

RNTPC Paper No.
A/YL-KTN/964A
For Consideration by
the Rural and New Town
Planning Committee
on 15.3.2024

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/964

- Applicant** : Ease Gold Development Limited represented by Llewelyn-Davies Hong Kong Ltd.
- Site** : Lot 1071 in D.D.103, Ha Ko Po Tsuen, Kam Tin, Yuen Long
- Site Area** : About 16,293m²
- Lease** : New Grant No. 23087
(a) restricted for private residential purpose
(b) total gross floor area shall not exceed 23,299m²
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11 (currently in force)

Draft Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/10 (at the time of submission)
[No change to the zoning of the application site on the OZP]
- Zoning** : “Residential (Group E)” (“R(E)”) [maximum plot ratio of 1.2 and maximum building height of 13 storeys (excluding basement floor(s))]
- Application** : Proposed Flats with Minor Relaxation of Plot Ratio (PR) and Building Height (BH) Restrictions

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed flats with minor relaxation of maximum PR and BH restrictions at the application site (the Site) zoned “R(E)” on the Kam Tin North OZP (**Plan A-1a**). According to the Notes of the OZP, ‘Flat’ is a Column 2 use in the “R(E)” zone, which requires planning permission from the Town Planning Board (the Board). The Notes of the “R(E)” zone also stipulate that minor relaxation of maximum PR and BH restrictions may be considered by the Board. The Site is currently fenced and vacant with site formation and foundation works in progress (**Plans A-2 to A-4**).

- 1.2 The Site is the subject of three approved previous applications (No. A/YL-KTN/501, 647 and 698) for proposed flats submitted by the same applicant as the current application (details in paragraph 4.1 below). The last application (No. A/YL-KTN/698), also involving proposed minor relaxation of maximum PR restriction from 1.2 to 1.44 and maximum BH restriction from 13 storeys to 16 storeys (above 1 storey of basement carpark), was approved with conditions by the Rural and New Town Planning Committee (the Committee) on 18.9.2020 (the Approved Scheme).
- 1.3 The proposed residential development under the current application comprises mainly three residential tower blocks with an overall PR of 1.43, total gross floor area (GFA) of 23,299m² and maximum BH of 17 storeys (above 1 storey of basement carpark and E&M) and 65.93mPD providing 615 residential units (the Proposed Scheme). Two 1-storey clubhouse blocks and private open space of not less than 1,661m² will also be provided in the Proposed Scheme. The current application involves minor relaxation of maximum PR restriction from 1.2 to 1.43 (+0.23/+19.2%) and maximum BH restriction from 13 storeys to 17 storeys (+4 storeys/+30.8%).
- 1.4 The Site is accessible to Ying Ho Road and Kam Tin Road on the west and south respectively. According to the applicant, the land grant of the Site for residential development under the Approved Scheme has been executed. The anticipated completion year of the proposed development is 2027.
- 1.5 As compared with the Approved Scheme, the Proposed Scheme mainly involves:
- (i) slight increase in site area from 16,180m² to 16,293m² (+113m²/+0.7%);
 - (ii) same GFA of 23,299m²;
 - (iii) slight reduction of PR from 1.44 to 1.43 (-0.01/-0.7%);
 - (iv) reduction in maximum site coverage from 38% to 30% (-8%/-21.1%);
 - (v) increase in BH from 16 storeys to 17 storeys (+1 storey/+6.3%) and from 63.95mPD to 65.93mPD (+1.98m/+3.1%);
 - (vi) same number of residential blocks;
 - (vii) increase in number of residential units from 561 to 615 (+54/+9.6%);
 - (viii) reduction in average flat size from 42m² to 37.88m² (-4.12m²/-9.8%); and
 - (ix) increase in minimum private open space from 1,515m² to 1,661m² (+146m²/+9.6%).
- 1.6 According to the applicant, the slight increase in site area is due to detailed setting-out. The further increase in BH under (v) above is to accommodate the use of Modular Integrated Construction (MiC) method for the proposed development. The applicant also adjusts the floor-to-floor heights and average flat size to increase the number of residential units.
- 1.7 A comparison of the major development parameters of the Approved Scheme and the Proposed Scheme is tabulated as follows and a comparison of the layout plan is at **Drawing A-1**:

