

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1074

- Applicant** : Civil Engineering and Development Department (CEDD) represented by Ove Arup & Partners Hong Kong Limited
- Site** : Various Lots in D.D. 120, 121 and 122 and Adjoining Government Land (GL), Long Bin, Yuen Long, New Territories
- Site Area** : 79,510 m² (about) (including GL of about 39,558 m² (about 49.8%))
- Lease** : Block Government Lease
(a) Majority of the lots are demised for agricultural use
(b) Lots 1389 RP and 1396 S.C in D.D. 121 and Lots 1487 and 1506 in D.D. 122 are partly/wholly demised for building use
- Plan** : Draft Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/13
- Zoning** : “Residential (Group A)1” (“R(A)1”)
[Restricted to a maximum plot ratio of 6.5 and maximum building height of 155mPD]
[Based on the individual merits of a development or redevelopment proposal, minor relaxation of building height and plot ratio restrictions may be considered]
- Application** : Proposed Minor Relaxation of Building Height (BH) and Plot Ratio (PR) Restrictions for Permitted Public Housing Development

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed minor relaxation of BH (from 155mPD to 170mPD (i.e. +9.7%)) and PR (from 6.5 to 6.94 (i.e. +6.8%)) restrictions for permitted public housing development at the application site (the Site, i.e. the Long Bin public housing development site) (**Plan A-1**). The Site is currently partly under construction and partly occupied by various temporary uses.
- 1.2 The proposed Long Bin public housing development will be accessible from Castle Peak Road – Ping Shan and Long Tin Road for Phase 1 (for subsidised sale flats (SSFs) development) and Phase 2 (for public rental housing (PRH) development) respectively. Compared with the OZP-conforming scheme, the proposed minor relaxation will lead to an increase in flats from about 11,700 to about 11,940, i.e. an addition of about 240 flats (+2.1%) for an additional 532 residents (+1.6%, circa.). The tentative completion years for Phases 1 and 2 are 2025 and 2029 respectively.
- 1.3 The applicant has submitted preliminary environmental assessment (PEA), traffic impact assessment (TIA), landscape master plan (LMP), geotechnical assessment,

drainage impact assessment (DIA), sewerage impact assessment (SIA), water impact assessment (WIA), visual impact assessment (VIA) and air ventilation assessment (AVA) based on an indicative scheme to demonstrate acceptability of the proposed minor relaxation in PR and BH. Site layout plan, section plans, LMP and photomontages of the proposal submitted by the applicant are at **Drawings A-1 to A-8** respectively. The major development parameters of the proposed indicative scheme are summarised in the table below, while a comparison between the OZP-conforming scheme and the proposed scheme is at **Appendix II**:

Site Area (m²) (about)	79,510 (including GL of about 39,558 m ²)
Gross Floor Area (m²) (about)	551,901
- Domestic	516,816
- Non-domestic	35,085
PR	6.94
- Domestic	6.5
- Non-domestic	0.44
No. of Blocks	11 (10 domestic, 1 non-domestic blocks)
No. of Storeys (incl. Podium Levels)	
- Residential blocks	48-52
- Non-domestic block	2
Maximum BH (main roof) (mPD)	170
No. of Flats (about)	11,940
Population (about)	33,432
Local Open Space (m²)	Not less than 33,432
No. of Public Transport Interchange (PTI)	1
No. of Parking Spaces	
- Private Car	1,009
- Motorcycle	90
- Light Goods Vehicle (LGV)	28
- 48-seater Van	1
- Private Light Bus	3
No. of Loading/Unloading Spaces	
- LGV	17
- Private Light Bus/Ambulance	2
- Coach/Heavy Goods Vehicle	14

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

- (a) Application Form received on 11.1.2021 (Appendix I)
- (b) Supplementary Planning Statement (SPS) with technical assessments (Appendix Ia)
- (c) Further Information (FI) received on 23.4.2021¹ (Appendix Ib)

¹ The consolidated FI received on 23.4.2021 (Appendix Ib) has incorporated all previous Supplementary Information and FIs. The applicant has confirmed that the previous Supplementary Information and FIs could be superseded by the consolidated FI.

