

**APPLICATION FOR AMENDMENT OF PLAN**  
**UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. Y/YL-PS/4**

<b><u>Applicant</u></b>	: On Billion International Limited represented by Aikon Development Consultancy Limited
<b><u>Site</u></b>	: Lots 1341 S.B RP, 1341 S.B ss.1 S.J RP, 1341 S.B ss.1 S.D in D.D. 121, and 525 S.B RP in D.D. 122 and adjoining Government Land (GL), Ping Shan, Yuen Long, New Territories
<b><u>Site Area</u></b>	: About 14,080 m <sup>2</sup> (including GL of about 1,925m <sup>2</sup> or 13.7%)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural uses)
<b><u>Plan</u></b>	: Draft Ping Shan Outline Zoning Plan (OZP) No. S/YL-PS/19
<b><u>Zonings</u></b>	: “Village Type Development” (“V”) (55.5%) and <i>[restricted to a maximum building height (BH) of 3 storeys (8.23m)]</i>  “Comprehensive Development Area” (“CDA”) (44.5%) <i>[restricted to a maximum plot ratio (PR) of 1 and a maximum BH of 5 storeys including car park]</i>
<b><u>Proposed Amendment</u></b>	: To rezone the application site from “V” and “CDA” to “Residential (Group B) 2” (“R(B)2”)

**1. The Proposal**

- 1.1 The applicant proposes to rezone the application site (the Site) from “V” and “CDA” to “R(B)2” to facilitate a proposed residential development and residential care home for the elderly (RCHE) with retail shop (**Plan Z-1**). The proposed “R(B)2” zone will be subject to a maximum domestic PR of 3, a maximum non-domestic PR of 0.39, a maximum site coverage (SC) of 31.66% and a maximum BH of 20 storeys including car park (65.85m above ground). According to the applicant’s submission, ‘Flat’, ‘Social Welfare Facility’ and ‘Shop and Services’ are proposed as Column 1 uses under the proposed “R(B)2” zone<sup>1</sup>. The proposed set of Notes is at **Appendix II**.

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<sup>1</sup> According to the Notes of the OZP for the “R(B)” zone, ‘Social Welfare Facility’ and ‘Shop and Services’ are Column 2 uses requiring planning permission from the Town Planning Board (the Board).

The Site is currently occupied by a temporary warehouse and parking of vehicles without valid planning permission (**Plans Z-2, Z-4a and Z-4b**).

- 1.2 The applicant has submitted an indicative scheme to support the proposed rezoning for medium-density residential development and RCHE (**Drawings Z-1 to Z-6**). According to the applicant, the Site is divided into two portions, namely southern portion (comprising 3 residential towers of 11-19 storeys (excluding one storey of basement car park), a 2-storey clubhouse block and 1 single-storey retail block) and northern portion (comprising a 6-storey RCHE). Each portion would have its own entrance. The indicative scheme has a total GFA of about 47,780m<sup>2</sup> and a total PR of about 3.39. The schematic master layout plan, G/F plans, section and elevations, landscape master plan, perspective drawing and photomontages submitted by the applicant are at **Drawings Z-1 to Z-12**.

- 1.3 The major development parameters of the proposed indicative scheme are summarised as follows:

	<b>Southern Portion</b>	<b>Northern Portion</b>	<b>Total</b>
Proposed Use	Residential (Flat) and Shop and Services	Social Welfare Facility (RCHE)	---
Site Area	About 11,688 m <sup>2</sup> (including GL of 1,883 m <sup>2</sup> )	About 2,392 m <sup>2</sup> (including GL of 42m <sup>2</sup> )	About 14,080 m <sup>2</sup> (including GL of 1,925m <sup>2</sup> )
Proposed GFA <sup>(a)</sup> - Domestic - Non-domestic	About 42,380m <sup>2</sup> About 42,240m <sup>2</sup> About 140m <sup>2</sup> (Retail block)	About 5,400m <sup>2</sup> --- About 5,400m <sup>2</sup>	About 47,780m <sup>2</sup> About 42,240m <sup>2</sup> About 5,540m <sup>2</sup>
Proposed PR - Domestic - Non-domestic	3.39 3 0.39		
Proposed SC - Domestic - Non-domestic	31.66% 24.53% 7.13%		
No. of Blocks	5 (3 residential towers, 1 clubhouse block and 1 retail block)	1 (RCHE)	6
Building Height	Residential Towers: 11 to 19 storeys (excluding one basement car park)  Clubhouse Block: 2 storeys  Retail Block: 1 storey	RCHE: 6 storeys	Maximum 20 storeys including car park

