

Previous Applications

Approved Applications

Application No.	Uses/Developments	Decision Date	Approval Conditions
A/FSS/110	Comprehensive Residential Development (Master Layout Plan Submission) Minor Relaxation of Plot Ratio and Building Height Restrictions	09.04.1999	A1 – A8
A/FSS/152	Residential Development (Minor Amendments to an Approved Master Layout Plan)	25.04.2003	A6, A7, A9 – A13
A/FSS/156	Residential Development (Minor Amendments to an Approved Master Layout Plan)	05.12.2003	A6, A7, A9 – A12, A14 – A15

Approval Conditions

- A1 The submission of a revised Master Layout Plan by taking into account the conditions A2, A3, A6 and A7 below to the satisfaction of the Director of Planning or of the Town Planning Board;
- A2 The design and provision of vehicular access road, visitor car parking spaces, loading and unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- A3 The submission of a revised traffic noise assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- A4 The submission of a revised drainage impact assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- A5 The submission and implementation of the sewage disposal facilities to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;

- A6 The submission and implementation of landscaping proposals including tree preservation and felling proposals to the satisfaction of the Director of Planning or of the Town Planning Board;
- A7 The submission of an implementation programme to the satisfaction of the Director of Planning or of the Town Planning Board;
- A8 The permission shall cease to have effect on 9.4.2002 unless prior to the said date either the development hereby permitted is commenced or this permission is renewed;
- A9 The submission of a revised Master Layout Plan (MLP) by taking into account the conditions A6, A7 and A10 below to the satisfaction of the Director of Planning or of the Town Planning Board;
- A10 The design and provision of vehicular access road, parking spaces, loading and unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- A11 The implementation of the accepted mitigation measures on traffic noise impact and sewage disposal facilities to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- A12 The implementation of the accepted mitigation measures on drainage impact to the Director of Drainage Services or of the Town Planning Board;
- A13 The permission should cease to have effect on 25.4.2007 unless prior to the said date either the development hereby permitted was commenced or this permission was renewed;
- A14 The surrender of land from the roundabout at the ingress/egress to the west of the application site to the Government, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- A15 The permission should cease to have effect on 5.12.2007 unless prior to the said date either the development hereby permitted was commenced or this permission was renewed.

Rejected Applications

Application No.	Uses/Developments	Decision Date	Reasons for Rejection
A/FSS/37	Residential Development with Ancillary Recreational Facilities	16.07.1993	R1, R2
A/FSS/72	Residential Development with Minor Relaxation in Plot Ratio and Height Restrictions	26.01.1996	R3 – R10
Y/FSS/12	To rezone the application site from "Comprehensive Development Area" to "Comprehensive Development Area (1)"	27.10.2017	R11– R12

Reasons for Rejection

- R1 The proposed development plot ratio, site coverage and building height exceed the stated restrictions in the "Comprehensive Development Area" zone on the draft Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/3. According to Section 16(4) of the Town Planning Ordinance, "the Board may grant permission under Section 16(3) of the Ordinance only to the extent shown or provided for or specified in the plan"; therefore, the Town Planning Board has no authority to grant planning permission to the application;
- R2 The vehicular access to the proposed development is unsatisfactory, the provision of car parking spaces is inadequate and the Traffic Impact Study is also unsatisfactory;
- R3 The proposed increase in plot ratio from 0.8 to 1 and building height from 3 storeys over 1-storey carport to 4 to 6 storeys with 2 levels of underground car-park cannot be considered as minor;
- R4 There is no strong justifications/merits in the submission to warrant the proposed deviations from the development restrictions of the "Comprehensive Development Area" ("CDA") zone on the draft Fanling/Sheung Shui OZP No. S/FSS/5;
- R5 The master layout plan is not satisfactory in the following aspects:
- (i) It has not allowed sufficient flexibility for the future upgrading of Castle Peak Road to a dual-lane road;
 - (ii) It has not provided clear information on the relationship on the site formation works necessary to produce building platforms and the vehicular access road; and

(iii) It has not provided sufficient details on the proposed vehicular access road which forms a common ingress/egress point with the adjoining "CDA";

- R6 The traffic forecast to support the increase in plot ratio is unsatisfactory as the traffic flow forecast is derived from out-dated information and there is no indication on the source of population assumption along both sides of Castle Peak Road and for North District for the design year of 2011. The unsatisfactory traffic forecast also affects the result of the noise modelling;
- R7 The master landscape plan is not satisfactory in that it does not provide clear and adequate description of the existing trees on the site and many trees have been mis-identified;
- R8 The construction of the proposed underground car-park in the centre of the knoll will necessitate a construction area larger than the car-park area. This will adversely affect the root systems of the trees on the site, including some of the trees which falls outside the footprint of the proposed development;
- R9 The environmental impact assessment is not satisfactory in that no air quality impact assessment has been included to derive effective mitigation measures;
- R10 The approval of the application will set an undesirable precedent for similar applications for more intensive development in the "CDA" zone in the district;
- R11 The development intensity of the proposed "Comprehensive Development Area (1)" ("CDA(1)") zoning was considered excessive and not compatible with the surrounding areas. The applicant fails to provide strong justification for rezoning the site from "CDA" to "CDA(1)" with the proposed development restrictions; and
- R12 Approval of the rezoning application would set an undesirable precedent for similar rezoning applications. The cumulative effect of approving such similar applications would result in adverse impacts on the surrounding area.

Not to consider

Application No.	Uses/Developments	Decision Date
Y/FSS/14	To rezone the application site from "Comprehensive Development Area" to "Comprehensive Development Area (1)"	21.6.2019