zones respectively on the same OZP. The applications were approved with conditions by the Committee on 12.9.2014, 7.8.2015 and 14.5.2021 respectively mainly on grounds as stated in paragraph 5 above.

Approving the current application is in line with the Committee's previous decisions.

Local Views and Public Comments

- 10.8 Regarding the local views conveyed by DO/N of HAD and public comments as stated in paragraphs 8.1.14 and 9, the departmental comments and planning assessments as mentioned in the above paragraphs are relevant. Regarding the provision of open space, sports facilities and communal spaces, open space will be provided in accordance with HKPSG (i.e. 1m<sup>2</sup> per person) with 4,500m<sup>2</sup> at-grade open space and recreational facilities, including basketball court, badminton court, table tennis tables and children play areas.

**11. Planning Department's Views**

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the local views and public comments mentioned in paragraphs 8.1.14 and 9, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 12.1.2028, 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 III** are suggested for Members' reference.
- 11.3 There is no strong reason to recommend rejection of the application.

**12. Decision Sought**

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 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.
- 12.3 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.

**13. Attachments**

<b>Appendix I</b>	Application form received on 13.11.2023
<b>Appendix Ia</b>	SPS and various Technical Assessments received on 13.11.2023
<b>Appendix Ib</b>	FI received on 9.1.2024
<b>Appendix II</b>	Similar Applications
<b>Appendix III</b>	Detailed Departmental Comments and Recommended Advisory Clauses
<b>Appendix IIIa</b>	Water Mains Plans

<b>Appendix IIIb</b>	New Recommended Schedule of Accommodation for a 6-classroom Kindergarten
<b>Appendices IVa and IVb</b>	Public Comments
<b>Drawing A-1</b>	Master Layout Plan
<b>Drawings A-2 to A-4</b>	Section Plans
<b>Drawing A-5</b>	Alignment of the Planned Fanling Bypass Eastern Section
<b>Drawing A-6</b>	Conceptual Landscape Plan
<b>Drawing A-7</b>	Proposed Off-Site Compensatory Planting Plan near Man Kam To Control Point
<b>Drawing A-8</b>	Greenery Coverage Plan
<b>Drawing A-9</b>	Open Space Calculation
<b>Drawings A-10 to A-14</b>	Photomontages
<b>Plans A-1a and A-1b</b>	Location Plans
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photo

**PLANNING DEPARTMENT  
JANUARY 2024**