

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL/289

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|---------------------------|---|---|
| <u>Applicant</u> | : | Si Mau Limited represented by DeSPACE (International) Limited |
| <u>Site</u> | : | Lots 1695 S.E ss.1 RP, 1695 S.F ss.1 and 1695 S.H RP (Part) in D.D. 120 and adjoining Government Land (GL), Tai Kei Leng, Yuen Long, New Territories |
| <u>Site Area</u> | : | 1,953m ² (including GL of about 165m ² or 8.4%) |
| <u>Lease</u> | : | Old Scheduled Agricultural Lots (<i>the lease is untraceable</i>) |
| <u>Plan</u> | : | Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/25 |
| <u>Zonings</u> | : | “Government, Institution or Community(1)” (“G/IC(1)”) [<i>restricted to a maximum building height (BH) of 3 storeys (8 storeys for ‘School’ and ‘Hospital’ uses) excluding basement(s)</i>] |
| <u>Application</u> | : | Proposed Minor Relaxation of Building Height Restriction (BHR) for Permitted Social Welfare Facility (Residential Care Home for the Elderly) (RCHE) and Proposed House Use with Conservation Proposal |

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of BHR from 3 storeys to 6 storeys (+ 3 storeys) for a permitted social welfare facility (RCHE) and proposed house use with conservation proposal for a Grade 3 historic building ‘Siu Lo’ (筱廬) at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP for “G/IC(1)” zone, ‘Social Welfare Facility’ is under Column 1, which is always permitted while ‘House’ is under Column 2 which requires planning permission from the Town Planning Board (the Board). The Remarks of the Notes stipulates that the maximum BH of the “G/IC(1)” zone is 3 storeys (8 storeys for ‘School’ and ‘Hospital’ uses) excluding basement(s). Based on the individual merits of a development or redevelopment proposal, minor relaxation of the BHR may be considered by the Board on application under section 16 of the Town Planning Ordinance. The Site is currently occupied by a vacant building ‘Siu Lo’ and temporary public car park.

- 1.2 The applicant, owner of the Site, proposes a conservation-cum-development project. The proposed development will completely preserve an existing Grade 3 historic building ‘Siu Lo’, including its Main Building and Annex Block, in situ, and restore it for house use, and construct a new building for a proposed RCHE. According to the applicant, ‘Siu Lo’ comprising a 2-storey main building and a 1-storey annex block, which are both Grade 3 historic buildings, is proposed to resume its original use as a “House” to reflect its most genuine state in the past. Free public visits of the garden of the proposed house of ‘Siu Lo’ with interpretation display boards (**Drawing A-12**) are available through advanced bookings to allow public appreciation of the external of the historic building. Details would be subject to agreement with the Antiquities and Monuments Office (AMO) and Commissioner for Heritage’s Office (CHO).
- 1.3 The Site is accessible via Tai Tong Road (**Plan A-2**). According to the applicant, the proposed RCHE involves a 6-storey building comprising about 281 beds (or within a range of 260 to 300 beds) with a total gross floor area (GFA) not exceeding 5,400m² and maximum BH of 28.4mPD so as to meet the maximum allowable GFA for premium concession under the “Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments” promulgated by the Lands Department. About 350m² of local open space primarily for landscaping and passive recreation use will be provided at the Site. The site plan, proposed floor plans, section and elevation plans, photomontages, landscape plan and heritage conservation strategy submitted by the applicant are shown in **Drawings A-1 to A-12**.
- 1.4 According to the applicant, under the hypothetical scenario of full-development of the Site without preserving ‘Siu Lo’, the total intended GFA of the RCHE is 5,400 m² with a site coverage (SC) of about 93% and BH of 3 storeys (i.e. within the BHR under the OZP) (**Drawings A-13 and A-14**). With the intention of in-situ preservation of ‘Siu Lo’, the new RCHE building with the 6-storey building envelope is required.
- 1.5 Majority of the Site is the subject of a previous application (No. A/YL/256) for proposed conservation of historic building and minor relaxation of BHR for permitted RCHE which was approved by the Rural and New Town Planning Committee (the Committee) of the Board with conditions on 20.3.2020. Compared with the previous application, the proposed number of storeys increases from 5 storeys (plus 1 basement level) to 6 storeys (without basement), with an increase in actual BH of 0.9m. The proposed use of historic building ‘Siu Lo’ is also revised from public gallery to private “House” use.
- 1.6 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/256) (a) | Current Application (A/YL/289) (b) | Difference (b) - (a) |
|------------------------------|--|---|------------------------------|
| Site Area | About 1,714m ² | About 1,953m ² (including about 165m ² of GL) | +239m ² (+ 13.9%) |

