

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

**APPLICATION NO. A/YL-NTM/476**

- Applicants** : East Star International Holdings Limited, Golden Swallow Holdings Limited and Sino Plastic Enterprise Limited represented by Aikon Development Consultancy Limited
- Site** : Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land (GL), Ngau Tam Mei, Yuen Long
- Site Area** : 1,978m<sup>2</sup> (about) (including GL of about 580m<sup>2</sup> (about 29.3%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/13  
(*at the time of submission*)
- Approved Ngau Tam Mei OZP No. S/YL-NTM/14  
(*currently in force*)
- [the zoning and development parameters of the application site (the Site) remain unchanged on the OZP No. S/YL-NTM/14]
- Zoning** : “Residential (Group D)” (“R(D)”)  
*[restricted to a maximum plot ratio (PR) of 0.2 and a maximum building height (BH) of 2 storeys (6m)]*
- Application** : Proposed Flats with Minor Relaxation of PR and BH Restrictions and Excavation of Land

**1. The Proposal**

- 1.1 The applicants seek planning permission for proposed flats with minor relaxation of PR restriction from 0.2 to 0.24 (i.e. +0.04 or +20%) and BH restriction from 2 storeys (6m) to 3 storeys (including 1 storey of basement) (10.65m) (i.e. +1 storey or +4.65m / +77.5% in terms of absolute BH), as well as excavation of land, at the Site, which falls within an area zoned “R(D)” on the OZP (**Plan A-1**). According to the Notes of the OZP for “R(D)” zone, ‘Flat’, which is a Column 2 use, and excavation of land require planning permission from the Town Planning Board (the Board). Besides, minor relaxation of the PR and/or BH restrictions may be considered by the Board based on individual merits. The Site is currently vacant and covered with vegetation (**Plans A-2 and A-4**).

- 1.2 A major part of the Site is the subject of a previous application (No. A/YL-NTM/377) (**Plans A-1 and A-2**) submitted by the current applicants for proposed house approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 12.4.2019 with planning permission valid until 12.4.2023, which has been subsequently extended until 12.4.2027 (details at paragraph 5 below).
- 1.3 The proposed development comprises one two-storey residential block (7m) with five flats over one level of basement (3.65m) for carpark, loading/unloading (L/UL) bay and plant rooms, with a total PR of 0.24 and total gross floor area (GFA) of 473.3m<sup>2</sup>, as well as an overall BH of three storeys (10.65m). With a total population of 14 residents, a landscaping area of about 968m<sup>2</sup> serving as private open space will be provided. Besides, the proposed development would require excavation of land for an area of about 580m<sup>2</sup> in a depth ranging from 2.1m to 3.3m for the proposed basement level and lift shaft (**Drawing A-2**). Filling of land (for which planning permission is not required) of about 1.6m is also required at the remaining parts of the Site for site formation purpose. The Master Layout Plan and associated floor plans, elevation and section plans, land excavation plan, 3D illustration plans, as well as photomontages of the proposed development are at **Drawings A-1 to A-9**.
- 1.4 A comparison of the major development parameters under the previously approved application No. A/YL-NTM/377 and the current application is tabulated below:

	<b>Previous Application (A/YL-NTM/377) (A)</b>	<b>Current Application (A/YL-NTM/476) (B)</b>	<b>Difference (B) – (A)</b>
<b>Proposed Use</b>	Proposed House	Proposed Flats with Minor Relaxation of PR and BH Restrictions and Excavation of Land	N/A
<b>Site Area (about)</b>	1,544.7m <sup>2</sup>	1,978m <sup>2</sup>	+433.3m <sup>2</sup> (+28.1%)
<b>GFA (about)</b>	308.9m <sup>2</sup>	473.3m <sup>2</sup>	+164.4m <sup>2</sup> (+53.2%)
<b>PR (not more than)</b>	0.2	0.24	+0.04 (+20%)
<b>Site Coverage (about)</b>	21.9%	18.27%	-3.63 % (-16.6%)
<b>Absolute BH (not more than)</b>	6m <sup>@</sup>	10.65m (including 3.65m at basement level)	+4.65m (+77.5%)
<b>No. of Storeys</b>	2 <sup>@</sup>	3 (including one level of basement)	+1 storey
<b>No. of Units</b>	1 house	5 flats	N/A
<b>Average Unit Size (about)</b>	308.9m <sup>2</sup> (for 1 house)	77m <sup>2</sup>	N/A
<b>Car Parking Spaces</b>	2 (for private car)	- 6 (for private car) - 1 (for motorcycle)	N/A
<b>L/UL Bay</b>	N/A	1 (for Light Goods Vehicle (LGV))	N/A
<b>Anticipated Completion Year</b>	2023	2028	N/A

