

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

**APPLICATION NO. A/YL/276**

<b><u>Applicant</u></b>	: Wealthy Path Development Limited represented by DeSPACE (International) Limited
<b><u>Site</u></b>	: Lot 1846 RP in D.D. 120 and adjoining Government Land (GL), Ma Tin Pok, Yuen Long, New Territories
<b><u>Site Area</u></b>	: 1,103.9m <sup>2</sup> (including GL of about 303.2m <sup>2</sup> or 27.5%)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/25 (current in force)  Draft Yuen Long OZP No. S/YL/24 (at the time of submission)
<b><u>Zonings</u></b>	: "Government, Institution or Community (1)" ("G/IC(1)") (87.26%) [restricted to a maximum building height (BH) of 3 storeys (or 8 storeys for 'School' and 'Hospital' uses) excluding basement(s)]  "Government, Institution or Community (5)" ("G/IC(5)") (12.74%) [restricted to a maximum BH of 95mPD] (no change on the zonings and restrictions)
<b><u>Application</u></b>	: Proposed Minor Relaxation of BH Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly) (RCHE)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of BH restriction from 3 storeys to 5 storeys (+2 storeys or +66.7%) for a permitted social welfare facility (RCHE) at the application site (the Site) (**Plan A-1**). The Site falls largely within an area zoned "G/IC(1)" and a minor portion within "G/IC(5)" zone on the OZP. According to the Notes of the OZP for "G/IC" zone, 'Social Welfare Facility' is under Column 1, which is always permitted. The Remarks of the Notes stipulates that the maximum BH of the "G/IC(1)" zone is 3 storeys (or 8 storeys for 'School' and 'Hospital' uses) excluding basement(s), and that of the "G/IC(5)" zone is 95mPD. Based on the individual merits of a development or redevelopment proposal, minor relaxation of the BH restriction may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning

Ordinance. The Site is currently occupied as a site office with temporary storage of construction materials.

- 1.2 Majority of the Site is the subject of a previous application (No. A/YL/261) for proposed minor relaxation of BH restriction for permitted social welfare facility (RCHE) which was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 15.9.2020. Compared with the approved application, the current application is submitted by the same applicant for the same use with an increase of site area, gross floor area (GFA), plot ratio (PR), BH and a revised building layout.
- 1.3 According to the applicant, the proposed RCHE development will provide 197 beds to serve the community. The Site is accessible via Tai Shu Ha Road West. The ingress/egress of the proposed development will be located at the north-east corner of the Site abutting Tai Shu Ha Road West (**Plan A-2**). A pedestrian entrance will be located at the south-eastern side of the Site. The block plan, floor plans, section plan, landscape plan and photomontages of the proposed development submitted by the applicant are shown in **Drawings A-1 to A-13**.
- 1.4 A comparison of the major development parameters of the current application and the previous approved application is summarised as follows:

Major Development Parameters	Previous Approved Application (A/YL/261) (a)	Current Application (A/YL/276) (b)	Difference (b) - (a)
<b>Proposed Use</b>	Proposed Minor Relaxation of BH Restriction for Permitted RCHE		-
<b>Site Area</b>	964m <sup>2</sup> (Including GL of about 234m <sup>2</sup> or 24.3%)	1,103.9m <sup>2</sup> (including GL of about 303.2 m <sup>2</sup> or 27.5%)	+139.9m <sup>2</sup> (+ 14.5%)
<b>PR</b>	Not more than 3.6	Not more than 3.75	+0.15 (+ 4.17%)
<b>Site Coverage (SC)</b>	Not more than 87.7%	Not more than 84.7%	-3% (- 3.42%)
<b>Total GFA</b>	3,584m <sup>2</sup>	Not more than 4,135m <sup>2</sup>	+551m <sup>2</sup> (+ 15.37%)
<b>No. of storeys</b>	5 storeys		--
<b>Maximum BH</b>	19.25m (26.1mPD at main roof)	21m (28.25mPD at main roof)	+1.75m (+ 9.1%)
<b>No. of beds</b>	219	197	-22 (- 10.01%)
<b>No. of Parking Space(s)</b>	4 (for private cars) (including 1 disabled car parking space)		--
<b>No. of Loading /</b>	1 (for light bus)		--