| | | | |
|---|---|---|---|
| Total GFA | About 4,267m ² | About 5,930m ² * | +1,663m ² (+39%) |
| Plot Ratio (PR) | About 2.49 | Not more than 3.04 | +0.55 (+22%) |
| SC | About 54% | Not more than 60% | +6% (+11.1%) |
| Historic Building – ‘Siu Lo’ | | | |
| GFA | 368m ² | 368m ² | No change |
| No. of storeys | 2 storeys (Main Building) 1 storey (Annex Block) | 2 storeys (Main Building) 1 storey (Annex Block) | No change |
| Proposed Use | Gallery for Heritage Interpretation, Gallery Storage | House | - |
| Proposed RCHE Building | | | |
| GFA | 3,581m ² | Not more than 5,400 m ² | +1819m ² (+50.8%) |
| No. of Storeys | 5 storeys (plus 1 basement floor) | 6 storeys (without basement) | +1 storey above-ground and -1 basement storey |
| Maximum BH | 27.5mPD | 28.4mPD | +0.9m (+3.3%) |
| No. of Beds | 170 | 281 | +111 beds (+65%) |
| Provision of Internal Transport Facilities | | | |
| No. of Parking Spaces | 4 (3 for private cars and 1 for maxicab) | 2 (for private cars) | -2 (-50%) |
| No. of Loading/unloading (L/UL) Bay | 2 (1 for heavy goods vehicle and 1 for ambulance Lay-by) | 2 (for light buses) | - |

*Including about 162m² for covered internal road and parking spaces serving Siu Lo and the new RCHE building (assuming 50% of the GFA to be disregarded).

- 1.7 According to the applicant, special design considerations have been given to the proposed RCHE in order to conserve the historic building “Siu Lo”. The proposed RCHE is proposed to cantilever part of the annex block of ‘Siu Lo’, which is similar to the previous approved application (**Drawing A-15**). A headroom ranges from 1.2m - 3.15m will be provided between ‘Siu Lo’ and the structure of RCHE to allow sufficient space for future maintenance of the annex block of ‘Siu Lo’ (**Drawing A-5**). A greenery ratio of at least 20% will be provided. A landscape plan with

proposed tree planting and provision of greenery at different levels is also submitted (**Drawings A-6 and A-7**).

1.8 The applicant has submitted relevant technical assessment reports including Traffic Impact Assessment (TIA), Sewerage and Drainage Impact Assessment (SDIA), Noise Impact Assessment (NIA), Visual Impact Assessment (VIA) and Heritage Appraisal to demonstrate that the proposed development would not pose significant adverse impacts on the surrounding environment.

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

- (a) Application form received on 11.1.2022 (**Appendix I**)
- (b) Further Information (FI) received on 21.7.2022 (**Appendix Ia**)
providing a Consolidated Planning Statement
[exempted from the publication and recounting requirements.]

(Supporting Planning Statement as well as FIs received on 11.1.2022, 23.2.2022, 14.4.2022, 19.4.2022, 20.5.2022, 23.5.2022, 25.5.2022, 10.6.2022 and 29.6.2022 were superseded and not attached)

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:

In line with the policy direction of encouraging private RCHE development

- (a) The proposed development is in line with the policy direction of the “Incentive Scheme to Encourage Provision of RCHE in New Private Developments” which encourages the provision of purpose-built RCHE by private initiatives.

