

RNTPC Paper No. A/YL-KTN/663B
For Consideration by
the Rural and New Town
Planning Committee
on 26.5.2020

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/663

- Applicant** : Bright Strong Limited represented by Llewelyn-Davies Hong Kong Ltd.
- Site** : Various Lots in D.D. 107 and Adjoining Government Land, Kam Tin, Yuen Long
- Site Area** : About 279,925m² (including Government land of about 87,376m² (about 31%))
- Lease** : Block Government Lease (demised for agricultural use)

Lot 1927 in D.D. 107
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9
- Zoning** : “Comprehensive Development Area” (“CDA”) (about 98%)
[restricted to a maximum domestic gross floor area (GFA) of 345,400m², a maximum non-domestic GFA of 10,000m² and a maximum building height (BH) of 14 storeys]

“Comprehensive Development Area (1)” (“CDA(1)”) (about 2%)
[restricted to a maximum plot ratio of 1.2 and a maximum BH of 16 storeys]
- Application** : Proposed Flat with Minor Relaxation of BH Restriction and Public Vehicle Park (excluding container vehicle) (Proposed Amendments to Approved Master Layout Plan)

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed flat with minor relaxation of BH restriction and public vehicle park (excluding container vehicle) (proposed amendments to approved Master Layout Plan) at the application site (the Site) (**Plan A-1a**). According to the Notes of the OZP, within the “CDA” zone, ‘flat’ and ‘public vehicle park (excluding container vehicle)’ are Column 2 uses which require planning permission from the Town Planning Board (the Board). The

applicant shall prepare a Master Layout Plan (MLP) for the approval of the Board including, among others, Visual Impact Assessment (VIA), Environmental Assessment (EA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA) and Traffic Impact Assessment (TIA), etc. The Notes of the “CDA” zone also stipulate that minor relaxation of BH restriction may be considered by the Board.

- 1.2 The Site involves two previous applications (No. A/YL-KTN/60 and 118) for residential development with commercial, Government, Institution or Community (GIC) and open space (the latter with minor relaxation of BH restriction), which were approved in 1998 and 2001. Subsequently, an application No. A/YL-KTN/118-2 for amendments to the approved scheme was approved with conditions on 7.9.2012 (the approved scheme).
- 1.3 The Site mostly falls within the “CDA” zone¹. According to the Notes of the OZP, the “CDA” zone is subject to a maximum domestic GFA of 345,400m², maximum non-domestic GFA of 10,000m² and a maximum BH of 14 storeys. The current application is for proposed amendments to the approved development under Application No. A/YL-KTN/118-2. Phase 1 of the approved scheme in the northern part of the Site has been substantially completed (i.e. Park Yoho with most of the residential towers already occupied) and no change is proposed to Phase 1². The current application is for amendments to Phase 2 of the approved scheme in the south. The proposed Phase 2 site (about 7.5ha) is divided into the eastern and western portion. The eastern portion comprises 7 blocks of residential towers of 17 storeys (including one storey of basement carpark) providing about 1,154 flats. Besides, an underground public carpark of 50 parking spaces for private car is proposed as requested by the Transport Department (TD). The applicant also applies for minor relaxation of the BH restriction from 14 storeys to 17 storeys (including one storey of basement car park) (i.e. +3 storeys/ +21.43%). The western portion of the Phase 2 site is proposed for an Ecological Enhancement Area which will be implemented together with the eastern portion. The proposed Phase 2 development is tentatively scheduled for completion by 2023.
- 1.4 As compared with the approved scheme, major changes in Phase 2 in the current application include addition of a public carpark, reduction in number of towers (-4/ -36.36%) and the area of Ecological Enhancement Area (-2,125m²/ -4.45%), and increase in BH (+9 storeys/ +128.57%), domestic GFA (+14,456m²/ +41.69%) and number of flats (+625/ +118.15%). A comparison of the approved scheme under Application No. A/YL-KTN/118-2 and the current scheme are shown in the table below and in **Drawings A-1b** and **A-1c**:

¹ About 4,412m² (2%) of the Site falls within the adjoining “CDA(1)” zone. Also, a minor portion of the Site falls within “AGR” (about 0.2%) and “Other Specified Uses” annotated “Railway Reserve” (about 0.05%) zones (**Plan A-2**), which can be considered as minor boundary adjustment as permitted by the covering Notes of the OZP.

² The Phase 1 development of the approved scheme (i.e. Park Yoho) with about 20.5ha comprises 31 residential towers of maximum 18 storeys (including podium and basement carpark), providing 3,128 flats, as well as a shopping centre and a public transport interchange (PTI). Part of Phase 1 is preserved as an Ecological Enhancement Area and a formed site is reserved for future GIC use.

Development Parameters	Approved Scheme under Application No. A/YL-KTN/118-2 (a)	Proposed Scheme under the current application (b)	Difference (b)-(a)
Site Area			
Total Site Area (m²) (about)	281,796	279,925	-1,871 (-0.66%)
Phase 1	204,950	no change	--
Phase 2 <i>(Residential portion in Phase 2)</i> <i>(Ecological Enhancement Area in Phase 2)</i>	76,891 <i>(29,092)</i> <i>(47,799)</i>	75,020 <i>(29,346)</i> <i>(45,674)</i>	-1,871(-2.43%) ³
GFA			
Total GFA (m²)	254,440	268,896	+14,456 (+5.68%)
Total Domestic GFA (m²)	244,440	258,896⁴	+14,456 (+5.91%)
Phase 1	209,765	no change	--
Phase 2	34,675	49,131	+14,456 (+41.69%)
Total Non-domestic GFA (m²)	10,000	10,000	--
Phase 1	10,000	no change	--
Phase 2	NA	NA	NA
Plot Ratio (PR)			
Total PR (about)	0.903	0.961	+0.058 (+6.42%)
Total Domestic PR (about)	0.867	0.925	+0.058 (+6.69%)
Phase 1	1.024	no change	--
Phase 2	0.451	0.655 ⁵	+0.204 (+45.23%)
Total Non-domestic PR (about)	0.035	0.036	+0.001(+2.86%)⁶
Phase 1	0.049	no change	--
Phase 2	NA	NA	NA
Site Coverage			
Total Site Coverage⁷	10.29%	10%	-0.29%
Phase 1 ⁸	33.35%	no change	--
Phase 2 ⁸	35%	35%	--

³ According to the applicant, the change in site area is due to inclusion of land at the entrance at the residential portion (about 254m²) and exclusion of the existing Chi Ho Road in the Ecological Enhancement Area (about 2,125m²) for the purpose of rationalizing the boundary of Phase 2.

⁴ Not exceeding the maximum permissible domestic GFA of 345,400m² under the OZP.

⁵ It is based on the total site area of Phase 2 (i.e. 75,020m²). If based on the site area of residential portion in Phase 2 (i.e. 29,346m²), the domestic PR is about 1.67.

⁶ There is no change to the non-domestic GFA. The change in non-domestic PR is due to the change in total site area.

⁷ Based on total site area (i.e. 279,925m²) which includes residential portions and ecological enhancement areas of Phases 1 and 2.

⁸ Based on site area for residential portion only.