	Approved Scheme under A/YL-KTN/698 (a)	Proposed Scheme under Current Application (b)	Difference (b)-(a) (% change)
Site Area	16,180m ² (including Government land of about 2,387m ²)	16,293m ²	+113m ² (+0.7%)
Maximum PR	1.44	1.43	-0.01 (-0.7%)
Maximum GFA	23,299m ² ⁽¹⁾	23,299m ² ⁽¹⁾⁽²⁾	No change
Site Coverage	Not exceeding 38%	Not exceeding 30%	-8% (-21.1%)
Number of Residential Blocks	3	3	No change
Maximum Number of Storeys / BH	16 (above 1 storey basement carpark) / 63.95mPD (main roof)	17 (above 1 storey basement carpark and E&M) / 65.93mPD (main roof)	+1 storey (+6.3%) +1.98m (+3.1%)
Number of Residential Units	561	615	+54 (+ 9.6%)
Average Flat Size	42m ²	37.88m ²	-4.12m ² (-9.8%)
Estimated Population	1,515	1,661	+146 (+9.6%)
Number of Parking Spaces			
- Private Cars (Residents)	118	113	-5 (-4.2%)
- Private Cars (Visitors)	15	15	No change
- Motorcycles	--	7	+7
- Bicycles	38	41	+3 (+7.9%)
Loading/Unloading Spaces	4	4	No change
Private open space (m ²)	Not less than 1,515	Not less than 1,661	+146 (+9.6%)

⁽¹⁾ Excluding GFA of clubhouse of 1,165m².

⁽²⁾ Excluding 10% of MiC floor area as per Joint Practice Note (JPN) No. 8.

- 1.8 The indicative block plan, floor plans and section plans, landscape plan, photomontages and other relevant figures are in **Drawings A-1 to A-18**. Technical assessments including Landscape Design and Tree Preservation Proposal (LDTPP), Traffic Impact Assessment (TIA), Environmental Assessment (EA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Water Supply Impact Assessment (WSIA) and Visual Appraisal (VA) have been submitted by the applicant to support the application.

Traffic

- 1.9 Same as the Approved Scheme, there are two vehicular accesses in the Proposed Scheme: (i) ingress/egress at Ying Ho Road; and (ii) egress at Kam

Tin Road. A bus lay-by outside the Site along Kam Tin Road (**Drawing A-17**), and a right-of-way (ROW) for connecting an outstanding private lot enclosed by the Site (i.e. Lot No. 265 S.B RP in D.D. 103) (**Drawing A-1**), both proposed under the Approved Scheme, will also be provided in the Proposed Scheme. The TIA concluded that the additional 54 residential units in the Proposed Scheme would have negligible additional impact on traffic conditions of the area and hence all the assessed junctions would be able to cater for the traffic demand generated by the proposed development.

Environment

- 1.10 The noise mitigation measures including fixed glazing, acoustic window/door, use of sound absorption materials and vertical fins are incorporated in the Proposed Scheme to address the traffic noise impacts. Regarding traffic emission from the existing roads (including Ying Ho Road, Kam Tin Road and Tsing Long Highway), buffer zones with widths of 5m (from local distributor) and 20m (from trunk road and primary distributor) are provided in the Proposed Scheme (**Drawing A-18**). The EA concluded that, with implementation of the recommended environmental mitigation measures, insurmountable potential environmental impacts arising from the proposed development are not anticipated.

Drainage and Sewerage

- 1.11 According to the DIA, the proposed development will not cause significant impact on existing drainage system as there would be no additional paved area. Works for new and reconstruction of existing drainage facilities will be carried out to convey the runoff from the Site to the existing drains and Kam Tin River. According to the SIA, the sewage generated from the proposed development will be discharged to the Kam Tin Sewage Pumping Station through the proposed and existing sewers along Ying Ho Road and Ko Po Road.