<sup>@</sup> No basement was provided in the previous application.

- 1.5 To enhance local connectivity and accessibility, except for the northern periphery of the Site abutting Chun Shin Road, the proposed development will be set back from the Site boundary for 1.5m (with a total area of about 290m<sup>2</sup>) (**Drawing A-1**) and the setback area will be dedicated as a passageway for public use on a voluntary basis for connections between Chun Shin Road and other private lots in the surrounding areas. In addition, a seating area of about 4m<sup>2</sup> for public use will be provided within the Site at its northern periphery abutting Chun Shin Road to enhance pedestrian walking environment. According to the applicants, both the passageway and the seating area will be constructed and maintained by the applicants at their own cost, and will be open for public enjoyment 24 hours daily on a voluntary basis subject to detailed design. Landscape features such as vertical greening will also be provided on a solid fence wall along the periphery of the Site (to be elaborated in paragraph 1.6 below) to soften the edges of the proposed development. In addition, extensive landscaping works will be undertaken at the Site by the applicants which can also offer natural shading for the public passageway.
- 1.6 To mitigate the potential traffic noise impact from the nearby San Tin Highway on the proposed development (**Plans A-1** and **A-3**), a solid fence wall with a minimum height of 1.8m is proposed along the boundary of the Site, except for the portion abutting Chun Shin Road at the northern periphery. Noise mitigation measures will also be incorporated for the proposed development, such as sensitive design of prescribed windows and use of sound-absorbing materials, at the detailed building design stage. Besides, the passageway mentioned in paragraph 1.5 above could serve as a setback of the proposed development from the San Tin Highway to further mitigate the potential traffic noise impact, and as a buffer from the ponds to the immediate east and south of the Site.
- 1.7 In support of the application, the applicants have submitted the following documents:
- (a) Application Form and Supplementary Information (SI) (**Appendix I**)  
received on 12.8.2024 and 21.8.2024 respectively
  - (b) Further Information (FI) received on 4.12.2024\* (**Appendix Ia**)
  - (c) FI received on 19.2.2025\* (**Appendix Ib**)
  - (d) FI received on 24.3.2025\* (**Appendix Ic**)
- \* accepted and exempted from the publication and recounting requirements*
- 1.8 On 4.10.2024 and 24.1.2025, the Committee of the Board agreed to defer making a decision on the application each for a period of two months as requested by the applicants.

## **2. Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are detailed in the Application Form with SI and FIs at **Appendices I to Ic** and can be summarised as follows:

- (a) The proposed development is fully in line with the planning intention of the “R(D)” zone and is considered compatible with the surrounding areas which are predominantly village houses, low-rise residential developments, as well as the approved temporary transitional housing development with a BH of about 13.35m (4 storeys) (**Plan A-2**). In this regard, the proposed flats with minor relaxation of PR and BH restrictions under the current application is considered not excessive and compatible with the surrounding existing and planned developments.