Development Parameters	Approved Scheme under Application No. A/YL-KTN/118-2 (a)	Proposed Scheme under the current application (b)	Difference (b)-(a)
BH			
No. of Storeys			
Phase 1	11 to 16 storeys over 2 to 4 storeys of shopping centre/ club house/ basement carpark	no change	--
Phase 2	6 to 7 storeys over 2 storeys of podium/ basement carpark	16 storeys over one 1 storey of basement carpark [i.e. minor relaxation of permissible maximum 14 storeys (+21.43%)]	+9 storeys (+128.57%)
BH			
Phase 1	Maximum 60.2mPD	no change	--
Phase 2	Maximum 34.3mPD	Maximum 62.2mPD	+27.9m (81.34%)
No. of Towers, Unit and Population			
No. of Residential Towers	42	38	-4 (-9.52%)
Phase 1	31	no change	--
Phase 2	11	7	-4 (-36.36%)
Total No. of Unit	3,657	4,282	+625 (+17.09%)
Phase 1	3,128	no change	--
Phase 2	529	1,154	+625 (+118.15%)
Overall Average Flat Size (m²)	66.84	60.46	-6.38 (-9.55%)
Phase 1	67.06	no change	--
Phase 2	65.55	42.57	-22.98 (-35.06%)
Anticipated Population	11,174	11,663	+489 (+4.38%)
Phase 1	9,240	no change	--
Phase 2	1,934	2,423	+489 (+25.28%)
Private Open Space (m²)	Not less than 43,922	Not less than 44,411	+489 (+1.11%)
Phase 1	41,988	no change	--
Phase 2	Not less than 1,934	Not less than 2,423	+489 (+25.28%)

Development Parameters	Approved Scheme under Application No. A/YL-KTN/118-2 (a)	Proposed Scheme under the current application (b)	Difference (b)-(a)
Carparking and Loading/unloading (L/UL)⁹			
Private Car Parking Space (residents/visitors)	995 to 1,017/ 179	1,076/ 159	+59 (+5.80%)/ -20 (-11.17%)
Phase 1	899/ 124	no change	--
Phase 2	96 to 118/ 55	177/ 35	+59 (+50%)/ -20 (-36.36%)
Motorcycle Parking Space (residents)	NA	103	NA
Phase 1	91	no change	--
Phase 2	NA ¹⁰	12	NA
Bicycle parking space	NA	220	NA
Phase 1	143	no change	--
Phase 2	NA	77	NA
L/UL Bay for Goods Vehicle (residents)	42	38	-4 (-9.52%)
Phase 1	31	no change	--
Phase 2	11	7	-4 (-36.36%)
Public Vehicle Park			
Phase 1	NA	NA	--
Phase 2	NA	50	+50

Remarks:

- (1) The GFA of not more than about 2,210m² of the proposed residential clubhouse in Phase 2 (1 block and 2 storeys including basement) is proposed to be exempted from PR calculation.
- (2) The GFA of about 2,500m² of the proposed public vehicle park (to be accommodated in basement) is proposed to be exempted from GFA calculation in accordance with the Joint Practice Note No. 4.

1.5 The MLP, basement plan, ground floor plan, section, Landscape Master Plan (LMP), photomontages of the proposed development and landownership plan are at **Drawings A-1 to A-15**.

1.6 Relevant technical assessments including Urban Design Proposal, Landscape Design and Tree Preservation Proposals, VIA, Air Ventilation Assessment (Initial Study) (AVA (IS)), TIA, EA, Ecological Impact Assessment (EcoIA), DIA, SIA and Water Supply Impact Assessment (WSIA) are submitted to demonstrate the technical feasibility of the development proposal.

⁹ The number of private car and motorcycle parking space, L/UL bay and taxi/ coach/ mini bus space for commercial remain the same.

¹⁰ To be provided based on standards stipulated under lease.

Traffic

- 1.7 The southern portion of the Site (i.e. Phase 2) is currently not served by proper vehicular access. In the approved scheme, Phase 2 would be connected to Castle Peak Road – Tam Mi through Phase 1 development (**Drawing A-1b**). In the current application, the applicant proposed to utilize the public road proposed in an approved residential development (Application No. A/YL-KTN/604) at the adjoining “CDA(1)” site as vehicular and pedestrian access connecting Castle Park Road – Tam Mi (**Drawing A-16**). The proposed public road includes upgrading the existing 3.5m-wide unnamed access road connecting to Castle Peak Road – Tam Mi to a standard of 7.3m-wide single 2-lane carriageway, and with a new road branching off this access road to the south to serve the Phase 2 site. The proposed public road will be constructed by the applicant (who is also the applicant of Application No. A/YL-KTN/604), and the Government may consider taking up the management and maintenance responsibility. The applicant also proposed that the transport interchange in Application No. A/YL-KTN/604 will also serve the future residents of Phase 2 site to cater for the need of public transport services. At the request of TD, a public carpark of 50 parking spaces is proposed at the basement of the eastern portion of the Phase 2 site.
- 1.8 According to the TIA, the traffic impact on the local road network due to the proposed Phase 2 development is insignificant and the proposed development is technically feasible in traffic terms.

Environment

- 1.9 The assessment in the EA revealed that no unacceptable railway noise impact on the proposed Phase 2 development due to the West Rail is anticipated, and traffic noise standard can be met without any mitigation measures.

Drainage and Sewerage

- 1.10 According to the DIA, new drains will be constructed to convey the runoff from the Phase 2 site to the existing channel to the north of the Site (**Drawing A-17**). According to the SIA, the sewerage from the Phase 2 development will be conveyed to Sha Po Sewage Pumping Station through the proposed sewers (**Drawing A-18**). No significant drainage and sewerage impact is anticipated.

Ecological

- 1.11 A former meander located at the western part of Phase 2 site is proposed as an Ecological Enhancement Area (**Drawing A-20**), which will be constructed and maintained by the applicant. The conceptual design has made reference to the approved scheme with refinement by enhancing the connectivity of the meander and ponds to its southwest.

- 1.12 According to the EcoIA, the residential portion of the proposed Phase 2 development will result in direct loss of habitat of low to moderate severity, while the habitat within the proposed Ecological Enhancement Area in Phase 2 will be enhanced. With the proposed mitigation measures, including pre-site clearance check for species of conservation significance, erection of solid barriers along works areas during construction, measures to control dust, construction run-off and pollution, etc., no significant adverse residual ecological impact is anticipated.

Landscape, Air Ventilation and Visual

- 1.13 According to the tree assessment, all the existing 144 trees in residential portion of Phase 2 are proposed to be felled, and the same number of compensatory trees will be provided. With regard to the air ventilation impact, with the proposed mitigation measures (**Drawing A-19**), including provision of building gaps of not less than 15m-wide and reduction in the number of towers, the AVA concluded that the proposed Phase 2 development will not impose significant impact on the surrounding area from air ventilation aspect when comparing to the approved scheme. According to the VIA, the proposed medium-rise development at Phase 2 is generally compatible with the existing visual composition, including the Phase 1 development, the proposed residential development under the approved Application No. A/YL-KTN/604, and existing residential development to the further south of the Site (i.e. the Riva) (photomontages at **Drawings A-7 to A-14**).