Addressing surging demand for RCHE places

- (b) The projected service demand for RCHE would increase from 49,000 places in 2016 to about 68,000 places in 2046. However, the total number of subsidised and non-subsidised RCHE places was only 34,742 as at 30 June 2021. The proposed development with an increase in RCHE places by 65% (i.e. from 170 to 281 beds when compared to the previous application No. A/YL/256) can help address the shortfall of elderly facilities in Yuen Long district.

Optimal use of standalone “G/IC” land

- (c) The “G/IC” land for standalone development have become scarce in Hong Kong. Increasing number of Government, institution or community (GIC) facilities have been accommodated within the podiums of housing sites, which may not be an ideal spatial arrangement and have led to interface problems as reflected by many end users.

As such, the development potential of the standalone “G/IC” site should be fully optimised through necessary relaxation of BH.

Planning merits of the conservation-cum-development approach

- (d) The proposed development is in line with the heritage conservation policy which aims to strike a proper balance between respect for private property rights and heritage conservation by offering appropriate economic incentives to encourage private owners to conserve and revitalize their historic buildings. According to the conservation-cum-development proposal initiated by the applicant, ‘Siu Lo’ will be managed and maintained at the applicant’s own cost, whilst the remaining part of the Site will be developed into a compatible use to the benefits of the community. The heritage garden is proposed to allow public appreciation of the external of the historic building.

An optimised design in response to site constraints

- (e) The proposed development scheme is an optimised design in response to the development constraints at the Site, which include setback from Tai Tong Road, provision of minimum separation from the dispensers of the petrol filling station near the Site, irregular configuration of the Site, and the need to maintain a clear space at the northeast part of the Site for maintaining physical and visual accessibility of ‘Siu Lo’.
- (f) Compared with the previously approved scheme under application (No. A/YL/256) with a proposed BH at +27.5mPD, the proposed RCHE under the current application will only result in the increase of actual BH of 0.9m (despite an increase of 1 storey). The proposed development scheme is an optimised design in achieving the intended GFA of 5,400m² for RCHE portion.

Compatibility

- (g) There are existing medium to high rise residential estates on land zoned “Residential (Group A)1” and “Residential (Group B)” in the vicinity of the Site. The BH of planned developments near the Site ranges from 6 to 8 storeys, including an 8-storey composite building comprising school and church uses, and a 6-storey RCHE building. The proposed RCHE with a BH of 6 storeys is lower than the maximum BH of 8 storeys for ‘School’ and ‘Hospital’ uses on the subject “G/IC(1)” zone on the OZP. It should be considered a compatible height in terms of the scale of building blocks.

No adverse impact to surrounding area

- (h) The proposed development would not incur adverse impacts to its surroundings on visual, landscape, heritage, environmental, sewerage, drainage and traffic aspects.

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 under TPB 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 BHR 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. There is no designated GIC use for the subject “G/IC(1)” zone.

4.2 ‘Siu Lo’¹, comprising a two-storey Main Building and a single-storey Annex Block, is a Grade 3 historic building² accorded by the Antiquities Advisory Board (AAB) on 7.9.2017.

5. Previous Application

The Site is involved in one previous planning application (No. A/YL/256) for proposed conservation of historic building (for public gallery use) and minor relaxation of BHR (from 3 storeys to 5 storeys) for RCHE, which was approved with conditions by the Committee on 20.3.2020 mainly on the considerations that the proposed development was in line with the planning intention of the “G/IC(1)” zone; the proposal was in line with the relevant government policies in heritage conservation and encouraging the provision of RCHE premises in private developments; the proposed development was considered not incompatible with the surroundings; and concerns of relevant departments could be addressed by imposing approval conditions. Details of the previous application are summarised at **Appendix II** and the location is shown on **Plan A-1**.

