

RNTPC Paper No. A/YL-NSW/303
For Consideration by
the Rural and New Town
Planning Committee
on 8.9.2023

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

APPLICATION NO. A/YL-NSW/303

<u>Applicant</u>	: Sky Glory Properties Limited represented by Ove Arup & Partners Hong Kong Limited
<u>Site</u>	: Lots 870 S.A, 870 RP, 877 RP, 878 S.A, 878 S.B, 878 S.C, 878 S.D, 878 S.E, 878 S.F, 878 RP and 892 in D.D. 115 and adjoining Government Land (GL), Tung Shing Lei, Nam Sang Wai, Yuen Long
<u>Site Area</u>	: About 3,943.3 m ² (including about 1,724.51 m ² of GL or 43.7% of site area)
<u>Land Status</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/8
<u>Zoning</u>	: “Undetermined” (“U”)
<u>Application</u>	: Proposed Social Welfare Facility (Residential Care Home for the Elderly) and Residential Institution (Senior Hostel) development

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed social welfare facility (residential care homes for the elderly (RCHE)) and residential institution (senior hostel) at the application site (the Site) which falls within an area zoned “Undetermined” (“U”) on the approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/8 (**Plan A-1**). According to the covering Notes of the OZP, any use or development in the “U” zone, except those specified as always permitted under the covering Notes, requires planning permission from the Town Planning Board (the Board). The eastern portion of the Site is currently hard-paved and partly occupied by a temporary structure for warehouse while the western portion is mainly covered with vegetation.
- 1.2 The proposed development consists of a 17-storey tower above one basement level, providing 83 assisted living units (127 beds) for RCHE and 90 independent living units (100 beds) for senior hostel (**Drawing A-1**). The proposed RCHE and senior hostel will be a privately-operated facility and is tentatively scheduled for completion by 2028. The major development parameters and floor uses of the proposed development are as follows:

Major Development Parameters	
Site Area	about 3,943.3 m ²
Total Plot Ratio (PR)	about 2.87
Total Gross Floor Area (GFA) • Proposed RCHE • Proposed Senior Hostel	about 11,314.5 m ² , including: about 5,400 m ² about 5,914.95 m ²
Building Height	17 storeys above 1 storey of basement (about 69.3 mPD)
Site Coverage	About 52%
Local Open Space	not less than 227 m ²
Green Coverage	about 28%
Main Floor Uses	
B/F	• Car Park
G/F	• Shared entrance hall and supporting facilities for both RCHE and senior hostel • Car Park
1/F to 5/F	• 83 RCHE Units (127 beds) • Dining area cum common area, communal space, nurse station/consultation
6/F	• Open space with seating and recreational amenities for the residents
7/F to 16/F	• 90 Senior hostel units (100 beds)
Transport Facilities	
Parking Spaces Private Car Light Bus Bay Motorcycle	52 (including 2 disabled parking spaces) 1 1
Loading/Unloading Bay Light Goods Vehicle Medium/Heavy Goods Vehicle Lay-by for taxi or private vehicle	1 1 1

- 1.3 The assisted living units for RCHE are for seniors who need a little more day-to-day help and would receive continuous and seamless care when there are changes in residents' physical conditions. Spacious dining area cum common area will be provided at RCHE floors which allow the elderly to interact and socialize. Other fit-for-purpose senior facilities include small group activity room, family/interview room, function room, clubhouse, outdoor landscape garden and podium garden area will be provided within the proposed development. The independent living units for senior hostel are for elderly who are healthy and without the need for personal care and attention in their daily activities. The senior hostel is proposed to operate under a "lease-for-life" and/or "monthly rental" arrangement, and will offer a variety of facilities and services, including medical and nursing care, rehabilitation and recreational facilities which will be operated and managed by a team of professional and experienced staff consisting of nursing officers, physiotherapists, occupational therapists, and social workers. The applicant proposes to form strategic partnership with a senior living

management company and plans will be provided for individual residents, offering alternative modes of care services. Considering the physical needs of the elderly, larger units and other elderly-friendly features, such as larger bathrooms and units with wider corridors and bed-side spaces, will be provided (Sample photos of elderly-friendly features attached at **Drawing A-19**). Balcony will be provided for every independent living units.

- 1.4 The MLP, Landscape Master Plan (LMP), floor plans and section of the proposed development are at **Drawings A-1 to A-9**. In support of the application, the applicant has submitted Environmental Assessment (EA), Air Ventilation Assessment (AVA), Ecological Impact Assessment (EcoIA), Traffic Impact Assessment (TIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Visual Impact Assessment (VIA) and Landscape and Tree Preservation Proposal (LTPP).

