

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/FLN/17

<u>Applicant</u>	Best Galaxy Limited represented by Pro Plan Asia Limited
<u>Site</u>	Fanling Sheung Shui Town Lot (FSSTL) No. 262, Ma Sik Road, Fanling, New Territories
<u>Site Area</u>	About 16,187 m ²
<u>Lease</u>	New Grant No. 22584 (a) restricted to private residential purpose only (Special Condition (SC) 11) (b) maximum gross floor area (GFA) of 56,654 m ² and maximum building height of 60mPD and 75mPD in the eastern and western portion respectively (SC 12(c) and (d)) (c) a 6m-wide pedestrian walkway should be provided within the Site to connect the proposed footbridges to its north and to its south (SC 20 (d)) (d) the said pedestrian walkway shall be open for use by the public 24 hours a day free of charge without any interruption (SC 20 (e)) (e) the Director of Lands shall at his sole discretion decide the whole or part of the area of the said pedestrian walkway that may be excluded from the GFA calculation under lease (SC 20 (h)) (f) the said pedestrian walkway shall be constructed to receive the two future footbridges at Landing Points U and U1 to its north and Landing Points Q and Q1 to its south (SC 21 (a)) (Plan A-2)
<u>Plan</u>	Approved Fanling North Outline Zoning Plan (OZP) No. S/FLN/2
<u>Zoning</u>	“Residential (Group B)” (“R(B)”) <i>(Restricted to a Maximum Plot Ratio of 3.5 and a Maximum Building Height of 60mPD and 75mPD in the eastern and western portion respectively)</i>
<u>Application</u>	Proposed Minor Relaxation of Maximum Plot Ratio for Permitted Residential Development

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of maximum plot ratio from 3.5 to 3.5151 for permitted residential development at the application site (the Site), which is zoned “R(B)” on the approved Fanling North OZP No. S/FLN/2 (**Plan A-1**). Based on the individual merits of a development or redevelopment proposal, minor relaxation of maximum plot ratio restriction may be considered by the Town Planning Board (the Board).
- 1.2 According to the Notes of the OZP, ‘Flat’ use is always permitted within the “R(B)” zone. According to the applicant’s submission, the proposed minor relaxation of maximum plot ratio restriction is to facilitate the provision of a 6m-wide covered pedestrian walkway along the western edge of the Site (**Plan A-2**). As stated in the New Grant No. 22584 covering the Site executed on 27.12.2017, a 6m-wide pedestrian walkway should be provided within the Site (SC 20 (d)) to connect the proposed footbridges linking up with the planned open space network (including the Town Plaza) to its north and northwest (at Landing Points U and U1) leading to the future Eastern District Centre of the Fanling North (FLN) area and with the existing pedestrian footbridge network to its south (at Landing Points Q and Q1) leading to Belair Monte and the Luen Wo Hui area (SC 21 (a)) (**Plan A-2**); and the proposed pedestrian walkway shall be open for use by the public 24 hours a day free of charge without any interruption (SC 20 (e)). The proposed pedestrian walkway will be at the western edge of the Site and connected to the 1/F level of the proposed private residential development via a separate pedestrian link (**Drawings A-2 and A-3**).
- 1.3 A General Building Plan (GBP) for the proposed residential development with a partially covered (2m) pedestrian walkway at the Site was approved by Buildings Department (BD) on 1.2.2019. Upon the request of Transport Department (TD) and Highways Department (HyD) via BD’s letter to the applicant regarding the GBP submission, the walkway should be wholly covered with its design and levelling to the satisfaction of TD, HyD and Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD). As BD only exempts part of the covered walkway (i.e. 2m in width) from GFA calculation under the Buildings Ordinance (BO), the remaining 4m-wide walkway would be accountable for GFA calculation under BO. The current application is for proposed minor relaxation of maximum plot ratio restriction from 3.5 to 3.5151 (with an increase of 0.0151) for the section of the covered pedestrian walkway not exempted from GFA calculation under BO (i.e. 4m in width) which amounts to a GFA of 246.536 m² (i.e. 4m (width) x 61.634 m (length)) (**Drawings A-2 and A-3**). The resultant GFA of the residential development, including the pedestrian walkway, would increase from 56,652.688 m² to 56,899.236 m². As compared to the approved GBP, no change to the site layout, building height, site coverage and number of blocks are involved in this application.
- 1.4 According to the applicant, the proposed walkway at the Site will form part of the future 24-hour elevated north-south pedestrian walkway network from Belair Monte in Luen Wo Hui area across Ma Sik Road to the south to the future FLN Eastern District Centre at the north (**Plan A-2**) in order to allow better

integration of FLN area with the Luen Wo Hui area and facilitate the pedestrian movement between two areas. Its role is primarily to enhance public accessibility and pedestrians' comfort rather than just serving the future residents at the Site. The proposed residential development together with the walkway within the Site is anticipated to be completed by end of 2021.

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

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|--|---------------|
| (a) Application Form received on 29.3.2019 | (Appendix I) |
| (b) Supplementary Planning Statement | (Appendix Ia) |
| (c) Further Information (FI) dated 11.4.2019 | (Appendix Ib) |
| (d) FI dated 6.5.2019 | (Appendix Ic) |

1.6 According to the applicant, no technical assessments are submitted to support the proposed minor relaxation in this application, since all design details for the required 6m-wide pedestrian walkway are provided in the approved GBP. The location plan, layout plan, part plan and section plan showing the pedestrian walkway and its connection with the proposed residential development in the zone are at **Drawings A-1 to A-3**.