Landscape, Visual and Air Ventilation

- 1.12 According to the LDTPP, among the 114 surveyed trees, 9 trees are proposed to be retained and 105 trees to be felled. None of these trees are identified as Old and Valuable Trees. 130 new trees of heavy-standard size will be planted and greenery area of not less than 20% will be provided. Regarding the visual aspect, according to the photomontages included in the VA (**Drawings A-7 to A-12**), the magnitude of visual change induced by the further increase in BH of the Proposed Scheme as compared with the Approved Scheme is not significant.
- 1.13 According to the submission, the design merits for wind and visual permeability under the Approved Scheme, including proposed building separation which aligned with the building separation of the adjoining residential development, Riva; setback from site boundary; and void areas at the lowest floors of the towers, are generally retained in the Proposed Scheme. To enhance air ventilation and permeability, the applicant proposes to further increase the building separation (**Drawing A-13**) and the overall setback from site boundary (**Drawing A-15**); and rearranging the clubhouse blocks with

better integration with the residential tower and reduction in their BHs from 2 and 3 storeys (16mPD and 16.75mPD) to 1 storey (10.95mPD) (**Drawing A-14**). According to the applicant, the Proposed Scheme has comparable air ventilation performance as the Approved Scheme for which a quantitative Air Ventilation Assessment had been conducted.

1.14 In support of the application, the applicant has submitted the following documents:

- | | | |
|-----|--|------------------------|
| (a) | Application form received on 19.10.2023 | (Appendix I) |
| (b) | Supplementary Planning Statement | (Appendix Ia) |
| (c) | Further Information (FI) received on 30.11.2023 [#] | (Appendix Ib) |
| (d) | FI received on 14.12.2023 [*] | (Appendix Ic) |
| (e) | FI received on 19.12.2023 [#] | (Appendix Id) |
| (f) | FI received on 30.1.2024 [*] | (Appendix Ie) |
| (g) | FI received on 22.2.2024 [*] | (Appendix If) |
| (h) | FI received on 7.3.2024 [*] | (Appendix Ig) |

[#] not exempted from publication and recounting requirements

^{*} exempted from publication and recounting requirements

1.15 On 26.1.2024, the Committee agreed to defer making a decision on the application for a period of 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 Supplementary Planning Statement and FIs at **Appendices Ia to Ig**. They can be summarised as follows:

- (a) In view of the promotion of wider use of MiC method by the Government as reflected in the Policy Address 2022, the applicant took the initiative to review the Approved Scheme and adopt MiC for the 15 residential floors (i.e. MiC floors) of each towers under the proposed development with a view to bringing benefits of better quality control, shorter construction period and less disturbance to the surrounding areas. The adoption of MiC involves thickened/double slabs between MiC modules, resulting in an increase in storey height of MiC floors and hence the overall BH.
- (b) The proposed increase in BH from 16 storeys to 17 storeys and from 63.95mPD to 65.93mPD as compared with the Approved Scheme is minor and not incompatible with the surrounding context which includes the existing residential development, namely Riva, adjoining the Site to the north with BH ranging from 3 storeys to 23 storeys.
- (c) The applicant has taken the opportunity to increase 54 residential units through adjustments to the floor-to-floor heights (to about 3.432m) and the average flat size without changing the GFA as compared with the Approved Scheme. The provision of additional residential units is in line with the strategic housing policy of increasing flat supply.