Environment

- 1.5 On the noise aspect, the Site is subject to potential noise impacts from nearby road networks and railway (the MTR Tuen Ma Line (TML)) and fixed noise sources from the Pok Oi Hospital (POH) (**Plan A-1**). According to the EA, in order to mitigate the potential traffic and railway noise impacts, acoustic window/door and vertical fins with sound absorption materials are proposed such that no unacceptable noise impact is anticipated. As for the mitigation of potential fixed noise impact, vertical fin is applied at the southern tip of senior hostel (high zone) to provide shielding from the fixed noise source. Besides, the noise sensitive façade of the senior hostel would not be facing the fixed noise source.
- 1.6 The EA also includes an air quality impact assessment to evaluate the effect of the chimneys of the POH and the nearby road networks to the proposed development. Besides, no fluff, odour and other noticeable emission is identified in the surrounding area. It is envisaged that the proposed development would not be subject to adverse air quality impact. Besides, the proposed development will be connected to public sewer for wastewater treatment, and no significant water quality impact is anticipated.

Air Ventilation, Visual and Landscape

- 1.7 According to the AVA, the overall ventilation performance is comparable between the baseline scheme (i.e. the existing condition) and the proposed scheme (i.e. the proposed development) under annual condition; while the proposed scheme would have a better air ventilation performance under summer condition. Besides, the proposed development could maintain better wind performance at the pedestrian level of the area around the Site when compared to the baseline scheme (i.e. the existing condition).
- 1.8 A VIA has been conducted to assess the visual impact of the proposed development against the baseline scenario (i.e. the existing condition), with an ultimate scenario including the proposed development and the potential Tung Shing Lei public housing development formulated for reference purpose.

According to the VIA, the scale and design of the proposed development has a visually harmonious built form which is compatible with the surrounding neighbourhoods with predominantly residential and institutional developments. With the proposed design mitigation measures, such as sleek modern building design, cascading massing with stepped BH, provision of landscape garden and locating majority of car parking spaces at the basement level to reduce overall building bulk, visual impacts to all identified visually sensitive receivers are fully acceptable (**Drawings A-12 to A-17**).

- 1.9 According to the LMP (**Drawing A-9**), landscape gardens are located on the G/F of the proposed development, serving as a visual relief and buffer for the proposed development. Podium gardens are also provided on the 5/F and 6/F of the proposed development. An overall greening ratio of about 28% would be achieved. According to the LTPP, 28 trees of common species generally in fair to poor condition within the Site are proposed to be felled, and 72 new trees are proposed on ground floor and podium gardens for tree compensation.

Transport and Traffic

- 1.10 A 7.3m-wide ingress/egress is located at the western side of the Site which is accessible from Siu Sheung Road (**Plan A-2**). Internal transport facilities will also be provided within the proposed development by making reference to the requirements of the Hong Kong Planning Standards and Guidelines and the operational requirement. The TIA revealed that the identified key junctions would operate within capacities with the proposed development. The traffic impact arising from the proposed development is considered insignificant and could be accommodated by the surrounding road network.
- 1.11 In terms of pedestrian network, the Site is accessible via footpath connecting Siu Sheung Road and Castle Peak Road (CPR) (Yuen Long Section), which is further connected to major public transport facilities and attraction nodes such as MTR Yuen Long Station and Yoho Mall via existing pedestrian facilities (**Plan A-1**). Also, franchised bus and minibus services are available within a walking distance of 100m from the Site. It is anticipated that the existing public transport services will be sufficient to serve the proposed development.

Ecology

- 1.12 The Site does not fall within the Wetland Conservation Area nor Wetland Buffer Area of Deep Bay. According to the EcoIA, the loss of habitats within the Site are considered insignificant. The Habitat Map is shown in **Drawing A-18**. Besides, the proposed development would not have significant impact to the surroundings including the channel habitat of the Yuen Long Bypass Floodway (YLBFB).
- 1.13 In support of the application, the applicant has submitted the following documents:

(a) Application form received on 5.7.2022

(**Appendix I**)

- (b) Supplementary planning statement (SPS) received on 5.7.2022
- (c) 11 submissions of Further Information (FI) received on 23.8.2022, 3.10.2022, 11.11.2022, 9.12.2022, 9.1.2023, 20.2.2023, 21.3.2023, 5.5.2023, 13.6.2023, 14.7.2023 and 9.8.2023 in response to departmental comments with revised assessments and/or replacement pages
- (d) FI-12 received on 5.9.2023 providing a consolidated **(Appendix Ia)** SPS[#]