<b>Unloading Space</b>	(3m x 9m)		
<b>Greening Ratio</b>	22.27%	28.2%	+ 5.93% (+ 26.63%)
<b>Design Features</b>	<ul style="list-style-type: none"> <li>the oval-shaped building design</li> <li>building set back with landscaping treatment at street level</li> <li>adoption of the Sustainable Building Design Guidelines (SBDG) with greenery site coverage at various levels</li> <li>maximising the natural light penetration into each floor</li> <li>minimising solar heat gain to reduce carbon footprint</li> </ul>	<ul style="list-style-type: none"> <li>stepped BH profile design</li> <li>building setback with landscape treatment at street level</li> <li>adoption of the SBDG with greenery site coverage at various levels</li> <li>skylight at the roof to allow sunlight penetration</li> <li>various green features at different levels to reduce solar heat gain and carbon emission</li> <li>a sky garden at the roof with soft landscape, elderly fitness equipment and meandering jogging path</li> </ul>	-

1.5 The applicant has submitted relevant technical assessments including Traffic Impact Assessment (TIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Noise Impact Assessment (NIA), Visual Impact Assessment (VIA), photomontages and tree preservation and landscape proposal (**Appendix Ia**) to demonstrate that the proposed development would not pose significant adverse impacts on the surrounding environment.

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

(a) Application form received on 7.6.2021 (**Appendix I**)

(b) Further Information (FI) received on 27.5.2022 (**Appendix Ia**) providing a Consolidated Planning Statement  
*[exempted from the publication and recounting requirements.]*

*(Supporting Planning Statement as well as FIs received on 7.6.2021, 26.8.2021, 3.12.2021, 5.1.2022, 20.1.2022 and 14.4.2022 were superseded and not attached)*

1.7 On 23.7.2021, 15.10.2021 and 18.3.2022, the Committee agreed to defer a decision on the application, upon the request of the applicant, to allow two months each for the applicant to submit FI to address departmental comments. After the last

deferment, FI was received on 14.4.2022. The application is scheduled for consideration by the Committee at this meeting.

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendix Ia**. They are summarised as follows:

### Genuine need for more high quality RCHE

- (a) The approved scheme of the proposed RCHE development under the previous application (No. A/YL/261) does not cope with the statutory and licensing requirements of RCHE. In order to meet the requirements under the “Incentive Scheme to Encourage Provision of RCHE in New Private Developments” for premium concession at the lease modification stage, the revised scheme has made reference to the provision of function areas and bed spacing requirements set out in the Schedule of Accommodation (SoA) for a 200-place RCHE under the “Best Practices in Design and Operation of RCHE” promulgated by the Social Welfare Department (SWD). Various function rooms and adequate bed spacing are provided, and this would result in a reduced number of beds from 219 to 197.
- (b) The revised scheme with an increase of PR, GFA and BH, and a revised building layout (**Drawing A-7**) would provide high quality RCHE for the community to meet the pressing demand for elderly services.

### Compatible with the surrounding environment

- (c) Compared with the last approved scheme, there is no change in the proposed number of storeys except a slight increase in BH (+1.75m). The proposed 5-storey RCHE with a maximum BH of 21m is a humble scale compared to the planned 26-storey youth hostel development located at the immediate west of the Site. The proposed RCHE with extensive landscaping treatments and tree planting at various levels is compatible with the surrounding environment.

### No insurmountable impacts

- (d) The relevant technical assessments demonstrated that the proposed development will not generate any adverse traffic, environmental, drainage, sewerage, landscape and visual impacts that will affect the surrounding area.

### Design Merits

- (e) In support of the application, the applicant has incorporated a number of design features in the revised scheme. The revised scheme will adopt an environmental-friendly building design to maximise natural light penetration. Various green features such as green wall, planters, gardens and organic farm are proposed at different levels to reduce solar heat gain and carbon emission (**Drawings A-9 and A-10**). About 21 heavy standard size trees are proposed to be planted and a green wall is proposed at the south-western corner of the proposed RCHE to enliven the interiors and act as a natural air-filtration system for users. A sky garden is also proposed at the roof with soft landscape, elderly fitness equipment and meandering jogging path (**Drawing A-9**).

