

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL**  
**FOR TEMPORARY USE**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-KTS/1012**

|                           |   |   |
|---------------------------|---|---|
| <b><u>Applicant</u></b>   | : | New Territories Association of Societies (Community Services) Foundation represented by PlanPlus Consultancy Limited  |
| <b><u>Site</u></b>        | : | Lot 2160 RP in D.D. 106 and Adjoining Government Land (GL), Kam Tin, Yuen Long, New Territories   |
| <b><u>Site Area</u></b>   | : | About 16,760m <sup>2</sup> (including GL of about 9,790m <sup>2</sup> (about 58.4%))  |
| <b><u>Lease</u></b>       | : | Block Government Lease (demised for agricultural use)   |
| <b><u>Plan</u></b>        | : | Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15  |
| <b><u>Zoning</u></b>      | : | “Comprehensive Development Area” (“CDA”)<br><i>[Restricted to a maximum plot ratio (PR) of 0.4 and a maximum building height (BH) of 3 storeys (9m); and no building development is permitted in Area (b) of the zone, which shall be designated as a landscaped area for public use]</i> |
| <b><u>Application</u></b> | : | Renewal of Planning Approval for Temporary Transitional Housing Development for a Period of 3 Years   |

**1. The Proposal**

- 1.1 The applicant seeks planning permission for renewal of planning approval for temporary transitional housing development for a period of three years at the application site (the Site), which falls within an area zoned “CDA” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Residential Institution’ is a Column 2 use in the “CDA” zone which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is subject to a previous application (No. A/YL-KTS/899) submitted by the same applicant for the same temporary development (with minor changes) which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 24.9.2021, and all approval conditions had been complied with. The Site is currently occupied by the applied development operated by the applicant with a valid planning permission until 24.9.2024 (details at paragraphs 1.5 and 6 below) (**Plans A-2 to A-4**).

- 1.3 According to the applicant, the applied development under the approved scheme of application No. A/YL-KTS/899 has been completed and the Occupation Permit for which was issued on 19.1.2024. The applied development involves two four-storey residential blocks and three non-domestic blocks for ancillary supermarket, community canteen, clinic, multi-function rooms, sewage treatment plant and electrical and mechanical facilities (**Drawing A-1**). A total of 1,028 units in 3 unit types with different average unit size of 12.83m<sup>2</sup> (for 1-2 person), 15.33m<sup>2</sup> (for 3 persons) and 27.30m<sup>2</sup> (4 persons/barrier free) are provided. The applicant is responsible for the management and maintenance of the development. The population intake commenced in late February 2024, and the occupancy rate of the development is about 85.4% as at 31<sup>st</sup> August 2024.
- 1.4 The Site is directly accessible from Kam Wui Road (**Plans A-2 and A-3**). Six loading/unloading spaces for heavy goods vehicle catering for the operational needs and 68 bicycle racks for residents are provided within the Site. The master layout plan (MLP), floor plans, section and elevation plan, landscape mater plan and flat mix plan submitted by the applicant are at **Drawings A-1 to A-6**.
- 1.5 Compared with the previously approved application (No. A/YL-KTS/899), the current application is submitted by the same applicant for the same temporary development with a slightly larger site area due to setting out at the processing of short term tenancy (STT) and short term waiver (STW) as well as changes in major development parameters and internal layout in accordance with the building plans approved by the Building Authority (BA) in 2024. The comparison of the major development parameters between the previous application and the current application is summarised as follows:

| <b>Major Development Parameters</b>                                     | <b>Previous Application No. A/YL-KTS/899 (a)</b>                        | <b>Current Application No. A/YL-KTS/1012<sup>(1)</sup> (b)</b>        | <b>Difference (b) - (a)</b>   |
|---|---|---|---|
| <b>Site Area (about)</b>  | 16,631m <sup>2</sup>  | 16,760m <sup>2</sup> <sup>(2)</sup>                                   | +129m <sup>2</sup> (+0.8%)  |
| <b>Maximum PR</b><br>- Domestic<br>- Non-domestic                       | 1.53<br>1.44<br>0.09  | 1.403<br>1.353<br>0.05  | -0.127 (-8.3%)<br>-0.087 (-6.0%)<br>-0.04 (-44.4%)  |
| <b>Maximum Gross Floor Area (about)</b><br>- Domestic<br>- Non-domestic | 25,412m <sup>2</sup><br><br>23,912m <sup>2</sup><br>1,500m <sup>2</sup> | 23,514m <sup>2</sup><br><br>22,672m <sup>2</sup><br>842m <sup>2</sup> | -1,898m <sup>2</sup> (-7.5%)<br><br>-1,240m <sup>2</sup> (-5.2%)<br>-658m <sup>2</sup> (-43.9%) |
| <b>Maximum No. of Storeys/BH</b><br>- Domestic                          | 4 (+20.1mPD)  | 4 (+20.1mPD)  | No change   |

| <b>Major Development Parameters</b>                                  | <b>Previous Application No. A/YL-KTS/899 (a)</b> | <b>Current Application No. A/YL-KTS/1012<sup>(1)</sup> (b)</b> | <b>Difference (b) - (a)</b> |
|--|--|--|-----------------------------|
| - Non-domestic   | 3  | 3  | No change                   |
| Amenity & E/M building   | 1 (+17.8mPD)                                     | 1 (+13.8mPD)   | -4m (-22.5%)                |
| E/M building   | 1 (+9.8mPD)                                      | 1 (+11.375mPD)   | +1.575m (+16.1%)            |
| Sewerage Treatment Plant   | 1 (+12mPD)                                       | 1 (+12mPD)   | No change                   |
| <b>Site Coverage</b>   | 45.97%   | 41.8%  | -4.17% (-9.1%)              |
| <b>No. of Blocks</b>   | 9  | 5  | -4 (-44.4%)                 |
| - Domestic   | 6  | 2  | -4 (-66.7%)                 |
| - Non-domestic   | 3  | 3  | No change                   |
| <b>No. of Units</b>  | 1,020  | 1,028  | +8 (+0.8%)                  |
| <b>Estimated Population</b>  | About 2,751                                      | About 2,270  | -481 (-17.5%)               |
| <b>Open Space</b>  | Not less than 2,751m <sup>2</sup>                | About 2,908m <sup>2</sup>                                      | +157m <sup>2</sup> (+5.7%)  |
| <b>Greenery Coverage</b>   | Not less than 25%                                | About 25.7%  | +0.7%                       |
| <b>No. of Heavy Goods Vehicle Loading/ Unloading (L/UL) Space(s)</b> | 6  | 6  | No change                   |
| <b>No. of Bicycle Racks</b>  | 68   | 68   | No change                   |

Note:

- (1) The major development parameters reflect the as-built transitional housing development at the Site in accordance with the building plans approved by BA on 8.1.2024.
- (2) The slight increase in site area is due to setting out at the processing of STT and STW.

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

- (a) Application form with supplementary information received (**Appendix I**) on 23.7.2024

- (b) Further Information (FI) received on 30.8.2024\* (Appendix Ia)
- (c) FI received on 11.9.2024\* (Appendix Ib)
- (d) FI received on 13.9.2024\* (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 are detailed in the application form, supplementary information and FI at **Appendices I to Ib** and summarised as follows:

- (a) The applied temporary transitional housing development echoes with the Government's prevailing policy to provide transitional housing to relieve acute housing shortage in the short-term.
- (b) The construction of the transitional housing development has been completed in January 2024 with population intake commenced in late February 2024. The applicant intends to operate the transitional housing development for not less than five years till at least February 2029. The current renewal application is required to continue the operation of the transitional housing development.
- (c) The current application complies with the Town Planning Board Guidelines for 'Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development' (TPB PG-No. 34D) in that there has been no material change in planning circumstances since the previous approval given in 2021; the applicant had complied with all time-limited approval conditions under the previous approval (No. A/YL-KTS/899); no adverse planning implication arising from the current application; and the approval period of three years sought is reasonable. The implemented facilities and trees on the Site would be well maintained in a good condition at all times during the operation period.

