

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL/319

- Applicant** : Full Year Limited represented by DeSPACE (International) Limited
- Site** : Lot 3678 in D.D. 120, Yuen Long, New Territories
- Site Area** : About 780m²
- Lease** : New Grant No. 380-387
(a) restricted to non-industrial use
(b) restricted to a building height (BH) of 2 storeys
- Plan** : Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/27
- Zoning** : “Residential (Group A)” (“R(A)”) *[Restricted to a maximum domestic plot ratio (PR) of 5 or a maximum non-domestic PR of 9.5¹, and a maximum BH of 30 storeys excluding basement(s)]*
- Application** : Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Flat with Shop and Services and Social Welfare Facility Uses

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction for permitted flat with shop and services and social welfare facility uses at the application site (the Site) zoned “R(A)” on the OZP (**Plan A-1a**). According to the Notes of the OZP, the “R(A)” zone is subject to a maximum domestic PR of 5 or non-domestic PR of 9.5, and a maximum BH of 30 storeys excluding basement(s). ‘Flat’ and ‘Social Welfare Facility’ uses, as well as ‘Shop and Services’ use on the lowest three floors of a building, are all Column 1 uses which are always permitted within the “R(A)” zone. Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR restriction may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance).

¹ According to the Notes of the OZP, for new development of a building that is partly domestic and partly non-domestic, the PR for the domestic part of the building shall not exceed the product of the difference between the maximum non-domestic PR of 9.5 and the actual non-domestic PR proposed for the building and the maximum domestic PR of 5 divided by the maximum non-domestic plot ratio of 9.5 (the composite formula).

The Site is currently fenced off as a construction site and accessible from Yuen Long Pau Cheung Square via Yuen Long On Ning Road (**Plan A-2**).

- 1.2 The applicant seeks planning permission for minor relaxation of the PR restriction from 5.94 (i.e. a domestic PR of 3.96 and a non-domestic PR of 1.98²) to 11.97 (i.e. a domestic PR of 3.96 and a non-domestic PR of 8.01) under the composite formula. The proposed increase in PR between the OZP compliant scheme and the proposed scheme is 6.03 which is about 101% increase in terms of total PR and 305% in terms of non-domestic PR. The proposed minor relaxation of the PR restriction is for an increase in non-domestic gross floor area (GFA) by 4,701m² to allow for provision of a permitted social welfare facility (i.e. residential care home for the elderly (RCHE)) at the Site.
- 1.3 According to the applicant's submission, the proposed development involves a 21-storey composite building block for about 72 residential flats (from 10/F to 20/F), a RCHE with 170 beds and ancillary facilities (from 3/F to 9/F) and commercial uses (i.e. shop and services) (from G/F to 2/F) with two levels of basement car parks. The BH of the proposed development is 21 storeys (82.34mPD) excluding basement. The proposed RCHE will be privately operated and would comply with the licensing requirements as stipulated in the Residential Care Homes (Elderly Persons) Ordinance (Cap.459) and all the dormitories provided for elderly would be located at a height of not more than 24m above ground level (i.e. +27.74mPD) (**Drawing A-12**). The applicant also proposes to provide a building setback of about 6.3m along Yuen Long Pau Cheung Square, and to carry out footpath pavement upgrading works (area of about 205m²) including the provision of weather-proof canopy and benches outside the site boundary at Yuen Long Pau Cheung Square and Fook Tak Street at the applicant's own cost to enhance the streetscape (**Drawing A-11**).
- 1.4 The comparison of major development parameters between the OZP Compliant Scheme and the proposed development scheme are summarised as follows:

Development Parameters	OZP Compliant Scheme [A]	Proposed Scheme [B]	Difference [B] – [A]
Total PR	5.94	11.97	+ 6.03 (+101%)
- Domestic PR	3.96	3.96	-
- Non-domestic PR	1.98 ^[a]	8.01 ^{[a][b]}	+ 6.03 (+305%)
Total GFA (about)	4,632 m ²	9,333 m ²	+ 4,701 (+101%)
- Domestic GFA	3,088 m ²	3,088 m ²	-
- Non-domestic GFA	1,544 m ²	6,245 m ²	+ 4,701 (+305%)

Remarks:

[a] The non-domestic PR of 1.98 is derived from the composite formula based on a domestic PR of about 3.96 as proposed by the applicant.