- (f) A stepped BH profile design is proposed which descends gradually from R/F to 1/F at the north-eastern portion of the building (**Drawing A-6**), to soften the visual outlook of the building and to provide landscaping opportunities at each level. A skylight is erected at the roof of the proposed RCHE to allow sunlight penetration into every corner of the communal space in order to enhance energy efficiency.
- (g) The building setback at G/F provides more space for landscape treatment and open up vistas for pedestrians. No fence wall enclosing the Site is proposed at northern and southern boundary of the Site while planters are introduced to enhance visual permeability.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in the Town Planning Board Guidelines TPG-PG No. 31A are not applicable.

### 4. **Background**

- 4.1 The Site has been zoned “G/IC” since the exhibition of the first draft Yuen Long OZP No. S/YL/1 on 12.4.1991. Subsequently, the Site was rezoned to “G/IC(1)” with the imposition of BH restriction to help ensure that the developments will be in keeping with the adjacent village environment under the draft Yuen Long OZP No. S/YL/16 gazetted on 5.1.2007.
- 4.2 On 11.12.2015, the draft Yuen Long OZP No. S/YL/22 was gazetted to rezone a small portion of the Site (12.74%) and the area located to its immediate west from “G/IC(1)” to ‘G/IC(5)’ with the relaxation of BH restriction to facilitate the development of a youth hostel under the Government’s Youth Hostel Scheme. The youth hostel is currently under construction. The “G/IC(5)” portion of the Site does not form part of the youth hostel development.
- 4.3 There is no designated Government, institute or community (GIC) use for the “G/IC(1)” portion of the Site.

### 5. **Previous Application**

- 5.1 Majority of the Site is the subject of a previous planning application (No. A/YL/261) for proposed minor relaxation of BH restriction for the same use, which was approved with conditions by the Committee on 15.9.2020, mainly on the considerations that the proposed development was in line with the planning intention of the “G/IC(1)” zone; it was not incompatible with the surrounding areas; the applicant has demonstrated design merits to justify the proposed building height; and there was no adverse comments from concerned government departments. Details of the application and the Committee’s decisions are summarised at **Appendix II** and the location is shown on **Plan A-1**.
- 5.2 Compared with the last application, the current application is submitted by the same applicant for minor relaxation of same number of storeys with a slightly larger site, increased PR, GFA and BH, and a revised building layout.

## **6. Similar Applications**

- 6.1 There is no similar application for minor relaxation of BH restriction within the same “G/IC” zone.
- 6.2 Within another “G/IC(1)” zone on the OZP, there are two similar applications (No. A/YL/252 and A/YL/256) for minor relaxation of BH restrictions for proposed composite school and religious institution (church) development (from 3 storeys to 8 storeys), and proposed RCHE and conservation of historic building (from 3 storeys to 5 storeys) respectively. The two applications were approved with conditions by the Committee on 3.5.2019 and 20.3.2020 respectively mainly on the grounds that the proposed development was in line with the planning intention and not incompatible with the surrounding areas. The applicant demonstrated design merits to justify the proposed building height, and there was no adverse comments from concerned government departments. Details of the similar applications are at **Appendix III** and shown on **Plan A-1**.

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

- 7.1 The Site is:
- (a) located in the southern fringe of Yuen Long New Town. It is accessible via Tai Shu Ha Road West and connected to Shap Pat Heung Road; and
  - (b) currently hard-paved and used as a site office with temporary storage of construction materials.
- 7.2 The surrounding areas have the following characteristics:
- (a) generally low-rise residential use in nature intermixed with vehicle parks, warehouses and temporary offices;
  - (b) to its immediate west is the planned Po Leung Kuk (PLK) youth hostel (with 26 storeys over 1 level of basement) which is under construction;
  - (c) to its south, east and southwest are intermixed with vehicle parks, warehouse, village houses and domestic structures. To its southeast across the nullah is a construction site of a cluster of low-density houses<sup>1</sup>; and
  - (d) to its further northeast across the nullah are parking of vehicles and office.

## **8. Planning Intention**

- 8.1 The “G/IC” zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community

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<sup>1</sup> It is the subject site of an approved planning application No. A/YL/185 for proposed house development with minor relaxation of BH restriction (from 8.23m to 9.85m), which was approved with conditions by the Committee on 6.7.2012.

needs, and other institutional establishments.

