

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL/304

- Applicant** : Star Success International Limited represented by KTA Planning Limited
- Site** : 21-35 Wang Yip Street East, Tung Tau Industrial Area (TTIA), Yuen Long, New Territories (Yuen Long Town Lot (YLTL) No. 362)
- Site Area** : About 7,271m²
- Lease** : New Grant No. 3121 subject to a Modification Letter
(a) restricted for industrial or godown purposes or both (excluding offensive trades)
(b) total gross floor area (GFA) shall not exceed 36,355m²
- Plan** : Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/27 (currently in force)

Draft Yuen Long OZP No. S/YL/26
(at the time of submission)
[no change to zoning and development restrictions for the application site]
- Zoning** : “Residential (Group E)2” (“R(E)2”)
[Restricted to a maximum domestic plot ratio (PR) of 5, a maximum non-domestic PR of 0.22 and a maximum building height (BH) of 85 mPD]
- Application** : Proposed Minor Relaxation of PR and BH Restrictions for Flat with Shop and Services, Eating Place and Social Welfare Facility Uses

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of domestic PR restriction from 5 to 6 (i.e. +1 or 20%) and BH restriction from 85mPD to 100.75mPD (i.e. +15.75 or 18.5%) for proposed redevelopment of an existing 10-storey industrial building (namely Lai Sun Yuen Long Centre) at the application site (the Site) into a 29-storey residential development with commercial and social welfare facilities above two basement carpark floors (**Plan A-1**). According to Schedule I (for open-air development or for building other than industrial (I) or industrial-office building (I-O)) of the Notes of the OZP for “R(E)2” zone, ‘Flat’, ‘Shop and Services’, ‘Eating Place’ and ‘Social Welfare Facility’ are Column 2 uses requiring planning permission from the Town Planning Board (the Board). Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR and BH restrictions may be considered by the Board on application under section 16 of the Town Planning Ordinance (the Ordinance). The Site is located within

TTIA, which is mainly occupied by a mixture of residential and I/I-O buildings (**Plan A-1**), and is accessible via Wang Yip Street East.

- 1.2 According to the applicant's submission, the proposed development comprises two residential blocks (maximum BH of 27 storeys) above a 2-storey podium (for shop and services, eating place, social welfare facilities, residents' club house and landscaped areas at G/F and 1/F of Tower 1 and Tower 2) and a standalone 3-storey non-domestic block (for shop and services and plant rooms) above two levels of basement car parks. The BHs of the proposed development are 19.45mPD (for non-domestic block) and from 91.3mPD to 100.75mPD (for residential blocks). The applicant pledges to provide a 15m-wide building separation between the two residential blocks as wind corridor, an 1.5m full-height setback along Wang Yip Street East and an at-grade open space of 240m² along Po Yip Street to enhance the streetscape (**Drawing A-10**).
- 1.3 To minimise potential road traffic and railway noise impacts as well as nearby fixed sources noise impact on the future residents, appropriate building design and mitigation measures such as acoustic window/enhanced acoustic balcony, fixed glazing and noise barrier on top of the non-domestic block are proposed (**Drawing A-8**). The submitted Noise Impact Assessment (NIA) concluded that the Site would not be subject to adverse impact with the set of noise mitigation measures in place.
- 1.4 The proposed scheme with layout plan, floor plans, section plans, landscape master plan and photomontages submitted by the applicant are at **Drawings A-1 to A-12** respectively. The major development parameters of the proposed development scheme are summarised as follows:

Site Area	About 7,271m ²
Total Gross Floor Area (GFA)^[1]	About 45,226m ²
- Domestic	About 43,626m ²
- Non-domestic	About 1,600m ²
Total PR^[1]	6.22
- Domestic	6
- Non-domestic	0.22
No. of Blocks	3 - 2 for residential with lobbies, shop and services/ eating places, residents' club house and social welfare facilities - 1 for shop and services and plant rooms
Max. BH	<u>Non-domestic block:</u> 3 storeys/ 19.45mPD <u>Residential blocks:</u> 27 storeys above 2-storey podium / 100.75mPD (excluding 2 basement levels)
No. of Flats	1,019
GIC Facilities^[1]	Sub-base/premises for: - Short Term Food Assistance Service Team (STFAST)