[b] The PR for shop and services and RCHE uses are 1.95 and 6.06 respectively.

² Based on a domestic PR of about 3.96 as proposed by the applicant under the composite formula as stipulated under the "R(A)" zoning of the OZP (OZP compliant scheme)

- 1.5 The proposed scheme with floor plans and section plan 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:

	Residential Portion	RCHE Portion	Commercial Portion	Total
Site Area	About 780m ²			
GFA (about)	3,088 m ²	4,723 m ²	1,522 m ²	9,333m ²
PR	3.96 (domestic)	6.06 (non-domestic)	1.95 (non-domestic)	11.97
No. of Blocks	--	--	--	1
No. of Storeys	11 (including 1 storey for resident's clubhouse)	7	3 (including ancillary facilities and plant rooms)	21 (excluding 2 basement levels)
BH	Not more than 82.34mPD			
Site Coverage	Not exceeding 85%			
No. of Flats	74	--	--	74
No. of Beds	--	170 ^[1]	--	170

Remarks:

[1] The proposed number of beds will be within a range of 160 to 220, and the actual provision is subject to detailed design stage.

Parking and Loading /Unloading (L/UL) Facilities for Residential Portion	
Private Car Parking Spaces	10 (including 4 for visitors)
Disabled Car Parking Spaces	1
Motorcycle Parking Spaces	1
Bicycle Parking Spaces	5
L/UL Spaces (Light Goods Vehicle (LGV))	5 ^[1] (including 1 for shared use with RCHE ambulance lay-by)
Parking and L/UL Facilities for RCHE Portion	
Private Car Parking Spaces	2
Disabled Car Parking Spaces	1
L/UL Space (for shared use)	1 for ambulance
Parking Facilities for Commercial Portion	
Private Car Parking Spaces	10
Motorcycle Parking Spaces	2

Remarks:

[1] According to the applicant, the L/UL spaces for LGV are for both residential and commercial portion (i.e. shop and services) of the development.

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

- (a) Application Form received on 18.3.2024 (Appendix I)
 - (b) Supplementary SPS (Appendix Ia)
 - (c) Supplementary Information received on 21.3.2024 (Appendix Ib)
 - (d) Further Information (FI) received on 17.5.2024 & 21.5.2024* (Appendix Ic)
 - (e) FI received on 11.6.2024* (Appendix Id)
 - (f) FI received on 10.7.2024* (Appendix Ie)
 - (g) FI received on 5.8.2024* (Appendix If)
 - (h) FI received on 12.9.2024^ (Appendix Ig)
 - (i) FI received on 30.9.2024* (Appendix Ih)
- (* not exempted from publication and recounting requirements)
(^accepted and exempted from publication and recounting requirements)

1.7 On 10.5.2024 and 2.8.2024, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application each for two months as requested by the applicant.

2. **Justifications from the Applicant**

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

In line with Government policy on providing elderly care services

- (a) The proposed development is in line with the policy direction of “Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments – Time-limited Enhancements” promulgated by the Lands Department (LandsD) in 2023 (Practice Note Issue No. 5/2023), with a view to maximising the social gain and meeting the community’s need.

Provision of quality RCHE places

- (b) Majority of the RCHE places in Yuen Long are located in premises not built and designed for RCHE, which has only provided a less ideal living environment to the elderlies. The applicant is committed to provide quality RCHE as well as to collaborate with experienced RCHE operator in future. The proposed development could help alleviate the shortfall of quality RCHEs in the district.
- (c) The proposed RCHE aims to provide a larger average floor space of 13.7m² per RCHE resident to improve their living standard. The applicant proposes the concept of “Living Room of Breathing Fresh” in order to provide air quality improvement installations at activity rooms and dormitory areas. Subject to detailed design, the proposed RCHE could provide more floor space for facilities than the required provision in accordance with the Schedule of Accommodation for RCHE promulgated by the Social Welfare Department (SWD).

