

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ST/1030

Applicant : Hong Kong Housing Authority (HKHA)

Site : Junction of Tsuen Nam Road and Chik Luk Lane, Tai Wai, New Territories

Site Area : About 3,700m²

Land Status : Government Land (including Permanent Government Land Allocation No. GLA-76)

Plan : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/38

Zonings : “Residential (Group A)” (“R(A)”)

Application : Proposed Public Vehicle Park (Excluding Container Vehicle)

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed public vehicle park (PVP) at the application site (the Site) which falls within an area zoned “R(A)” on the approved Sha Tin OZP No. S/ST/38 (**Plan A-1**). According to the Notes of the OZP, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use in “R(A)” zone requiring planning permission from the Town Planning Board (the Board). The proposed PVP is part of a planned joint-user complex (JUC) cum public housing development (PHD) at the Site. Major parameters of the proposed PVP are as below:

No. of Private Car Parking Spaces	105
No. of Motorcycle Parking Spaces	30
Proposed Gross Floor Area (GFA) of PVP	About 6,000m ²
No. of Storeys	4

- 1.2 The vehicular access of the Site/PVP is proposed at Chik Fuk Street, while pedestrian access will be at the intersection of Chik Luk Lane and Tsuen Nam Road. The indicative locations of the vehicular and pedestrian accesses are shown on **Drawings A-3 and A-6** and are subject to change at detailed design stage.
- 1.3 A PHD on top of a JUC is proposed at the Site. Apart from the PVP mentioned in paragraph 1.1 which requires planning permission from the Board, the proposed uses in the JUC and the PHD are always permitted within the “R(A)” zone and are not the subject of the current planning application. The major development parameters of the planned JUC cum PHD are as follows:

Overall Development (<i>Not a part of the subject application, indicative only</i>)	
Site Area	0.37 ha
Plot Ratio (PR)	Maximum Domestic PR of 9 or maximum Non-Domestic PR of 15 under composite formula*
Building Height (BH)	Not more than 175mPD*
Uses / Facilities	<p><u>Always permitted:</u> A residential tower (i.e. the PHD) on top of a JUC at podium accommodating uses including library, public clinic, social welfare facilities (such as integrated family services centre, child care centre (CCC), neighbourhood elderly centre (NEC) etc.), Home Affairs Department's facilities (such as Tai Wai sub-office, enquiry centre, conference room and multi-purpose room) and ancillary car park</p> <p><u>Planning permission required:</u> PVP in JUC</p>
No. of Flats	About 500
Design Population	About 1,100
Green Coverage (% of GFA)	At least 20%

*Requirements as stipulated on the approved Planning Brief with details subject to detailed design.

1.4 According to the applicant, the proposed PVP will increase the supply of public parking spaces in the area to address the keen local parking demand and alleviate the traffic congestions due to on-street illegal parking.

1.5 In support of the application, the applicant has submitted the following document:

- (a) Application Form with attachments received on 1.8.2024 **(Appendix I)**
- (b) Planning Statement received on 1.8.2024 **(Appendix Ia)**
- (c) Further Information (FI) received on 10.9.2024* **(Appendix Ib)**
- (d) FI received on 12.9.2024* **(Appendix Ic)**

**accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application detailed at **Appendix I to Ic**, are summarized below:

- (a) The Site has long been zoned "R(A)" intended primarily for high-density residential development. To echo the 2018-19 Budget that \$8 billion would be set aside to increase district facilities in 18 districts, the Site was reserved in 2018 for building a community complex. To cater for the needs of district facilities whilst providing public housing, the JUC, including the proposed PVP, is designed to be co-located with a permitted PHD, thereby optimising the utilisation of precious land resources. Through careful design with support of relevant technical assessments, the overall development, including the proposed PVP, would be compatible with the surrounding environments and in line with the planning intention of the "R(A)" zone;