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

- | | | |
|-----|---|---------------|
| (a) | Application form and clarification letter received on 3.5.2019 | (Appendix I) |
| (b) | Supplementary Planning Statement | (Appendix Ia) |
| (c) | Supplementary information received on 10.5.2019 | (Appendix Ib) |
| (d) | Further Information (FI) (1) received on 2.8.2019 providing responses to departmental comments* | (Appendix Ic) |
| (e) | FI(2) received on 16.8.2019 providing responses to departmental comments # | (Appendix Id) |
| (f) | FI(3) received 25.9.2019 providing responses to departmental comments# | (Appendix Ie) |
| (g) | FI(4) received on 11.10.2019 providing responses to departmental comments* | (Appendix If) |
| (h) | FI(5) received on 25.10.2019 providing responses to | (Appendix Ig) |

departmental comments #

- (i) FI(6) received on 29.11.2019 providing responses to departmental comments * (Appendix Ih)
- (j) FI (7) received on 3.1.2020 providing responses to departmental comments # (Appendix Ii)
- (k) FI (8) received on 6.2.2020 providing responses to departmental comments * (Appendix Ij)
- (l) FI (9) received on 24.2.2020 providing responses to departmental comments * (Appendix Ik)

**Accepted and exempted from publication requirement*

Accepted but not exempted from publication requirement

- 1.15 On 21.6.2019 and 13.12.2019, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application to allow time for the applicant to prepare FI to address departmental comments. After the deferral requests, the applicant submitted FIs including revised technical assessments in response to departmental comments. In light of the special work arrangement for government departments due to the novel coronavirus infection, the meetings originally scheduled for 21.2.2020 and 30.3.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. The application is now scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement at **Appendix Ia** and FIs at **Appendices Ic to Ik**. They can be summarized as follows:

- (a) After the approval of Application No. A/YL-KTN/118-2 in 2012, there have been substantial changes in the surrounding context over the years, including the completion of Phase 1 development; the site sandwiched between Phases 1 and 2 originally zoned “Undetermined” (“U”) was rezoned to “CDA(1)” in 2014 and a comprehensive residential development (Application No. A/YL-KTN/604) was approved at this “CDA(1)” site in 2019; and a public road serving the “CDA(1)” site and surrounding neighbourhood was proposed under Application No. A/YL-KTN/604. The latest context of the surrounding area provides opportunities to review the Phase 2 development with an aim of achieving more comprehensive planning of the subject “CDA” zone.

- (b) The refinements made to the proposed Phase 2 scheme under the current application include rationalizing the access arrangement by making use of the new proposed public road in Application No. A/YL-KTN/604; providing public vehicle parking spaces at the request of TD for the benefit of the community; reduction of number of towers and adding building gaps that align with the prevailing wind directions and building separation of the proposed residential development at the adjoining “CDA(1)” site (Application No. A/YL-KTN/604) to promote permeability; adopting a podium-free design; creation of a larger central open space; and better integration with the surroundings by locating the towers in Phase 2 away from the western boundary of the Site to ensure a better interface with the development under Application No. A/YL-KTN/604.
- (c) With the proposed increase in GFA and adjustment in flat size of the Phase 2 development, more flats could be provided under the current proposed scheme. This could contribute to increasing the number of flats available in the market and to alleviate the shortage of housing supply in Hong Kong, which is in line with the Government’s policy of increasing housing supply and optimizing development potential.
- (d) The proposed minor relaxation of BH restriction is compatible with the existing and planned surrounding context. The vicinity of the Site has been transforming to a sub-urban residential neighbourhood with new large-scale medium-rise comprehensive residential developments including Park Yoho at the Phase 1 site, the approved residential development under Application No. A/YL-KTN/604, and the Riva. The proposed BH of 17-storey (including 1 storey basement) fits harmoniously with the generally north-south descending BH pattern of maximum 18-storey at Park Yoho in the north to the “Residential (Group E)” (“R(E)”) zone of maximum 13-storey in the south. The minor relaxation of BH in tandem with reduction of residential blocks from 11 to 7 and larger building gaps could also facilitate air ventilation of the surrounding areas. The building gaps align with prevailing wind directions and wind corridors of the adjoining approved residential development (Application No. A/YL-KTN/604), enhance site permeability with reduction of number of towers, provide visual relief between the Phase 2 development and the adjoining approved residential development (Application No. A/YL-KTN/604) by relocating the residential towers away from the western boundary, and create larger central open space for better living environment of future residents and opening up the view of the neighbouring development and the pedestrian level along the future public access road to the west of the Phase 2 development.
- (e) The proposed BH of 17-storey (including 1 storey basement) of the Phase 2 development is indeed the same as the Phase 2 development under Application No. A/YL-KTN/118 approved in 2001. The recent transformation of Kam Tin North area with completion of major residential developments has re-affirmed the proposed development intensity being appropriate. The proposed Phase 2 development is optimal in terms of compatibility, technical feasibility and increasing housing supply.

- (f) The reduction of BH for Phase 2 development from the scheme in Application No. A/YL-KTN/118 (14-storey over 3-storeys of podium/basement) to that in Application No. A/YL-KTN/118-2 (7 storeys over 2-storeys of podium/basement) was mainly due to the presence of buffalo fields located to the east of Phase 2 site in the past. The findings of the then EcoIA recommended that the BH of the previous Phase 2 development should be lowered to a level similar to the height of the West Rail viaduct so as to allow birds flying through above the development to the buffalo fields. However, due to change in development context in the area over the years, the findings of the latest EcoIA indicated that the buffalo field is now a piece of dry wasteland. Hence, the previous recommendation to lower the BH of Phase 2 development is no longer valid.
- (g) The current application would help realize the planning intention of the “CDA” zone by providing a pleasant living environment which complements the surrounding area. The proposed Phase 2 development aims to enhance the living environment of future residents by offering quality types of accommodations with ample open space and landscape provision. Greening opportunity is also maximized. Since the applicant has secured all private lots within the Site, comprehensive and timely implementation of the proposed Phase 2 development could be warranted to cope with the acute housing needs.
- (h) Technical assessments have been conducted and concluded that the development proposal, with the implementation of appropriate mitigation measures, will not cause any significant impacts on visual, air ventilation, traffic, ecological, environment, drainage, sewerage and water supply aspects.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is one of the “current land owners” of the private land portion of the Site (**Drawing A-15**). In respect of the other “current land owners”, 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 Sections 12A and 16 of the Town Planning Ordinance (the Ordinance) (TPB PG-No. 31A) by publishing newspaper notices and posting site notices. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, TPB PG-No. 31A is not applicable.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for “Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments” (TPB PG-No. 17A) and TPB PG-No. 18A for “Submission of Master Layout Plan under section 4A(2) of the Town Planning Ordinance” are relevant to this application. The relevant assessment criteria are summarized as follows:

(a) TPB PG-No. 17A

For “CDA” site not under single ownership, if the developer can demonstrate with evidence that due effort has been made to acquire the remaining portion of the site for development but no agreement can be reached with the landowner(s), allowance for phased development could be considered. In deriving the phasing of the development, it should be demonstrated that (i) the planning intention of the “CDA” zone will not be undermined; (ii) the comprehensiveness of the proposed development will not be adversely affected as a result of the revised phasing; (iii) the resultant development will be self-contained in terms of layout design and provision of open space and appropriate GIC, transport and other infrastructure facilities; and (iv) the development potential of the unacquired lot(s) within the “CDA” zone should not be absorbed in the early phases of the development and the individual lot owner’s landed interested will not be affected.