Compatible with the surroundings land uses and building height

- (d) The proposed composite development is compatible with the surrounding land uses, which are predominately characterised by residential developments with commercial uses, including operation of RCHEs, at lower floors. The provision of shop and services at the Site could serve the local workers and elderlies of the RCHE. The proposed development is therefore in line with the planning intention of the “R(A)” zone.
- (e) The BH of the proposal development, i.e. 21 storeys (excluding 2 storey basements), is in line with BH restriction of the “R(A)” zone (30 storeys excluding basement(s)). The proposed BH is compatible with the surrounding residential developments, with BHs ranging from 18 to 30 storeys, at Long Ching Estate and Yuccie Square. Under this urban setting, it is envisaged that there will be no adverse visual impact arising from the proposed development.

Design Merits

- (f) Building setback will be provided along Yuen Long Pau Cheung Square in compliance with the Sustainable Building Design Guidelines. The applicant also proposes to conduct streetscape improvement works outside the Site at Yuen Long Pau Cheung Square and Fook Tak Street.

In line with Government policy on increasing housing supply

- (g) The Site was formerly occupied by a theatre. The proposed development could maximise the development potential of the Site and realise the planning intention of the “R(A)” zone which is primarily for high density residential developments. The proposed development is also in line with the Government’s policy to meet the imminent housing need.

Technical Aspects

- (h) Various technical assessments on traffic, environmental and infrastructure capacity 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 and drainage 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. Previous Application

There is no previous application in respect of the Site.

5. Similar Application

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

6. The Site and Its Surrounding Areas (Plans A-1a to A-4)

6.1 The Site is:

- (a) currently fenced off as a construction site; and
- (b) bounded by Yuen Long Pau Cheung Square to its east, Fook Tak Street to its south and Fook Hong Street to its west.

6.2 The Site is located within a residential neighbourhood and is bounded by low to high-rise residential buildings with lower floors for commercial uses on land zoned “R(A)”, a playground and a minibus terminus. There are three RCHEs³ located in the vicinity at the commercial portion of residential buildings at Sai Tai Street, Yuen Long Tung Tai Street and Shui Che Kwun Street respectively. To the further south there are commercial buildings on land zoned “R(A)2”.

7. Planning Intention

7.1 The planning intention of the “R(A)” zone is primarily for high-density residential development. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

7.2 According to the Explanatory Statement (ES) of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the PR restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits and the relevant criteria for consideration of such relaxation set out in paragraph 9.1.7 of the 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

³ Namely Kei Tak (Tai Hang) Home for the Aged Limited located at Tai Hang Building; Kwan Yue Elderly Home at Rainbow Mansion and Greenery Elderly Home at Tung Fai Court as shown at **Plan A-1b**.

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.

8. Comments from Relevant Government Departments

- 8.1 The following government departments have been consulted and their views on the application received are summarised as follows:

Land Administration

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

- (a) He has no adverse comment on the application.
- (b) The Site falls within Lot 3678 in D.D. 120 (the Lot) which is governed by New Grant No. 380-387 dated 4.7.1955 and GN 364 of 1934. The Lot is restricted to non-industrial uses and a two-storey development.
- (c) If the application is approved, the lot owner should apply to LandsD for lease modification to implement the proposal.
- (d) His detailed advisory comments are at **Appendix II**.

Traffic

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

- (a) The applicant should submit a revised Transport Impact Assessment (TIA) to address the outstanding comments as follows:
 - (i) to assess the spare capacity of franchised bus services;
 - (ii) to review and justify a heavy goods vehicle parking space could not be provided at the Site in accordance with the Hong Kong Planning Standards and Guidelines requirement;
 - (iii) to provide a swept path analysis to demonstrate sufficient space is provided for vehicle manoeuvring; and
 - (iv) to review, justify and demonstrate that sufficient spaces are allowed for the operation of parking spaces.

- (b) She has no adverse comment from traffic engineering perspective subject to the following approval condition:

The submission of a revised Transport Impact Assessment (TIA) to the satisfaction of C for T or of the Board.