- (b) the Transport Department (TD) has requested the provision of PVP after considering the current on-street illegal parking activities and a lack of public parking provision. The provision of 105 private car parking spaces and 30 motorcycle parking spaces will increase the supply of public parking spaces in the area to address the keen local parking demand and alleviate the congestion situation due to on-street illegal parking;
- (c) a Traffic Impact Assessment (TIA) was conducted to examine the latest traffic conditions and to assess traffic forecast arising from the overall development including the proposed PVP. The TIA concludes that the proposed development will not induce adverse traffic impact on the surrounding road network with the implementation of traffic improvement works including road junction improvements at Tsuen Nam Road/Chik Luk Lane (J5) by giving priority to Chik Luk Lane southbound with greater traffic demands (**Drawings A-9**) and Shing Ho Road/Chik Chuen Street (J17) by providing exclusive lanes for the two traffic bounds (**Drawings A-10**), and provision of additional traffic lane allowing 80m on-street queuing zone for PVP at Chik Fuk Street (**Drawings A-8**) and 17m long queuing space within the development (**Drawings A-7**). It is anticipated that there would be no insurmountable problem to the adjacent road network due to the traffic demand arising from the proposed PVP. Moreover, road safety enhancement measures such as amber revolving lantern, provision of convex mirror, distinctive paving, LED light on warning signs and road hump can be provided, subject to further review, at the vehicular access of the PVP;
- (d) the proposed PVP under this current application will be located at a lower zone of the government complex, and will optimise the utilisation of precious land resources to cater for the community needs at this prime location. In view of easy discharge of users, CCC and NEC are required to be situated at a height of not more than 12m or 24m above ground level in compliance with relevant regulations. After accommodating these facilities along with essential components such as lifts and lobbies, electrical and mechanical facilities, loading/unloading bays and refuse collection point, the proposed PVP and ancillary carpark cannot be located on the lowest storeys of the JUC. Moreover, car lift system and automated parking system for the PVP have been examined but the queuing area required for the two systems will jeopardise the entry of parking facilities and create tail-back situation, require substantial floor height and significantly increase the average waiting time for parking;
- (e) in view of the small size of the Site, the presence of various underground utilities including electricity cables and its reserved area and underground box culvert and drainage reserve, and the constraints of the existing underground conditions near the Site for diversion, resulting in a significant reduction in the basement floor area for parking spaces, it is not practical to provide parking space in basement. After considering factors of cost-effectiveness, development programme and availability of underground space, an aboveground PVP is proposed;
- (f) the proposed four-storey PVP within this compact Site will inevitably increase the BH of the podium, though no BH restriction is imposed under the “R(A)” zone. Nonetheless, due consideration is given to the disposition of the building block facing the Tsuen Nam Road and Chik Luk Lane. Full-height building setback of about 10m from the road kerb of Tsuen Nam Road (**Drawing A-3**) and landscaping at different levels, including ground level (**Drawings A-12a to A-12d**), will help reduce the blockage of air ventilation and enhance visual amenity along the streets at pedestrian level. The overall development will adopt a sensitive building design as far as practicable by using appropriate materials and finishes with pleasant colour scheme and appearance coherent with the surrounding

environment. The overall design layout is hence optimised as far as possible whilst taking the existing site constraints into account. According to the Visual Appraisal (VA) submitted by the applicant (**Drawings A-11a to A-11e**), the overall development with BH not more than 175mPD including the proposed PVP is acceptable and visually compatible with the existing and future developments nearby;

- (g) a broad-brush tree survey has been conducted by the applicant, where 39 trees of common species with no old and valuable tree are recorded. All 39 trees will be felled for the overall development due to severe site constraints and limited buildable area. Compensatory tree planting will be proposed in accordance with the Development Bureau Technical Circular (Works) (DEVB TC(W)) No. 4/2020. Greening measures, such as tree planting, vertical greening and landscaping at different podium levels, are proposed to provide more greenery and to soften the building mass, subject to detailed design. The Applicant will follow the principle of “Right Plant, Right Place”, i.e. to select suitable plants for planting in appropriate places, with due consideration of various factors including planting objective, site and spatial constraints, surrounding landscape character, microclimate, etc. to ensure sustainable plant growth. A minimum green coverage of 20% and local open space (i.e. 1 m² per 1 person) will be provided within the Site in accordance with the requirement of the Hong Kong Planning Standards and Guidelines (HKPSG). Amongst the 20% of green coverage, at least 50% of overall green coverage will be at grade or at levels easily accessible. The Conceptual Landscape Plans are attached at **Drawings A-12a to A-12d**; and
- (h) the proposed PVP will provide more public parking spaces and the Sha Tin District Council has no in-principle objection to the proposed PVP.

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

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

4. **Previous Application**

The Site is not subject to any previous application.