(b) TPB PG-No. 18A

- (i) the Board may require all applications for permission in an area zoned as “CDA” to be in the form of MLP and supported by other relevant information;
- (ii) in general, the MLP should include plans showing the location of the “CDA” site and the general layout of the whole development and a development schedule showing the main development parameters;
- (iii) if the “CDA” site is not under single ownership, the applicant should be required to demonstrate that the proposed phasing of development has taken due consideration of the development potential of the lots which are not under his ownership. The corresponding GFA and flat number distribution as well as provision of GIC, open space and other public facilities in each phase should be clearly indicated;
- (iv) the MLP should be supported by an explanatory statement which contains an adequate explanation of the development proposal, including such basic information as land tenure, relevant lease conditions, existing conditions of the site, the character of the site in relation to the surrounding areas, principles of layout design, design population, provision of GIC, recreation and open space facilities including responsibility for their construction cost and operation/management, vehicular and pedestrian circulation system including widths and levels of roads/footbridges and whether they would be handed back to the Government on completion; and
- (v) additional information such as TIA, EA, hazard assessment, VIA and drainage/sewage impact studies may also be required, where appropriate.

5. Background

- 5.1 The Site was zoned “U” on the draft Kam Tin North OZP No. S/YL-KTN/1 gazetted on 17.6.1994. On 11.9.1998, Application No. A/YL-KTN/60 covering the Site for proposed residential development with commercial, GIC and open space was approved with conditions by the Committee. The Board agreed to rezone, inter alias, the concerned part of the “U” zone to “CDA” to reflect the approved application No. A/YL-KTN/60. The proposed amendments to the Kam Tin North OZP No. S/YL-KTN/1 was exhibited for public inspection on 30.4.1999 and no objection was received. The “CDA” zoning of the Site has remained unchanged since then.
- 5.2 The land exchange proposal for the Phase 1 development was completed in August 2011. Besides, building plans of the proposed development comprises Phases 1 and 2 were approved by the Building Authority in September 2010. The applicant submitted a land exchange proposal for the Phase 2 development and it is under processing by the Lands Department.
- 5.3 The Site is not subject to planning enforcement action.

6. Previous Applications

- 6.1 The Site was subject to two previous applications¹¹ for comprehensive residential development. Details of the applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-KTN/60 for proposed residential development with commercial, GIC and open space facilities comprising 108 blocks with a total PR of 1.264, domestic GFA of 345,400m², non-domestic GFA of 10,000m² and maximum domestic BH of 14 storeys was approved with conditions by the Committee on 11.9.1998. The application was approved mainly for the reasons that although Kam Tin at that time was still rural in character, the improved accessibility in Kam Tin area would provide opportunity for further development subject to adequate provision of supporting infrastructures and community facilities; the proposed development was in line with the Board’s decision to rezone the site from “U” to “CDA” to meet an objection to the Kam Tin North OZP to cater for a composite residential/commercial development; no adverse departmental comments; and technical matters raised by the rural committees on land use compatibility, traffic, drainage, visual impact, noise and air pollution matters could be resolved through imposition of approval conditions. The validity

¹¹ Parts of the Site were also involved in previous application Nos. A/DPA/YL-KTN/36 and 44 for temporary reed bed treatment system for Kam Tin River and retail complex respectively, and Nos. A/YL-KTN/80, 163 and 295 for temporary golf driving range, temporary open storage of construction materials, and temporary waste tires recycling manufactory respectively. Except Application Nos. A/YL-KTN/163 and 295 which were rejected in 2003 and 2008, the other applications were approved in 1993, 1994 and 1999. These applications mostly cover a relatively small part of the Site and their nature and scale are different from the proposed comprehensive development in the current application.

of the planning permission was extended twice by the Committee to 2007. The planning permission lapsed on 12.9.2007.

- 6.3 Application No. A/YL-KTN/118 for proposed residential development with commercial, GIC and open space facilities and minor relaxation of BH restriction was approved with conditions by the Committee on 5.10.2001. The development comprised 47 blocks with a total PR of 1.226 and maximum domestic and non-domestic BH of 16 and 3 storeys respectively (Phase 2 included 11 blocks with domestic PR of 0.818, BH of 12 to 14 storeys above 3 storeys of podium/ lobby/ carpark, providing 952 flats). The approval was given mainly for the reasons that the proposed comprehensive residential development was in line with the planning intention of the “CDA” zone; the minor relaxation of BH would help create a variation in building profile for a better urban design; the changes of development parameters in the MLP as compared to the previously approved application under Application No. A/YL-KTN/60 was generally in line with the restriction as stipulated on the OZP; and the changes had taken into account the constraints of Northern Link (NOL), preservation of the Kam Tin River meander and increase in open space which were acceptable. Since then, applications for extending the validity period of the planning permission were approved twice to 2010. Subsequently, an application No. A/YL-KTN/118-2 for amendments to the approved scheme was approved with conditions by the Committee on 7.9.2012.
- 6.4 Under Application No. A/YL-KTN/118-2, the proposed comprehensive residential development involves 42 blocks with a total GFA of 254,440m², total PR of 0.903 and maximum domestic and non-domestic BH of 16 and 4 storeys respectively (paragraph 1.4 refers). For the approval conditions under Application No. A/YL-KTN/118-2, most of them related to Phase 1 development (including those related to landscape, visual, traffic, environmental, drainage, ecological and fire safety aspects and provision of GIC/open space facilities) have been complied with, while those related to Phase 2 are not yet complied.

7. Similar Application

- 7.1 There is a similar application (No. A/YL-KTN/604) submitted by the same applicant as the current application for proposed flat, shop and services, eating place, school, social welfare facility and public transport terminus or station uses and minor relaxation of PR and BH restrictions at the adjoining “CDA(1)” zone. The application was approved with conditions by the Committee on 22.3.2019, and the planning permission is valid until 22.3.2023. Its location is shown on **Plan A-1a**.
- 7.2 Application No. A/YL-KTN/604 comprised two phases. Phase A in the south includes eight blocks of residential towers, a day care centre for the elderly, a transport interchange and commercial facilities. Phase B includes 20 blocks of residential towers and commercial facilities. The applicant also applied for minor relaxation of the total PR restriction from 1.2 to 1.254 (i.e. +0.054/ +4.5%) and BH restriction from 16 storeys to 18 storeys (including one level of basement car

park) (i.e. +2 storeys/ +12.5%). The application was approved mainly for the reasons that it was generally in line with the planning intention of the “CDA” zone; the proposed phased development was generally in line with TPB PG-No. 17A; not incompatible with the surrounding area in terms of land use and development intensity; technical assessments have been submitted to demonstrate the feasibility of the proposed development; and concerned departments had no adverse comment on the application. Details of the application are summarized in **Appendix III**.

8. The Site and Its Surrounding Areas (Plans A-2 to A-4c)

8.1 The Site is divided into 2 parts:

Northern part: Phase 1

- (a) most of Phase 1 is occupied by the Park Yoko which is substantially completed with most of the residential towers occupied. The northern portion is occupied by an Ecological Enhancement Area (6.91ha), and a formed site reserved for future GIC development. These areas are mainly served by internal roads and Sha Po Tsuen Road which connect to Castle Peak Road – Tam Mi;
- (b) a few parcels of land along Castle Peak Road – Tam Mi are occupied by existing pylons and vacant land. A drainage channel lies along the southern boundary of the Phase 1 site;

Southern part: Phase 2

- (c) currently vacant and mainly covered by vegetation and ponds; and
- (d) without a proper vehicular access. The current vehicular access to the Site is via a local track connecting to Castle Peak Road – Tam Mi.