- (d) The Proposed Scheme is based on the Approved Scheme with minor refinement to BH, number of residential units and general layout. Residential use with similar development intensity at the Site has been approved by the Committee, which affirmed that the proposed development under the current application is in line with the planning intention of the subject “R(E)” zone.
- (e) The Proposed Scheme retains the planning and design merits of the Approved Scheme by having (i) the same number of residential blocks in order to maintain the provision of building separations to enhance wind penetration and visual permeability in the area; (ii) no change in the general disposition of residential blocks to enhance separation from Ko Po Tsuen; and (iii) two large landscape areas which will benefit the future residents of the proposed development and open up the view to Riva (**Drawings A-1 and A-5**). Besides, the Proposed Scheme has two additional merits including wider building separation to further enhance surrounding air ventilation, and relocation of clubhouse facilities and swimming pool to enhance the convenience for future residents (**Drawings A-13 and A-14**).
- (f) Regarding the proposed bus lay-by (**Drawing A-17**), the Kowloon Motor Bus Company has no adverse comment on the layout.
- (g) The distance between the Site and Shek Kong Airfield is more than 1.8km. There is no fixed flight path close to the Site. While the aircraft and helicopter noise impact on the proposed development is not significant, the applicant proposes to provide better acoustic insulation. The future residents will also be made known that there are aeroplane/helicopter operations at the Shek Kong Airfield.
- (h) Various technical assessments have been conducted which concluded that the proposed development is sustainable in visual, air ventilation, traffic, environment, drainage and sewerage aspects.
- (i) The applicant has provided responses to public comments (**Appendix Id**). Regarding the public commenter’s suggestion that a separate access instead of a ROW should be provided for the outstanding Lot No. 265 S.B RP in D.D. 103, the ingress/egress arrangement under the Proposed Scheme is the same as the Approved Scheme and the ROW is incorporated in the lease with the agreement of the relevant government departments. According to the applicant, the registered land owner of the outstanding private lot could not be reached for a long time and hence the lot is not included in the development site. The outstanding lot will not be affected or encroached upon by the proposed development and its development rights would not be jeopardised

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Previous Applications**

- 4.1 The Site, in whole or in part, is involved in ten previous applications (No. A/YL-KTN/58, 64, 67, 72, 158, 234, 401, 501, 647 and 698). Applications No. A/YL-KTN/58, 64, 67, 72, 158, 234 and 401 for various uses, including addition of structures in an existing open storage ground; storage; temporary open storage; and temporary public vehicle park uses, are not relevant to the current application. The remaining three applications (No. A/YL-KTN/501, 647 and 698) for proposed flats (No. A/YL-KTN/698 also involved minor relaxation of PR and BH restrictions) with similar site areas and submitted by the same applicant as the current application were all approved by the Committee between April 2017 and September 2020 mainly on the considerations that the proposed development was in line with the planning intention of “R(E)” zone; it complied with the development restrictions of the zone (for No. A/YL-KTN/501 and 647); the proposed minor relaxation of PR and BH would help increase the housing supply and the proposed design measures would bring planning and design merits (for No. A/YL-KTN/698); it was not incompatible with the surrounding residential developments and would help phase out existing temporary structures and workshops at the site; and the relevant departments had no objection to or no adverse comments on the application.
- 4.2 Details of the applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.

5. **Similar Applications**

- 5.1 There is no similar application for residential development with minor relaxation of PR and BH restrictions within the same “R(E)” zone.
- 5.2 For “R(E)” zone within the Kam Tin North OZP, there are three similar applications (No. A/YL-KTN/488, 567 and 791) for residential use covering a similar site within the “R(E)1” zone in about 500m east of the Site (**Plan A-1a**). Applications No. A/YL-KTN/488 for proposed houses; No. A/YL-KTN/567 for proposed flats; and No. A/YL-KTN/791 for proposed houses and flats, were all approved with conditions by the Committee between May 2016 and January 2022 on similar considerations that the proposed development was in line with the planning intention of the “R(E)” zone; it was not incompatible with the surrounding areas; and the relevant departments had no objection to or no adverse comments on the application. All these similar applications did not involve any proposed minor relaxation of PR or BH restriction.
- 5.3 Details of the applications are summarised in **Appendix II** and their locations are shown on **Plan A-1a**.

6. The Site and Its Surrounding Areas (Plans A-1a to A-4)

6.1 The Site is:

- (a) currently fenced and vacant with site formation and foundation works in progress; and
- (b) accessible to Ying Ho Road and Kam Tin Road on the west and south respectively.

6.2 Lot No. 265 S.B RP in D.D. 103 with an area of about 453.7m² (**Plan A-2**) is enclosed by the Site near the southern boundary.