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

- (a) He has no comment on the application from highways maintenance point of view.
- (b) With respect to the proposed streetscape improvements work outside of the Site boundary, the management and maintenance arrangement shall be reviewed at later stage subject to the agreement on land matters arrangement by DLO/YL, LandsD and the acceptance of relevant detailed design.
- (c) His detailed advisory comments are at **Appendix II**.

Environment

8.1.4 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:

- (i) the submission of a Noise Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of the DEP or of the Board; and
- (ii) the submission of a revised Sewerage Impact Assessment to the satisfaction of the DEP and the Director of Drainage Services (D of DS) or of the Board.

Drainage

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

He has no adverse comment from drainage perspective subject to the following approval condition:

- (i) the submission of a revised Sewerage Impact Assessment to the satisfaction of the DEP and the D of DS or of the Board; and
- (ii) the implementation and maintenance of the recommended mitigation measures identified in the Sewerage Impact Assessment to the satisfaction of the D of DS or of the Board.

Social Welfare

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

- (i) She has no comment on the application from service perspective.
- (ii) She has no adverse comment on the application from licensing perspective as long as the design and setting up of the proposed RCHE comply with the licensing requirements as stipulated in the Residential Care Homes (Elderly Persons) Ordinance, Cap. 459, its subsidiary legislation and the latest version of Code of Practice for Residential Care Homes (Elderly Persons).
- (iii) Her detailed advisory comments are at **Appendix II**.

Urban Design and Landscape

8.1.7 Comments of the Chief Architect/Advisory & Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD):

The BH of the proposed development does not contravene the BH restriction stipulated on the OZP. She therefore has no comment on the application.

8.1.8 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 Yuen Long town centre. The immediate locality of the Site predominantly comprises low to high-rise composite developments for residential with commercial uses at the lower floors in the “R(A)” zone, with BH ranging from 16mPD to 100mPD and subject to a BH restriction of 30 storeys excluding basement(s) under the OZP.
- (b) The application for proposed minor relaxation of the PR restriction does not involve exceedance of the BH restriction as stipulated in the OZP. The proposed development with a BH of not more than 82.34mPD is considered not incompatible with the surrounding context. Besides, various design measures, including building setback, vertical greening on 1/F to 2/F and a stepped BH design towards Yuen Long Pau Cheung Square, are proposed to mitigate the potential visual impact of the proposed development and to enhance visual interest and permeability.

Landscape

- (c) The Site is currently occupied by a construction site and no significant vegetation is observed. According to the landscape proposal submitted, there are constraints and insufficient space for providing at-grade planting area. She has no comment on the application from landscape planning perspective.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD)
- (c) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (d) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (e) Director of Food and Environmental Hygiene (DFEH);
- (f) Director of Fire Services (D of FS);
- (g) Director of Electrical and Mechanical Services (DEMS); and
- (h) Commissioner of Police (C of P).

9. Public Comments Received During Statutory Publication Periods

9.1 The application and relevant FIs were published for public inspection. During the statutory publication periods, a total of 1076 public comments were received, including 100 supporting comments, ~~six~~ **five** comments raising objection/expressing adverse comments and one comment without expressing any view.

9.2 The 100 supporting comments were submitted by individuals (including some comments in the form of standard letters) (**Appendix IIIa**). The major supporting grounds are summarised as follows:

- (a) the proposed composite development is in line with the planning intention of the “R(A)” zone and Government policy;
- (b) there is a shortage of quality RCHE in Yuen Long district. The proposed development with provision of RCHE is beneficial to the neighbourhood and could meet the demand for quality RCHE in Yuen Long district. The RCHE has incorporated good design measures to cater for the needs of elderlies;
- (c) the proposed development with an increase in development intensity is a better use of land; and
- (d) the proposed streetscape enhancement works along Yuen Long Pau Cheung Square and Fook Tak Street is beneficial to the neighbourhood and could create a better living environment for the residents.