5. **Similar Applications**

There is no similar application within the subject “R(A)” zone on the OZP.

6. **The Site and Its Surrounding Areas (Plans A-1 to A-5)**

6.1. The Site is:

- (a) located at the junction of Tsuen Nam Road and Chik Luk Lane in Tai Wai, on the western side of Shing Mun River;
- (b) currently occupied by Tai Wai Playground, a 7-a-side soccer pitch, managed by the Leisure and Cultural Services Department (LCSD) and a small sewage

pumping station; and

- (c) has a cycling track running along its northeastern boundary.

6.2. The surrounding areas have the following characteristics:

- (a) the surrounding areas are predominantly with mid- to high-rise residential developments with BH ranging from about 46mPD to 200mPD and village houses in Tai Wai Village with BH of about 8.23m, with shop and services and eating places at the lower floors;
- (b) MTR Tai Wai Station is about 100m to the southwest of the Site with the topside shopping arcade of The Wai, and residential development Pavilia Farm (about 200mPD) (**Plan A-5**). To the further southwest, there is another high-rise development namely Festival City (about 193mPD);
- (c) to the immediate north of the Site are the Sin Chi Wan Primary School and the 5-a-side Tai Wai Soccer Pitch decked over on the Shing Mun River, of which a sitting-out area will be constructed to its immediate north over the river channel (**Plan A-3**) for Jiao Festivals (打醮); and
- (d) across Shing Mun River to the east of the Site is the Tai Wai Industrial Area with BH ranging from about 35mPD to 50mPD, and a residential development Man Lai Court at about 66mPD.

7. **Planning Intention**

The planning intention of the “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

8. **Comments from Relevant Government Departments**

- 8.1. The following government departments have been consulted and their views on the application are summarized as follows:

Land Administration

- 8.1.1. Comments of the District Lands Officer/Shia Tin, Lands Department (DLO/ST, LandsD):

- (a) he has no in-principle objection to the subject application;
- (b) the Site under the subject application consist of (i) the area held under permanent Government Land No. GLA-76 allocated to the then Regional Services Department which was inherited by LCSD for a mini-soccer pitch with a sewage pumping station of Drainage Services Department (DSD); and (ii) a roadside lay-by for bicycle parking; and
- (c) the Site will be handed over to HKHA for construction works under a vesting order which is currently under processing by his office. The

completed PHD will then be covered by an appropriate land instrument depending on the type of public housing. It is understood from the Planning Statement that the proposed PVP as requested by TD will be handed over to the Government upon completion. HKHA should early engage the management and maintenance agent of the completed PVP to determine the site boundary and/or the stratum area of the housing site so that LandsD may prepare the appropriate land instrument and/or lease conditions for the planned JUC.

Traffic

8.1.2. Comments of the Commissioner for Transport (C for T):

- (a) having considered the proposed PVP and relevant road junction improvement works to be carried out by the applicant, he has no comment on the planning application from traffic engineering and parking project point of view;

Illegal Parking in Tai Wai Area and Policy to Increase the Provision of Parking Spaces

- (b) in general, no parking spaces are provided within the old buildings in Tai Wai Area. Although on-street parking spaces are provided in Tai Wai Area, the utilization rate of the parking spaces is high and prevailing illegal parking activities are observed. As a result, the traffic conditions in Tai Wai Area are seriously affected by the illegal parking activities. In view of the above, TD has requested to provide a PVP in the JUC cum PHD at Tsuen Nam Road and to meet the policy of "single site, multiple use";

Traffic Impact Assessment and Associated Traffic Improvement Measures:

- (c) the applicant has engaged traffic consultant to conduct TIA to review the traffic impact arising from the overall development;
- (d) the TIA report concluded that the existing footpath is sufficient to cope with the future pedestrian demand. The existing railings will be maintained or modified to guide the pedestrian to cross the road safely;
- (e) to mitigate the traffic impact arising from the overall development, the following road junction improvement measures will be implemented:
 - (i) the traffic aids at the road junction of Tsuen Nam Road and Chik Luk Lane will be modified to give priority to vehicles from Chik Luk Lane to pass first (**Drawings A-9**); and
 - (ii) the traffic aids at the road junction of Shing Ho Road and Chik Chuen Street will be modified to allow vehicles from Shing Ho Road and Chik Chuen Street to pass concurrently (**Drawings A-10**);
- (f) with the implementation of the above road junction improvement measures, the overall development would not cause adverse traffic impact to the surrounding road networks;