8.2 A minor relaxation clause in respect of BH restriction is incorporated into the Notes of the OZP in order to provide incentive for developments/redevelopments with planning and design merits. Each application for minor relaxation will be considered on its own merits and the relevant criteria for consideration of such relaxation in paragraph 9.1.7 of the Explanatory Statement (ES) of the OZP are as follows:

- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
- (b) accommodating the bonus PR granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
- (c) providing better streetscape/good quality street level public space;
- (d) providing separation between buildings to enhance air ventilation and visual permeability; and
- (e) other factors, such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape, visual and air ventilation impacts, as appropriate, would be resulted from the innovative building design.

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

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

### **Land Administration**

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

- (a) According to desktop checking, the Site falls within the private lot No. 1846 RP in D.D. 120 and GL. The actual site area, site boundaries of the lot, lease details, etc. are subject to verification upon receipt of land exchange application if any.
- (b) The Lot is an Old Schedule Agricultural Lot held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The ownership particulars of the lot forming the Site have to be examined in details at the land exchange application stage, if applied.
- (c) The Site does not fall within the Shek Kong Airfield Height

Restriction Area.

- (d) In the event that planning application is given by the Board for the proposal, the applicant should be reminded that land exchange would be required to implement the proposal. Upon receipt of the land exchange application, LandsD will consider the application in its private capacity as landlord and there is no guarantee that the land exchange, including the grant of additional GL (if any), for the proposed development will be approved. The land exchange, if approved, will be subject to such terms and conditions, including payment of premium and other applicable fees, to be imposed by LandsD at its sole discretion.

**Traffic**

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

- (a) He has no comment from the traffic engineering viewpoint provided that the land at the northern boundary of the application site which would form part of the public footpath and the public carriageway shall remain government land after the completion of the proposed development.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

9.1.3 Comments of the Chief Highway Engineer/New Territories West (CHE/NTW) and the Chief Engineer/Lighting (CE/Ltg), Highways Department:

They have no comment on the application from the highways maintenance and public lighting points of views. The applicant should be reminded of the detailed comments at **Appendix V**.

**Social Welfare Perspective**

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

- (a) To meet the increasing demand for RCHE in view of the aging population, subject to the consideration of the Board and views of other relevant government departments, he has no adverse comment on the setting up of the proposed RCHE on a private or self-financing mode from the service perspective and also has no objection in principle to the application for minor relaxation of BH restriction from 3 storeys to 5 storeys for setting up the RCHE on conditions that:
  - (i) there shall be no capital and recurrent financial implication to the Government; and
  - (ii) the design and construction of the proposed RCHE shall be in full compliance with relevant prevailing Ordinances,



Regulations and Codes of Practice enforcing in Hong Kong and any licensing requirements issued by the SWD.

- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

### **Environment**

#### 9.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) He has no objection to the application subject to the planning condition requiring the submission of an updated Noise Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of his/the Board's satisfaction.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

### **Urban Design and Landscape**

#### 9.1.6 Comments of the Chief Architect/Central Management Division 2, Architecture Services Department (CA/CMD2, ArchSD):

- (a) It is noted that the proposed RCHE consists of one block of building with BH of 28.25mPD, which may not be incompatible with developments in the adjacent "G/IC(5)" developments with BH restriction of 95mPD permitted in the OZP. In this regard, he has no comment from architectural and visual impact point of view.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

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

### **Urban Design**

- (a) The Site is currently occupied by some vegetation. It is located adjacent to a 26-storey (about 91.6mPD) youth hostel, which is under construction. To the north, east and south of the Site, areas are zoned "Open Space" and "Village Type Development" with village houses at 9.8mPD to 15.5mPD. To the further east of the Site, there are some 13 to 14-storey high residential development (47.8mPD to 88mPD) in the area zoned "Residential (Group B)".
- (b) Compared to the previous approved scheme, there are increase in site area, PR, GFA, BH as well as greening ratio. In the current submission, the proposed development reaches a maximum BH of 28.25mPD. The applicant has proposed a number of design features under the revised scheme including green building design to maximise natural light penetration, landscape treatment at different levels, sky garden with skylight on R/F, setback from the eastern and

northern site boundaries on G/F, and terraced design at the northern frontage of the proposed building on 2/F to R/F.

- (c) As demonstrated in the VIA submitted by the applicant, the proposed development is considered not incompatible with the surrounding and would not result in any significant adverse visual impact.