8.2 The surrounding areas of these 2 phases have the following characteristics:

- (a) the “CDA(1)” site sandwiched between Phases 1 and 2 is subject to an approved residential development under Application No. A/YL-KTN/604. It is currently occupied by Cheung Chun San Tsuen, open storage yards, parking of vehicles and vacant land. The existing Agriculture, Fisheries and Conservation Department (AFCD) Au Tau Fisheries Office is to the west of the “CDA(1)” site;
- (b) a strip of land zoned “Other Specified Uses” annotated “Railway Reserve”, which is reserved for the development of the NOL, lies between the eastern and western portions of Phase 2. Castle Peak Road – Tam Mi is located along the western boundary of the Site;

- (c) to the east of these 2 phases is mainly agricultural land, open storage yards and hobby farms in “Agriculture” (“AGR”) zone; and
- (d) to the further south is the compensatory wetland of the West Rail project. To the further south across Kam Tin River and the West Rail viaduct are three existing/planned residential developments. The existing Riva is subject to PR of 1.013 and BH of not more than 23 storeys (over one basement carpark) for 325 units. Another residential development (not yet implemented) approved under Application No. A/YL-KTN/647 is subject to total PR 1.2 and BH of 13 storeys (above one storey of basement carpark) for 411 flats. A residential development at a site zoned “Residential (Group B)1” with total PR of 1.2 and BH of 13 is under construction.

9. Planning Intention

- 9.1 The “CDA” zone is intended for comprehensive development/redevelopment of the area for residential use with the provision of commercial, open space and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 9.2 As stated in the Explanatory Statement of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the GFA/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.

10. Comments from Relevant Government Departments

- 10.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

- 10.1.1 Comments of the District Lands Officer, Yuen Long, Lands Department (DLO/YL, LandsD):
 - (a) The Phase 2 site comprises 10 private lots which, by the terms of the Block Government Lease or Tai Po New Grants under which they are held, are demised as agricultural ground and adjoining Government land (GL), particularly GL Licences restricted to be used for agricultural, fish pond and erection of some structures, all in D.D. 107. Lot No. 1783 in D.D. 107 is subject to a Modification of Tenancy for erection and maintenance of some

structures on site. The actual site area, land status and land holding details of the lots under application have to be verified at the land exchange stage if any land exchange is applied for by the Applicant to the LandsD. The Phase 1 site (i.e. Lot No. 1927 in D.D. 107) is held under New Grant No. 21263 dated 12.8.2011, under which is restricted to be used for any purpose other than for non-industrial (excluding godown, office, hotel and petrol filling station) purposes.

- (b) His office is processing a land exchange to implement the Sha Po Development Phase 2 of an approved scheme under Application No. A/YL-KTN/118-2 and no binding contract for the proposed land exchange has been entered into. The site boundary of the Site in planning application is different from that approved under planning application No. A/YL-KTN/118-2.
- (c) The private lots within the Site are owned by Bright Strong Limited, i.e. the applicant. The ownership particulars of the lots forming the Site have to be examined in detail at the land exchange application stage.
- (d) The Site is subject to a maximum height ranging from 79mPD to 119mPD under the relevant plan for the Shek Kong Airfield Height Restriction. The height of the proposed development is about 62.2mPD. Although the height of the rooftop structures has not been indicated, it is envisaged that the proposed development would unlikely exceed the above height restriction.
- (e) The proposed access road via the unnamed road to Castle Peak Road – Tam Mi and proposed road improvement works encroach onto land of various status, including but not limited to private lots, was considered under Application No. A/YL-KTN/604. Notwithstanding the access road proposed under Application No. A/YL-KTN/604 has been approved by the Board, he is not prepared to recommend invoking the relevant Ordinance for resumption of any private lots or creation of any rights for implementation of the proposed private development. His office reserves comments on the matter and any project interface with other proposed land exchange will be considered at the land exchange application stage, if any land exchange is applied for by the applicant to the LandsD.
- (f) If planning permission is granted, the applicant has to apply to the LandsD for a land exchange to effect the proposed development. Such application will be considered by the LandsD acting in its capacity as a landlord at its sole discretion and there is no guarantee that the land exchange for the proposed development, including the grant of any additional GL, will be

approved. In the event that the land exchange application is approved, it would be subject to such terms and conditions, including, among other things, the payment of premium and administrative fee, as may be imposed by the LandsD at its sole discretion.

Traffic

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

- (a) He has no comment on the application, including the proposed public vehicle park, from traffic engineering perspective.
- (b) Should the application be approved, the following conditions should be imposed to his satisfaction:
 - (i) the submission of a consolidated Traffic Impact Assessment;
 - (ii) the design and implementation of road improvement works as proposed by the applicant;
 - (iii) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development; and
 - (iv) the design and provision of public vehicle park.

10.1.3 Comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):

- (a) The road works proposed in the submission are mainly arising from the proposed development under application. The works and roads shall be implemented and maintained by the applicant. If the proposed access arrangement is agreed by TD, DLO/YL, LandsD may consider to designate the access road as Brown Area to be maintained by the future developer.
- (b) Any proposed road works shall be completed by the applicant up to the prevailing traffic engineering and highway standards to the satisfaction of TD and his department, such that the Government may consider taking up its management and maintenance in the future if the situation warrants.
- (c) He reserves the right to comment on the details of the proposed road when they are available.

- (d) His department shall not be responsible for the maintenance of any access connecting the Site and Castle Peak Road – Tam Mi.

10.1.4 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, HyD (CE/RD2-2, RDO, HyD):

- (a) He has no comment on the application from railway development point of view.
- (b) The Site falls within the administrative route protection for the proposed NOL, which is a recommended railway scheme under the Railway Development Strategy 2014 (RDS-2014). Although the programme and alignment of the proposed NOL are still under review, those areas within the administrative route protection boundary may be required to be vacated at the time for the construction of the NOL and subject to nuisance, such as noise and vibration of the proposed NOL.

10.1.5 Comments of the Chief Estate Surveyor/Railway Development, LandsD (CES/RD, LandsD):

Part of the Site falls within the RDS-2014 NOL and Kwu Tung Station Limit of Area of Influence and RDS-2014 NOL and Kwu Tung Station Administrative Route Protection Boundary. As long as RDO, HyD has no adverse comment on the application and the proposed development will not pose obstacles to the acquisition of land for the implementation of the NOL, he has no comment to the application.

Environment

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

- (a) He has no adverse comment on the application.
- (b) Should the application be approved, the following conditions should be imposed:
 - (i) the submission of an updated SIA for connections to the public sewers and implementation of the sewerage improvement measures identified therein to his and Director of Drainage Services's satisfaction;
 - (ii) the submission of an updated Noise Impact Assessment and the implementation of mitigation measures identified therein to his satisfaction; and

- (iii) the submission of a land contamination assessment and the implementation of mitigation measures identified therein to his satisfaction.
- (c) If an updated Habitat Creation and Management Plan (HCMP) before commencement of construction of the Ecological Enhancement Area is required by the Agriculture, Fisheries and Conservation Department as an approval condition, it is recommended to include the details on water quality monitoring to protect the water sensitive receiver within and at close vicinity to the Site in the updated HCMP.