- (b) Majority of the Site was the subject of a previously approved application for house development submitted by the current applicants. The current application with minor relaxation of PR from 0.2 to 0.24 could allow the provision of more housing units, demonstrating optimal use of the land while proposing a development intensity that respects the surrounding areas. The proposed minor relaxation of PR and BH restrictions will also help unleash the development potential of scarce land resources for residential development.
- (c) Despite the BH of the proposed development is increased from two storeys (6m) to three storeys (10.65m) against the BH restriction of 2 storeys and 6m for the “R(D)” zone, most of the increase in BH, i.e. 3.65m, is for the provision of one basement level for carpark. Floor-to-floor-heights (FTFH) of 3.5m is proposed for G/F and 1/F of the proposed development which is in line with the Government’s initiative to provide spacious living spaces and higher living quality for future occupants, and the resulted BH of the building bulk aboveground is only 7m. It is considered that the proposed BH is not visually intrusive from pedestrian level, and the overall bulk and visual impact is considered minimal and insignificant.
- (d) The proposed development would involve excavation of land with an area of about 580m<sup>2</sup> and a depth ranging from 2.1m to 3.3m for the provision of basement carpark and lift shaft. Filling of land with a depth of 1.6m is required for site formation purpose.
- (e) The Site which includes a piece of underutilised GL adjoining the Site along Chun Shin Road could fully utilise the long-wasted scarce land resources and provide a more comprehensive planning to the area. The applicants also noted that there is an on-going application for temporary use at the GL portion (details at paragraph 5 below) and is committed to liaise with the relevant applicant and department(s) on the matter upon approval of the application.
- (f) The applicants voluntarily propose a 1.5m setback with an area of about 290m<sup>2</sup> along periphery of the Site (except the portion abutting Chin Shin Road) for a passageway for public use in order to provide proper access to the surrounding private lots. The passageway, which will be paved and equipped with outdoor lighting, will provide a safe, pleasant and convenient access to the surrounding areas for the public. The extensive landscaping works at the Site will also offer natural shading for the public passageway. Besides, a seating area with benches and paving of 4m<sup>2</sup> for public use is proposed at the northern periphery of the Site in view of the lack of public seating area at Chun Shin Road. An existing fire hydrant within the Site will also be preserved within the said seating area. Both the passageway and seating area will be open 24 hours a day for public enjoyment on a voluntary basis. The applicants will be responsible for the construction and maintenance of the said facilities at their own cost.
- (g) Considering the nature and scale of the proposed development, adverse environmental, drainage, sewerage, visual, landscape and traffic impacts are not anticipated. Relevant mitigation measures have been proposed to mitigate the potential impacts on the surrounding areas. The proposed development will also be carefully designed, featuring comprehensive indoor and outdoor landscape scenic that could enhance the overall environment. The applicants will undertake extensive landscaping works at the Site to create a verdant and natural environment for the enjoyment of future occupants and to enhance the visual permeability. Landscape features such as vertical greening and planters will also be installed on the periphery solid fence wall to serve as a visual barrier.

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

The applicants are the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) are not applicable.

### **4. Background**

4.1 The Government is conducting a planning study on the Ngau Tam Mei area (i.e. the Land Use Review Study for the Ngau Tam Mei Area) (the NTM Review Study), which covers the Site. According to the Broad Land Use Concept Plan, the Site falls mainly within an area recommended for a comprehensive residential neighbourhood.

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

### **5. Previous Application**

5.1 A major part of the Site is the subject of a previous application (No. A/YL-NTM/377) submitted by the same applicants for proposed house, without minor relaxation of BH and/or PR restrictions, approved by the Committee of the Board on 12.4.2019 mainly on the considerations that the proposed development was in line with the planning intention of the “R(D)” zone; the proposed development was considered not incompatible with the surrounding environment; and concerned departments had no objection to or no comment on the application. The planning permission was valid until 12.4.2023, which has been subsequently extended until 12.4.2027. According to a recent site visit, the construction works for the approved application are yet to commence. According to the Buildings Department (BD), no approval of general building plan (GBP) for the proposed house development had been obtained from the Building Authority (BA).