Potential Vehicle Queuing Issue:

- (g) based on the findings in the TIA report, it is anticipated that no vehicle would be queued at Chik Fuk Street. Nonetheless, the following measures will be implemented to minimize the impact arising from the potential vehicle queuing issue:
 - (i) the traffic island connecting Shing Ho Road and Chik Fuk Street will be modified to allow two lane carriageway. The potential vehicle queuing at slow lane would not affect the traffic flow at middle lane (**Drawings A-8**);
 - (ii) real-time parking vacancy information system will be installed in the subject PVP to keep drivers informed of the number of vacant parking spaces through TD's website, mobile application "HKeMobility", as well as the parking bay information display panel near the entrance of the PVP;
 - (iii) queuing space will be reserved inside the overall development (**Drawings A-7**); and
 - (iv) building management staff will be deployed at the main entrance of the overall development to guide drivers if PVP is full for avoidance of blockage of vehicular entrance and queuing;

Traffic Impact to the Primary School:

- (h) due to site constraints, the proposed vehicular run-in/out of the overall development has to be located at Chik Fuk Street. However, the proposed vehicular run-in/out of the development will not be in conflict with the current vehicular run-in/out of the primary school. As the proposed run-in/out of the overall development is located downstream from the primary school, the traffic from upstream including the primary school will be given priority to pass first (**Drawings A-8**). In fact, the current width of carriageway at Chik Fuk Street is sufficient to accommodate vehicular movement and the 24-hours non-stopping restriction will be maintained to restrict stopping or loading/unloading activities at Chik Fuk Street. With the proposed PVP in place, enforcement measures would be strengthened by the Police to deter illegal parking outside the primary school to ensure smooth traffic along Chik Fuk Street; and

Public Comments' Alternative Proposal:

- (i) regarding the public comments proposing provision of PVP by decking over portion of Shing Mun River, it does not align with the "single site, multiple use" policy for provision of PVP.

8.1.3. Comments of the Commissioner of Police (C of P):

- (a) he has no specific comment from the perspective of local policing;
- (b) he agrees to construct a new public carpark from the perspective of traffic concern and the need of parking space in Tai Wai; and

- (c) regarding the illegal parking on the street, the Police will continue to take appropriate enforcement action to ensure smooth traffic and to prevent the danger to road users.

Urban Design, Visual and Landscape

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

Urban Design

- (a) the Site is in proximity to the MTR Tai Wai Station across Tsuen Nam Road, and its surrounding area comprises predominantly a mix of village houses, low to high-rise residential developments, industrial buildings, GIC and recreational facilities and Shing Mun River Channel. The proposed PVP forms part of the planned JUC underneath the permitted PHD with BH of not more than 175mPD, which is taller than the existing residential and industrial developments in its immediate locality, but falls within the “R(A)” zone without PR and BH restrictions. It is considered not incompatible with its surrounding context in particular to the recent high-rise commercial/residential developments to the south and southwest across Tsuen Nam Road adjacent to the railway station;
- (b) according to the VA (**Drawings A-8a to A-8c**), the proposed development including the PVP would have slightly to moderately adverse visual impacts to the selected public viewing points (VPs) (**Drawings A-8a to A-8e**). Notwithstanding, various design measures including building setback from Tsuen Nam Road and landscaping at different levels, etc. are proposed to ameliorate the potential visual impact;
- (c) the development proposal does not fall within the categories of the projects requiring air ventilation assessment (AVA) under the Housing, Planning and Lands Bureau (HPLB) and Environment, Transport and Works Bureau (ETWB) Joint Technical Circular on AVA No. 1/06. In this regard, no significant air ventilation adverse impact on the pedestrian wind environment is anticipated while no AVA is required;

Landscape

- (d) based on the aerial photo of 2023, the Site is situated in an area of ‘Hui’ urban landscape character comprising of mid- to high-rise residential development, village houses, sportsground, road, and scattered tree groups. The proposed use is considered not incompatible with the landscape character of its surroundings; and
- (e) according to paragraph 4.10 and Appendix 3 of the Planning Statement, 39 trees of common species with no old and valuable tree are identified within the site and are proposed to be felled (including large trees with DBH >700mm) for the overall development (**Drawings A-9 and A-10**). Landscape treatment such as vertical greening and landscaping at different podium levels are proposed. More information of proposed new trees, such as approximate compensatory ratio and justification should be

supplemented.