	- Home Care Services (HCS) for Frail Elderly Persons (2-team size non-kitchen based)
Private Open Space	Not less than 2,854m ²
Greenery Coverage	About 21%

Parking and Loading/Unloading (L/UL) Facilities for Residential and Commercial Portion	
Private Car Parking Spaces	192
Motorcycle Parking Spaces	13
Bicycle Parking Spaces	136
L/UL Bays	3 for Heavy Goods Vehicles (HGV) & 1 for Light Good Vehicle
Parking and L/UL Facilities for Proposed Social Welfare Facilities^[2]	
Light Bus Parking Spaces	1
Ambulance/ Light Bus Lay-by	1
L/UL Bay (for shared use)	1 for HGV

Remarks:

[1] According to the applicant, the estimated total net operating floor area of the proposed facilities are 234.5m² (i.e. about 422.1m² GFA at the assumed factor of 1.8) and these floor space dedicated for Government, Institution and Community facilities (GIC), as required by the Government, has been disregarded in the calculation. Detailed design, layout and floor area of the proposed GIC facilities will be subject to review by the Social Welfare Department (SWD) in future.

[2] The transport provision is subject to the requirements by SWD.

1.5 In support of the application, the applicant submitted the following documents:

- (a) Application Form received on 5.5.2023 (Appendix I)
- (b) Further Information (FI) received on 15.12.2023 (Appendix Ia)
enclosing the Consolidated Supporting Planning Statement
(*exempted from publication and recounting requirements*)

[Supporting Planning Statement and FIs received on 15.6.2023, 5.7.2023, 11.8.2023 and 4.12.2023 were superseded and not attached]

1.6 On 22.9.2023, the Committee agreed to defer making a decision on the application as requested by the Planning Department (PlanD) in view of the Site is still subject to an outstanding adverse representation to the draft Yuen Long OZP NO. S/YL/26 yet to be considered by the Chief Executive in Council (CE in C) and the substance of the representation is relevant to the application. The Committee also agreed that the application would be submitted to the Committee for consideration after the CE in C's decision on the OZP and the relevant adverse representation was made. After considering the representation to the draft Yuen Long OZP No. S/YL/26 on 7.9.2023, the Board decided not to propose any amendment to the draft OZP to meet the representation. On 5.12.2023, the CE in C under section 9(1)(a) of the Ordinance approved the draft OZP, which was subsequently renumbered as S/YL/27 and published on 15.12.2023.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Supporting Planning Statement at **Appendix Ia**. They can be summarised as follows:

In line with Government Policy on Increasing Housing Supply

- (a) The proposed development is in line with the Government's policy to meet the imminent housing need by providing about 1,019 residential units. The current domestic PR restriction of 5 for "R(E)2" zone was proposed by the applicant under the rezoning application (No. Y/YL/16), which was submitted before the announcement of 2022 Policy Address (PA) for increasing development intensity in the Northern Metropolis by adopting a higher maximum PR of 6.5 for residential sites. The current proposal to relax the domestic PR restriction by 20% to 6 is justified by the prevailing Government policy.
- (b) The applicant is the sole landowner of the Site. The proposed residential development can be implemented within a relatively short timeframe (tentatively by 2029) to cope with the imminent housing needs.

Provision of Services and Facilities to the Local Community

- (c) The proposed development could provide retail and dining facilities of about 1,600m² GFA which are currently lacking in TTIA, thereby injecting vibrancy to the area.

Maintaining the Design Merits Committed

- (d) Majority of the design merits proposed under the previous s.12A application (No. Y/YL/16) are maintained in the proposed development to enhance the surrounding environment. The proposed development will adopt a 15m-wide building separation as wind corridor, an 1.5m wide full-height setback along Wang Yip Street East, an at-grade greenery and open space of about 240m² at the southern corner of the Site as extension to the Keung Yip Street Rest Garden (**Drawing A-10**). A semi-podium structure is proposed and the scale of the podium structure is reduced to two levels.