5.2 Details of the previous application is summarised at **Appendix II** and its location is shown on **Plan A-1**.

5.3 The north-eastern part of the Site falling on GL is the subject of an application (No. A/YL-NTM/475) (**Plans A-1 and A-2**) currently under processing for proposed temporary holiday camp for a period of three years submitted by a different applicant. This application will be considered by the Committee at the same meeting.

### **6. Similar Application**

6.1 During the past five years, there was a similar application (No. A/YL-NTM/477) for proposed houses with minor relaxation of PR and BH restrictions, within the subject “R(D)” zone on the OZP. The application was approved by the Committee of the Board on 28.3.2025 mainly on the considerations that the proposed development was in line with the planning intention of the “R(D)” zone; the proposed development with minor relaxation of PR and BH restrictions was considered not incompatible with the surrounding environment; the proposed minor relaxation of PR and BH restrictions was considered not

unacceptable with proposed improvement works to the local environment; and concerned departments had no objection to or no comment on the application.

- 6.2 Details of the similar application is summarised at **Appendix III** and its location is shown on **Plan A-1**.

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

### **7.1 The Site is:**

- (a) currently vacant and covered with vegetation; and
- (b) accessible via Chun Shin Road connecting to San Tam Road.

- 7.2 The surrounding areas are rural fringe in character with the areas to the south of Chun Shin Road predominated by vegetated land and ponds in the immediate surrounding of the Site, as well as existing residential structures to the further east (such as Yau Tam Mei Tsuen), planned low-rise residential developments including the temporary transitional housing approved under application No. A/YL-NTM/470 and proposed houses development approved under application No. A/YL-NTM/477 to the east of the Site. Some brownfield uses, shop and services and scattered residential restructures are located in the further north across Chun Shin Road and a nullah.

## **8. Planning Intention**

- 8.1 The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.
- 8.2 According to the Explanatory Statement of the OZP, as excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

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

- 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 from the District Lands Officer/Yuen Long, Lands Department:**

- (a) no comment on the application;
- (b) the Site comprises Lot Nos. 2572 RP, 2573 and 2578 all in D.D. 104 (the Lots) and adjoining GL. The Lots are old schedule agricultural lots held under Block Government Lease and no structure is allowed to be erected without the prior approval of the Government;

- (c) according to the records of Land Registry, the Lots are currently owned by the different owners. The ownership particulars of the Lots forming the Site have to be examined in details at the land exchange application stage, if applied;
- (d) the Site has an area of about 1,978m<sup>2</sup>, including GL of about 580m<sup>2</sup>, of which the actual site area, site boundaries of the Lots, lease details, etc. are subject to verification at land exchange application stage, if applied; and
- (e) advisory comments are at **Appendix IV**.

### **Traffic**

#### 9.1.2 Comments from the Commissioner for Transport (C for T):

- (a) no objection to the application from traffic engineering point of view; and
- (b) advisory comments are at **Appendix IV**.

#### 9.1.3 Comments from the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) no objection to the application;
- (b) the Site involves GL where is not maintained by HyD; and
- (c) advisory comments are at **Appendix IV**.

#### 9.1.4 Comments from the Chief Engineer/Railway Development 2-2, Railway Development Office, HyD:

- (a) no comment on the application; and
- (b) advisory comments are at **Appendix IV**.

### **Project Interface**

#### 9.1.5 Comments from the Project Manager (West), West Development Office, Civil Engineering and Development Department (PM(W), CEDD):

The subject planning application falls within the boundary of the NTM Review Study. According to the latest programme, the tentative construction commencement date of Ngau Tam Mei development is 2027.

#### 9.1.6 Comments from the Chief Town Planner/ Studies and Research 1, Planning Department (CTP/SR1, PlanD):

the Site is located within the study area of the NTM Review Study and is in close proximity to the proposed Ngau Tam Mei Station of NOL Main Line. Given its strategic location being near the railway, the land use of the area as a whole is

being comprehensively examined under the NTM Review Study. Approving the application would pre-empt the findings of the NTM Review Study.