6. Similar Applications

Within the “G/IC(1)” zone on the OZP, there are two similar applications (No. A/YL/252 and A/YL/276) for minor relaxation of BHR for a composite building comprising school and religious institution (church) (from 3 storeys to 8 storeys) and proposed RCHE (from 3 storeys to 5 storeys) respectively. The two applications were approved with conditions by the Committee on 3.5.2019 and 10.6.2022 respectively mainly on the grounds that the proposed development was in line with the planning intention of the “G/IC” zone 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

¹Siu Lo was built in early 1942. It comprises a two-storey main building with a single-storey annex block (a kitchen and a store) attached to the house at an angle. It is a house in mixed style, with Western influence in the open porch and verandah, as well as Chinese influence in the splayed fung shui corners. Siu Lo has built heritage value. The architecturally mixed style (both Chinese and Western) is character attribute. It has local interest and local significance.

² By definition, Grade 3 historic buildings are “buildings of some merit; preservation in some form would be desirable and alternative means should be considered if preservation is not applicable”.

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-4a to 4b)

7.1 The Site:

- (a) is located at the southern part of Yuen Long New Town. It is accessible via Tai Tong Road;
- (b) comprises a Grade 3 historic building ‘Siu Lo’ (including its main building and annex block) which is currently vacant; and
- (c) is currently partly used as a temporary public car park.

7.2 The surrounding areas have the following characteristics:

- (a) the Site is situated in an area generally occupied by low-density residential and village settlements intermixed with shop and services uses, open storage yards, warehouse and workshops, vehicle parks, G/IC facilities, vacant land and fallow agricultural land;
- (b) to its immediate north is the Yuen Long Baptist Church³;
- (c) to its immediate east is Tai Tong Road and a petrol filling station;
- (d) to its immediate west is a piece of vacant land and to the further west is intermixed with open storage yards, warehouses and village settlements; and
- (e) to its south is a cluster of village houses and temporary structures, and the Hang Heung Bakery Factory⁴.

8. Planning Intention

- 8.1 The planning intention of “G/IC” zone is 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 needs, and other institutional establishments.
- 8.2 A minor relaxation clause in respect of BHR is incorporated into the Notes in order to provide incentive for developments/redevelopments with planning and design

³ It is the subject of an approved planning application No. A/YL/252 for proposed composite building comprising school and religious institution (church) with minor relaxation of BHR (from 3 storeys to 8 storeys), which was approved with conditions by the Committee on 3.5.2019.

⁴ It is the subject of an approved planning application No. A/YL/263 for proposed social welfare facility of a RCHE, which was approved with conditions by the Committee on 5.2.2021.

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 follow:

- (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/or the public comments received are summarised as follows:

Heritage Preservation Aspect

- 9.1.1 Comments of the Commissioner for Heritage (C for H) and the Executive Secretary (Antiquities and Monuments) (ES (A&M)), AMO, Development Bureau:

- (a) They note the good intention of the applicant to preserve ‘Siu Lo’, comprising a two-storey Main Building and a single-storey Annex Block (hereafter referred to as “Siu Lo”) in-situ and the provision of various types of public appreciation arrangement free-of-charge, including guided tours, self-guided tours with audio guidance, private tours for non-government organisations and schools, and online virtual tours. With regard to the prevailing heritage conservation policy, they consider that the current preservation-cum-development proposal for ‘Siu Lo’ is commensurate with its grading and heritage value. They render in-principle support to the preservation-cum-development proposal for ‘Siu Lo’ from the heritage conservation perspective.
- (b) The Government’s heritage conservation policy aims to strike a proper balance between heritage conservation and sustainable development, with due regard to the respect for private property

rights and development needs in the public interest. To this end, the Government offers appropriate economic incentives to encourage private owners to conserve and revitalise their historic buildings. A grading system for historic buildings has been put in place to provide an objective basis for the preservation need of individual historic buildings. The grading system is administrative in nature and does not affect the ownership, management, uses and development right of the buildings.