- 9.3 ***Six ~~Five~~*** opposing/expressing adverse comments were received, with one from the Incorporated Owners of On Wing Mansion and the remaining four from the same individual (**Appendix IIIb**). The comments/views are summarised as follows:
- (a) the construction works at the Site has caused concrete parts falling off at On Wing Mansion;
 - (b) the RCHE is taking an excessive portion of GFA at the Site and is located at a podium structure which is excessively high; ***and the proposal of such RCHE with provision of less than 200 beds occupying five floors for dormitories and two floors for office and back-of-house is questionable;***
 - (c) the proposed development has no provision of open space ***and the proposed streetscape enhancement works is irrelevant as the land involved is not owned by the applicant;*** and
 - (d) concern on the proposed intensification will cause traffic congestion and adverse sewerage impact to the surroundings.
- 9.4 There is one public comment received from the Chairman of the Yuen Long Town Centre and Rural East Area Committee who does not express any view (**Appendix IIIc**).

10. **Planning Considerations and Assessment**

Planning Intention

- 10.1 The application is for minor relaxation of the total PR restriction from 5.94 to 11.97 for permitted flat with shop and services and social welfare facility (i.e. RCHE) uses at the Site zoned “R(A)” on the OZP. The proposed minor relaxation is for an increase in non-domestic GFA by 4,701m² to allow the provision of a RCHE within the proposed development. The proposed development comprises one composite building block with a BH of 21 storeys (i.e. not more than 82.34mPD) providing about 72 residential flats (10/F to 20/F), a RCHE with 170 beds and ancillary facilities (3/F to 9/F) and shop and services use at the lowest three floors, above two-levels of basement car park. The proposed development is generally in line with the planning intention of the “R(A)” zone which is primarily for high-density residential developments.

Land Use Compatibility and Intensity

- 10.2 The Site is located within a residential neighbourhood and is mainly bounded by low to high-rise residential buildings with lower floors for commercial uses. The proposed development is considered compatible with the surrounding land uses. According to the applicant, the proposal is in line with the Government

policy of encouraging RCHE in private developments⁴. The proposed RCHE with 170 beds could help alleviate the shortfall of RCHEs in Yuen Long district. The proposed RCHE will provide a larger average floor space of 13.7m² per RCHE resident to improve their living standard and apply the concept of “Living Room of Breathing Fresh” with a view to providing air quality improvement installations at the activity rooms and dormitory areas. DSW has no comment on the application in this regard.

- 10.3 Based on the PR restriction for the “R(A)” zone on the OZP, a composite development with a domestic PR of 3.98 and a non-domestic PR of 1.98 (i.e. total PR of 5.94) is always permitted in the “R(A)” zone which could be regarded as an OZP Compliant Scheme (derived from the composite formula). Under the current application, the applicant proposes to relax the non-domestic PR from 1.98 to 8.01 (i.e. +6.03 or 305%) for provision of a permitted social welfare facility (i.e. RCHE) at the Site. In terms of development intensity, the PRs of the similar existing residential developments with RCHE in the vicinity have a total PR ranging from 6.2 to 8.1 (**Plan A-1b**). Although the proposed development does not contravene the BH restriction (i.e. 30 storeys excluding basement) as stipulated in the OZP, the proposed relaxation of non-domestic PR from 1.98 to 8.01 (i.e. +305%), resulting in an increase in total PR from 5.94 to 11.97 (i.e. +101%), is considered excessive and cannot be regarded as minor. Approving the application will set an undesirable precedent for other similar applications for minor relaxation of PR restriction. The cumulative effect of approving such applications will undermine the PR control of the “R(A)” zone and the cumulative impact of which will overstrain the capacity of the existing and planned infrastructures in the area.
- 10.4 The proposed BH of 82.34mPD is considered not incompatible with the surrounding low to high-rise composite developments for residential and with commercial uses with BH ranging from 16mPD to 100mPD in the Yuen Long town centre (**Plan A-1b**). Both CA/ASC of ArchSD and CTP/UD&L of PlanD have no adverse comment from architectural and urban design perspectives respectively.