### **Environment**

#### 9.1.7 Comments from the Director of Environmental Protection (DEP):

- (a) no objection to the application;
- (b) the Site is only 50m from the San Tin Highway and would be subject to traffic noise impact from San Tin Highway. Although the applicants proposed measures to address traffic noise impacts, it is considered that a quantitative assessment is necessary to ensure the proposed residential development could comply with the relevant noise criteria of the Hong Kong Planning Standards and Guidelines with the implementation of noise mitigation measures where necessary. Hence, an approval condition requiring the submission of a Noise Impact Assessment (NIA) and implementation of noise mitigation measures should be incorporated;
- (c) there was no substantiated environmental complaint related to the Site in the past three years; and
- (d) advisory comments are at **Appendix IV**.

### **Urban Design and Visual**

#### 9.1.8 Comments from the Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD:

- (a) no adverse comment on the application from urban design and visual perspectives; and
- (b) the Site is situated in an area predominantly rural in character mainly surrounded by ponds, low-rise residential dwellings/structures, vacant/unused land with scattered storage use. In view of the scale of the proposed development of 3 storeys (10.65m) (including 1 basement storey of 3.65m), it is considered not incompatible with the existing surroundings.

#### 9.1.9 Comments from the Director of Architectural Services (D of ArchS):

- (a) no comment from architectural and visual impact point of view; and
- (b) based on the photomontages provided (**Drawings A-8 and A-9**), the proposed development appears to be compatible with the surrounding environment.

### **Landscape**

#### 9.1.10 Comments from the CTP/UD&L, PlanD:

- (a) no adverse comment on the application from landscape planning perspective; and



- (b) with reference to the aerial photo of October 2023, the Site is located in an area of rural fringe landscape character comprising of village houses, open storages, temporary structures, scattered tree groups and a channelized river. With reference to the site photos (**Plan 4**), the Site is covered by grasses/self-grown vegetation with some existing trees (mostly grown on the GL within the Site). The proposed development is considered not incompatible with the landscape character of the surrounding environment. With the proposed seating area and passageway for public use, it is considered the landscape amenity and pedestrian environment could be enhanced from landscape planning point of view; and
- (c) advisory comments are at **Appendix IV**.

### **Drainage**

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

no in-principle objection to the application from public drainage point of view.

### **Building Matters**

9.1.12 Comments from the Chief Building Surveyor/New Territories West, BD:

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

### **Nature Conservation**

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

- (a) no comment on the application from nature conservation perspective; and
- (b) advisory comments are at **Appendix IV**.

### **Fire Safety**

9.1.14 Comments from the Director of Fire Services (D of FS):

- (a) no in-principle objection to the application;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from the relevant licensing authority;
- (c) the emergency vehicular access (EVA) 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) Regulations 41D which is administered by BD. Also, the EVA provision

of the nearby buildings shall not be affected by the proposed development; and

- (d) the applicants are reminded that the proposed development shall under no circumstances cause obstruction to the fire hydrant and its control valve in-situ. Should any relocation/blanking-off of the fire hydrant be necessary, prior consent from his Department has to be sought.

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

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

- (a) no particular comment from electricity supply safety aspect and no adverse comment from town gas safety point of view;
- (b) it is noted that there is a high pressure underground town gas transmission pipeline in the vicinity of the proposed development. However, it is considered that a Quantitative Risk Assessment is not a compulsory requirement having considered the population aggregation resulting from the proposed development; and
- (c) advisory comments are at **Appendix IV**.

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

9.1.16 Comments from the District Officer (Yuen Long), Home Affairs Department:

local consultations were conducted by his office and no comments were received upon close of consultation.

9.2 The following departments have no objection to/no comment on the application

- (a) Chief Engineer/Construction, Water Supplies Department; and
- (b) Commissioner of Police.