- (d) Two rounds of Supplementary Information received on 15.1.2021 and 18.1.2021 providing replacement pages of the Application Form and SPS as well as clarification on parking provision
- (e) Seven rounds of FI received on 19.1.2021, 16.2.2021, 17.2.2021, 24.3.2021, 29.3.2021, 22.4.2021 and 23.4.2021 providing replacement pages/revised Application Form, SPS, technical assessments and plans, responses to departmental comments, comparison table of the proposed scheme and OZP-conforming scheme, and supplementary information

[exempted from publication and recounting requirements]

1.5 On 26.2.2021, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer a decision on the application for a period of one month, as requested by the applicant. FI was received on 24.3.2021 and the application is submitted to the Committee for consideration at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the SPS and the FIs (**Appendices Ia** and **Ib**). They can be summarised as follows:

Meeting Acute Housing Demand in Line with Government Policy

- (a) According to the 2018 Policy Address, the Government has committed to allocate 70% of the housing units on the Government's newly developed land for public housing development. Under the Long Term Housing Strategy 2018, the split ratio of public/private housing was revised to 70:30. In 2019, there were around 63 applicants competing for one Home Ownership Scheme flat. The proposal will contribute to meeting the housing supply target and the acute demand for SSFs.
- (b) In 2018, the Government announced the policy to enhance the development intensity for public housing sites in Density Zones 1, 2 and 3 of New Towns, so as to allow the increase in domestic PR by up to 30%. The current proposal is generally in line with this policy.

In line with the Planning Intention

- (c) The proposed development is fully in line with the planning intention of the "R(A)" zone for high-rise, high-density residential development.

No Undesirable Precedents

- (d) Similar applications for proposed minor relaxation of BH and PR restrictions for public housing sites have been approved by the Board in recent years. Approval of the current application will not set an undesirable precedent.

Compatible with Surrounding Environment

- (e) Through the use of responsive building and layout design, such as building gaps, building setback and provision of local open spaces (LO), the proposed development is compatible with the surrounding areas. The provision of LO as well as recreational and retail facilities, etc., will make the local community more vibrant. Furthermore, the proposed development is in close proximity to Yuen

Long New Town as well as Yuen Long South Development, the latter will involve traffic improvement measures in the area, such as improvements to the Tong Yan San Tsuen Interchange.

Urban Design and Landscape Design Considerations

- (f) Stepped BH concept has been adopted, whereby buildings will step up towards the central part of the development. Building separations between residential blocks and setbacks from adjacent developments and Long Tin Road have been designated. A minimum of 30% green coverage will be provided. Landscape podium gardens with various facilities such as fitness area and basketball court will be provided.

Meeting the Need for Open Space and Government, Institution and Community (GIC) Facilities

- (g) There will be sufficient provision of LO and other supporting facilities in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG). Social welfare facilities will also be provided upon the request of the Social Welfare Department. Whilst there is a deficit on the provision of district open space in Tong Yan San Tsuen, Yuen Long Park is located merely 125m from the Site. The connection between the Site and Yuen Long Park will also be further enhanced by the proposed footbridge across Long Tin Road. The Site is in proximity to Yuen Long New Town where various public facilities are available.

No Adverse Impacts

- (h) Various technical assessments, such as TIA, PEA, WIA, DIA, SIA, AVA and VIA, have demonstrated that with the imposition of mitigation measures and other improvement works, the proposed development would not induce adverse drainage, sewerage, water supply, traffic, air ventilation, geotechnical, landscape, visual and environmental impacts on the surrounding area.

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

The applicant is not a “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 publishing newspaper notice. Detailed information would be deposited at the meeting for Members’ inspection. For GL, the requirements as set out in TPB PG-No. 31A are not applicable.

4. Previous Applications

The Site involves eight previous applications (No. A/YL-TYST/11, 43, 308, 349, 417, 567, 712 and 975) for temporary interim housing, sewage pumping station, filling of pond and temporary shop and services uses covering different extents of the Site. All of them are not related to the proposed public housing development at the Site. Details of the applications are summarised in **Appendix III** and the boundaries of the sites are shown on **Plan A-1**.

5. **Similar Application**

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

6. **Planning Intention**

- 6.1 The planning intention of the “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 6.2 According to the Explanatory Statement of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the BH and PR restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

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

7.1 The Site is:

- (a) abutting Castle Peak Road – Ping Shan to the north and Long Tin Road to the east (**Plans A-2 and A-3**); and
- (b) comprising the ex-Long Bin Interim Housing site on the northern portion (currently a construction site for Phase 1 development) and areas mainly occupied by various temporary uses, including open storage/storage yards, car service, warehouse and vehicle showroom with orchards, ruin, shrubland and vacant land/structures on the remaining portion (for Phase 2 development) (**Plan A-4**).