Drainage

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

- (a) He has no in-principle objection to the application.
- (b) He has no further comment on the SIA subject to comments from Environmental Protection Department (EPD) while his comments on the DIA are still valid (**Appendix IV** refers) as the applicant proposed to address all comments in the revised DIA during detailed design stage.
- (c) Should the application be approved, the following conditions should be imposed:
 - (i) the submission and implementation of a revised DIA to his satisfaction; and
 - (ii) the submission of an updated SIA and implementation of the sewerage improvement measures identified therein to DEP's and his satisfaction.

Urban Design and Landscape

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

Urban design and Visual

- (a) The Site is set within an area of generally flat and low-lying land surrounded by farmlands, ponds, village-type developments and low to medium-density residential developments. An approved comprehensive development (Application No. A/YL-KTN/604) comprising of 28 residential blocks with a maximum BH of 17 storeys in Cheung Chun San Tsuen is located to the immediate

north of the Phase 2 site. To the southwest of the Site across Kam Tin River are some completed/committed/planned developments with maximum BH of 13 to 23 storeys. The proposed Phase 2 development with seven 16-storeys residential towers is considered not incompatible with the surrounding context.

- (b) As compared with the last approved scheme of Phase 2 development, the current proposal has incorporated a number of design features, such as (i) provision of a east-west and a north-south visual/air corridors of not less than 15m-wide to align with prevailing annual and summer winds, instead of two east-west corridors for enhancing site permeability; (ii) creation of larger central open space by reducing building footprint; and (iii) improving interface with the adjacent development (Application No. A/YL-KTN/604) by locating residential towers away from the north-western boundary. As such, no significant adverse visual impact to the surroundings is anticipated.

Air Ventilation

- (a) She has no comment on the AVA.
- (b) An AVA IS using computational fluid dynamic modelling has been carried out to support the application. Two scenarios, i.e. the Approved Scheme (i.e. an approved scheme under Application No. A/YL-KTN/118-2) and the Proposed Scheme, have been studied.
- (c) According to the simulation results, the reported SVRs and LVRs of the Approved and Proposed Schemes are comparable under both annual and summer conditions. The Proposed Scheme has incorporated air ventilation features including (i) wider building gaps between towers; (ii) a NNE-SSW aligned 15m-wide building separation between T2 and T3; (iii) a NNW-ESE aligned 15m-wide building separation between T4 and T5; (iv) variation of BH; and (v) smaller building coverage that would benefit some localized areas (i.e. eastern and northern sides of the Site; open spaces within the approved development under Application No. A/YL-KTN/604; area within the Site under annual condition; and eastern side of the Site and area within the Site under summer condition). As such, it is anticipated that the Proposed Scheme would not create significant adverse air ventilation impacts on the surrounding pedestrian wind environment when compared with the Approved Scheme under both annual and summer conditions.

Landscape

- (a) With reference to the submitted Planning Statement, existing trees of common species are proposed to be felled and compensatory planting at a ratio of 1:1 quantity will be provided. In view that provision of compensatory planting as mitigation measures for loss of landscape resources and provision of open space have been properly addressed, she has no objection to the application from the landscape planning perspective.
- (b) Should the application be approved, approval condition on submission and implementation of LMP should be included.

10.1.9 Comments of the Chief Architect/CMD(2), Architectural Services Department (CA/CMD (2), ArchSD):

- (a) He notes that the proposed development consists of 1-storey club house and 7 numbers of tower blocks with a height of 16-storeys on top of 1-storey basement carpark which may not be incompatible with future and existing adjacent development with BH ranging from 4-storey to 23-storey. In this regard, he has no comment from visual impact point of view.
- (b) He notes that some façade area for T4, T5 and T6 of the proposed development are facing west. Solar control devices should be considered to reduce solar heat gain and avoid glare affecting adjacent buildings as far as practicable.

Nature Conservation

10.1.10 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) He has no strong view on the application from nature conservation perspective provided that appropriate mitigation measures would be properly implemented for the proposed development, particularly the provision of an Ecological Enhancement Area which was considered as a key mitigation measure.
- (b) As explained in the Planning Statement, the reduction of area of the Ecological Enhancement Area in Phase 2 is due to the exclusion of land covering the existing Chi Ho Road to the southwest with an area of about 2,125m². Considering that there is no reduction in area of habitats to be managed in the proposed Ecological Enhancement Area when compared with the approved scheme, he has no adverse comments on the reduction in area of the Ecological Enhancement Area in the current

scheme. Considering the current condition of the buffalo field and the results of the flight line surveys, he has no adverse comment on the relaxation of BH in the proposed scheme from nature conservation perspective.

- (c) The proposed Ecological Enhancement Area is located on government land. The applicant should ensure that the construction of the superstructure of the residential building shall commence after the completion of construction works of the Ecological Enhancement Area.
- (d) Should the application be approved, the following condition should be imposed to his or the Board's satisfaction:

the submission of a revised ecological impact assessment, including an updated Habitat Creation and Management Plan for the Ecological Enhancement Area before commencement of construction of the Ecological Enhancement Area, and the implementation of ecological mitigation measures identified therein.

Building Matters

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

- (a) Each of the sites shall be self-sustainable and treated as separate lots in their own identities for the purpose of complying with Buildings Ordinance (BO) and allied regulations. Transfer of PR and site coverage between sites is not permitted and the proposed PR and site coverage shall not exceed the permissible figures as stipulated in the First Schedule of Building (Planning) Regulation (B(P)R).
- (b) The PR for the residential portion of Phase 2 should be 1.674 (i.e. $49,131\text{m}^2/29,346\text{m}^2$) rather than 0.655 under B(P)R. The applicant should clarify on the site coverage as well as the Ecological Enhancement Areas. While he noted that the relevant information will be provided at general building plan submission stage, he reserves his position under Section 20 of BO.
- (c) Presumably the public access road under the Application No. A/YL-KTN/604 to be completed is not less than 4.5m wide, the site coverage and PR should not exceed the limitation under the first schedule of the B(P)R.
- (d) The Site shall be provided with means of obtaining access thereto from a street under the B(P)R 5 and emergency vehicular access

(EVA) shall be provided for all the buildings to be erected on the Site in accordance with the requirements under the B(P)R 41D.

- (e) Any parking spaces to be disregarded from GFA calculation under the B(P)R 23(3)(b) shall be subject to the requirements laid down in Appendix C of PNAP APP-2.
- (f) For features to be excluded from the calculation of the total GFA, it shall be subject to compliance with the requirements laid down in the relevant JPNs and PNAPs including APP-151 as appropriate. If the applicant applies for the GFA concession, Building Set Back, Building Separation and Site Coverage of Greenery as required under PNAP APP-152 also apply.
- (g) Detailed checking of plans will be carried out upon formal submission of building plans.

Fire Safety

10.1.12 Comments of the Director of Fire Services (D of FS):

- (a) He has no in-principle objection 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 emergency vehicular access (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 B(P)R 41D which is administered by the BD.