	<b>Southern Portion</b>	<b>Northern Portion</b>	<b>Total</b>
No. of Flats/Beds	840 flats	294 beds	---
Average Size of Unit	50m <sup>2</sup> (average flat size)	6.5m <sup>2</sup> per bed	---
No. of Car Parking Spaces	196 (including 15 for visitors and 3 for disabled)	6 (including 1 for disabled)	202
No. of Motorcycle Parking Spaces	10	1	11
No. of Bicycle Parking Spaces	112	0	112
No. of Loading/Unloading Spaces	4	1	5
No of Private Car/Taxi Lay-by	0	1	1
No of Ambulance Lay-by	0	1	1
Private Communal Open Space	2,834.9m <sup>2</sup>		
Design Population	2,520	294	2,814
Anticipated Completion Year	2027		

(a) The applicant also claimed that the clubhouse (not exceeding 5% of domestic GFA) is exempted from the GFA calculation.

- 1.4 Design features including stepped building height profile descending from west to east and north, incorporation of underground car park, provision of building voids and 1.5m edge planting strips along the site boundary for screening are proposed to minimise the potential visual impact of the proposed development (**Drawing Z-4**). Buffer zones will be provided at the Site (**Drawing Z-13**) to avoid adverse air quality impacts arising from traffic emissions from adjoining roads. Acoustic windows are also proposed where appropriate to mitigate the traffic noise from Ping Ha Road and Castle Peak Road – Ping Shan (**Drawing Z-14**).
- 1.5 Technical assessments including environmental assessment, traffic impact assessment and visual impact assessment have been conducted for the proposed indicative scheme. Appropriate mitigation measures identified under the respective assessments, including those mentioned in paragraph 1.4 above, would be incorporated and implemented at the construction and operation stages. An additional left turn lane from Castle Peak Road – Ping Shan to Tong Yan San Tsuen Road will also be implemented by the Transport Department (TD) (**Drawing Z-15**).
- 1.6 In support of the application, the applicant has submitted the following documents:
  - (a) Application form received on 22.10.2021 with (**Appendix I**) supplementary information

- (b) Further Information (FI) received on 11.4.2022 **(Appendix Ia)**  
providing a Consolidated Planning Statement  
*(exempted from publication and recounting requirements)*

*(Supporting Planning Statement as well as FIs received on 3.1.2022, 25.1.2022, 8.2.2022, 24.2.2022, 14.3.2022, 16.3.2022, 23.3.2022 and 24.3.2022 were superseded and not attached)*

## 2. **Justifications from the Applicant**

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

- (a) The proposed development is in line with the latest Government's policy in alleviating the increasing demand for residential use and RCHEs with a dense aging population. The proposed development could unleash the development potential of the Site by optimising the development intensity.
- (b) The Site is mainly surrounded by low to medium density residential developments. In view of the aging population, there is a demand for RCHE facilities in Yuen Long and Tuen Mun districts. Rezoning the Site for residential use and RCHE is not incompatible with the surrounding land uses. The proposed development could also help meeting the shortfall for RCHEs in the districts.
- (c) The proposed development phases out the existing brownfield operations at the Site and develop a more comprehensive and well-designed residential development and improve the overall environment. The applicant had attempted to liaise with the relevant landowners within the same "CDA" zone to assemble the land for a comprehensive development in the past 10 years. However, this attempt was failed and thus the applicant submitted this application, covering part of the "CDA" site, to utilise the available land resources for housing supply.
- (d) The Site is served by public transport facilities, including Light Rail (LR) and bus services. Together with the proposed additional left turning lane from Castle Peak Road – Ping Shan to Tong Yan San Tsuen Road by TD, traffic impact assessment confirmed that the proposed development would not overload the transport system nor cause adverse traffic impact.
- (e) Technical assessments concluded that, with the proposed mitigation measures identified, no adverse environmental, air, noise, sewerage, waste and visual impacts are anticipated.

## 3. **Compliance with the "Owner's Consent/Notification" Requirements**

For the private land portion, the applicant is one of the "current land owners" of the private lots within the Site. In respect of other private lots, the applicant has complied

with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by obtaining consents of other current land owners. Detailed information would be deposited at the meeting for Members’ inspection. For GL portion, the requirements as set out in TPB PG-No. 31A are not applicable.