7.2 The surrounding areas have the following characteristics (**Plans A-2 to A-4**):

- (a) mixed in character with predominantly low-rise residential developments (including Villa Sunshine, Green Lodge, The Hampstead Reach, Evergreen Place and Jasper Court), as well as scattered warehouse, vehicle showroom, graves, ruin, shrubland and electricity substation to the west of Long Tin Road on areas mainly zoned “Residential (Group B)1” (“R(B)1”) on the OZP;
- (b) to the eastern side of Long Tin Road is mainly residential in character, with medium-rise residential developments (including Park Royale, Scenic Gardens and Parkside Villa within areas zoned “R(B)”), as well as Yuen Long Park, a school and an open storage yard on areas covered by the draft Yuen Long OZP No. S/YL/24;
- (c) to the south, east and north of the Site are Yuen Long Highway, Long Tin Road and Castle Peak Road – Ping Shan respectively; and
- (d) except for a vehicle showroom operating with valid planning permission (No. A/YL-TYST/975), the open storage/storage yards, car service and warehouse

within the Site and a warehouse in the vicinity (within the subject “R(A)1” zone) are suspected unauthorised development subject to enforcement action taken by the Planning Authority.

8. Comments from Relevant Government Departments

- 8.1 The following government departments have been consulted and their views on the application and public comments, where relevant, are summarised as follows:

Land Administration

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

- (a) She has no adverse comment on the application from district land administrative perspective.
- (b) Her preliminary study reveals that the Site comprises various private lots (some with Short Term Waivers and Licenses) and GL in D.D.120, D.D.121 and D.D.122 and a Short Term Tenancy (STT) No. 3195. The northern portion of the Site has already been handed over to the Hong Kong Housing Authority (HKHA) for the development of Phase 1 and portion of Phase 2 of Long Bin Public Housing Development under STT No. 3195.
- (c) Should the application be approved by the Board, HKHA should apply for a private treaty grant in due course to effect the proposed scheme in Phase 1 (i.e. SSFs development) and subject to such terms and conditions as may be imposed by her department and necessary amendment to the approved Planning Brief is required.

Traffic

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

- (a) If improvement works are considered necessary by the Transport Department (TD) due to the application, they shall be implemented by the applicant to the satisfaction of TD and his department at the applicant's own costs.
- (b) Adequate drainage measures should be provided at the access to prevent surface water flowing from the site to nearby public roads or exclusive road drains.

Social Welfare

- 8.1.3 Comments of the Director of Social Welfare (DSW):

- (a) She has no adverse comment from the welfare perspective on the condition that the proposed welfare facilities in the SSF

development in Phase 1 and PRH development in Phase 2 of the housing development in Long Bin, which have been incorporated in the planning statement and checked in order, remains unchanged. Her department stands ready to review the provision of welfare facilities as and when necessary.

- (b) She also has no comment on the proposed disposition of the welfare facilities in the podium and lower floors of the domestic blocks (**Drawings A-2 and A-3**).
- (c) The applicant should be reminded of the detailed comments at **Appendix V**.

Urban Design and Landscape

- 8.1.4 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

It is noted that the proposed public housing development mainly consists of ten residential towers with BHs ranging from 150mPD to 170mPD, which may not be incompatible with the prevailing BH restriction of 155mPD for the “R(A)1” zone.

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

Urban Design and Visual

- (a) The applicant has proposed some design measures for enhancement of the proposed scheme (**Appendix Ib**). Stepped BH would be adopted to create visual interest in the area. At least 15m wide building separation and air paths for better air and visual permeability are proposed. Also, sufficient landscape treatment along site boundary would be provided to minimise the potential visual impact of the built form.
- (b) Judging from the photomontages in the submitted VIA (**Drawings A-5 to A-8**) and the aforementioned design measures proposed by the applicant, the proposed minor relaxation of BH and PR restrictions would not create major changes in BHs as compared with the baseline scheme.