Remarks:

[#] *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 **Appendix Ia**. They can be summarised as follows:

- (a) The proposed development echoes with the Government's prevailing objectives to strengthen the role of private sector in providing wide range of elderly services in the market. The applicant has demonstrated genuine effort and sincerity in devoting time, resources, and expertise to contribute to meet the growing demand for elderly housing and provide quality living environment for the elderly.
- (b) There is a deficit of RCHE beds in Yuen Long. The proposed development can contribute to balancing the elderly housing provision across the territory, and will set a desirable precedent to encourage private sector initiatives for the provision of similar facilities.
- (c) There is limited provision of elderly housing options by the private sector. The proposed development aims to fill the current service gap by offering an alternative housing option to the elderly and promoting ageing-in-place community. Social values can be generated through promoting and realising quality elderly housing. The proposed development can create a quality and harmonious living environment for the elderly to foster an active lifestyle, physical, psychological and social well-being.
- (d) The Site, which forms part of the "U" zone, has been left idle for many years with no solid plan for development. The proposed development can optimise the long-wasted development potential in meeting the needs of senior housing.
- (e) The proposed development is compatible with the surrounding area with predominantly residential and institutional developments and allow a gradual transition from high-density new town to a relatively low-rise cluster. The Site is considered an appropriate location for the proposed development, which is well-connected to various facilities in Yuen Long and accessible to healthcare and medical services.

- (f) The proposed development comply with the Sustainable Building Design Guidelines and has taken into consideration of green building design to pursue energy efficiency.
- (g) Technical assessments have been conducted and concluded that the proposed development will not result in adverse impacts in terms of traffic, environment, drainage, sewerage, air ventilation, ecological, visual and landscape aspects.

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. 31A) by posting site notice and sending notice to San Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the “Owner’s Consent/Notification” Requirements are not applicable.

4. Background

- 4.1 The Site falls within the “U” zone (26.3 ha) south of the Yuen Long Highway (**Plan A-1**) and has been zoned “U” on the draft Nam Sang Wai OZP No. S/YL-NSW/1 since 3.6.1994. It was so designated as several major transport and drainage projects, including Yuen Long Highway, TML and YLBF, which were under planning at that time, would traverse the area. According to the Explanatory Statement of the Nam Sang Wai OZP, the “U” zone is within a transitional location between the urban and rural areas. Development within the areas has to be comprehensively planned as piecemeal development or redevelopment would have the effect of degrading the environment and thus jeopardising the long-term planning intention of the areas. Under the “U” zone, any developments or redevelopments require planning permission from the Board so as to ensure that the environment would not be adversely affected and that infrastructure, Government, institution or community (GIC) facilities, and open space are adequately provided. The proposed development should also take into account the TML and YLBF.
- 4.2 Following the completion of the infrastructure projects of Yuen Long Highway, TML and YLBF, and upon preliminary review, the subject “U” zone is considered to have potential for housing developments and other uses. According to the 2017 Policy Address, the subject “U” zone is one of the potential sites for public housing development. In March 2021, the “Agreement No. CE 55/2020 (CE) – Site Formation and Infrastructure Works for Housing Developments at Tung Shing Lei (TSL), Au Tau, Kam Tin and Yuen Long Tai Yuk Road, Yuen Long – Feasibility Study” (the Study) undertaken by the Civil Engineering and Development Department (CEDD) has commenced. The detailed land use proposal and appropriate development parameters for the “U” zone are subject to the findings of CEDD’s on-going study. Nevertheless, the Site is not located within the potential public housing development at TSL.

4.3 There was a planning application (No. A/YL-NSW/293) for proposed comprehensive residential development with commercial uses and social welfare facilities at northeastern portion of the subject “U” zone. The site boundary of the application encroached onto a potential public housing development and the application was rejected by the Committee in 2023 (**Plan A-1**).

4.4 The Site is not related to any planning enforcement case.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

6.1 During the past five years, there are three similar applications (No. A/YL-NSW/264, 292 and 293) which involves proposed social welfare facilities at three sites within the same “U” zone (partly or in whole) on the OZP.

6.2 Application No. A/YL-NSW/264 for proposed temporary social welfare facilities (integrated community service centre) at a vacated school building at Small Trader New Village was approved by the Committee in 2018 mainly on the considerations that the proposed temporary use would not jeopardise the long term planning for the area; the social welfare facility could meet district needs on youth and family services; and the concerned departments had no adverse comments on the proposed use. The application was revoked on 2.3.2022 due to non-compliance with approval condition.