8.1.5. Comments from the Chief Architect/Advisory & Statutory Compliance Division (CA/ASC, ArchSD):

- from the VA provided (**Drawings A-8a to A-8c**), it is noted that the proposed PHD is compatible with the existing residential developments nearby. It is also noted that full-height building setback and landscaping at different levels are proposed to enhance visual amenity along the streets at pedestrian level. In this regard, she has no comment from architectural and visual impact point of view.

Leisure and Cultural Services

8.1.6. Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) he has no comment to the application from tree maintenance and district management perspectives;
- (b) in planning recreational facilities, he will take into account various factors such as population change in the district, demand for recreational facilities, availability and usage rates of existing facilities, while making reference to HKPSG, as well as the views of district personalities in order to provide recreational facilities that suit the needs of local residents. He has noted that currently 5-a-side soccer pitches are available at Tai Wai Soccer Pitch and Chui Tin Street Soccer Pitch respectively, which are just next to or near to the existing Tai Wai Playground (the Site) (**Plan A-5**). The utilisation of these soccer pitches is not saturated, and that Chik Fuk Street Sitting-Out Area and Chik Fu Street Rest Garden in the close proximity also provide amenity facilities to residents in Tai Wai. Nevertheless, he has taken note of the public views and will accord due consideration to them in case of any future development of football pitches; and
- (c) regarding some local stakeholders' wishes to keep the existing type of football pitch (i.e. 7-a-side football pitch) in Tai Wai, the two forms of competition currently recognised and promoted by the Fédération Internationale de Football Association are 11-a-side football and futsal (i.e. 5-a-side football pitch). As far as promotion of sports development is concerned, it is advisable to actively promote 11-a-side football and futsal, in line with the international trend. To support the long-term development of football in Hong Kong, the number of 5-a-side football pitches meeting international standards has to be substantially increased. Given the above, the Government has implemented the five-year plan for upgrading football pitches to provide more standard football pitches in promotion of football development in Hong Kong.

Environmental

8.1.7. Comments of the Director of Environmental Protection (DEP):

- (a) he has no particular comment on the application;
- (b) the proposed PVP is part of HKHA's PHD project (the Project). HKHA

completed technical assessments of the Project and concluded that the Project will not have any insurmountable environmental impact. Subject to HKHA's view, the proposed PVP will be designed to comply with the requirements stipulated in the Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 2/96 - Control of Air Pollution in Car Park, and no heavy goods vehicle or container vehicle parking will be provided; and

- (c) regarding the public comment that "increase in traffic will cause environmental pollution", it is traffic management issue and it is noted that the induced traffic is insignificant based on the TIA submitted.

Fire Safety

8.1.8. Comments of the Director of Fire Services (D of FS):

- (a) he has no specific comment on the captioned proposal subject to water supplies for firefighting and fire service installations being provided to the satisfaction of the D of FS;
- (b) should the application be confirmed to fall under the regulatory regimes of lands, buildings, licensing and other control regimes, he has no objection to removing the relevant approval conditions without the need for further consultation from him; and
- (c) detailed fire services requirements will be formulated upon receipt of a formal submission of short term tenancy/short term waiver (STT/STW), general building plans or referral of application via relevant licensing authority. Furthermore, the emergency vehicular access (EVA) provision in the captioned work shall comply with the requirements as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the Building Authority.

District Officer's Comments

8.1.9. Comments of the District Officer (Sha Tin), Home Affairs Department (DO(ST), HAD):

- (a) he has no particular comment on the application; and
- (b) he has discussed with relevant parties on the feasibility of holding the future Jiao Festivals (打醮) at Tai Wai Soccer Pitch (**Plan A-3**). In addition, his office conducted a local consultation from 29.9.2023 to 13.10.2023 on the provision of a sitting-out area above Tai Wai Nullah under the District Minor Works Programme (the Works), issuing a total of 87 consultation documents with 16 responses received, among which 15 were supportive and 1 had no comment. The Works is scheduled for commencement in early 2025 and completion in 2027.