Air Ventilation

- (c) An AVA Initial Study (IS) (**Appendices Ib**) using computational fluid dynamic modelling has been carried out to support the application. Three scenarios, i.e. the Baseline Scheme, the Proposed Scheme and Enhanced Proposed Scheme, have been studied. As set out in the AVA IS report, mitigation measures, including three non-building areas with minimum widths of 15m and a building separation with minimum width of 15m, have been incorporated in the Proposed Scheme. Additional mitigation measures of four

empty bays with minimum widths of 5m at G/F have been adopted in the Enhanced Proposed Scheme to address the potential adverse air ventilation impact induced by the proposal on the surrounding areas.

- (d) According to the simulation results, both the Proposed Scheme and Enhanced Proposed Scheme would have lower annual spatial average velocity ratio (SVR) when compared with the Baseline Scheme, while the Enhanced Proposed Scheme would have higher summer SVR when compared with the Baseline Scheme and Proposed Scheme. The overall performances of Baseline Scheme, Proposed Scheme and Enhanced Proposed Scheme on pedestrian wind environment are comparable under both annual and summer conditions.
- (e) It is not anticipated that the Enhanced Proposed Scheme with mitigation measures described above would generate significant adverse air ventilation impact on the overall pedestrian wind environment as compared with the Baseline Scheme.

Landscape

- (f) With reference to the aerial photo of 2020 (**Plan A-3**), the northern portion of the Site is mainly vacant, while the southern portion consists of temporary structures, warehouses, open storage yards, rural workshops, residential blocks and a farm. Existing trees are generally found along the perimeters of the northern portion while sporadic tree groups are also observed within the Site. The Site is situated in an area of urban fringe landscape character, enclosed by neighbouring residential developments. The proposed development is considered not incompatible with the surrounding environment.
- (g) The applicant should be reminded of the detailed comments at **Appendix V**.

Environment

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

- (a) He has no objection to the application and no comment on the SIA.
- (b) On PEA, he noted that the applicant will follow his department's Professional Persons Environmental Consultative Committee Practice Notes 1/98 "Control of Air Pollution in Semi-Confined PTIs" for the design and operation of the PTI.
- (c) The applicant should be reminded of the detailed comments at **Appendix V**.

Drainage and Sewerage

8.1.7 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. He also has no adverse comment on the submitted DIA and SIA.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

Water Supply

8.1.8 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) He has no objection to the application, though some existing water mains (**Plan A-2**) will be affected by the proposed development.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

Geotechnical

8.1.9 Comments of the Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD):

The applicant should be reminded of the detailed comments at **Appendix V**.

Town Gas Safety

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

The applicant should be reminded of the detailed comments at **Appendix V**.

District Officer's Comments

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

- (a) Consultation letters have been sent to relevant village representatives (VRs) and 19 replies from the VR of Tong Yan San Tsuen were received (all views are identical to the public comments at **Appendix IV-40**). The VR mentioned that he has also submitted the same replies to the Board.
- (b) A motion regarding the application was passed at the meeting of the Housing, Town Planning and Development Committee (HTP&DC) of the Yuen Long District Council (YLDC) on 3.2.2021 (**Appendix IV-1**).

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

- (a) Commissioner for Transport (C for T);
- (b) Director of Fire Services (D of FS);
- (c) Chief Engineer/Railway Department 2-2, HyD (CE/RD 2-2, HyD);
- (d) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (e) Director of Leisure and Cultural Services (DLCS);
- (f) Project Manager (West), CEDD (PM(W), CEDD);
- (g) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (h) Commissioner of Police (C of P).

9. Public Comments Received During the Statutory Publication Period

9.1 On 19.1.2021, the application was published for public inspection. During the first three weeks of the statutory public inspection period, 414 public comments were received. Of which, 409 raised objection/expressed adverse comments, 2 supported the application and 3 provided other views. A full set of public comments will be deposited at the meeting for Members' inspection.