## **3. Compliance with the 'Owner's Consent/Notification' Requirements**

The applicant is not the "current land owner" but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by obtaining land owner's consent. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the "Owner's consent/Notification" Requirements are not applicable.

## **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines for 'Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development' (TPB PG-No. 34D) are also relevant to the application and the relevant extract of which is attached at **Appendix II**.

## **5. Background**

The Site is currently not subject to any active planning enforcement action.

## **6. Previous Applications**

- 6.1 The Site, in part or in whole, is the subject of three previous applications (No. A/YL-KTS/590, 705 and 899), including one submitted by the current applicant and two (No. A/YL-KTS/590 and 705) submitted by a different applicant. Details of the applications are summarised in **Appendix III** and the locations are shown on **Plan A-1**.
- 6.2 The latest previous application (No. A/YL-KTS/899) submitted by the same applicant of the current application for the same temporary development (with minor changes) at the same Site (with a slightly larger area) for a period of three years was approved with conditions by the Committee on 24.9.2021 mainly on the considerations that the proposed transitional housing development was in line with the planning intention of the “CDA” zone; it was also in line with the Government’s policy to increase the supply of transitional housing and policy support had been solicited from the then Secretary for Transport and Housing; the proposed development was not incompatible with the surrounding uses; relevant technical assessments had been submitted to demonstrate that the proposed development, even with the abandoned meander at Area (b) of the “CDA” zone filled and trees thereat felled (details at paragraph 9.2 below), would not cause significant adverse impacts; and concerned government departments had no objection to/no adverse comment on the application. All approval conditions in relation to the run-in/out proposal, footpath proposal, drainage proposal, contamination assessment plan and remediation action plan, and fire service installations had been complied with and the planning permission is valid until 24.9.2024.
- 6.3 Applications No. A/YL-KTS/590 and 705 for proposed house development covered the same site of a larger site area including the Site. Considerations for these two applications are not relevant to the current application which involves a different use.

## **7. Similar Application**

There is no similar application for temporary transitional housing development within the same “CDA” zone in the past five years.

## **8. The Site and Its Surrounding Areas (Plans A-1 to A-4)**

8.1 The Site is:

- (a) directly accessible from Kam Wui Road; and
- (b) currently occupied by the applied use operated by the applicant with valid

planning permission under application No. A/YL-KTS/899.

- 8.2 The Site is bounded by Kam Tin River, Ho Pui Stream and Tung Wui Road to its north, south and east respectively. The surrounding areas comprise predominantly village settlements, car repair workshop and storage. To the southwest of the Site across Ho Pui Stream is the Tuen Ma Line (TML) Kam Sheung Road Station with a bus terminus and a park-and-ride area. To the south and southeast of the Site across the intersection of Tung Wui Road and Kam Po Road are two sites with construction works in progress for public housing developments.

## **9. Planning Intention**

- 9.1 The planning intention of the “CDA” zone is for comprehensive development/redevelopment of the area for residential use with provision of commercial, open space and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 9.2 With regard to the need of preserving the natural landscape and private development right, the “CDA” site is designated with a maximum PR of 0.4 and a maximum BH of 3 storeys (9m). Area (b) at the northern part of the site shall be designated as a landscaped area for public use and no building development is permitted. According to the Explanatory Statement of the OZP, existing trees and meander retained under the drainage project within the zone should be preserved as far as practicable. Minor boundary adjustment of Areas (a) and (b) may be permitted at the MLP submission stage.

## **10. Comments from Relevant Government Bureau/Departments**

- 10.1 In addition to the government bureau as set out in paragraph 10.2 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV and V** respectively.
- 10.2 The following government bureau supports the application:

### **Policy Aspect**

#### **10.2.1 Comments from the Secretary for Housing (S for H):**

- (a) supports the application; and
- (b) the subject transitional housing project have policy support from Housing Bureau with Policy Support Agreement executed on 1.12.2021.