Others

10.1.13 Comments of the Secretary for Security (S for Security):

He has consulted the Hong Kong Garrison and has no in-principle objection to the proposed development. The applicant is reminded that the Site is close to Shek Kong Airfield and residents of the proposed development may be affected by aircraft noise.

10.1.14 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) Proper licence/permit issued by his department is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the

public and the operation of any business should not cause any obstruction.

- (b) If the proposal involves any commercial/trading activities, its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.
- (c) If Food and Environmental Hygiene Department (FEHD) is requested to provide refuse collection service, FEHD shall be separately consulted.

District Officer's Comments

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

His office has not received any locals' comment on the application and he has no particular comment on the application.

10.2 The following Government departments have no comment on/no objection to the application:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Director of Leisure and Cultural Services;
- (c) Director of Electrical and Mechanical Services;
- (d) Director-General of Civil Aviation;
- (e) Project Manager (West), Civil Engineering and Development Department; and
- (f) Commissioner of Police.

11. Public Comments Received During Statutory Publication Period

11.1 On 14.5.2019, the application was published for public comment for three weeks. FI(2), FI(3), FI(5) and FI(7) submitted subsequently were also published for three weeks respectively. A total of 81 public comments were received (**Appendices V-1 to V-81**):

11.2 Among the comments received, 51 comments submitted by individuals and residents in the New Territories/ Yuen Long support the application mainly on the grounds that the proposed development is compatible with the surroundings; provides public transport facilities and job opportunities; increases supply of medium/small-sized flats which could stabilise housing prices; reduces pressure to develop country park and the need of reclamation and increases greening area; is a suitable location for housing development and no adverse impacts on traffic,

environment, visual and air ventilation; better utilisation of land resource; and improves local environment, hygiene and air-ventilation (**Appendices V-1 to 51**).

11.3 29 comments submitted by a Yuen Long District Council (YLDC) member, village representatives of Shui Tau Tsuen and individuals object to the application (**Appendices V-52 to 65, V-67 to 81**). Their major grounds of objection include:

- (a) adverse traffic impacts (including insufficient traffic capacity, illegal parking of construction vehicles and private cars since the development of Park Yoho, the junction of San Tam Road and Castle Peak Road – Tam Mi is heavily congested, blockage of pedestrian road and affecting pedestrian safety, etc.);
- (b) adverse environmental, sewerage, drainage, visual, air ventilation and ecological (including impacts on birds, buffalo field and wetlands; and heat island effect) impacts. Construction noise and dust nuisance will be severe and dumping construction waste will induce adverse impact to the river and the natural environment;
- (c) piling works during the construction of Park Yoho causes damage to the village house in the nearby Sha Po Village, yet the developer delays the repair works;
- (d) affect the fung shui and shrine of Shui Tau Tsuen and the rural living environment, and Yuen Long is over-developed already; and
- (e) insufficient transport, recreational and educational facilities and road capacity in the area to serve the increased population. The existing road network and West Rail Line are already saturated.

11.4 Among the objection comments, an individual objects to the increase of flat number as it will create adverse traffic impact and aggravate congestion in Yuen Long Town Centre, while supports the reduction of number of blocks and the designation of ecological enhancement area (**Appendix V-65**). Another individual (**Appendix V-79**) also suggests that more parking spaces should be provided at and nearby the Site, village road should be upgraded to dual 2-lane road, and review the junction of Park Yoho and Sha Po Tsuen.

11.5 One comment (i.e. MTR Corporation) expresses the view that the occupants of the proposed development would be subject to potential noise impact from train operation of the West Rail Line and approval condition requiring the developer to incorporate and implement all appropriate noise mitigation measures at their own cost and to the satisfaction of DEP should be included (**Appendices V-66**).

12. Planning Considerations and Assessments

- 12.1 The application is for proposed flat with minor relaxation of BH restriction and public vehicle park (excluding container vehicle). It is to amend an approved development proposal under Application No. A/YL-KTN/118-2. No change is made to Phase 1 development of the approved scheme which has been substantially completed (i.e. Park Yoho), but amendments are proposed to Phase 2 of the approved scheme. The main uses of the Phase 2 development remain the same, i.e. flats and an Ecological Enhancement Area. The major changes to the Phase 2 development when compared with the approved scheme include incorporation of an underground public vehicle park at TD's request, as well as a revised layout with increase in BH (+9 storeys), number of flats (+625) and domestic GFA (+14,456m²), and reduction in the number of towers (-4 towers) and area of the Ecological Enhancement Area (-2,125m²).

Planning Intention

- 12.2 The Site falls within an area mainly zoned "CDA" (about 98%). The planning intention of the "CDA" zone is primarily for comprehensive development/redevelopment of the area for residential use with the provision of commercial, open space and other supporting facilities, if any. This zoning is to facilitate appropriate planning control over the development mix, scale, design, and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. Development within the "CDA" zone is restricted to a maximum domestic GFA of 345,400m², a maximum non-domestic GFA of 10,000m² and a maximum BH of 14 storeys. Minor relaxation of BH restriction may be considered by the Board based on individual merits of the proposal.
- 12.3 The proposed Phase 2 development for flats and Ecological Enhancement Area uses is in line with the planning intention of the "CDA" zone. The underground public vehicle park providing 50 parking spaces for private car is proposed in response to TD's request. While there is an increase in domestic GFA for the Phase 2 development when compared with the approved scheme (+14,456m²/+41.69%) due to the revised layout, the total domestic and non-domestic GFA of Phase 1 and Phase 2 developments (i.e. 258,896m² and 10,000m² respectively) do not exceed the restrictions of the "CDA" zone as stated in paragraph 12.2 above.

Minor Relaxation of BH

- 12.4 The BH of the Phase 2 development exceeds the restriction of the "CDA" zone and the applicant applies for minor relaxation of BH restriction in the current application (+3 storeys/ +21.43%). According to the applicant, the minor relaxation of BH associated with fewer residential blocks could help facilitate air ventilation in the surrounding areas with wider building gaps aligning with the prevailing wind directions and wind corridors in the adjoining approved residential development (Application No. A/YL-KTN/604), enhance site permeability with reduction of number of towers, provide visual relief to the adjoining residential development, create a larger central open space for future

residents and open up view for the neighbouring development and at pedestrian level. The revised scheme can also add 625 more flats to meet housing demand. The BH profile is considered not incompatible with the existing and planned developments in the vicinity, and CTP/UD&L of PlanD advised that no significant adverse visual impact to the surroundings is anticipated. It is considered that the proposed relaxation of BH restriction has planning and design merits.

Compatibility

- 12.5 The proposed Phase 2 development with a total PR of 0.665 (or 1.67 if the Ecological Enhancement Area is excluded) and a BH of 17 storeys is considered not incompatible with the surrounding area in terms of land use and development intensity. The Phase 1 development (Park Yoho) located to the further north of the Phase 2 site is subject to a PR of 1.073 and maximum BH of 18 storeys. In between Phase 1 and Phase 2 is the “CDA(1)” site with an approved residential development comprising 28 residential blocks with a total PR of 1.254 and maximum BH of 18 storeys (including one storey of basement carpark). To the further south across Kam Tin River, there are three existing/ planned residential developments. The Riva has a PR of 1.013 and maximum BH of 23 storeys (over one-storey basement carpark). A residential development under the approved Application No. A/YL-KTN/647 with total PR 1.2 and maximum BH of 13 storeys (above one-storey basement carpark) for 372 flats adjoins the Riva on the south. Another residential development under construction is subject to PR 1.2 and maximum BH of 13 storeys. The proposed residential development is comparable with these residential developments in scale and height.