6.3 Application No. A/YL-NSW/292 proposed for conservation and adaptive re-use of historic building (Pun Uk) for place of recreation, sports or culture (arts / antique gallery and heritage education) and social welfare facility (RCHE) with ancillary eating place falls within the “U” and “Government, Institution or Community” (“G/IC”) zones on the OZP. The application was approved by the Committee in 2022 mainly on the considerations that the proposed use was not in conflict with the planning intentions of the area as the site was relatively small and standalone which situated at the corner of the “U” zone and partly within the “G/IC” zone; the development was considered compatible with the surrounding area; the development could preserve in-situ the Grade I historic building and provide public appreciation arrangement which put Pun Uk into beneficial use; and the concerned departments had no adverse comments on the proposed development.

6.4 Application No. A/YL-NSW/293 for proposed comprehensive residential development with commercial uses and social welfare facilities at TSL was rejected by the Committee in 2023 mainly on the considerations that the encroachment of the proposed development onto the public housing site will jeopardise the government intention and development potential for public housing development at TSL.

6.5 Details of the similar applications are summarised at **Appendix II**. Their locations

are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) is located in a relatively standalone area at the corner of the larger TSL “U” zone;
- (b) accessible via Siu Sheung Road which is also used by POH, Small Traders New Village and some residential dwellings nearby as access road; and
- (c) eastern portion of the Site is currently hard-paved and partly occupied by a temporary structure for warehouse; while western portion of the Site is mainly covered with vegetation.

7.2 The surrounding areas have the following characteristics:

- (a) to its immediate north is the grade-separated MTR TML viaduct and to its further north is the Small Traders New Village;
- (b) to its immediate east are the POH and the POH Jockey Club Care and Attention Home which fall within an area zoned “G/IC”; to its further east is the YLBF;
- (c) to its immediate south is the Pun Uk which is a historic building with valid planning permission (No. A/YL-NSW/292) for the proposed use as mentioned in paragraph 6.2; to its further south and southwest are local road, storage of vehicles, Castle Peak Road and Pok Oi Interchange; and
- (d) to its west across Siu Sheung Road is the Yuen Long Highway; to its further west across Yuen Long Highway are the MTR Yuen Long Station and the high-density and high-rise residential developments in Yuen Long town, including the Sun Yuen Long Centre, YOHO Town and YOHO Midtown.

8. Planning Intention

The “U” zone is subject to impacts from CPR, Yuen Long Highway, MTR TML and YLBF. Under the “U” zone, any developments or redevelopments require planning permission from the Board so as to ensure the environment would not be adversely affected and that infrastructure, Government, Institution or Community (GIC) facilities, and open space are adequately provided. The proposed development should also take into account the TML and YLBF. To realise a built-form which represents a transition from Yuen Long New Town to the rural area, the development intensity should take into account the urban type developments immediately to the west of the “U” zone and the rural characteristics of the area to its north. Development within the areas has to be comprehensively planned as piecemeal development or redevelopment would have the effect of degrading the environment and thus jeopardising the long-term planning intention of the areas.

9. Comments from Relevant Government Departments and Bureau

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

Land Administration

9.1.1 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):

- (a) The Site involves various private lots in D.D. 115, which are all old schedule agricultural lots, and adjoining GL. The ownership details will be checked upon receipt of formal land application. Upon checking of land search records, the private lots are not under single ownership and the applicant is not the current land owner. The applicant should demonstrate how to implement the planning scheme as a whole if the application is approved.
- (b) As quoted by the applicant, the Site has an area of about 3,943.3m² (including 1,724.5m² GL), which should be subject to further verification and survey. In case of any discrepancy in site area found, the proposed development parameters will have to be revised accordingly.
- (c) Part of the Site is subject to Shek Kong Airfield Height Restriction of 159mPD.
- (d) Should the Board decide to approve the application, the applicant has to apply for land exchange to implement the planning scheme. However, there is no guarantee at this stage that the land exchange application (including granting of additional GL) would be approved. Such application will be dealt with by LandsD acting in the capacity of the landlord at his discretion, and if it is approved under such discretion, the approval would be subject to such terms and conditions including amongst others, the payment of premium and administrative fee as may be imposed by LandsD.
- (e) The technical assessments at Appendices B to I of the planning statement such as EA, AVA and EcoIA, etc., should be subject to comments of relevant departments.
- (f) The proposed tree felling/transplanting/tree compensatory as stated in para. 5.4.1 and Appendix E of the Planning Statement should be subject to separate application to be submitted for formal approval upon implementation of the development proposal.