6.3 The surrounding areas comprise mainly medium-rise residential developments and village settlements of Ko Po Tsuen and Ha Ko Po Tsuen intermixed with scattered storage yards, site office, vehicle repair workshops, eating places and vacant land. To the immediate north of the Site within the “R(B)” zone is Riva, which is a residential development comprising 25 residential towers and 48 houses with a total PR of 1.013 and maximum BH of not more than 23 storeys (over basement carpark) and about 81mPD (**Plans A-1a and A-2**). To the further northwest within the “R(B)1” zone is Crescent Green, which is a residential development with a PR of about 1.2 and maximum BH not exceeding 13 storeys (over basement carpark) and about 56mPD (**Plan A-1a**). The Tsing Long Highway is to the south of the Site, while the Tuen Ma Line Kam Sheung Road Station is located about 1.1 km to the southeast.

7. Planning Intention

7.1 The planning intention of the “R(E)” zone is for residential development with the provision of environmental mitigation measures. The zoning is to facilitate appropriate planning control over the scale, design and layout of development, taking account of various environmental constraints. Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR and BH restrictions may be considered by the Board on application under section 16 of the Town Planning Ordinance.

7.2 According to the Explanatory Statement (ES) of the OZP, the subject “R(E)” zone is to improve and upgrade the current site condition with temporary structures for future residential developments. Given the “R(E)” zone has a long frontage, sufficient building separations within the zone would be required to facilitate wind penetration.

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, Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) no adverse comment on the application;
- (b) the Site is held under New Grant No. 23087 dated 11 August 2023 restricted for private residential purpose. Pursuant to Special Conditions No. 13(c), the total GFA of any building or buildings erected or to be erected on the Site shall not exceed 23,299m²; and
- (c) detailed advisory comments on the application are at **Appendix III**.

Traffic

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

- (a) no adverse comment on the application from traffic engineering perspective; and
- (b) should the planning application be approved, the following approval conditions should be imposed:
 - (i) the submission of a consolidated TIA to the satisfaction of C for T or of the Board; and
 - (ii) the design and provision of public transport facilities to the satisfaction of C for T and the Director of Highways (D of Hy) or of the Board.

8.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) the proposed access arrangement of the Site and traffic engineering issues should be commented and approved by C for T;
- (b) if the proposed vehicular egress at Kam Tin Road is agreed by C for T, the applicant should design and construct the egress and all necessary modification works to the nearby cycle track, footway and carriageway at Kam Tin Road in accordance with the latest Transport Department and HyD standards. The applicant should submit the detailed design of the egress and the modification works for agreement of C for T and D of Hy before the commencement of the construction works;
- (c) Ying Ho Road and the proposed run-in/out at Ying Ho Road are not and will not be maintained by HyD. Nevertheless, if

the proposed run-in/out at Ying Ho Road is agreed by C for T, the applicant should provide and maintain the run in/out at Ying Ho Road in accordance with the latest version of Highways Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement;

- (d) if any road improvement works (e.g. construction of bus lay-by, removal of existing run-in/out at Kam Tin Road, etc.) are considered necessary by C for T due to the proposed development, they shall be designed and constructed by the applicant at his own expenses to the satisfaction of C for T and D of Hy; and
- (e) adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads or exclusive road drains.

Environment

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

- (a) no objection to the application subject to the following approval conditions to the satisfaction of DEP or of the Board:
 - (i) the submission of a SIA for connections to the public sewers and implementation of the sewerage improvement measures identified therein; and
 - (ii) the submission of a NIA and the implementation of mitigation measures identified therein;
- (b) the Au Tau Water Treatment Works (ATWTW) is already delisted from CCPHI, therefore the hazard assessment for assessing the risk posed by ATWTW to the development is not required;
- (c) there were five substantiated environmental complaints related to the Site on air and noise aspects in the past three years; and
- (d) detailed advisory comments on the application are at **Appendix III**.