- (c) 'Siu Lo' is a Grade 3 historic building accorded by the AAB on 7.9.2017. By definition, a Grade 3 historic building is "building of some merit; preservation in some form would be desirable and alternative means should be considered if preservation is not practical".
- (d) As per the preservation-cum-development proposal in the subject application, 'Siu Lo' would be preserved in-situ and a freestanding six-storey RCHE would be constructed. 'Siu Lo' would be used as 'House'. A garden would be provided in the Site for public visit with interpretation display boards through advance bookings and glazed windows are proposed at 'Siu Lo' to allow visitors to view the interior of 'Siu Lo' from outside. Various types of public appreciation arrangement, including guided tours, self-guided tours with audio guidance, private tours for non-government organisations and school and online virtual tours would be provided free-of-charge. A detailed Conservation Management Plan (CMP) would be submitted for AMO's agreement.
- (e) It is suggested that the Board could consider including the submission of CMP as approval conditions as below:
 - (i) the submission of a CMP for the conservation of the Main Building and Annex Block of 'Siu Lo' prior to commencement of any works and implementation of the CMP to the satisfaction of AMO or of the Board; and
 - (ii) the submission of a full set of photographic, cartographic, and/or 3D scanning records of the Main Building and the Annex Block of 'Siu Lo' prior to commencement of any works to the satisfaction of the AMO or of the Board.

Land Administration

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

- (a) According to desktop checking, the Site falls within the private lot boundary of Lot Nos. 1695 S.E ss.1 RP, 1695 S.F ss.1 and 1695 s.H RP (Part) in D.D.120, which are Old Scheduled Agricultural Lots but the lease cannot be traced, and adjoining GL.

- (b) As the southern portion of the lot 1695 s.H RP would be excluded from the Site, the actual site area and boundary of the lot involved will be subject to verification upon receipt of land exchange application if any.
- (c) In the event that planning permission 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 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

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

He has no adverse comment on the planning application from the traffic engineering viewpoint. The applicant is reminded that sufficient space should be provided within the application site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed.

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

They have no comment on the application from the highways maintenance point of view. The applicant should be reminded of the detailed comments at **Appendix V**.

Social Welfare

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

- (a) In view of the ageing population and high demand for residential care services for the elderly in the community, he has no objection in principle from the service perspective for the setting up of a RCHE at the Site.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

Environment

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

He has no objection to the application subject to the planning condition requiring the submission of an updated NIA and the implementation of

mitigation measures identified therein to the satisfaction of his/the Board's satisfaction.

Visual and Landscape

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

- (a) He has no comment from architectural and visual impact point of view.
- (b) It is noted that some of the façade areas are facing west, solar control devices should be considered to reduce solar heat gain and avoid glare as far as practicable.
- (c) It is suggested to provide 20% greenery in accordance with PNAP APP-152.

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

Urban Design

- (a) The Site is located in the southern part of Yuen Long New Town. It is situated in a low to medium rise neighbourhood. To its immediate north is the planned composite school and religious institution (church) development approved under Application No. A/YL/252 with a maximum BH of 8 storeys and 37.9mPD. To its immediate south are some village houses (with BHs ranging from 1 to 3 storeys and about 8.5mPD to 12.5mPD), and the planned RCHE approved under Application No. A/YL/263 with a maximum BH of 6 storeys and 28.7mPD. To its east are a petrol filling station and warehouse/open storage across Tai Tong Road while to its west are open storage and workshops.
- (b) The proposed development involves conservation of a Grade 3 historical building 'Siu Lo' comprising a 2-storey Main Building and a single-storey Annex Block for house use, and erection of a RCHE building block with minor relaxation of BHR from 3 storeys to 6 storeys (reaching a maximum BH of 28.4mPD).
- (c) The Site is the subject of a previously approved application (No. A/YL/256) for proposed conservation of historic building and minor relaxation of BHR for permitted RCHE. According to the application, as compared with the approved scheme, the currently proposed scheme is revised in terms of development parameters and layout. While 'Siu Lo' will be preserved in-situ, the proposed RCHE development involves increase in BH (+1 storey above ground and -1 basement level; actual BH increase of 0.9m), PR (+0.55), GFA (+1,663m²), SC (+6%), and site area (+239m²), etc.