Objection/Adverse Comments (409 Comments)

9.2 Objections/adverse comments were received from the HTP&DC and members of the YLDC (**Appendices IV-1 to IV-7**), Ping Shan Rural Committee (**Appendix IV-8**), the Incorporated Owners (IOs) of Park Royale and Green Lodge (**Appendices IV-9 and 10**), Property Management Office of the Emerald Green (**Appendix IV-11**), residents of Park Royale and Scenic Gardens (extracted samples of a similar nature are at **Appendices IV-12 to IV-23**) and other individuals (extracted samples of similar natures are at **Appendices IV-24 to IV-41**). The salient issues of the objections/adverse comments are summarised as follows:

Adverse Visual and Air Ventilation Impacts

- (a) The proposal will cause adverse visual and/or air ventilation impacts to the nearby residential developments. The building design of the proposal will create “wall effect”, bring about heat island effect to the area, intensify air pollution and undermine the physical and mental health of nearby residents. Furthermore, the proposed development would block private views and sunlight currently enjoyed by nearby residences.
- (b) The scale of the proposal is excessive and deviates from the low-density and low-rise character of the area, and would undermine the existing tranquil living environment. The sharp contrast in BHs contravenes the stepped height design principle and visual obstructions are expected. The proposed PR and BH of the proposal is even higher than new developments in Yuen Long town centre.

Adverse Traffic Impacts

- (c) The increase in population will further strain the capacity of existing roads such as Castle Peak Road – Ping Shan, Yuen Long Highway, Long Tin Road

and Tong Yan San Tsuen Interchange, etc., and would adversely affect public transport services, including buses, Light Rail and West Rail. Traffic congestion is already recurrent in the area. New roads and bus routes should be provided for the proposed housing development.

Potential Environmental Nuisances

- (d) Environmental nuisances to nearby residential developments are expected during the construction stage of the proposed development. The existing noise nuisance from Long Tin Road should be resolved. The wet market in the proposed development may affect the environmental hygiene of the area.

Structural and Building Concerns

- (e) The high-rise development will pose concerns on structural safety under strong winds. The cavernous marble underneath the Site will also undermine the safety of the proposal. Development without due regard to the site condition will create adverse impacts on soil and underground water.

Insufficient GIC Facilities and Job Opportunities

- (f) The existing provision of GIC facilities and job opportunities in Yuen Long are insufficient to meet the increase in population. It is doubtful whether the GIC, recreation and commercial facilities will be sufficient/increased to cope with the additional population. Approval of the application would encourage similar applications for high-rise and high-density private development in the area.

Lack of Consultation

- (g) Prior consultation with the VRs, rural committees, villagers, IOs of the nearby residential developments and YLDC should have been conducted.

Other Issues

- (h) There are insufficient studies and justifications to support the application. Proximity to the proposed development will pose privacy and security concerns to nearby residents. The living quality of the nearby residents and the property values of the residential developments will be affected. Reasonable separate distance between the residential towers of the proposed development and existing developments should be designated.
- (i) The proposal will affect the *feng shui* of the Aviary Pagoda at Yuen Long Park.
- (j) The compensation rate for land acquisition is unreasonably low and affected residents are concerned with rehousing arrangement.
- (k) The programme and the size/types of public housing units of the proposed development are questioned.

Supporting Comments (2 Comments)

- 9.3 Two supporting comments were received from individuals (**Appendices IV-42 and IV-43**) supporting the application on the grounds that the proposal would increase housing supply and meet the acute housing demand in Hong Kong.

Other Comments (3 Comments)

- 9.4 Three comments providing other views were received from Hong Kong and China Gas Company Limited (Towngas) and individuals. Towngas opined that the proponent should conduct Quantitative Risk Assessment and consult them in view of the high pressure trunk main in the vicinity of the Site (**Appendix IV-44**). One individual queried whether she will be assigned a PRH unit (**Appendix IV-45**). Another individual opined that the proposed car parking provision is excessive (**Appendix IV-46**).

10. Planning Considerations and Assessments

- 10.1 The application is for proposed minor relaxation of BH and PR restrictions from 155mPD to 170mPD (i.e. +9.7%) and from 6.5 to 6.94 (i.e. +6.8%) respectively for permitted public housing development at the Site zoned “R(A)1” on the OZP.

Planning Intention

- 10.2 The planning intention of the “R(A)” zone is primarily for high-density residential development. According to the Notes of the OZP for the “R(A)” zone, minor relaxation of the PR restriction can be considered by the Board on individual merits. The proposed public housing development with domestic PR of 6.5 is generally in line with the planning intention. The proposed increase in total PR by 6.8% is considered acceptable in scale.

Compatibility with the Surrounding Area

- 10.3 The surrounding areas are mixed in character with predominantly low to medium-rise residential developments to the east, north and west of the Site (**Plans A-2 and A-3**). Taking into account the design measures stated in paragraph 10.4 below and the photomontages for the indicative scheme (**Drawings A-5 to A-8**), CTP/UD&L, PlanD considers the proposal would not create major changes in BHs as compared with the OZP-conforming scheme. CA/CMD2, ArchSD also has no adverse comment on the application. The proposed increase in maximum BH by 9.7% is considered acceptable in scale.