Drainage

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

- (a) no in-principle objection to the proposed development from public drainage point of view;

- (b) as the minor relaxation of PR and BH restrictions does not alter the findings and result in the previously approved DIA under the Approved Scheme, he has no comment on the submitted DIA under the current application;
- (c) should the application be approved, the following conditions should be imposed:
 - (i) the submission of a SIA and implementation of the SIA for the proposed development to the satisfaction of the Director of Drainage Services (DDS) or of the Board; and
 - (ii) the implementation of the DIA for the proposed development to the satisfaction of DDS or of the Board.

Visual, Urban Design, Landscape and Air Ventilation

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

- (a) no comment from architectural and visual impact points of view; and
- (b) it is noted that the proposed residential development mainly consists of three 17-storey towers with BH of about 65.93mPD among other medium-rise buildings in the surrounding area. The maximum BH is increased by about 1.98m from the previous 63.95mPD approved by the Board.

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

- (a) as compared with the Approved Scheme, the current proposal proposes to further increase the BH from 16 storeys (63.95mPD) to 17 storeys (65.93mPD) while retaining the same domestic GFA and design merits. Judging from the submitted photomontages the current proposal does not bring forth significant visual change as compared with the Approved Scheme;
- (b) no comment on the application from air ventilation perspective. The following design measures are proposed under the current application, including (i) building separations of 64m and 71m between Tower 2 and Tower 1/clubhouse (**Drawing A-13**); (ii) building separation of 57m between Tower 1 and clubhouse (**Drawing A-15**); (iii) setbacks of 32m and 6.5m from the northwestern and eastern boundaries of the Site respectively (**Drawing A-15**); and (iv) various void areas at the lowest two floors of residential

towers (**Drawings A-6 and A-16**). It is noted that the width of the building separation under the current application is increased as compared with the Approved Scheme to enhance wind penetration.

Landscape

- (c) no objection to the application from landscape planning perspective;
- (d) based on the aerial photo of 2022, the Site is located in a rural landscape character comprising medium-rise residential buildings, temporary structures and scattered tree groups. Compared with the aerial photos of 2019 and 2022, there is no significant change to the landscape character of the surrounding area since the approval of the Approved Scheme. Compared with the approved landscape proposal under the Approved Scheme, there is no change in the existing tree treatment and tree planting proposal. According to the submission, not less than 1,661m² of open space will be provided. According to the landscape plan (**Drawing A-5**), there are some changes in the proposed landscape layout. Further significant adverse landscape impact within the Site arising from the proposed development is not anticipated; and
- (e) should the application be approved, approval condition on submission and implementation of landscape proposal should be included.

Nature Conservation

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

- (a) no comment on the application from nature conservation perspective; and
- (b) noting that the Site is currently paved and is adjacent to a residential development of similar scale, it is not envisaged that the proposed minor relaxation of maximum PR and BH to the Approved Scheme would impose adverse ecological impacts to the surrounding environment.

Building Matters

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

- (a) no objection to the application; and
- (b) detailed advisory comments on the application are at **Appendix III**.

Fire Safety

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

- (a) no specific comments on the application;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans and referral from the relevant licensing authority; and
- (c) the emergency vehicular access provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the “Code of Practice for Fire Safety in Buildings 2011” under the Building (Planning) Regulation 41D which is administered by BD.

Water Supply

8.1.11 Comments of Chief Engineer/Construction, Water Supplies Department:

- (a) no objection to the application and no comment on the updated WSIA; and
- (b) detailed advisory comments on the application are at **Appendix III**.

District Officer's Comments

8.1.12 Comments of the District Officer (Yuen Long), Home Affairs Department:

his office has not received any locals' comment on the application and he has no comment on the application.

8.2 The following government departments have no objection to or no comment on the application:

- (a) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (b) Director of Electrical and Mechanical Services;
- (c) Project Manager (West), Civil Engineering and Development Department; and
- (d) Commissioner of Police.

9. Public Comments Received During Statutory Publication Periods

- 9.1 During the statutory publication periods, a total of 111 public comments were received from individuals, including 109 supporting comments (**Appendix IVa**), one objecting comment (**Appendix IVb**) and one comment providing views (**Appendix IVc**).