8.2. The following government departments consulted have no objection to/no comment on the application:

- (a) Secretary for Education (S for Education);
- (b) Secretary for Health (S for Health);
- (c) Executive Secretary (Antiquities and Monument), Antiquities and Monuments Office, Development Bureau (ES(AMO), DEVB);
- (d) Director of Social Welfare (DSW);
- (e) Director of Agriculture, Fisheries and Conservation (DAFC);
- (f) Chief Building Surveyor/New Territories East and Rail, Buildings Department (CBS/NTE&Rail, BD);
- (g) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (h) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (i) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (j) Government Property Administrator (GPA);
- (k) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (l) Chief Engineer/New Territories East, Highways Department (CE/NTE, HyD);
- (m) Director of Electrical and Mechanical Services (DEMS); and
- (n) Director of Food and Environmental Hygiene (DFEH).

9. Public Comment Received During Statutory Publication Period

On 9.8.2024, the application was published for public inspection. During the statutory public inspection period, a total of 26 public comments were received, including a Tai Wai Area Committee member and one other individual supporting the application, and the principal of the Sin Chi Wan Primary School and 23 individuals objecting to the application mainly on the grounds that the development would exacerbate traffic congestion, cause road safety (especially to the school children), visual, air ventilation, air quality and noise concerns, and affect provision of sports ground / recreational spaces / spaces for celebrations, events and village ceremony. There are no provision of sports facility in the planned JUC, inadequate GIC facilities with the increased population, and inadequate open space and landscaping. While there are also comments complaining about the current on-street illegal parking situation, some commenters consider that there are sufficient car-parking spaces in the nearby shopping mall The Wai and suggest to provide the PVP by decking over portion of Shing Mun River instead (**Appendix III**).

10. Planning Considerations and Assessments

10.1. The application is for a proposed 4-storey PVP with GFA of about 6,000m² providing 105 private car parking spaces and 30 motorcycle parking spaces in the planned JUC cum PHD at the Site. According to the applicant, the PVP is to address the keen local parking demand and to alleviate the congestions arising from on-street illegal parking in the area. Arising from the Government's initiative to increase district facilities under the 2018-19 Budget, a JUC with various GIC facilities is planned at the Site to meet the demand of the local residents. In accordance with the government's policy of "single site, multiple use" to optimise the utilisation of precious land resources, a PHD is also planned on top of the JUC in order to meet the public housing demand. While the proposed PVP (excluding container vehicle) is a Column 2 use under the "R(A)" zone which requires planning permission from the Board, the PHD and the other uses in the JUC are always

permitted under the “R(A)” zone and hence not the subject of the current planning application.

Land Use Compatibility and Provision of Sports Facilities/Open Space

- 10.2. The Site is located in a predominantly residential area intermixed with commercial and GIC uses, and open space. With Tai Wai MTR Station at about 100m away, the Site is at the centre of Tai Wai area well connected by major roads and pedestrian network and is easily accessible by public transportation (**Plan A-5**). The PVP would help address the car parking demand of the local residents, visitors and users of the nearby developments. It is considered not incompatible with the existing and planned developments in the surrounding areas.
- 10.3. The Site is currently occupied by Tai Wai Playground which is a 7-a-side soccer pitch and would occasionally hold events, celebrations and village ceremony. DLCS has no comment on the application as currently 5-a-side soccer pitches are available at the nearby Tai Wai Soccer Pitch and Chui Tin Street Soccer Pitch, and the utilisation of these soccer pitches is not saturated, and that Chik Fuk Street Sitting-Out Area and Chik Fu Street Rest Garden in the close proximity also provide amenity facilities to residents in Tai Wai. There is also a surplus of district and local open space of about 10.9ha and 63.9ha respectively in the Sha Tin Planning Area. As regards the lack of space for village ceremony, DO(ST), HAD has advised that the Tai Wai Soccer Pitch will be extended for holding the future Jiao Festivals (打醮). In this regard, the impact on sports facilities/open space provision is considered not significant.