#### **4. Background**

- 4.1 The Site was first included in the draft Ping Shan Development Permission Area Plan No. DPA/YL-PS/1 (the DPA Plan) gazetted on 18.6.1993 as “Industrial (1)” (“I(1)”) and “V” zones to reflect the existing and planned developments. While the “V” zone has not been changed since 1993, the “I(1)” portion was rezoned to “CDA” on the draft Ping Shan OZP No. S/YL-PS/1 gazetted on 14.6.1996 with a view to phasing out the incompatible industrial activities so that the area could be developed/redeveloped in a comprehensive manner that was compatible with the surrounding land uses. However, there had been no sign of comprehensive development since the designation of “CDA” zone due to difficulty in land assembly. Taking into account the recommendations of the then “CDA” Review, the “CDA” zone was rezoned to “Residential (Group E) 1” (“R(E)1”) on the draft Ping Shan OZP No. S/YL-PS/6 exhibited on 30.3.2001 to ensure the proposed residential development would be environmentally acceptable and not subject to industrial/residential (I/R) interface.
- 4.2 Nevertheless, having considered the grounds of public objections, the Objection Hearing Committee (OHC) of the Board was of the view that the “R(E)1” zoning was difficult to prevent piecemeal developments which may aggravate the traffic problem at Ping Ha Road; and a cautious approach should be adopted before a feasible road improvement scheme was agreed. The “CDA” zoning would be more appropriate to address the traffic problem at Ping Ha Road. In this regard, OHC decided to partially meet the objections and decided to revert back the “R(E)1” zone to “CDA” zone subject to a maximum plot ratio of 1 and a BH restriction of 5 storeys including carport. The amendment from “R(E)1” zone to “CDA” zone was gazetted on 8.2.2002. There has been no change in the zoning and development restrictions since then.
- 4.3 On 28.5.2021, the Committee considered RNTPC Paper No. 5/2021 on the “CDA” Review and noted the “CDA” portion of the Site is subject to severe traffic constraint, Light Rail Transit (LRT) is running along the southern boundary of the Site, and I/R interface issue. Taking account of the above, it was agreed that the “CDA” zone would be reviewed to facilitate early implementation and ensure that the local traffic problem and I/R interface issue could be properly addressed. In addition, the Committee also noted the land owners of the Site indicated their intention to develop a residential development cum RCHE.
- 4.4 The current uses on part of the Site would be subject to planning enforcement action.

## 5. **Previous Application**

There is no previous application covering the Site.

## 6. **Similar Application**

There is no similar application within the same “CDA” and “V” zones on the OZP.

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

7.1 The Site is:

- (a) accessible from Castle Peak Road – Ping Shan from the south and Ping Ha Road from the north (**Plan Z-2**); and
- (b) currently occupied by a temporary warehouse and parking of vehicles without valid planning permission.

7.2 The surrounding areas have the following characters (**Plans Z-2, Z-3, Z-4a and Z-4b**):

- (a) to the north across Ping Ha Road is parking of vehicles and village type developments at Hang Mei Tsuen. To the further north is Ping Shan Farewell Hall (屏山孝思堂) and Former Tat Tak School (前達德學校);
- (b) to the east are existing low-rise industrial developments within the same “CDA” zone by different owners. To the further east across Ping Ha Road are mainly low-density private residential developments, a temporary warehouse which is a suspected unauthorised development, and LR Ping Shan Station (**Plan Z-2**);
- (c) to the south across Castle Peak Road – Ping Shan is Tong Yan San Tsuen Playground; and
- (d) to the immediate west are mainly village type developments at Ping Shan San Tsuen and Tong Fong Tsuen.

## 8. **Planning Intentions**

8.1 The planning intention of “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type

development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

- 8.2 The planning intention of “CDA” zone is for comprehensive development/redevelopment of the area for residential use with commercial, open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of the development, taking account of various environmental, traffic, infrastructure and other constraints.