Technical Aspects

- (e) Various technical assessments on traffic, environmental, infrastructure capacity, air ventilation and visual impacts have been conducted and confirmed the technical feasibility of the proposed development. With the incorporation of mitigation measures, significant adverse impacts on traffic, environmental, water supply, sewerage, drainage, air ventilation and visual aspects due to the proposed development are not anticipated.

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.

4. **Background**

The TTIA was previously zoned “Industrial” (“I”) on the first draft Yuen Long OZP S/YL/1 and was subsequently rezoned to “OU(B)” in 2001. The s.12A application No. Y/YL/16 to rezone the Site from “OU(B)” to “R(E)2” to facilitate a 24-storey residential-cum-commercial development with a total PR of 5.22, was agreed by the Committee on 27.8.2021. To take forward the decision of the Committee, the draft OZP No. S/YL/26 incorporating the proposed amendment involving, among others, the rezoning of the Site to “R(E)2” with a BH restriction of 85mPD, a maximum domestic PR of 5 and a non-domestic PR of 0.22, was gazetted on 6.1.2023. On 5.12.2023, the CE in C under section 9(1)(a) of the Ordinance approved the draft OZP, which was subsequently renumbered as S/YL/27 and published on 15.12.2023.

5. **Previous Applications**

The Site is involved in one previous s.16 planning application (No. A/YL/259)¹ for proposed minor relaxation of PR restriction for permitted office, shop and services and eating place uses (**Plan A-1**). The considerations of this previous application are not relevant to the current application which involve residential use. For the previous s.12A application (No. Y/YL/16) to rezone the Site from “OU(B)” to “R(E)2”, it was agreed by the Committee on 27.8.2021 on the considerations that the proposed rezoning for residential-cum-commercial development with GIC uses are not incompatible with the surrounding land uses and the proposed PR and BH are not incompatible with the existing and planned developments in the area. Both the s.16 and s.12A applications are submitted by the same applicant as the current application.

6. **Similar Application**

There is one similar application (No. A/YL/231) for proposed minor relaxation of PR restriction from 5 to 5.5 for flat, shop and services and eating place in “R(E)1” zone. The application was rejected by the Committee on 18.5.2018 mainly for reasons that there was no strong planning justification for minor relaxation of the PR restriction and approval of such relaxation would set an undesirable precedent. In particular, the applicant was unable to substantiate the need for additional 10% of PR to achieve the setbacks and failed to demonstrate why the additional PR was needed for the provision of ground floor commercial use for better streetscape. Details of the application are summarised in **Appendix II** and its location is shown on **Plan A-1**.

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

7.1 The Site is:

- (a) located at the southeastern fringe of the TTIA;

¹ The Site was zoned “OU(B)” at the time of the application.

- (b) bounded by Wang Yip Street East to its northwest and Po Yip Street to its southeast; and
 - (c) currently occupied by a 10-storey industrial building, namely Lai Sun Yuen Long Centre, with occupation permit obtained in 1986 and existing PR/GFA of about 4.95/36,023m².
- 7.2 The Site is bounded by I and I-O buildings with a number of vehicle service shops on the respective G/Fs and commercial buildings on the land zoned “OU(B)”. It is also adjoined by open spaces and playgrounds, namely Keung Yip Street Rest Garden to its immediate northeast and the TTIA Playground, on the land zoned “Open Space”.
- 7.3 At the western and northern edges of the TTIA, there are residential developments, namely Twin Regency, Wang Fu Court and After the Rain and I and I-O buildings, on land zoned “R(E)1” with BHs ranging from about 40.1mPD to 96mPD and a residential development, The Spectra, on land zoned “Residential (Group A)5” with BH of about 85mPD (**Plan A-1**). To the northeast across Po Yip Street are the villages of Kwan Lok Sha Tsuen and Sai Pin Wai and another residential developments namely One Regent Place on land zoned “Residential (Group B)1” with BH of about 90mPD. To the further south across Tuen Ma Line and Long Ping Station are high-density residential development clusters in Yuen Long Town Centre with BH up about 109mPD.