Traffic

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

- (a) She has no objection to the application from traffic engineering point of view.
- (b) Should the Board approve the application, the following approval conditions are recommended to be included:

Design and provision of vehicle parking and loading/unloading facilities for the proposed development to the satisfaction of the C for T or of the Board.

9.1.3 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, HyD (CE/RD 2-2, RDO, HyD):

The location of the proposed development falls within the Railway Protection Zone of existing TML. He has no comment on the application and the railway protection team of MTRCL should be consulted with respect to operation, maintenance and safety of the existing rail network.

Environment

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

- (a) He has no objection to the planning application. Based on the EA and SIA reports submitted with the application and the FI subsequently submitted by the applicant in response to his comments, it is noted that no adverse environmental impact is anticipated with proper design and measures in place.
- (b) It is noted that the proposed development would be subject to potential noise impact from various noise sources nearby and proper design and measures would be required such that the relevant noise criteria in the HKPSG could be complied with. As such, it is recommended to impose an approval condition on submission of an updated noise impact assessment (NIA) and implementation of measures identified therein to the satisfaction of the DEP or the Board to provide a mechanism for the applicant to submit an updated NIA for his advice if there is any change to the development scheme at the later design stage and ensure proper design and noise mitigation measures will be adopted in the development.
- (c) The applicant has proposed to submit the land contamination related review and assessment at the later stage under approval condition if the application is approved. While he has no objection to the applicant's proposal, it is considered that an approval condition on submission of land contamination assessment and completion of the necessary remedial works before the commencement of construction works of the proposed use to the satisfaction of the DEP or the Board should be imposed so that there will be a mechanism for the applicant to submit the relevant assessment for his advice.

Urban Design, Air Ventilation and Visual Aspects

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

Urban Design and Visual

- (a) The whole “U” zone covering the Site and its immediate surrounding areas is currently rural in character, mainly intermixed with ponds and vegetation, as well as village settlements and brownfield operations of 1 to 2 storeys. To its immediate south is the 1-storey Grade 1 historic building known as Pun Uk, and to its immediate southeast is POH of 12 storeys (about 62mPD) and an elderly home known as POH Jockey Club Care and Attention Home of 8 storeys (about 31mPD). The Site is within a transitional location with urban type development of Yuen Long New Town (up to about 174mPD) to its further west across Yuen Long Highway and existing/planned low to medium-rise residential developments to its further north, south and east.
- (b) In addition, the area to its immediate south is subject to a planning application No. A/YL-NSW/292 approved with conditions on 12.8.2022 for a proposed conservation-cum-development project comprising reuse of the one-storey Pun Uk (7.87mPD) and construction of two new buildings (northern block with 7 storeys (25.37mPD) and southern block with 5 storeys (21.87mPD)) for RCHE.
- (c) Given the spatial context of the Site and its immediate surrounding areas where low-rise village settlements (about 10mPD) and the proposed conservation-cum-development project of Pun Uk (ranging from 7.87mPD to 25.37mPD) at its immediate north and south respectively, the proposed development with a BH of about 69.3mPD would bring forth visual changes to the neighbourhood. According to the photomontages of the VIA submitted by the applicant, among the six selected viewpoints, a viewpoint (i.e. VP1) would inevitably subject to slightly adverse visual impact; and the remaining viewpoints are subject to negligible visual impact as compared with existing environment and planned developments.
- (d) It is noted that several design measures have been proposed by the applicant to serve as visual relief and buffer to the surroundings, such as (i) cascading massing for the block with open decks and podium gardens at fifth and sixth floors as setback areas descending towards northern portion of the Site, (ii) locating majority of car parking spaces at the basement level to reduce the overall building bulk and (iii) provision of landscape garden.

Air Ventilation

- (e) The proposed development does not fall within the categories requiring AVA as listed in the Housing Planning and Lands Bureau and Environment, Transport and Works Bureau Technical Circular No. 1/06 on AVAs. As such, significant adverse air ventilation impact on the surrounding pedestrian wind environment is not anticipated.

Landscape

- (f) She has no objection from the landscape planning perspective.
- (g) According to the aerial photo of 2021, the Site is situated in an area of miscellaneous urban fringe landscape character comprising of residential buildings, car parks, village houses, temporary structures and scattered tree groups. The existing GIC facilities (i.e. POH) is located in the east of the site. The proposed development with one block (17 storeys) is considered not incompatible with the surrounding landscape setting and developments.
- (h) According to the TLLP, 28 trees of common species generally in fair to poor condition including 2 nos. of dead trees are identified within the Site. All trees within the site boundary are proposed to be felled due to direct conflict with the proposed development layout. 72 nos. of new trees are proposed to compensate the loss of existing trees within the Site. With reference to para. 4.4 of the LP, not less than 227 m² of Local Open Space would be provided for the proposed population of 227 and minimum 20% of green coverage is provided within the Site. According to the LMP, landscape provisions with hard and soft landscape treatments, including podium gardens, gathering lawn, multi-functional deck, amphitheatre, trellis, etc. are proposed at G/F, 5/F and 6/F of the Site.