## **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 are summarised as follows:

### **Land Administration**

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

- (a) His preliminary study reveals that the Site comprises 4 lots, portions of Ping Ha Road and adjoining GL in both D.D. 121 and D.D. 122. All lots involved are all Old Schedule Lots held by the Block Government Lease demised as agricultural uses. Lot No. 1341 s.B RP in D.D. 121 is erected with buildings permitted under Building Licence No. BL949 and with temporary structures being permitted under Short Term Waiver No. 1116. The actual site area and buildings entitlement of the private lots involved will be subject to verification in land application stage if any land application is submitted by the applicant.
- (b) Noting not all private lots within the Site are owned by the applicant, the applicant should be required to demonstrate how to implement the approved scheme as a whole.
- (c) Despite the applicant reserved some space at the northern portion of the Site (i.e. Lot No. 525 s.B RP in D.D. 122 and the northern portion of Lot No. 1341 s.B ss.1 s.D in D.D. 121) to provide the pedestrian footway and vehicular access at Ping Ha Road, as such portion served as existing public pavement and formed part of Ping Ha Road, TD and HyD should be consulted on this aspect, especially whether such portions should be included as part of the Site.

- (d) Noting there is SIA enclosed in the application, any drains extended outside the Site towards any road or unleased GL, relevant permission on the drainage proposal should be approved by DSD and EPD prior to implementation.
- (e) The Site does not fall within Village Environs ('VE') of any recognised village.
- (f) There is no Small House (SH) application approved or under processing within the Site. The number of SH applications being processed within the concerned "V" zone is 74, and the 10-year SH forecasts for Tong Fong Tsuen and Ping Shan San Tsuen are 165 and 56 respectively.
- (g) Should the proposed rezoning application and the subsequent amendment of OZP approved by the Board, the applicant has to apply for a land exchange to implement the scheme with respect to the prevailing practice notes of LandsD. However, there is no guarantee that the land exchange proposal including the grant of additional GL will be approved and such application will be dealt with by his department acting in the capacity as the landlord at his sole discretion. If the land application is approved, it would be subject to such terms and conditions including but not limited to the payment of premium and administrative fee as may be imposed. The actual site area and building entitlement of the private lots involved will be subject to verification in land exchange stage if the applicant apply for land exchange to LandsD. The applicant is strongly reminded that LandsD may at its sole discretion determine the site boundary at the land application stage with regard to the site attributes and possession status.

### **Traffic**

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

He has no comment on the application from traffic engineering point of view as the applicant has taken into account the planned traffic improvement measures to be implemented by TD, and the latest parking standards as required under the Hong Kong Planning Standards and Guidelines.

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

- (a) Adequate drainage measures shall be provided to prevent surface water running from the Site to public roads and drains.
- (b) The access road connecting the Site with Castle Peak Road –



Ping Shan is not and will not be maintained by his office. His office would not be responsible for maintain any access connecting the Site with Castle Peak Road – Ping Shan.

- (c) If the proposed run-in/out on Ping Ha Road is approved by TD, the applicant shall ensure the run-in/out is constructed according to the latest version of HyD Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set if appropriate, to match with the existing adjacent pavement.

9.1.4 Comments of the Chief Engineer/Railway Development Division 2-2, Highways Department (CE/RD2-2, HyD):

The Site is close to the Railway Protection Zone of the existing LRT. The Railway Protection Team of MTRCL should be consulted with respect to operation, maintenance and safety of the existing LRT.

### **Environment**

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

- (a) The applicant has submitted an Environmental Assessment to support the application. He has no adverse comments from air quality and sewerage perspectives.
- (b) As the applicant has committed to submit a Noise Impact Assessment (NIA) Report during the detailed design stage for his agreement, he has no further comment on the noise aspect of the application. The NIA Report shall be certified by the qualified Acoustic Consultant and shall form part of the land lease of the Site. The NIA shall ensure that the proposed mitigation measures would fully address the potential road traffic and railway noise issues. In preparing the future NIA report, the applicant should note his detailed comments at **Appendix III**.

### **Urban Design and Landscape**

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

It is noted that the proposed residential development mainly consists of 3 blocks of towers with building height ranging from 11 to 19 storeys which are about 120% to 280% higher than the remaining “CDA” zone with BHR of 5 storeys. It is undesirable from visual impact point of view and may not be compatible to adjacent development. Other detailed comments are at **Appendix III**.