8. Planning Intention

- 8.1 The “R(E)” zone is primarily intended for the phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface (I/R) problem.
- 8.2 According to the Explanatory Statement (ES) of the OZP, the developers will be required to submit adequate information to demonstrate that the new residential development will be environmentally acceptable, and suitable mitigation measures, if required, will be implemented to address the potential I/R interface problems.
- 8.3 According to the ES of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the PR and BH restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits with reference to the following criteria:
- (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 Chief Estate Surveyor/Land Supply, Lands Department (CES/Land Supply, LandsD):

- (a) She has no objection to the application.
- (b) The Site falls within YLTL No. 362 (the Lot) which is held under the New Grant No. 3121 dated 27.11.1981 as varied and modified by modification letter dated 23.1.1987. The Lot is restricted to industrial or godown purposes or both (excluding offensive trades) and is subject to maximum GFA of 36,355m² and parking and L/UL requirements.
- (c) The proposed development parameters under the application are in contravention of the development restrictions under the New Grant.
- (d) Detailed advisory comments on the application are at **Appendix III**.

Traffic

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

She has no comment on the application from traffic perspective.

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

- (a) He has no adverse comment on the application.
- (b) His detailed advisory comments on the application are at **Appendix III**.

Environment

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

He has no objection to the application from environmental planning perspective subject to the following approval conditions:

- (a) submission of a revised NIA and implementation of noise mitigation measures identified therein to the satisfaction of DEP or of the Board; and
- (b) submission of a land contamination assessment and completion of the necessary remedial works before the commencement of construction works to the satisfaction of DEP or of the Board.

Urban Design, Air Ventilation and Landscape

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

The BH of the proposed development may have some visual impact on the existing surroundings with medium-rise buildings. He has no comment on the application and his detailed advisory comments are at **Appendix III**.

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

Urban Design and Air Ventilation

- (a) The Site is located in the southeastern fringe of the TTIA, which predominantly comprises a mixture of I/I-O, commercial and residential developments with BHs ranging from about 12mPD to 96mPD. To the immediate south of the TTIA is Yuen Long Town Centre, which is surrounded by high-rise residential developments with Yuccie Square, Long Ching Estate, Long Ping Estate and Sol City near Long Ping MTR Station to the southwest of the Site ranging from about 63mPD to 109mPD in terms of BHs. The proposed development with a maximum BH of 100.75mPD is considered not incompatible with the surrounding context.
- (b) Compared to the permissible BH of 85mPD of the OZP, the proposed development would result in slightly adverse visual impacts on the selected public viewing points.
- (c) Besides, most of the design measures as proposed under previous rezoning application (No. Y/YL/16) including provision of active uses on G/F, at-grade greenery, a 15m-wide building gap between Towers 1 and 2, and an 1.5m-wide full height setback along Wang Yip Street East (apart from a section underneath Tower 1) are maintained.

Landscape

- (d) The Site is currently occupied by an existing industrial building and no vegetation is observed. For the new planting proposal, 74 new trees in heavy standard size would be proposed at G/F, while shrub and groundcover planting, creeping plant and amenity lawn would be proposed at G/F to 2/F.
- (e) According to the Landscape Master Plan (**Drawing A-9**), the applicant proposed setback of building edge along Wang Yip Street East for proposed planting and ornamental planting along the pavement. She has no comment on the application from landscape planning perspective. Her detailed advisory comments are at **Appendix III**.

9.2 The following Government departments have no objection to or no comment on the application, and their advisory comments, if any, are at **Appendix III**:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD);
- (c) Director of Agriculture, Fisheries and Conservation (DAFC);
- (d) District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD)
- (e) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (f) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (g) Director of Trade and Industry (Dir-Gen of T and I);
- (h) Director of Leisure and Cultural Services (DLCS);
- (i) Director of Social Welfare (D of SW);
- (j) Director of Food and Environmental Hygiene (D of FEH);
- (k) Director of Fire Services (D of FS);
- (l) Director of Electrical and Mechanical Services (DEMS); and
- (m) Commissioner of Police (C of P).