Supporting Comments (Appendix IVa)

9.2 The major views of the supporting comments are summarised as follows:

- (i) the proposed development is in line with the planning intention of “R(E)” zone and would bring job opportunities and improve the living environment of the area;
- (ii) the proposed development with further increase of 54 units would help increase the housing supply which is in line with the Government’s policy. The average flat size under the current application could better meet the needs of the property market;
- (iii) utilisation of vacant land is a more desirable land supply option in terms of environmental impacts and cost-effectiveness;
- (iv) previous approval for residential development with minor relaxation of maximum PR and BH restrictions had been granted to the Site. The development intensity of the current proposal is similar to the Approved Scheme. Moreover, the planning and design merits under the Approved Scheme are retained with enhancements; and
- (v) the proposed development is not incompatible with the medium-rise residential developments in the surrounding area and will not cause adverse visual and air ventilation impacts.

Objecting Comment (Appendix IVb)

9.3 The objection comment is mainly on the grounds that there is no genuine implementation programme; larger units should be pursued instead of increasing the flat number and there are no community facilities provided in the proposed development to cater for the increased demand.

Providing Views (Appendix IVc)

9.4 The comment providing views is summarised as follows:

- (i) instead of a ROW, a separate access should be provided to the private Lot No. 265 S.B RP in D.D. 103 so as to avoid deprivation of development potential of the land and any possible conflicts between the land owner of the private lot and the future residents of the proposed development. The applicant should also undertake necessary mitigation measures to address the potential interfacing environmental problems; mitigation measures should ensure that no adverse electricity supply, water supply, traffic and environmental impacts will be caused by the proposed development;
- (ii) there is insufficient information on air ventilation and traffic impacts of the proposed development; and

- (iii) consideration should be given for sharing the facilities of the proposed development for use by the local community at designated time slots.

10. Planning Considerations and Assessments

- 10.1 The application is for proposed flats with minor relaxation of maximum PR restriction from 1.2 to 1.43 (+0.23/+19.2%) and maximum BH restriction from 13 storeys to 17 storeys (+4 storeys/+30.8%) for a private residential development at the Site zoned “R(E)”. The Site is subject to an approved previous application (No. A/YL-KTN/698) for proposed flats with minor relaxation of maximum PR restriction to 1.44 and maximum BH restriction to 16 storeys.

Planning Intention

- 10.2 The planning intention of the “R(E)” zone is for residential development with the provision of environmental mitigation measures and to facilitate appropriate planning control over the scale, design and layout of development, taking account of various environmental constraints. According to the EA submitted by the applicant, environmental mitigation measures to alleviate traffic noise and emission are proposed. The proposed residential development with appropriate environment mitigation measures is considered in line with the planning intention of the “R(E)” zone.

Minor Relaxation of PR and BH

- 10.3 Regarding the proposed relaxation of maximum PR, as compared with the Approved Scheme, the Proposed Scheme remains the same development intensity in terms of GFA (23,299m²) with a slight reduction in maximum PR from 1.44 to 1.43 (-0.01/-0.7%) due to corresponding increase in site area. On the proposed relaxation of maximum BH, the Proposed Scheme involves an increase in BH to the Approved Scheme from 16 storeys to 17 storeys (+1/+6.3%) and from 63.95mPD to 65.93mPD (+1.98/+3.1%). It is considered that the magnitude of increase in BH as compared with the Approved Scheme is not significant. According to the applicant, such further increase in BH is due to the adoption of MiC for the residential floors. In this regard, as stipulated under the Joint Practice Note (JPN) No. 8 on ‘Enhanced Facilitation Measures for Buildings Adopting MiC’, favourable consideration may be given to an increase of BH to facilitate the adoption of MiC. In addition, the PR of 1.43 and BH of 65.93mPD (17 storeys) under the Proposed Scheme are considered not incompatible with the surrounding developments including the residential development Riva adjoining the Site to the north with a total PR of 1.013 and BH of about 81mPD (not more than 23 storeys), and the other residential development Crescent Green to the further northwest with a total PR of about 1.2 and BH of about 56mPD (not more than 17 storeys). CA/ASC, ArchSD has no adverse comment on the application from architectural and visual impact points of view, and CTP/UD&L of PlanD considers that the Proposed Scheme would not bring forth significant visual change as compared with the Approved Scheme.