Planning and Design Merits

- 10.5 The applicant has committed to provide design measures at the proposed development including vertical greening on 1/F to 2/F and stepped BH design towards Yuen Long Pau Cheung Square to enhance visual interest and permeability. Although the applicant proposes to provide a building setback of about 6.3m along Yuen Long Pau Cheung Square, and to carry out footpath

⁴ The Government launched “the Incentive Scheme to Encourage Provision of RCHE Premises in New Private Developments” in 2003, allowing concession to exempt eligible RCHE premises from payment of land premium for land transactions relating to lease modifications, land exchanges or private treaty grants, on the condition that the developer should comply with certain lease conditions and obtain the support from the SWD in accordance to LandsD’s Practice Note No. 5/2023. The eligible RCHE premises has to comply with the Town Planning Ordinance (TPO) and the Buildings Ordinance, among others. Planning application under s12A or s16, as appropriate, of the TPO is required if the proposed RCHE is not always permitted and/or has resulted in exceedance of the maximum PR/GFA/BH permissible under the OZP.

pavement upgrading works (area of about 205m²)⁵ including the provision of weather-proof canopy and benches outside the Site boundary at Yuen Long Pau Cheung Square and Fook Tak Street at its own cost to enhance streetscape, no detailed information has been provided in the submission regarding the implementation of such proposals and the detailed management and maintenance arrangements.

Other Technical Aspects

- 10.6 The applicant has submitted various technical assessments including traffic impact assessment, environmental assessment (comprising air quality, noise, land contamination and waste management), sewerage impact assessment and landscape proposal to demonstrate that the proposed development would not generate significant adverse impacts on the surrounding areas. Although concerned government departments consulted including C for T, CHE/NTW of HyD, DEP, CE/MN of DSD, and CTP/UD&L of PlanD have no objection to or no adverse comment on the application on traffic, environmental, drainage and landscape aspects respectively, according to paragraph 8.1.2, there are outstanding comments from C for T on the TIA to be addressed by the applicant.

Local Views and Public Comments

- 10.7 There are ~~1076~~ public comments received during the statutory publication periods with 100 supporting, ~~six~~ *five* objecting and one without expressing any views as mentioned in paragraph 9 above. The planning considerations and assessments in paragraphs 10.1 to 10.64 above are relevant. Regarding the objecting comment that construction works at the Site has caused concrete parts falling off at the nearby On Wing Mansion, the applicant clarified that piling work at the Site has already been suspended and all future construction works at the Site shall comply with the relevant statutory requirements.

11. Planning Department's Views

- 11.1 Based on the assessment made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9 above, the Planning Department does not support the application for the following reason:

The proposed relaxation of non-domestic PR from 1.98 to 8.01 (i.e. +305%), resulting in an increase in total PR from 5.94 to 11.97 (i.e. +101%), is considered excessive and cannot be regarded as minor. Approving the application will undermine the PR control of the "R(A)" zone and the cumulative impact of which will overstrain the capacity of the existing and planned infrastructures in the area.

- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 22.11.2028, 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

⁵ Subject to the agreement of relevant government departments at land administration and detailed design stages.

following conditions of approval and advisory clauses are also suggested for Member's reference:

Approval conditions

- (a) the submission of a revised Traffic Impact Assessment to the satisfaction of Commissioner of Transport or of the Town Planning Board;
- (b) the submission of a Noise Impact Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the Town Planning Board; and
- (d) the implementation and maintenance of the recommended mitigation measures identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory clauses

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

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 12.3 Alternatively, 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. Attachments

Appendix I	Application Form received on 18.3.2024
Appendix Ia	Supplementary Supporting Planning Statement
Appendix Ib	Supplementary Information received on 21.3.2024
Appendix Ic	FI received on 17.5.2024 & 21.5.2024
Appendix Id	FI received on 11.6.2024
Appendix Ie	FI received on 10.7.2024
Appendix If	FI received on 5.8.2024
Appendix Ig	FI received on 12.9.2024
Appendix Ih	FI received on 30.9.2024
Appendix II	Recommended Advisory Clauses

Appendices IIIa to IIIc	Public Comments
Drawing A-1 to A-10	Floor Plans
Drawings A-11	Ground Floor Design Plan
Drawing A-12	Section Plans
Plan A-1a	Location Plan
Plan A-1b	Plan Showing Building Heights and Plot Ratio of Nearby Developments
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2024**