10. Public Comments Received During Statutory Publication Period

10.1 The application and relevant FIs were published for public inspection. During the statutory publication periods, a total of 44 public comments were received, including 41 supporting, one providing views and two objecting to the application.

10.2 The 41 supporting comments were submitted by individuals (samples of comments are extracted in **Appendices IV-1 to IV-5**) and their major grounds are summarised as follows:

- (a) the subject industrial area is undergoing transformation and residential development is preferable over industrial developments. The proposed redevelopment to residential use could reduce the number of heavy

vehicles coming from the existing industrial building at the Site, thereby improving road safety;

- (b) the proposed development with provision of retail and social welfare facilities is beneficial to the neighbourhood;
- (c) the proposed development with the increase in development intensity can provide more housing units and hence curb the high property prices in Yuen Long; and
- (d) the proposed minor relaxation of BH restriction is considered acceptable as the Site is located near Long Ping Station.

10.3 One individual (**Appendix IV-6**) expressed concerns on the adverse noise and air quality impacts to the surrounding residential neighbourhood arising from the proposed development and whether any road improvement works and covered walkway are proposed.

10.4 The two objecting comments were received by the same individual (**Appendices IV-7 to IV-8**) on the grounds that the proposed minor relaxation of PR and BH restrictions is unjustified; the current application should not be accepted before the outstanding adverse representation on the Site is considered by the Board or prior to the completion of OZP approval process; the site coverage stated is misleading as the retail and social welfare floor space will be accommodated under the landscaped open space on podium; and there are limited details on the GIC facilities to be provided.

11. Planning Considerations and Assessment

11.1 The application is for minor relaxation of domestic PR restriction from 5 to 6 (i.e. +20%) and BH restriction from 85mPD to 100.75mPD (i.e. +18%) for proposed flat, shop and services, eating place and social welfare facilities at the Site zoned “R(E)2” on the OZP. According to the Notes of the OZP, ‘Flat’, ‘Shop and Services’, ‘Eating Place’ and ‘Social Welfare Facility’ are Column 2 uses requiring planning permission from the Board. The proposed development comprises two residential blocks with a maximum BH of 27 storeys or 100.75mPD providing 1,019 flats above a 2-storey podium with social services facilities, shop and services, eating place and residents’ club house as well as a standalone 3-storey non-domestic building block for shop and services and plant rooms, above two-storey basement car parks.

Planning Intention

11.2 The planning intention of the “R(E)” zone is for phasing out existing industrial uses through redevelopment for residential use on application to the Board and the developer is required to demonstrate that the new residential development is environmentally acceptable and suitable mitigation measures will be implemented to address the environmental impacts and potential I/R interface problems. In this regard, the proposed uses are generally in line with the planning intention at the “R(E)2” zone and the applicant has proposed various environmental mitigation measures such as acoustic window, enhanced acoustic balcony, fixed glazing and noise barrier to address the environmental and I/R

issues, and DEP has no in-principle objection to the application. Relevant approval conditions on submission of a revised NIA and implementation of noise mitigation measures identified are also recommended to ensure that the potential noise impacts are properly addressed.

Land Use Compatibility and Development Intensity

- 11.3 The Site is located at the southeastern fringe of TTIA which is undergoing gradual transformation from industrial/warehouse/workshop uses to commercial and residential uses. In this regard, although there are existing I/O developments in the northeast of the Site, high-density residential developments are found at the western and northern fringe of TTIA, to the east across Po Yip Street and to further south across Tuen Ma Line and Long Ping Station in Yuen Long Town Centre (**Plan A-1**). The proposed development is considered not incompatible with the surrounding land uses.
- 11.4 According to the applicant, the proposed relaxation of domestic PR restriction from 5 to 6 (i.e. 20%) echoes with the PA 2022 on adopting a higher PR in the Northern Metropolis, which can contribute to the housing supply. As for the BH, the applicant proposes to relax the BH restriction from 85mPD to 100.75mPD (i.e. +18%), and to adopt a stepped height design for Tower 2 from 91.3mPD to 97.6mPD and 100.75mPD along southeast to northeast direction of the Site to enhance visual interest to the urban skyline. Considering the BHs of the existing developments in TTIA with maximum up to about 96mPD, and Yuen Long Town Centre to the south of the Site which is predominated by high-rise residential developments near Long Ping MTR Station with BH up to about 109mPD (**Plan A-1**), CTP/UD&L advises the proposed development is not incompatible with the surrounding developments. She also advises that the proposed minor relaxation of BH restriction will only result in slightly adverse visual impacts when compared to the permissible BH of 85mPD on the OZP. In this regard, both CA/CMD2, ArchSD and CTP/UD&L have no adverse comment on the application from architectural and urban design perspectives.