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

Urban Design and Visual

- (a) The Site is located at the urban fringe of Yuen Long Town abutting Castle Peak Road – Ping Shan, and is surrounded by clusters of village houses to the north and west, a 2-storey industrial building (i.e. Century Centre) to the immediate east, green knolls to the north, Tong Yan San Tsuen Playground and some 1 to 3-storey industrial buildings to the south across Castle Peak Road – Ping Shan. In addition, the Ping Shan Heritage Trail and Ping Shan Tang Clan Gallery are located to the further north of the Site.
- (b) Given its building massing and height, the proposed development would become a new visual element to the surrounding area which is mainly occupied by low-rise village houses, low-rise industrial buildings and parks. According to the revised visual impact assessment (VIA) submitted, the proposed development would have some visual effects to most of the key public view points. Nonetheless, the applicant has proposed a number of design features including stepped building height profile descending from west to east and north, incorporation of underground car park, provision of building voids and 1.5m edge planting strips along the site boundary for screening to minimise the potential visual impact.

Landscape

- (c) According to the aerial photo of 2021, the Site is occupied by a warehouse and open carpark with a few trees located at the northern end of the Site. The Site is situated in an area of miscellaneous urban fringe landscape character dominated by residential developments, factories, village houses, warehouses, open storages and scattered tree groups. The Site is surrounded by low-rise residential development of Weslen Garden located to the northwest of the Site, and village houses are located to the west of the Site respectively. The proposed development with three residential blocks of 11 to 19 storeys, one block of 6-storey RCHE and one retail shop is considered not incompatible with the landscape character of the surrounding area.
- (d) According to the “Tree Preservation and Landscape Proposal” in **Appendix Ia**, 7 existing trees of common species are found within the Site, while all are proposed to be felled due to proposed development. With reference to the Landscape Proposal, new landscape treatments are proposed on G/F,

roof of RCHE and roof of the clubhouse, which include 143 trees with shrubs/groundcover and lawn. According to Section 5.2 “Active and Passive Recreational Facilities”, around 2,834.9m<sup>2</sup> of communal open spaces would be provided for the occupants. With reference to Section 5.3 “Site Coverage of Greenery”, more than 20% of green coverage would be provided within the Site. As significant adverse landscape impact arising from the proposed rezoning is not envisaged, she has no objection to the application from landscape planning perspective.

- (e) The applicant is reminded that approval of the s.12A application by the Board does not imply approval of the site coverage of greenery requirements under APP PNAP-152. The site coverage of greenery calculation could be submitted separately to the Buildings Department (BD) for approval. For any proposed tree preservation/removal scheme, the applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval.

### **Drainage**

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

He has no comment on the application. The applicant is reminded that it is the responsibility of the project proponent to construct the proposed connection with the existing sewer.

### **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 water supplies for firefighting and fire service installations being provided to his satisfaction.
- (b) Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.
- (c) Furthermore, the EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by BD.

### **Building Matters**

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

Detailed checking under the Buildings Ordinance will be carried out at building plan submission stage. Other detailed comments are at **Appendix III**.

### **Others**

#### 9.1.11 Comments of the Director of Social Welfare (DSW):

He has no comment to the layout plan of the proposed RCHE if it is to be operated on a private/self-financing mode and on conditions that (i) the proposed RCHE incurs no capital and recurrent cost to the Government; and (ii) the design and construction of RCHE are in full compliance with all relevant and prevailing statutory and licensing requirements.

#### 9.1.12 Comments of the Project Team Leader/Housing, Civil Engineering Office, Civil Engineering and Development Department (PTL/H, CEO, CEDD):

- (a) The Site is located in the vicinity of the two brownfield clusters of Ping Shan North and Ping Kwai Road under the following consultancy agreements:
  - (i) Agreement No. CE 43/2020 (CE) – Site Formation and Infrastructure Works for Proposed Public Housing Development at Ping Shan North, Yuen Long – Feasibility Study; and
  - (ii) Agreement No. CE 46/2020 (CE) – Term Consultancy for Site Formation and Infrastructure Works for Proposed Housing Developments in Zone 1 (2021-2024) – Feasibility Study Task Order No. 3 – Site Formation and Infrastructure Works for Proposed Public Housing Development at Ping Kwai Road, Yuen Long – Feasibility Study.
- (b) While his office has no adverse comment on the application, he presumes that other relevant government departments would provide their expertise advice on the impacts on the existing or planned infrastructure capacities on the application accordingly.

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

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

He relayed a supporting comment from the Village Representative (VR) of Hang Mei Tsuen on the application with the view that the proposal is a more efficient use of land and will provide elderly

facilities to solve the aging population (**Appendix IV**).