## **10. Public Comments Received During the Statutory Publication Period**

On 23.8.2024, the application was published for public inspection. During the statutory public inspection period, three public comments (**Appendix V**) were received, including one from the Chairman of the Yuen Long Town Centre & Rural East Area Committee without providing comment on the application; one from the Hong Kong and China Gas Company Limited providing views on the close proximity of the Site to a high-pressure gas pipeline at San Tam Road; and one from an individual objecting to the application concerning the potential impacts on the ponds and inclusion of GL.

## **11. Planning Considerations and Assessments**

11.1 The application is for proposed flats with minor relaxation of PR and BH restrictions from 0.2 to 0.24 (+0.04 or +20%) and from 2 storeys (6m) to 3 storeys (including 1 storey of basement) (10.65m) (+1 storey or +4.65m / +77.5% in terms of absolute BH) respectively

and excavation of land for an area of about 580m<sup>2</sup> in a depth ranging from 2.1m to 3.3m at the Site on the OZP. According to the applicants, the proposed minor relaxation of PR and BH restrictions are mainly for provision of more housing units and a basement level of 3.65m for carpark, L/UL bays and plant rooms, as well as for adoption of a FTFH of 3.5m for G/F and 1/F of the proposed development in order to provide spacious living spaces and higher living quality for future occupants commensurate with Government's initiative. While the overall BH is 3 storeys and 10.65m, the BH measured from the ground level is only 2 storeys and 7m.

- 11.2 The Site falls within an area zoned "R(D)", which is primarily intended for improvement and upgrading of existing temporary structures into permanent buildings, and also for low-rise, low-density residential developments subject to planning permission from the Board. The proposed development is in line with the planning intention of the "R(D)" zone and could help improve and upgrade the environment of the surrounding areas.
- 11.3 Excavation of land in "R(D)" zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. According to the applicants, the proposed development would require excavation of land with an area of about 580m<sup>2</sup> and a depth ranging from 2.1m to 3.3m for the provision of a basement level and lift shaft. In this regard, CE/MN of DSD and DEP have no objection to the application from public drainage and environmental planning perspectives respectively.
- 11.4 The proposed development is considered not incompatible with the surrounding areas which are of rural fringe character predominated by vegetated land and ponds in the immediate surrounding of the Site as well as existing residential structures (including Yau Tam Mei Tsuen), planned residential developments, including a temporary transitional housing approved under application No. A/YL-NTM/470 with a BH of 4 storeys (13.35m), and houses development with PR and BH of 0.24 and 2 storeys (7m) respectively approved under application No. A/YL-NTM/477 (**Plan A-2**). The applicants have also incorporated some design measures in the proposed development, including extensive landscaping with tree planting at the Site to enhance visual amenity and offer natural shading for the proposed voluntary public passageway. Landscape features such as vertical greening will also be provided on a solid fence wall along the periphery of the Site to soften the edges of the proposed development. In view of the scale of the proposed development of 3 storeys (10.65m) (including 1 basement level of 3.65m) and that the proposed development is considered not incompatible with the landscape character of the surrounding environment, CTP/UD&L of PlanD has no adverse comment on the application from urban design, visual and landscape planning perspectives. Besides, D of ArchS states that the proposed development is considered compatible with the surrounding environment based on the submitted photomontages (**Drawings A-8 and A-9**) and has no comment from architectural and visual impact point of view.
- 11.5 The applicants have proposed a passageway with a width of not less than 1.5m and an area of about 290m<sup>2</sup> within the Site along its periphery (except the northern periphery abutting Chun Shin Road) for public use on a voluntary basis to enhance local connectivity and accessibility to Chun Shin Road and other private lots in the surrounding areas. In addition, a seating area of about 4m<sup>2</sup> for public use will also be voluntarily provided within the Site at its northern periphery abutting Chun Shin Road (**Drawings A-1 and A-9**). Both the passageway and the seating area will be open for public enjoyment 24 hours a day, and will be constructed and maintained by the applicants at their own cost subject to detailed design. In this regard, CTP/UD&L, PlanD considers

that the proposed passageway and seating area for public use could enhance the landscape amenity and pedestrian environment from landscape planning point of view.