Technical Aspects

- 10.4. In view of the high utilization rate of the parking spaces in Tai Wai and prevailing illegal parking activities, C for T considers that provision of the proposed PVP is required and aligns with government policy. According to the submitted TIA, with the implementation of junction improvement and local road enhancement measures, the proposed PVP would not create adverse traffic impact in the area and the C of T has no adverse comments on the TIA. C of P will continue to take appropriate enforcement action against illegal on-street parking to ensure smooth traffic and to prevent the danger to road users.
- 10.5. As an integral part of the planned JUC cum PHD, the proposed PVP would inevitably increase the BH of the overall development at the Site. According to the Applicant (**Appendix Ic**), it is not practical for basement carpark due to the presence of underground utilities such as electricity cables and drainage box culvert and their reserve areas, and the lack of space for diversion outside the Site resulting in limited space in the basement for parking. As assessed in the VA submitted by the Applicant (**Drawings A-11a to A-11e**), the overall proposed development with a BH of not more than 175mPD would have slightly to moderately adverse visual impacts to the selected public VPs. CTP/UD&L, PlanD considers the overall development is not incompatible with its surrounding context in particular to the high-rise developments to the south and southwest across Tsuen Nam Road adjacent to the railway station, such as Pavilia Farm and Festival City of about 200mPD. CA/ASC, ArchSD considers the overall development compatible with the residential developments nearby. To address the potential visual impact, the applicant has proposed mitigation measures including full-height building setback from Tsuen Nam Road and landscaping at different levels. Sensitive building design as far as practicable by using appropriate materials and finishes

with pleasant colour scheme and appearance coherent with the surrounding environment will be adopted.

- 10.6. On the landscaping aspect, 39 trees of common species will be affected and fell due to the overall development. Conceptual Landscape Plans (**Drawings A-12a to A-12d**) with landscape treatment such as tree planting, vertical greening and landscaping at different podium levels are proposed in support of the overall development which are always permitted except the PVP under this application. While CTP/UD&L, PlanD has requested more information on proposed new trees, the Applicant has committed (**Appendix Ib**) that all tree planting will comply with DEVB TC(W) No. 4/2020 and will follow the principle of “Right Plant, Right Place” to ensure sustainable plant growth. The proposed tree plantings will be further considered at detailed design stage.
- 10.7. On other technical aspects, concerned government departments including DEP, DAFC, CE/MS, DSD, CE/C, WSD, DEMS and PM(N), CEDD have no comments/objection to the application.

Public Comments

- 10.8. The public comments supporting the application are noted. Regarding the public comments raising objection to the application, due to concerns on traffic congestion, road safety, car-parking issues, environmental impact, visual, air ventilation, landscaping, provision of open space/sports ground/recreational space/spaces for events, celebrations and village ceremony, the applicant’s justifications in paragraphs 2(a) to 2(h) above, and the planning assessment and comments of government departments in sections 8 and 10 above are relevant. For the provision of GIC facilities, the increase of 1,100 people in the area would not have significant implication on the adequacy of GIC provision in Sha Tin area. As regards the proposal of decking over Shing Mun River for PVP, TD considers that the proposed PVP in the JUC cum PHD would meet the policy of “single site, multiple use”.

11. Planning Department’s Views

- 11.1. Based on the assessments made in paragraph 10 and having taken into account the public comments as detailed in paragraph 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 **20.9.2028**, and after the said date, the permission shall cease to have effect unless before the said date, the development is commenced or the permission is renewed.

Advisory Clauses

The recommended advisory clauses are at **Appendix II**.

- 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 the 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 period of which the permission should be valid on a temporary basis.
- 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

Appendix I	Application Form received on 1.8.2024
Appendix Ia	Planning Statement received on 1.8.2024
Appendix Ib	Further Information received on 10.9.2024
Appendix Ic	Further Information received on 12.9.2024
Appendix II	Recommended Advisory Clauses
Appendix III	Public Comment
Drawing A-1	Location Plan
Drawing A-2	Site Plan
Drawing A-3	Indicative Master Layout Plan
Drawing A-4	Indicative Typical Layout Plan – Public Vehicle Park
Drawing A-5	Indicative Section Plan
Drawing A-6	Indicative G/F Layout Plan
Drawing A-7	Proposed Vehicular Access Arrangement and Associated Traffic Designs
Drawing A-8	Proposed Traffic Enhancement on Chik Fuk Street Southbound for PVP at the Subject Site
Drawing A-9	Proposed Junction Improvement Scheme at Tsuen Nam Road / Chik Luk Lane (J5)
Drawing A-10	Proposed Junction Improvement Scheme at Shing Ho Road / Chik Chuen Street (J17)
Drawings A-11a to A-11e	Photomontages of Visual Appraisal
Drawings A-12a to A-12d	Conceptual Landscape Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos
Plan 5	Site Context of the Application Site and the Surrounding Area