9.2 The following Departments have no comment on or no objection to the application:

- (a) Director of Housing (D of Housing);
- (b) Director of Electrical and Mechanical Services (DEMS);
- (c) Director of Leisure and Cultural Services (DLCS);
- (d) Director of Food and Environmental Hygiene (DFEH);
- (e) Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (ES(A&M), AMO);
- (f) Commissioner of Police (C of P);
- (g) Project Manager (West) (PM(W)), CEDD; and
- (h) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

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

10.1 The application and relevant FIs were published for public inspection. During the statutory public inspection periods, a total of 328 public comments were received, from the VRs of Hang Mei Tsuen, Wing Ning Tsuen and Tong Yan San Tsuen, local residents, MTRCL and general public.

10.2 Among the public comments, 326 (including the VRs, local residents and general public) support or do not object the application (**Appendices V-1 to V-9**; and samples of the standard letters at **Appendices V-10 to V-15**). One public comment from an individual objects to the application (**Appendix V-16**) and one is from MTRCL suggesting the applicant to incorporate suitable noise mitigation measures in the proposed development (**Appendix V-17**). The full set of public comments will be deposited at the meeting for Members' inspection.

10.3 Their views are summarised as follows:

### Supporting Views

- (a) the proposed development would phase out the existing incompatible industrial use;
- (b) the proposed zoning is a more efficient land use;
- (c) the Site is located at a convenient location and well served by public transport;
- (d) the location is suitable for provision of RCHE to meet the demand;
- (e) the proposal is in line with the Government's latest Northern Metropolis Development Strategy; and

Objecting Views

- (f) the proposed development would have incompatible building height and bulk and create adverse visual impact.

**11. Planning Considerations and Assessments**

- 11.1 The applicant proposes to rezone the Site from “V” and “CDA” to “R(B)2” to facilitate a proposed residential development and RCHE with retail shop.
- 11.2 According to the information provided by the applicant, the proposed “R(B)2” zone, which is primarily intended for sub-urban medium-density residential developments in rural areas, is subject to a maximum domestic PR of 3, a maximum non-domestic PR of 0.39, a maximum SC of 31.66% and a maximum BH of 20 storeys including car park (65.85m above ground). The applicant has submitted a tailor-made Notes for the proposed “R(B)2” sub-area where ‘Flat’, ‘Social Welfare Facility’ and ‘Shop and Services’ are Column 1 uses and no planning permission from the Board would be required to effectuate the proposal (**Appendix II**).

*Land Use Compatibility and Development Intensity*

- 11.3 The Site is located near the junction of Castle Peak Road – Ping Shan and Ping Ha Road and a short walking distance (about 200m) from LR Ping Shan Station (**Plan Z-2**). The Site is mainly surrounded by low-density residential developments and village type developments of Ping Shan San Tsuen, Tong Fong Tsuen and Hang Mei Tsuen and low-rise industrial buildings (**Plans Z-2 and Z-3**). Although there is existing I/R interface issues, the industrial buildings to the immediate east of the Site are largely vacant with some warehouse/storage operations. With the implementation of the recommended mitigations measures, including the provision of acoustic windows at selected units, no adverse environmental impacts are anticipated and DEP have no in-principle objection to the application. It is noted that the applicant has attempted but failed to assemble the remaining portion of the “CDA” site for a comprehensive development in the past 10 years. Nevertheless, since the adjacent “CDA” zoning is intended to phase out the existing industrial uses by other compatible land uses, the proposed development is not incompatible with the surrounding land uses (**Plan Z-1**). Overall, the proposed residential development cum RCHE is also compatible with the surrounding predominant residential use.
- 11.4 Despite that the proposed PR of 3.39 and BH of 11-19 residential storeys at the Site are higher than the existing developments in the surroundings and CA/CMD2, ArchSD considers that the proposed scheme may not be compatible to the adjacent development, the Site is located abutting the Castle Peak Road – Ping Shan and close to LR Ping Shan Station. Furthermore, PTL/H, CEO, CEDD is conducting the feasibility studies on the proposed public housing developments at Ping Kwai Road and Ping Shan North with

higher development density<sup>2</sup> in the surrounding areas (**Plan Z-1**). In this regard, residential developments of higher density in the locality are anticipated. Moreover, CTP/UD&L, PlanD has no adverse comments on the application from urban design perspective. In this regard, the proposed development intensity under “R(B)2” sub-area at the Site is considered generally not incompatible with the existing and planned developments in the area.