Planning and Design Merits

- 10.4 The major planning and design merits under the Approved Scheme, including building separation aligning with the building separation of the adjoining Riva; setback from site boundary; and designating void areas at the lowest floors of the residential towers, are generally retained in the Proposed Scheme. In addition, enhancements including further increase in building separation; increased overall setback distance from site boundary; and relocating the clubhouse blocks to better integrate with the residential tower and reducing their BH from 3 storeys to 1 storey are proposed to improve air ventilation and enhance visual permeability (**Drawings A-13 to A-16**). CTP/UD&L of PlanD has no comment on the application from air ventilation perspective.

Other Technical Aspects

- 10.5 Compared with the Approved Scheme, the Proposed Scheme would increase the provision of residential units from 561 to 615 (+54/+9.6%), contributing to flat supply. Relevant technical assessments, including LDTTP, TIA, EA, DIA, SIA and WSIA for the Proposed Scheme, are submitted in support of the application. Recreational facilities including clubhouse, swimming pool and landscape garden will be similarly provided in the Proposed Scheme for use by the residents, and corresponding increase in private open space provision due to the additional residential units is proposed. Whilst 105 trees are proposed to be felled under the Proposed Scheme, 9 trees would be retained and 130 heavy-standard trees will be planted. The proposed ROW to the outstanding lot enclosed by the Site (i.e. Lot No. 265 S.B. RP in D.D. 103) is also maintained in the Proposed Scheme. Relevant government departments have no objection to or no adverse comments on the application. Their technical requirements including those on the provision of various mitigation measures could be addressed by imposing the relevant approval conditions as recommended in paragraph 11.2 below, should the application be approved by the Committee.

Previous and Similar Applications

- 10.6 The Site is the subject of three approved previous applications (No. A/YL-KTN/501, 647 and 698) for residential development as mentioned in paragraph 4.1 above. There is no major change in the planning circumstances since the approval of the last application No. A/YL-KTN/698 in September 2020. The current application seeks to further increase the BH due to the use of MiC. While there is no similar application within the same “R(E)” zone, there are three approved similar applications for residential development in the “R(E)1” zone to the east of the Site as detailed in paragraph 5.2 above. Approving the current application is in line with the Committee’s previous decisions.

Public Comments

- 10.7 Regarding the objecting comment and the comment providing views as detailed in paragraph 9, the departmental comments and planning assessments above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned 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 15.3.2028, 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 following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission and implementation of a Landscape Proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission of a consolidated Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the design and provision of public transport facilities to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board;
- (d) the submission of a Noise Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (e) the submission of a Sewerage Impact Assessment for connections to the public sewers and implementation of the sewerage improvement measures identified therein to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the Town Planning Board; and
- (f) the implementation of the drainage proposal identified in the Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

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

- 11.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

there are no strong justifications for the proposed minor relaxation of PR and BH restrictions sought.

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

Appendix I	Application Form received on 19.10.2023
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 30.11.2023
Appendix Ic	FI received on 14.12.2023
Appendix Id	FI received on 19.12.2023
Appendix Ie	FI received on 30.1.2024
Appendix If	FI received on 22.2.2024
Appendix Ig	FI received on 7.3.2024
Appendix II	Previous and Similar Applications
Appendix III	Recommended Advisory Clauses
Appendices IVa to IVc	Public Comments
Drawing A-1	Comparison of Layout of the Approved Scheme and Proposed Scheme
Drawing A-2	Master Layout Plan
Drawing A-3	Ground Floor Plan
Drawing A-4	Basement Plan
Drawing A-5	Landscape Plan
Drawing A-6	Section Plan
Drawings A-7 to 12	Photomontages
Drawings A-13 to 16	Comparison of Design Measures
Drawing A-17	Proposed Traffic Improvement Proposal
Drawing A-18	Proposed Buffer Zones
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2024**