- (d) It is noted that special design considerations have been given to the proposed RCHE building in order to conserve the historic building of 'Siu Lo'. This mainly includes a column design with "higher headroom" on G/F of the proposed RCHE building and special façade treatment.
- (e) In view of the above, the proposed development is considered not incompatible with the surrounding developments. With reference to the VIA submitted by the applicant, it is anticipated that no significant adverse visual impact would be caused by the proposed development to the surrounding area.

Landscape

- (f) According to the aerial photo of 2021, the Site is situated in an area of miscellaneous rural fringe landscape character predominated by shops and services, workshops, open car parks, residential blocks and village houses. The proposed development is considered not incompatible with the existing landscape character of the surrounding area. With reference to the site photos in **Plans A-4a** and **4b**, the Site is hard paved and no vegetation is observed on the ground level within the Site, but existing trees growing on the external wall of the historic building 'Siu Lo' are observed.
- (g) According to the planning statement and landscape master plan, 11 new trees at ground level with lawn at the northern portion, bamboo landscape strip at the western boundary, green roof of the proposed building for RCHE, and pot planting outside the historic building are proposed. As the proposed development would be properly migrated and adequate landscape provisions proposed by the applicant would improve the landscape quality of the development, she has no comment from the landscape planning perspective.

Fire Safety

9.1.9 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 (FSIs) and water supplies for firefighting being provided to his satisfaction and that the height restriction as stipulated in Section 20 of Cap 459A Residential Care Homes (Elderly Persons) Regulation is observed.
- (b) The applicant should be reminded of the detailed comments at **Appendix V**.

Drainage

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

He has no objection in principle to the proposed development from the public drainage point of view. The applicant should be reminded of the detailed comments at **Appendix V**.

Building Matters

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

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

Others

- 9.1.12 Comments of Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

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

District Officer's Comments

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

His office has not received any comment from the public regarding the application.

- 9.2 The following Government departments have no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Project Manager (West) (PM(W)), CEDD;
- (c) Director of Electrical and Mechanical Services (DEMS); and
- (d) Commissioner of Police (C of P).

10. Public Comment Received During Statutory Publication Periods

- 10.1 On 21.1.2022, 4.3.2022, 29.4.2022, 7.6.2022 and 21.6.2022, the application and FIs were published for public inspection. During the first three weeks of the statutory public inspection periods, a total of 69 public comments were received with 63 supporting and 5 expressing views/concerns and 1 objecting the application.
- 10.2 The 63 supporting comments were submitted by Yuen Long residents and individuals (samples of comments are extracted in **Appendices IV-1 to 6**). The major supporting grounds are summarised as follows:
- (a) the proposed RCHE can address the rising demand for RCHE places in Yuen Long district and Hong Kong amid aging population;