### *Planning Merits*

- 11.5 The Site has been zoned “V” and “CDA” for over 25 years. There is no SH application approved or under processing within the “V” portion and no development scheme has been received for the “CDA” part. DLO/YL advises that the Site does not fall within ‘VE’ of any recognised village. While the amount of land available within the “V” zone is insufficient to meet the future SH demand, it is sufficient to accommodate the 74 outstanding SH applications<sup>3</sup>. Moreover, DLO/YL has no adverse comment on rezoning the portion zoned “V” and there is no local objection received on the application. Nevertheless, the Site is currently occupied by brownfield operations. The proposed development of the rezoning application can not only meet the acute housing demand by increasing housing supply, but also help phasing out the existing brownfield operations at the Site with improvement of the existing degraded environment. In addition, the proposed rezoning would also facilitate the provision of a RCHE to serve the local community. In this regard, DSW has no comment on the indicative layout plan of the proposed RCHE from welfare perspective.
- 11.6 The Committee considered the “CDA” Review on 28.5.2021 and agreed that the subject “CDA” zone would be reviewed to facilitate early implementation and ensure that the local traffic problem and I/R interface issue could be properly addressed. The proposal under the current application is generally in line with the decision of the Committee.

### *Technical Aspects*

- 11.7 The applicant has submitted various technical assessments to demonstrate that the proposed rezoning is acceptable from traffic, drainage, sewerage, environmental and water supplies perspectives. Relevant government departments, including C for T, CE/MN of DSD, DEP and CE/C of WSD, have no in-principle objection to/no adverse comment on the application. Technical concerns of relevant departments can be addressed at the detailed design stage through appropriate control under lease. Although CA/CMD2, ArchSD points out that the proposed development is undesirable from visual point of view, CTP/UD&L, PlanD considers that with the proposed design features, including stepped building height profile, underground car park,

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<sup>2</sup> In view of the shortage of public housing supply, the studies would explore the feasibility of a maximum domestic PR 6.5 for optimizing the supply of public housing units by taking into full consideration various development constraints.

<sup>3</sup> After excluding the “V” portion of the Site, it is estimated that about 2.4 ha of land is still available in the “V” zone for accommodating about 96 SHs.

provision of building voids and planting strips, the potential visual impact would be minimised.

### *Public Comments*

- 11.8 There were one public comment conveyed by DO(YL), HAD and 328 public comments received during the statutory publication periods as summarised in paragraphs 9.1.13 and 10 above. Majority of them are supporting comments. The one objection comment was mainly related to urban design aspect and the planning considerations and assessments in the above paragraphs are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraphs 9.1.13 and 10 above, the Planning Department has no in-principle objection to the application.
- 12.2 Should the Committee decide to agree/partially agree to the application, the relevant proposed amendment to the OZP, including its Notes and Explanatory Statement, will be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance when opportunity arises.
- 12.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' reference:
- the proposed rezoning of portion of the "CDA" site in a piecemeal manner would affect the comprehensive planning of the "CDA" zone.

## **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 13.2 Should the Committee decide to partially agree/not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

## **14. Attachments**

<b>Appendix I</b>	Application form received on 22.10.2021
<b>Appendix Ia</b>	Consolidated Planning Statement
<b>Appendix II</b>	Proposed Notes of the "R(B)2" Sub-area
<b>Appendix III</b>	Detailed departmental comments
<b>Appendix IV</b>	Local comment relayed by DO(YL), HAD
<b>Appendices V-1 to V-17</b>	Public Comments



<b>Drawing Z-1</b>	Master Layout Plan
<b>Drawing Z-2</b>	G/F Plan (Southern Portion - Residential)
<b>Drawing Z-3</b>	G/F Plan (Northern Portion - RCHE)
<b>Drawings Z-4 and Z-5</b>	Section & Elevations
<b>Drawing Z-6</b>	Landscape Master Plan
<b>Drawing Z-7</b>	Perspective
<b>Drawings Z-8 to Z-12</b>	Photomontages
<b>Drawings Z-13 and Z-14</b>	Proposed Environmental Mitigation Measures
<b>Drawing Z-15</b>	Traffic Improvement Works by TD
<b>Plan Z-1</b>	Location plan
<b>Plan Z-2</b>	Site plan
<b>Plan Z-3</b>	Aerial photo
<b>Plans Z-4a and Z-4b</b>	Site photos

**PLANNING DEPARTMENT  
APRIL 2022**