Planning and Design Merits

- 11.5 Various design measures proposed in the s.12A application stage have been maintained at the proposed development, including a 15m-wide building separation between the two residential blocks towers as wind corridor, an 1.5m full-height setback along Wang Yip Street East and an at-grade open space along Po Yip Street. In this regard, CTP/UD&L considers the proposed measures would help to mitigate the potential visual impact, improve pedestrian environment and provide visual integration with the nearby open spaces. In view of the above, it is considered that the application generally complies with the criteria for consideration of relaxation of PR and BH restrictions stated in paragraph 8.3 above.
- 11.6 The proposed development would provide two GIC facilities, including a Main-base of STFAST and HCS for Frail Elderly Persons (2-team size non-kitchen based), to serve the local community. The applicant proposes that the floor spaces dedicated for those GIC facilities as required by the Government may be discounted from PR calculation. DSW has no comment on the application in this regard.

Other Technical Aspects

- 11.7 The applicant has submitted various other technical assessments including traffic impact assessment, environmental assessment (comprising air quality, noise and sewerage impact assessments) and landscape proposal to demonstrate that the proposed development would not generate significant adverse impacts to the surrounding areas. Concerned government departments consulted including C for T, CHE/NTW of HyD, CE/MN of DSD, and CTP/UD&L of PlanD have no objection to or no adverse comment on the application on traffic, drainage and landscape aspects. The technical concerns of relevant departments could also be addressed by imposition of approval conditions recommended in paragraph 12.2 below.

Similar Application

- 11.8 A similar application No. A/YL/231 for proposed minor relaxation of PR restriction from 5 to 5.5 for flat, shop and services, eating place was rejected by the Committee on 18.5.2018 mainly for the reason that there was no strong planning justification in the submission for the proposed relaxation of PR restriction. The current application for minor relaxation of PR restriction is solely for domestic purpose so as to echo with the latest government policy in increasing housing supply, while the PR of the non-domestic portion remains unchanged. The applicant has also proposed various design measures (paragraph 11.5 refers) which are considered beneficial to the surroundings in terms of improving visual amenity and pedestrian environment. As such, the considerations of this similar application are not applicable to the current application.

Local Views and Public Comments

- 11.9 There are 44 public comments received during the statutory publication periods with 41 supporting, one providing views and two objecting as mentioned in paragraph 10 above. The planning considerations and assessments in paragraphs 11.1 to 11.8 above are relevant. Regarding the objecting comment on submitting the application to the Board for consideration before approval of the OZP, the information at paragraph 1.6 above is relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 above and having taken into account the public comments mentioned 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 22.12.2027, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Member's reference:

Approval conditions

- (a) the submission of a revised noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (b) the submission of a land contamination assessment and completion of the necessary remedial works before the commencement of construction works to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

Advisory clauses

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

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

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

13. Decision Sought

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

14. Attachments

Appendix I	Application Form received on 5.5.2023
Appendix Ia	FI received on 15.12.2023 enclosing a Consolidated Supporting Planning Statement
Appendix II	Similar Application
Appendix III	Recommended Advisory Clauses
Appendices IV-1 to IV-8	Public Comments
Drawing A-1	Master Layout Plan
Drawing A-2 to A-6	Floor Plans
Drawings A-7 to A-8	Section Plans
Drawing A-9	Landscape Master Plan
Drawing A-10	Summary of Design Merits
Drawings A-11 to A-12	Photomontages

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

**PLANNING DEPARTMENT
DECEMBER 2023**