- (b) the Site is located near Yuen Long town with good accessibility, and the proposed development is compatible with the surrounding environment. The proposed minor relaxation will not pose much visual impact to the surrounding area;
 - (c) the proposed RCHE with minor relaxation in BHR will allow efficient utilisation of land resources;
 - (d) the proposed stand-alone RCHE will provide spacious and quality RCHE spaces with design merits in terms of lighting, ventilation and greenery. It would not have interface problem occurred in RCHE premises located on the lower floors of existing residential buildings;
 - (e) the proposed RCHE will enhance the local environment by providing more open space and greening. The proposed development is in vicinity to other community facilities including kindergartens, churches and the youth hostel which is currently under construction. The proposed RCHE could add synergy, diversity and job opportunities to the local community; and
 - (f) the conservation-cum-development proposal which blends new and old together is commendable. Favourable consideration should be given to the applicant who bears the conservation and management responsibility of ‘Siu Lo’ in future.
- 10.3 Five comments expressing views/concerns on the application were submitted by four individuals (**Appendices IV-7 to 11**). The comments include the potential adverse impact on the quality of individual space and facilities provided for the elderly residents with a proposed increase of RCHE beds from 170 to 281, possible nuisance to the private residential use in ‘Siu Lo’ from visitors of the heritage building, potential visual impact from the proposed development, and that land resources should be utilised efficiently and more community facilities including high quality private RCHE are needed in Yuen Long district.
- 10.4 The objecting comment was submitted by an individual (**Appendix IV-12**) on the grounds that the proposed development would pose visual and air ventilation impacts to the surroundings. The existing facilities such as parks, malls and traffic in the area are not adequate.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed minor relaxation of BHR from 3 storeys to 6 storeys for a permitted RCHE and proposed house use with conservation proposal (**Plan A-1**). The Site is located within “G/IC(1)” zone on the approved Yuen Long OZP No. S/YL/25. According to the Notes of the OZP, ‘Social Welfare Facility’ is always permitted in the “G/IC” zone whereas ‘House’ is under Column 2 which requires planning permission from the Board. According to the applicant, the proposed development will preserve the entire Grade 3 historic building ‘Siu Lo’ in-situ and restore it into “House” use, and a new 6-storey RCHE building would be constructed to provide about 281 beds to serve the community. Free public visits and guided tours of the landscaped garden on the ground level of the proposed

house through advanced bookings are proposed to allow public appreciation of the external of the historic building.

- 11.2 The proposed development with major portion for RCHE is considered 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. According to the applicant, there is a demand of elderly services in the territory and the proposed ‘House’ would allow in-situ preservation of the entire ‘Siu Lo’ to reflect its most genuine state in the past. DSW has no objection in principle to the application in view of the acute demand for residential care services for the elderly. Taking into account the background of the Site, the proposed house development of ‘Siu Lo’ with conservation proposal is considered not in conflict with the planning intention of the “G/IC” zone. Moreover, C for H and ES (A&M) render in-principle support to the preservation-cum-development proposal for ‘Siu Lo’ from the heritage conservation perspective. Detailed conservation proposal would be submitted in the form of a CMP and approval condition requiring the submission of CMP prior to the commencement of any works and implementation of the CMP is also recommended.

Compatibility with Surrounding Areas and Development Intensity

- 11.3 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 is the proposed composite school and religious institution development with a BH of 8 storeys under the approved planning application No. A/YL/252. According to the applicant, the hypothetical scenario with a maximum building height of 3 storeys (in compliance with the BHR under the OZP) without the preservation of ‘Siu Lo’, would require a SC of 93%, in order to achieve the target GFA of 5,400m² for premium concession under the “Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments” (**Drawings A-13 and A-14**). It is noted that special design considerations have been given to the proposed new building in order to conserve the historic building of ‘Siu Lo’. In order to preserve the Main Building of ‘Siu Lo’ and its Annex Block in-situ, part of the RCHE structure has to be built over the Annex Block of ‘Siu Lo’ (**Drawings A-5 to A-7**) but without any structural intrusion on ‘Siu Lo’. CTP/UD&L, PlanD considers that the proposed minor relaxation of BHR is not incompatible with the surroundings and has no adverse comment from visual and urban design viewpoints. CA/CMD2, ArchSD also has no comment on the proposal from design perspective and visual impact point of view. Having regard to the need to completely preserve ‘Siu Lo’ and to achieve the target GFA of 5,400m² for RCHE portion, the proposed minor relaxation of BH from 3 storeys to 6 storeys is considered not unreasonable.

Planning and Design Merits

- 11.4 The new RCHE building would be blended with ‘Siu Lo’ without imposing any adverse impact to the historic building. The Main Building and Annex Block of ‘Siu Lo’ would be entirely preserved in-situ and the streetscape adjoining the Site with sufficient setback will be improved. The entrance at the northeast of the Site facing Tai Tong Road will be enhanced by the proposed landscaped heritage garden, and the provision of greenery at different levels of the RCHE building is proposed.