#### Landscape

- (d) According to the aerial photo of 2020, the Site is located in an area of rural landscape character predominated by open storage yards, temporary structures, car parks and tree clusters. The proposed development is considered not incompatible with the landscape character of the surrounding area. With reference to the site photos, the Site is fenced-off, mainly hard-paved with some existing trees along the boundary of the Site.
- (e) With reference to the submitted tree preservation and landscaping proposal, the Site is covered with existing trees of common tree species. Some existing trees in fair condition are found at the western and eastern boundaries within the Site. According to the submitted tree assessment schedule, 21 affected trees are identified, of which 3 trees are found missing, and 18 trees are to be felled. According to the landscape proposals in the landscape plan, 4 heavy standard size trees are proposed to be planted at-grade at G/F while 17 heavy standard size trees are proposed to be planted in planters at R/F. Shrub and groundcover are also proposed at each floor of the building. In view that significant adverse impact on the existing landscape resources arising from the proposed development is not anticipated, she has no objection to the application from landscape planning perspective.
- (f) The applicant should be reminded of the detailed comments at **Appendix V**.

#### Fire Safety

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

- (a) He has no objection in principle to the proposal subject to fire service installations being provided to his satisfaction and the height restriction as stipulated in Section 20 of Cap. 459A - Residential Care Homes (Elderly Persons) Regulation being observed.
- (b) His detailed comments are at **Appendix V**.

#### Drainage

##### 9.1.9 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 the applicant on (i) the submission of a detailed drainage proposal and (ii) the implementation of drainage proposal for the development to his/the Board's satisfaction.
- (c) The applicant should be reminded of the detailed comments at **Appendix V**.

#### **Building Matters**

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

He has no adverse comment on the application. The applicant should be reminded of the detailed comments at **Appendix V**.

#### **Others**

##### 9.1.11 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

He has no adverse comment on the application. The applicant should be reminded of the detailed comments at **Appendix V**.

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

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

His office has not received any comment from the village representatives in the vicinity regarding the application.

##### 9.2 The following Government departments have no comments on the application:

- (a) Project Manager (West), CEDD;
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (c) Commissioner of Police (C of P).

### **10. Public Comments Received During Statutory Publication Periods**

10.1 On 15.6.2021, 3.9.2021, 14.12.2021, 28.1.2022 and 29.4.2022, the application and FIs were published for public inspection. During the first three weeks of the statutory public inspection periods, a total of 47 public comments were received with 33 supporting, 12 objecting to and 2 expressing views/concerns on the application.

10.2 33 supporting comments submitted by individuals on the grounds that there is a

general demand for RCHE services in the territory, the proposed RCHE is conveniently located, provides a nice environment and quality services to the elderlies, and would increase job opportunities in the territory (samples of supporting comments are at **Appendices IV-1 to 5**).

10.3 Amongst the objecting comments, five were submitted by the representative of the Ma Tin Pok Tsuen Mutual Aid Committee (**Appendices IV-6a to 6e**) and the remaining seven were from five individuals (**Appendices IV-7a to 7c, IV-8 to 11**). Their views are summarised as follows:

- (a) the proposed development would induce possible adverse traffic impact to the surrounding area. The queue-back of vehicles from the proposed development and adjacent planned youth hostel would aggravate traffic congestion along Tai Shu Ha Road West and adversely affect any emergency services and safety of nearby residents;
- (b) the proposed development would generate potential adverse drainage, sewerage, visual and air ventilation impacts to the surrounding area;
- (c) it is suggested that RCHE uses should be located away from densely populated village areas. The proposed development would bring additional population to the surrounding area that may lead to potential public health risks including the spread of COVID-19; and
- (d) the GL portion of the Site should not be allocated for private use and profit-making purpose. Villagers of Ma Tin Pok Tsuen should have the priority for renting the GL portion within the village areas.

10.4 The comments from P&T Architects & Engineers Ltd. (i.e. project architect of adjoining PLK youth hostel) stated that the site boundary encroached on the road widening portion of the adjacent youth hostel, which may adversely affect the run-in/out, extent of road widening, and site formation works of the PLK youth hostel development (**Appendix IV-12**). An individual expressed views that the images submitted by the applicant are misleading (**Appendix IV-13**).