Drainage

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

- (a) He has no objection in principle to the proposed development from the public drainage point of view.
- (b) Should the Board consider that the application is acceptable from the planning point of view, conditions should be stipulated in the approval letter requiring (i) the submission of a revised DIA; and (ii) the implementation of the mitigation measures identified in the revised DIA and accepted SIA to the satisfaction of the Director of Drainage Services or of the Board.
- (c) Detail comments on revised DIA are at **Appendix III**.

Building Matters

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

- (a) There is no record of approval granted by the Building Authority (BA) for the existing structures at the Site.
- (b) Before any new building works (including containers/open sheds as temporary buildings, demolition and land fullings etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO).
- (c) Detailed comments under the BO will be provided during the plan submission stage.
- (d) Advisory comments on building perspective are at **Appendix III**.

Fire Safety

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

- (a) He has no objection in principle to the application subject to water supplies and fire service installations (FSIs) being provided to his satisfaction.
- (b) Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011, which is administered by the Buildings Department.
- (c) Licensing requirements will be formulated upon receipt of formal application via the Licensing Authority and the height restriction as stipulated in S.20 of Residential Care Homes (Elderly Persons) Regulation shall be strictly observed.

Social Welfare Facilities

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

In view of the increasing demand for residential care services for the elderly over the territory and to provide more choices for the elderly with residential care needs, given that the applicant has intention to provide private and self-financing places of the proposed RCHE, and subject to the views of PlanD and relevant government department(s) on the planning application and any district concern of her department, she from

service perspective has no objection in-principle to the RCHE development on conditions that:

- i) the design and construction of the proposed RCHE is in full compliance with relevant statutory and licensing requirements; and
- ii) there shall have no financial implication, both capital and recurrent, to the Government.

District Officer's Comments

9.1.10 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

His office has received two letters from Indigenous Inhabitant Representative (IIR) and residents of Shan Pui Tsuen which were also received by the Board during the statutory public inspection periods (**Appendix IVb**). The IIR and a resident of Shan Pui Tsuen strongly objected the application mainly on the grounds that the Site is adjacent to the existing Grade 1 historic building (Pun Uk) and there is concern on historic building protection, and would increase the traffic flow which could affect the operation of POH.

9.2 The following government bureau/departments have no objection to/no adverse comment on the application and their advisory comments, if any, are in **Appendix III:**

- (a) Executive Secretary (Antiquities and Monuments), Development Bureau (ES(A&M), DEVB);
- (b) Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD);
- (c) Director of Agriculture, Fisheries and Conservation (DAFC);
- (d) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD);
- (e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (f) Project Manager (West), CEDD (PM(W), CEDD);
- (g) Head of Civil Engineering Office, CEDD (HCEO, CEDD);
- (h) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD);
- (i) Director of Housing (D of Housing);
- (j) Commissioner of Police;
- (k) Director of Electrical and Mechanical Services;
- (l) Director of Food and Environmental Hygiene; and
- (m) Director of Leisure and Cultural Services.

10. Public Comments Received During Statutory Publication Period

- 10.1 During the statutory public inspection periods, a total of 126 public comments on the application were received, including 108 supporting comments, 16 comments raising objection to or concerns on the application, and two comments providing views. Full set of the public comments will be deposited at the Board's Secretariat

for Members' inspection and reference. Extracts of the comments are at **Appendices IVa to IVc**. Their major views are summarised as follows:

Supporting Comments

- 10.2 108 comments submitted by the individuals supported the application (**Appendix IVa**). Their major supporting grounds are summarised as follows:
- (a) There is a very high demand for subsidised places for RCHE, especially in Yuen Long District where aging population is rising. The proposed development can provide high quality RCHE and senior hostel for the district.
 - (b) Hong Kong is facing the aging population problem but there is inadequate resources to support aging-in-place, high quality institutional care facilities are essential to tackle the problem.
 - (c) The proposed development is adjacent to the POH which facilitate the residents accessing medical services.
 - (d) The proposed development can utilise the underutilised land resources and reduce the waiting time for admission to RCHEs.