The optimised design to provide a clear space at the northeastern part of the Site for maintaining physical and visual accessibility of the historic building of ‘Siu Lo’ is proposed, so as to allow public view towards ‘Siu Lo’ from Tai Tong Road to be unobstructed (**Drawings A-7 and A-9**). In view of the above and the preservation-cum-development proposal, it is considered that the proposed development generally complies with the criteria for consideration of relaxation of BHR as stated in paragraph 8.2 above.

Technical Aspects

- 11.5 The applicant has submitted relevant technical assessments to demonstrate that the proposed development would not generate significant adverse impacts to the surrounding areas. Concerned Government departments consulted, including C for T, DEP, CE/MN, DSD and CTP/UD&L, PlanD, have no objection to or adverse comment on the application. Significant adverse traffic, environmental, drainage, sewerage and landscape impacts on the surrounding areas are not envisaged. Moreover, should the application be approved, the applicant will be reminded that the proposed RCHE should follow the requirements as required by the licensing authority. The technical concerns of relevant departments could be addressed by the imposition of approval conditions recommended in paragraph 12.2.

Previous and Similar Applications

- 11.6 Majority of the Site is the subject of a previous application (No. A/YL/256) for proposed conservation of historic building and minor relaxation of BHR for permitted RCHE. Compared with the previous application (No. A/YL/256), the proposed number of storeys increases from 5 storeys (plus 1 basement level) to 6 storeys (without basement), with an increase in actual BH of 0.9m (i.e. from 27.5mPD to 28.4mPD) and the proposed number of RCHE beds increases from 170 to 281 (+65%). The proposed use of historic building ‘Siu Lo’ is also revised from public gallery to private “House” use. Moreover, there are two similar applications (No. A/YL/252 and 276) for minor relaxation of BHR for proposed composite building comprising school and religious institution (church) and proposed RCHE respectively. Approval of the current application is in line with the Committee’s previous decisions.

Public Comments

- 11.7 There are 69 public comments received during the statutory publication period with 63 supporting, 5 expressing views and 1 objecting, as mentioned in paragraph 10 above. Planning considerations and assessments in paragraphs above are relevant. Regarding the concern on the potential adverse impact arising from the increased number of beds, the applicant is advised to design and construct the RCHE in full compliance with the relevant statutory and licensing requirements.

12. Planning Department’s Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments in paragraph 10 above, 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 29.7.2026, 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 submission and implementation of a Conservation Management Plan for the conservation of the Main Building and the Annex Block of Siu Lo prior to commencement of any works to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board;
- (b) the submission of a full set of photographic, cartographic and/or 3D scanning records of the Main Building and the Annex Block of Siu Lo prior to commencement of works to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board;
- (c) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) 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 Town Planning Board; and
- (e) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

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

the applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of BHR.

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 conditions and advisory clauses, 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

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|------------------------------|---|
| Appendix I | Application form received on 11.1.2022 |
| Appendix Ia | Further Information (FI) received on 21.7.2022 |
| Appendix II | Previous Application covering the Site |
| Appendix III | Similar Applications within/straddling “G/IC(1)” zones on the OZP |
| Appendices IV-1 to 12 | Public Comments received during Statutory Publication Periods |
| Appendix V | Recommended Advisory Clauses |
| Drawings A-1 to A-4 | Schematic Floor Plans |
| Drawing A-5 | Section Plan |
| Drawings A-6 to A-7 | Landscape Plans |
| Drawings A-8 to A-10 | Photomontages |
| Drawing A-11 | Elevation Plan |
| Drawing A-12 | Heritage Conservation Strategy |
| Drawings A-13 to A-14 | Comparisons of hypothetical scenario and proposed scheme |
| Drawing A-15 | Comparison of previous approved scheme and proposed scheme |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |
| Plan A-3 | Aerial Photo |
| Plans A-4a to 4b | Site Photos |

**PLANNING DEPARTMENT
JULY 2022**