Planning Merits

- 10.4 The proposal is primarily to maximise public flat production to meet the acute demand for public housing, which is generally in line with the latest Government policy on enhanced development intensity for public housing sites. Additional GIC facilities and open spaces will be provided to support the additional population. The applicant also proposed various design measures, such as stepped BH profile for visual interest, 15m-wide building separations and air paths for better air and visual permeability, as well as various landscape measures to minimise the perceived bulk of the development, which are generally in line with the OZP-conforming scheme. The proposed increase in total PR by 6.8% and BH by 9.7% is considered justified.

Provision of Open Space and GIC Facilities

- 10.5 While the proposal will lead to an increase in design population from about 32,900 to about 33,432 (an increase of about 532 (+1.6%)), LO will be provided in each phase of the proposed public housing development in accordance with the requirements of the HKPSG. Taking into account the requirements of the HKPSG and the advice of relevant departments, the overall planned provision of GIC facilities and LO will be adequate to serve the needs of the new population and the estimated increase in population arising from the minor relaxation of PR restriction will not have significant adverse impact on the provision of open space and GIC facilities in the Tong Yan San Tsuen area. Relevant concerned departments, including DSW, DLCS and CTP/UD&L, PlanD have no objection to/no adverse comments on the application.

Technical Aspects

- 10.6 The applicant has submitted various technical assessments, such as DIA, SIA, TIA, WIA, VIA, AVA and PEA, to demonstrate that the proposed minor relaxation in PR and BH restrictions is acceptable from drainage, sewerage, traffic, water supply, visual, air ventilation and environmental perspectives. Relevant concerned departments, including C for T, CE/RD 2-2, HyD, CE/MN, DSD, DEP and CE/C, WSD have no objection to/no adverse comments on the application.

Indicative Scheme

- 10.7 It should be noted that the layout plan, section plans and LMP submitted by the applicant are indicative in nature and solely for technical assessment purpose. It is used to illustrate that the proposed increase in PR and BH would have no significant adverse environmental, air ventilation and visual impacts, etc. Should the Committee approve the application, the approval is given for the minor relaxation of PR and BH restrictions of the Site as proposed under the application. The indicative development scheme of the Site does not form part of the approval. This is to allow flexibility to accommodate various types of housing units and GIC facilities in the Site, which can only be finalised by the project proponent(s) as detailed design proceeds.

Public Comments

- 10.8 There were 414 public comments received during the statutory publication period as summarised in paragraph 9 above. The objections/ adverse comments were mainly related to traffic, environmental, visual and air ventilation aspects. The planning considerations and assessments in the above paragraphs are relevant. Regarding consultation aspect, the applicant has complied with the requirements of TPB PG-No. 31A on notification of “current land owners” and the application was published for public inspection as per the provisions of the Town Planning Ordinance. The remaining public comments on compensation and rehousing are not related to the proposed minor relaxation of BH and PR restrictions under the current application and should be dealt with separately by the relevant department(s) in firming up the implementation arrangements in due course.

11. Planning Department's Views

11.1 Based on the assessments made in paragraph 10, and having taken into account the public comments as summarised in paragraphs 8.1.11 and 9, the Planning Department has no objection to the application.

11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 30.4.2025, 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 recommended advisory clauses attached at **Appendix V** are suggested for Members' reference.

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

the applicant fails to demonstrate that there are sufficient planning merits to justify the proposed minor relaxation of plot ratio and building height restrictions.

12. Decision Sought

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

12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13. Attachments

Appendix I	Application Form received on 11.1.2021
Appendix Ia	SPS with Technical Assessments
Appendix Ib	FI received on 23.4.2021
Appendix II	Comparison of the OZP-conforming Scheme and the Proposed Development Scheme
Appendix III	Previous Applications covering the Site
Appendices IV-1 to IV-46	Public Comments received during the Statutory Publication Period (extracted)
Appendix V	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Drawings A-2 and A-3	Section Plans
Drawing A-4	LMP
Drawings A-5 to A-8	Photomontages

Plan A-1	Location Plan with Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
APRIL 2021**