Objecting / Raising Concerns

- 10.3 16 comments submitted by the Yuen Long Small Traders New Villager Better Living Co-operative Society Limited, an IIR and a resident of Shan Pui Tsuen, and an individual were raising objection to/concerns on the application (**Appendix IVb**). Their major objecting grounds/concerns are summarised as follows:
- (a) More hospital beds should be provided in New Territories and the Site might best be retained for hospital use.
 - (b) The proposed development might interfere with the natural light and ventilation and induce adverse impacts to the adjacent approved RCHE at Pun Uk. Besides, it would also bring about visual, environmental, security and hygiene impacts affecting living quality of the nearby residents. There is concern on historic building protection.
 - (c) The proposed development would increase the traffic and pedestrian flow which could affect the operation and future development of the POH as well as the nearby residential dwellings. The existing provision of parking space in the area is inadequate.
 - (d) There was no retail facilities nearby to serve the daily needs of the future residents.

Providing Views

- 10.4 Two comments submitted by the Hong Kong and China Gas Company Limited (HKCGC) and MTR Corporation Limited (MTRCL) provided views on the application (**Appendix IVc**). Their major views are summarised as follows:
- (a) The Site is in close vicinity to existing high pressure gas pipeline near CPR (Yuen Long Section) and Quantitative Risk Assessments (QRA) should be conducted and mitigation measures should be determined. The HKCGC should be consulted during construction stage.
 - (b) The proposed development would be exposed to operational railway noise. NIA should be conducted to evaluate noise impacts from MTR TML and relevant noise mitigation measures should be identified.
 - (c) The proposed development would be located within the delineated Railway Protection Area, a technical study on the foundation and excavation works should be carried out to assess the impact to adjacent MTR viaduct and track. Submission should be made to the MTR Corporation Limited to satisfy all railway protection requirements.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed social welfare facility (RCHE) (about 127 beds) and residential institution (senior hostel) (about 100 beds) at the Site, with a total PR of 2.87 and BH of 17 storeys above a basement storey.

Planning Intention

- 11.2 The Site falls within an area zoned “U” on the OZP (**Plan A-1**). The subject “U” zone has been designated on the OZP since 1994 as several major transport and drainage projects, including Yuen Long Highway, MTR TML and YLBF, which were under planning at that time, would traverse the area. Developments in the subject “U” zone has to be comprehensively planned as piecemeal development or redevelopment would have the effect of degrading the environment and thus jeopardise the long-term planning intention of the areas. Also, any development in the “U” zone requires planning permission so as to ensure that the environment would not be adversely affected and that infrastructure, GIC facilities, open space are adequately provided. To realise a built-form which represents a transition from the Yuen Long New Town to the rural area, the development intensity should take into account the urban type developments immediately to the west of the “U” zone and the rural characteristics of the area to its north.
- 11.3 Following the completion of the infrastructure projects within the “U” zone, including Yuen Long Highway, TML and YLBF, the subject “U” zone is considered to have potential for housing developments and other long-term permanent uses. The long-term development and future land use of the TSL “U” zone is subject to review and the findings of CEDD’s on-going study. The Site, which is located at the fringe of the “U” zone, does not form part of the potential

site for public housing development in the 2017 Policy Address. Hence, it will not affect the comprehensive review of the “U” zone and the potential public housing development at TSL. HCEO of CEDD and D of Housing have no comment on the application.

- 11.4 The Site is located in a relatively standalone area at the corner of the larger TSL “U” zone. The POH and the POH Jockey Club Care and Attention Home, which falls within an area zoned “G/IC”, is located to the immediate east of the Site, while the viaduct of TML is located to the immediate north of the Site (**Plan A-1**). Besides, the Committee has also approved an application for adaptive re-use of Grade 1 historic building of Pun Uk for RCHE to the immediate south of the Site. The proposed use could provide more RCHE beds to cater for the genuine need in the area and provide additional choices of elderly housing in the market. DSW has no in-principle objection to the proposed RCHE in view of the increasing demand for residential care services for the elderly over the territory on a self-financing basis. In light of the above, the proposed use is considered not in conflict with the planning intention of the area.

Land Use Compatibility

- 11.5 The Site is bordering the Yuen Long New Town and within a transitional location between urban and rural areas, with the POH, the POH Jockey Club Care and Attention Home, Pun Uk, village settlements and some storage yards in its immediate surroundings and clusters of high-density residential developments (i.e. Grand Yoho) to its west across Yuen Long Highway (**Plans A-1 and A-2**). The proposed conservation-cum-development project at the Pun Uk with RCHE development located at the immediate south of the Site, was approved by the Committee in 2022. The proposed use for RCHE and senior hostel could be considered as an extension of the adjacent GIC cluster, and is considered not incompatible with the surrounding area. The proposed building height (69.3mPD) does not exceed the corresponding Shek Kong Airfield Height Restriction of 159mPD. Besides, with the provision of design measures proposed by the applicant to serve as visual relief and buffer, CTP/UD&L, PlanD has no adverse comment from visual and urban design point of view. CA/ASC, ArchSD also has no comment on the proposed development from architectural and visual impact point of view.