- 11.6 In order to mitigate the potential traffic noise impact on the proposed development, a solid fence wall with a minimum height of will be proposed along the boundary of the Site, except for the portion abutting Chun Shin Road at the northern periphery of the Site. Appropriate mitigation measures, including sensitive design of prescribed windows and use of sound-absorbing materials will be incorporated in the detailed building design stage. In addition, the passageway could also serve as a further setback of the proposed development from the nearby San Tin Highway. While DEP has no objection to the application from environmental planning perspective, noting that the proposed development will be subject to potential traffic noise impact from the nearby San Tin Highway, an approval condition requiring the submission of a NIA and implementation of noise mitigation measures is recommended in paragraph 12.2 below if the application is approved by the Committee. On nature conservation aspect, the proposed setback area will also serve as a buffer between the proposed development and the existing ponds adjacent to the Site and DAFC has no objection to the application from nature conservation perspective. Should the Committee decided to approve the application, the applicants will be advised to adopt appropriate measures to avoid causing pollution or disturbance the adjacent ponds.
- 11.7 Other relevant government departments consulted including the DEMS, C for T, CHE/NTW of HyD, CE/MN of DSD and D of FS have no objection to or no adverse comment on the application. Considering the scale and nature of the proposed development and based on the planning assessments above, the proposed development with minor relaxation of PR and BH restrictions and excavation of land is unlikely to cause adverse traffic, drainage, sewerage and visual impacts on the surrounding areas.
- 11.8 The north-eastern part of the Site falling on GL overlaps with the application site of an application for proposed temporary holiday camp for a period of three years (No. A/YL-NTM/475), which will be considered by the Committee at the same meeting. If both applications are approved by the Committee, the applicants of both applications will be advised to liaise with each other as well as the Government in resolving the land issue.
- 11.9 As detailed in paragraph 5 above, a major part of the Site was subject of a previous application submitted by the same applicants for proposed house without minor relaxation of BH and/or PR restrictions approved by the Committee in 2019 with its planning permission extended until 2027. Besides, there was a similar application for proposed houses with minor relaxation of PR and BH restrictions within the same "R(D)" zone approved by the Committee on 28.3.2025 as mentioned in paragraph 6 above. Approval of the current application is in line with the Committee's previous decisions.
- 11.10 Regarding the concerns of CTP/SR1 of PlanD and PM(W) of CEDD on the project interface, the consideration of the current Section 16 application shall be based on the provisions under the extant OZP. Should the application be approved, it is recommended to advise the applicants that the Site may be required for implementation of Government project(s) in the future and there is no guarantee on the approval of the land exchange application and implementation of the current proposal.
- 11.11 Regarding the public comments stated in paragraph 10 above, the departmental comments and planning considerations and assessments above are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 and having taking into account the public comments mentioned in paragraph 10, PlanD 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 11.4.2029, 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 condition of approval and advisory clauses are also suggested for Members' reference:

### Approval Condition

- (a) the submission of a Noise Impact Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

### Advisory Clauses

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

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

there is no strong planning justification in the submission to support the proposed minor relaxation of plot ratio and building height restrictions.

## **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 reason(s) for rejection should be given to the applicants.

## **14. Attachments**

<b>Appendix I</b>	Application Form with attachments and SI received on 12.8.2024 and 21.8.2024 respectively
<b>Appendix Ia</b>	FI received on 4.12.2024
<b>Appendix Ib</b>	FI received on 19.2.2025
<b>Appendix Ic</b>	FI received on 24.3.2025
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Similar Applications
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comments

<b>Drawing A-1</b>	Site Plan
<b>Drawing A-2</b>	Land Excavation Plan
<b>Drawing A-3</b>	Basement Floor Plan
<b>Drawings A-4 to A-5</b>	Elevation and Section Plans
<b>Drawings A-6 to A-7</b>	3D Illustration Plans of the Proposed Development
<b>Drawings A-8 to A-9</b>	Photomontages
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT**  
**APRIL 2025**