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

During the statutory public inspection period, two public comments were received by Aviation Club of Hong Kong, China and an individual expressing concerns that there might be flight safety concern arising from the applied development and the approval conditions under the last previous planning approval have not been complied with (Appendix VI).

## **12. Planning Considerations and Assessments**

- 12.1 The application is for renewal of planning approval for temporary transitional housing development for a period of three years at the Site, which is zoned “CDA” on the OZP (**Plan A-1**). The applied development is generally in line with the planning intention of the “CDA” zone and the Government’s policy to increase the supply of transitional housing. S for H supports the current renewal application and the Policy Support Agreement has already been executed with the applicant.
- 12.2 The temporary nature and low-rise built form (not more than four storeys) of the applied development is considered not incompatible with the surrounding areas, which comprise predominantly village settlements, car repair workshop, storage and TML Kam Sheung Road Station with a bus terminus and a park-and-ride area. The Chief Town Planner/Urban Design and Landscape of the Planning Department considers that further significant adverse landscape impact within the Site arising from the applied use is not anticipated.
- 12.3 Other concerned departments including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department, Director of Fire Services, Director of Environmental Protection and Director-General of Civil Aviation have no objection to or no adverse comment on the application. As the technical requirements of the concerned departments could be addressed/regulated under the STT, STW and other control regimes, relevant approval conditions are considered not necessary.
- 12.4 The application is considered generally in line with TPB PG-No.34D in that there has been no material change in planning circumstances since the granting of the previous approval; all approval conditions under the previous application have been complied with; there are no adverse planning implications arising from the renewal application and the three-year approval period sought which is the same as the last approval granted by the Committee is not unreasonable. As compared with the last previous application No. A/YL-KTS/899, the current application is submitted by the same applicant for the same development with a slightly larger site area due to setting out and changes in major development parameters and internal layout in accordance with the approved building plans. Such changes are considered acceptable and can be taken into account under the current renewal application.
- 12.5 The Committee has approved a previous application for the same applied use at the Site in 2021 as detailed in paragraph 6.2 above. Approving the current application is generally in line with the Committee’s previous decision.

- 12.6 Regarding the public comments expressing concerns on the application as summarised in paragraph 11 above, the departmental comments and planning considerations above are relevant.

### **13. Planning Department's Views**

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department considers that the applied use could be tolerated for a further period of three years.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years and be renewed from 25.9.2024 to 24.9.2027. The recommended advisory clauses are at **Appendix V**.
- 13.3 There is no strong reason to recommend rejection of the renewal application.

### **14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

### **15. Attachments**

|                            |   |
|----------------------------|---|
| <b>Appendix I</b>          | Application form with supplementary information received on 23.7.2024 |
| <b>Appendix Ia</b>         | FI received on 30.8.2024  |
| <b>Appendix Ib</b>         | FI received on 11.9.2024  |
| <b>Appendix Ic</b>         | FI received on 13.9.2024  |
| <b>Appendix II</b>         | Relevant extract of TPB PG-No. 34D                                    |
| <b>Appendix III</b>        | Previous applications   |
| <b>Appendix IV</b>         | Government departments' general comments                              |
| <b>Appendix V</b>          | Recommended advisory clauses  |
| <b>Appendix VI</b>         | Public comments   |
| <b>Drawing A-1</b>         | Master Layout Plan  |
| <b>Drawings A-2 to A-3</b> | Floor Plans (G/F and Rooftop)   |
| <b>Drawing A-4</b>         | Section and elevation Plan  |
| <b>Drawing A-5</b>         | Landscape Master Plan   |
| <b>Drawing A-6</b>         | Flat mix plan   |



|                 |  |
|-----------------|--|
| <b>Plan A-1</b> | Location plan with previous applications |
| <b>Plan A-2</b> | Site plan                                |
| <b>Plan A-3</b> | Aerial photo                             |
| <b>Plan A-4</b> | Site photos                              |

**PLANNING DEPARTMENT  
SEPTEMBER 2024**