Environmental

- 11.6 The proposed development would be subject to potential noise impact from various noise sources nearby and proper design and measures would be required such that the relevant noise criteria in the HKPSG could be complied with. According to the EA, various mitigation measures/design are proposed to mitigate potential noise impact, including acoustic window/door, vertical fins and orientation of noise sensitive façade facing away from noise sources. Besides, the proposed development would not be subject to significant air quality impact. DEP considered that no adverse environmental impact is anticipated with proper design and measures in place and he has no objection to the application. An approval condition is suggested on submission of an updated NIA and implementation of measures identified therein.

Other Technical Considerations

- 11.7 According to the LTPP, 28 trees of common species generally in fair to poor condition are identified within the Site and are proposed to be fell. 72 new trees are proposed to compensate the loss of existing trees within the Site. Also, landscape provisions with hard and soft landscape treatments, including landscaped gardens and podium gardens are proposed on G/F, 5/F and 6/F of the proposed development. As such, CTP/UD&L of PlanD has no adverse comment on the application from landscape planning perspective. According to the AVA, the overall ventilation performance is comparable between the existing condition and the scenario with proposed development under annual condition. Significant adverse air ventilation impact on the surrounding pedestrian wind environment is not anticipated. Relevant technical assessments have been conducted to demonstrate that no significant impacts, including traffic impacts and pedestrian flow and connectivity, would likely be resulted from the proposed development. C for T has no objection to the application. Other concerned government bureau/departments including ES(A&M), DEVB, DAFC, CE/MN, DSD, CE/C, WSD, CBS/NTW, BD and D of FS have no objection to or adverse comment on the application. Appropriate approval conditions are suggested in paragraph 12.2 below to address the technical requirements of the concerned government departments.

Similar applications

- 11.8 There are three similar applications (No. A/YL-NSW/264, 292 and 293) which involves proposed social welfare facilities within the same “U” zone (partly or in whole). While application No. A/YL-NSW/293 was rejected by the Committee as it encroached onto the public housing site and would jeopardise the government intention and development potential for PHD at TSL, application No. A/YL-NSW/264 for proposed temporary integrated community service centre at a vacated school building and application No. A/YL-NSW/292 for proposed conservation-cum-development project at the Pun Uk with RCHE development at the adjacent site were approved by the Committee in 2018 and 2022 based on the considerations as detailed in paragraph 6 above. Approval of the current application, which is of similar nature and does not form part of the potential site for PHD, is in line with the previous decisions of the Committee.

Public Comments

- 11.9 For the public comments and comments conveyed by DO(YL) objecting to /raising concerns on the application as detailed in paragraphs 9 and 10 above, the planning assessments and considerations set out in the above paragraphs are relevant. The applicant has also committed to consult and coordinate with the HKCGC to ensure that the existing high pressure gas pipeline will not be damaged, and to consult the MTRCL at the detailed design stage to ascertain that no adverse impact would be caused on MTR facilities.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 8.9.2027, 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 of a revised drainage impact assessment and implementation of the measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (b) the implementation of the mitigation measures identified in the accepted sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) the submission of a noise impact assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the submission of a land contamination assessment and the implementation of the necessary remedial works before the commencement of construction works of the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (e) the design and provision of vehicle parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (f) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

- 12.3 There is no strong reason to recommend rejection of the application.

13. Decision Sought

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

- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

14. Attachments

Appendix I	Application form received on 5.7.2022
Appendix Ia	FI-12 received on 5.9.2023 with consolidated SPS
Appendix II	Similar Applications
Appendix III	Recommended Advisory Clauses
Appendix IVa	Public Comments Received (Supporting)
Appendix IVb	Public Comments Received (Objecting/Raising Concerns)
Appendix IVc	Public Comments Received (Providing Views)
Drawing A-1	Master Layout Plan
Drawings A-2 to A-8	Floor Plans and Section
Drawing A-9	Landscape Master Plan
Drawings A-10 to A-11	Landscape Sections
Drawings A-12 to A-17	Photomontages
Drawing A-18	Habitat Map
Drawing A-19	Sample photos of elderly-friendly features
Plan A-1	Location Plan with similar applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2023**