Technical Feasibility

- 12.6 The applicant has submitted technical assessments including Urban Design Proposal, Landscape Design and Tree Preservation Proposals, VIA, AVA (IS), TIA, EA, EcoIA, DIA, SIA and WSIA in support of the application.

Traffic

- 12.7 The applicant proposed to use the public road in the adjoining approved residential development (Application No. A/YL-KTN/604) as vehicular and pedestrian access connecting Castle Park Road – Tam Mi. The proposed public road will be constructed by the applicant (who is also the applicant of Application No. A/YL-KTN/604) and the Government may consider taking up the management and maintenance responsibility. Based on the TIA, no adverse traffic impact is anticipated. CHE/NTW, HyD has no adverse comment on the proposed public road. C for T also has no adverse comment on the application from traffic engineering perspective, including the proposed public vehicle park, subject to the imposition of approval conditions on the submission of TIA and provision of road improvement measures, vehicular access, car parking and loading/unloading facilities, and public vehicle park as recommended in paragraph 13.2 below.

Environmental, Drainage and Sewerage

- 12.8 In terms of environmental impact, the EA concluded that the criteria for both railway and traffic noise could be met. The DIA and SIA also concluded that with the provision of the proposed drainage and sewerage facilities, no adverse drainage and sewerage impacts are anticipated. DEP and CE/MN of DSD have no in-principle objection to/adverse comment on the application and their recommended approval conditions on the environmental, drainage and sewerage aspects are included in paragraph 13.2 below.

Urban Design, Air Ventilation and Landscape

- 12.9 CTP/UD&L, PlanD considered that the proposed development is not incompatible with the surrounding context and unlikely to have significant adverse visual impact on the surroundings. According to the AVA, various mitigation measures (such as building gaps, etc.) (**Drawing A-19**) have been incorporated into the proposed development and no significant adverse air ventilation impact is anticipated. She also has no objection to the application from landscape planning perspective. Approval condition on the submission and implementation of LMP is recommended in paragraph 13.2 below.

Ecological

- 12.10 An Ecological Enhancement Area is proposed at the western part of the Phase 2 site. According to the EcoIA, while the residential portion of the proposed Phase 2 development will result in direct loss of habitat of low to moderate severity, the habitat within the proposed Ecological Enhancement Area in Phase 2 will be enhanced. No significant adverse ecological impact is anticipated with the proposed mitigation measures.
- 12.11 DAFC has no adverse comment on the reduction of Ecological Enhancement Area which is due to the exclusion of the existing Chi Ho Road without reducing the area of habitats. He has no strong view on the application from nature conservation perspective provided that appropriate mitigation measures would be properly implemented. To address DAFC's concern, relevant approval condition is recommended in paragraph 13.2 below.

Previous and Similar Applications

- 12.12 The Site is subject to two previous applications (Nos. A/YL-KTN/60 and 118) for residential development with commercial, GIC and open space (the latter with minor relaxation of BH restriction) which were approved with conditions by the Committee in 1998 and 2001 respectively mainly for the reasons as stated in paragraphs 6.2 and 6.3 above. Besides, a similar application (No. A/YL-KTN/604) for proposed flat, shop and services, eating place, school, social welfare facility and public transport terminus or station uses and minor relaxation of PR (from 1.2 to 1.254) and BH restrictions (from 16 to 18 storeys) at the

adjoining “CDA(1)” zone was approved with conditions by the Committee on 22.3.2019 mainly for the reasons as stated in paragraph 7.2 above. Approval of the current application is in line with the Committee’s previous decisions.

Public comments

- 12.13 A total of 81 public comments were received during the statutory publication periods. Among them, 29 object (including one partly objects) to the application for the reasons as detailed in paragraphs 11.3 and 11.4 above. In this regard, technical assessments on relevant aspects for the proposal have been conducted, and the concerned departments consulted raised no objection to/ no adverse comment on the application. The above departmental comments as well as planning considerations and assessments are also relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 26.5.2024 and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan, taking into account approval conditions (b), (c), (e), (f), (g), (h), (i), (j), (k) and (l) below, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the submission of a consolidated traffic impact assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the design and implementation of road improvement works, as proposed by the applicant, to the satisfaction of the Director of Highways and the Commissioner for Transport or of the Town Planning Board;
- (e) the design and provision of vehicular access, and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (f) the design and provision of public vehicle park to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (g) the submission of an updated sewerage impact assessment for connections to public sewers and implementation of the sewerage improvement measures identified therein to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the Town Planning Board;
- (h) the submission of an updated 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;
- (i) the submission of a revised drainage impact assessment and implementation of the drainage proposal identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (j) the submission of a revised ecological impact assessment, including an updated Habitat Creation and Management Plan for the Ecological Enhancement Area before commencement of construction of the Ecological Enhancement Area, and the implementation of ecological mitigation measures identified therein to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (k) the submission of a land contamination assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (l) the design and provision of water supply for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

- 13.3 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 BH restriction.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form with supplementary planning statement received on 3.5.2019
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Supplementary Information received on 10.5.2019
Appendix Ic	FI(1) received on 2.8.2019
Appendix Id	FI(2) received on 16.8.2019
Appendix Ie	FI(3) received on 25.9.2019
Appendix If	FI(4) received on 11.10.2019
Appendix Ig	FI(5) received on 25.10.2019
Appendix Ih	FI(6) received on 29.11.2019
Appendix Ii	FI(7) received on 3.1.2020
Appendix Ij	FI(8) received on 6.2.2020
Appendix Ik	FI(9) received on 24.2.2020
Appendix II	Previous applications at the Site
Appendix III	Similar application at the adjoining “CDA(1)” zone
Appendix IV	Detailed comments of CE/MN, DSD
Appendices V-1 to V-81	Public comments received during the statutory publication period

Appendix VI	Advisory Clauses
Drawing A-1a	Master Layout Plan of Proposed Scheme (Overall)
Drawing A-1b	Master Layout Plans of Approved Scheme under Application No. A/YL-KTN/118-2 and Proposed Scheme
Drawing A-1c	Master Layout Plans of Phase 2 of Approved Scheme under Application No. A/YL-KTN/118-2 and Proposed Scheme
Drawing A-2	Master Layout Plan of Proposed Scheme (Phase 2)
Drawing A-3	Basement Plan (Phase 2)
Drawing A-4	Ground Floor Plan (Phase 2)
Drawing A-5	Section Plan (Phase 2)
Drawing A-6	Landscape Master Plan (Phase 2)
Drawings A-7 to A-14	Photomontages
Drawing A-15	Landholding Plan
Drawing A-16	Proposed Public Road Plan
Drawing A-17	Drainage Proposal
Drawing A-18	Sewerage Proposal
Drawing A-19	Proposed Air Ventilation Mitigation Measures
Drawing A-20	Conceptual Design of Ecological Enhancement Area (Phase 2)
Plans A-1a and 1b	Location Plan with Similar/Previous Application(s)
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4c	Site Photos

**PLANNING DEPARTMENT
MAY 2020**