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

11.1 The application is for proposed minor relaxation of BH restriction from 3 storeys to 5 storeys for a permitted RCHE. The Site falls largely within an area zoned “G/IC(1)” with a minor portion within “G/IC(5)” zone on the OZP. According to the Notes of the OZP, ‘Social Welfare Facility’ is always permitted in the “G/IC” zone. The proposed RCHE will provide 197 beds to serve the community, which is in line with the planning intention for the “G/IC” zone for the provision of GIC facilities to serve the needs of the local residents and/or a wider district, region or the territory. The Remarks of the Notes stipulates that the maximum BH of the “G/IC(1)” zone is 3 storeys (or 8 storeys for ‘School’ and ‘Hospital’) excluding basement(s), and that of the “G/IC(5)” zone is 95mPD. According to the applicant, there is a demand of elderly services in the territory. DSW has no objection in principle to the application in view of the acute demand for residential care services for the elderly.

### Compatibility with Surrounding Areas and Development Intensity

- 11.2 The immediate surrounding areas of the Site are mainly low-rise, low-density village type developments and temporary structures of 1 to 3 storeys. The adjacent development to its immediate west, the PLK youth hostel under construction, has a BH of 26 storeys. In addition, according to the VIA submitted by the applicant, the proposed development would not result in any significant adverse visual impact. Given the scale of the proposed development and the assessment of submitted VIA with design measures, the proposed 5-storey RCHE development is considered not incompatible with the surrounding areas.

### Planning and Design Merits

- 11.3 Majority of the Site is the subject of a previous approved application (No. A/YL/261) submitted by the same applicant for the minor relaxation of BH restriction to 5 storeys. Compared with the approved scheme, the current application involves a slight increase of BH from 19.25m to 21m (+1.75m/ + 9.1%). The main justification from the applicant for the proposed minor relaxation of BH restriction is to meet the SoA requirement for a 200-place RCHE so as to provide better quality elderly services and better utilisation of the Site. The applicant has proposed a number of design features including green building design to maximise natural light penetration, terraced building frontage, landscape treatment at different levels, building setback to enhance visual amenity as well as organic farm at the roof. It is considered that the proposed development generally complies with the criteria for consideration of BH relaxation stated in paragraph 8.2 above.
- 11.4 Given that the increase in BH is minor in nature and CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comment on the proposed development from visual impact point of view. Approval of the current application is in line with the Committee's previous decision.

### Technical Aspects

- 11.5 Other concerned government departments including DEP, CE/MN of DSD, C for T and D of FS have no objection to or adverse comment on the application. It is anticipated that the proposed development would have no adverse impacts on environmental, drainage, traffic and fire safety aspects.

### Public Comments

- 11.6 There are 47 public comments received during the statutory publication periods with 33 supporting, 12 objecting to and 2 expressing views/concerns on the application as summarised in paragraph 10 above. Planning considerations and assessments in above paragraphs are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments 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 **10.6.2026**, 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 provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the Board;
- (b) the submission and implementation of a detailed drainage proposal to the satisfaction of the Director of Drainage Services or of the Board; and
- (c) the submission of an updated noise impact assessment and provision of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Board.

Advisory clauses

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

- 12.3 There is no strong planning 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 reason(s) for rejection should be given to the applicant.

**14. Attachments**

<b>Appendix I</b>	Application form received on 7.6.2021
<b>Appendix Ia</b>	FI received on 27.5.2022 providing a Consolidated Planning Statement
<b>Appendix II</b>	Previous Application covering the Site
<b>Appendix III</b>	Similar Applications within/straddling "G/IC" Zones on the OZP
<b>Appendices IV-1 to 5, IV-6a to 6e, IV-7a to IV-7c, IV-8 to IV-13</b>	Public Comments received during the Statutory Publication Period
<b>Appendix V</b>	Recommended Advisory Clauses

<b>Drawing A-1</b>	Block Plan
<b>Drawing A-2</b>	Master Layout Plan
<b>Drawings A-3 to A-5</b>	Floor Plans
<b>Drawing A-6</b>	Section Plan
<b>Drawings A-7 and A-8</b>	Comparisons of previous and current layouts
<b>Drawing A-9</b>	Landscape Plan
<b>Drawing A-10</b>	Green Ratio Plan
<b>Drawings A-11 to A-13</b>	Viewpoint and Photomontages
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plans A-4a to A-4b</b>	Site photos

**PLANNING DEPARTMENT  
JUNE 2022**