2. **Justifications from the Applicant**

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

Departmental Requirement for Full Cover over Required 6m-wide Walkway

- (a) As required in the land grant, the applicant should provide a 6m-wide pedestrian walkway at the Site which should be open for use by the public 24 hours a day free of charge without any interruption (SC 20 (d) and (e)). Also, as required by TD and HyD, the walkway should be wholly covered with its design and levelling to the satisfaction of TD, HyD and PM/N, CEDD. It should be noted that it is a departmental requirement but not a statutory requirement for a full cover over the required 6m-wide walkway. While BD only exempts part of the covered walkway (i.e. 2m in width) from GFA calculation under BO, the applicant therefore seeks minor relaxation of maximum plot ratio restriction under the OZP for the remaining portion not exempted from GFA calculation, without adversely affecting the flat production of the proposed private housing development at the Site. In addition, the additional plot ratio (i.e. 0.0151) and GFA (i.e. 246.536 m²) sought is insignificant.

Enhancing Public Connectivity from/to Luen Wo Hui area and Future FLN Town Centre

- (b) The proposed pedestrian walkway at the Site would connect with the proposed footbridge across Ma Sik Road at Belair Monte (to be implemented by others) and the existing footbridge system of Luen Wo Hui area (of about 5-7m wide) to the south; and would link up the proposed footbridges towards the future FLN Town Plaza and public transport interchange (PTI) (to be implemented by others) to the north and northwest. It is primarily to enhance the public accessibility from the

Luen Wo Hui area to the future FLN Eastern District Centre, instead of a private elevated walkway only serving the future residents at the Site. The roofed area would also provide public comfort and architectural consistency with the connecting footbridge system.

Innovative Design to Integrate E&M facilities with the Walkway

- (c) The 6m-wide elevated pedestrian walkway at the Site would adopt innovative design by integrating with the linear E&M facilities of the Site (of about 5.15m wide) underneath the walkway. Its integrated design would avoid separate, standalone elevated walkway and E&M structures, with a view to optimising the efficient use of the space at the Site.

Respecting Established Planning and Design Framework of Kwu Tung North/Fanling North New Development Area and No Significant Adverse Impacts

- (d) The application would not result in any change to the approved GBP of the proposed residential development at the Site. The prevailing land use planning and development framework, planning themes, objectives and concepts of the Kwu Tung North/Fanling North New Development Area (KTN/FLN NDA) embedded in the OZP would not be compromised. No change to the zoning is involved in this application. Besides, the proposed minor relaxation would not adversely affect traffic, sewerage, drainage, water supply and environmental aspects.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

- 4.1 The Site falls within the boundary of Advance Works Phase of the KTN/FLN NDA development. Following the funding approval by the Finance Committee of the Legislative Council on 3.5.2019, the land resumption and clearance as well as site formation and infrastructural works for the Advance Works Phase will commence in a progressive manner from the second half of 2019 for the first population intake in 2023 the earliest.
- 4.2 The Site is one of the two approved in-situ land exchange sites of KTN/FLN NDA, with the New Grant No. 22584 executed on 27.12.2017. The Site would be cleared and developed by the applicant at its own cost. For the building covenant on the land grant, the proposed private residential development at the Site is required to be completed and made fit for occupation on or before 31.12.2023. The latest GBP including the 6m-wide partially covered pedestrian walkway along the western edge of the Site was approved by BD on 1.2.2019.
- 4.3 The proposed pedestrian walkway at the Site would connect to the proposed covered elevated pedestrian walkway system to its north and to its south under review/design of CEDD’s Design and Construction Study (D&C Study) for

Remaining Phase of KTN/FLN NDA development.

5. **Previous Application**

The Site was previously zoned “Green Belt” (“GB”) on the draft Fanling/Sheung Sheung OZP No. S/FSS/3. A previous application No. A/FSS/32 for religious institution involving a smaller site area was rejected by the Rural and New Town Planning Committee (the Committee) on 3.7.1992 for the reasons that the proposed development does not conform with the Town Planning Board Guidelines for Application for Development within Green Belt (TPB PG-No. 10); no traffic noise mitigation measures were provided; and it may cause adverse traffic, sewerage and drainage impacts to the surrounding area. Details of the application are at **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Application**

There is one similar application (No. A/KTN/54) for minor relaxation of maximum plot ratio and/or building height restrictions for 8 public housing sites in KTN/FLN NDA (of which 2 sites are in FLN area, i.e. Sites F1 and F2) (**Plan A-1**). For Site F1 zoned “Other Specified Uses” annotated “Commercial/ Residential Development with Public Transport Interchange (1)” (“OU(CRDPTI)1”), the maximum plot ratio and building height are increased from 5 to 6 (+20%) and from 105 mPD (eastern portion) / 125 mPD (western portion) to 120 mPD (eastern portion) / 130 mPD (western portion) (+4-14%) respectively. For Site F2 zoned “R(B)”, the maximum plot ratio and building height are increased from 3.5 to 3.9 (+10%) and from 75 mPD to 85 mPD (+13%) respectively. The application was approved by the Committee on 16.11.2018. The considerations for approval were that the proposed minor relaxation would optimise the land resources to address pressing demand on public housing in the territory, and is considered in line with the 2018 Policy Address that 70% of the housing units on Government’s newly developed land will be for public housing; the application does not make any change to the established land use planning and development framework, planning themes, objectives and concepts of the KTN/FLN NDA embedded in the OZPs; various technical assessments were conducted to demonstrate that the minor relaxation is technically feasible in terms of traffic, sewerage, drainage, water supply and environmental aspects; and Government departments consulted generally had no adverse comment on the applications. Details of the application are at **Appendix III** and the locations of 2 sites in FLN area (i.e. Sites F1 and F2) are shown on **Plan A-1**.

7. **The Site and Its Surrounding Areas** (**Plans A-1 and A-2**, aerial photo on **Plan A-3**, and site photos on **Plan A-4**)

7.1 The Site is:

- (a) gently flat, vacant, and currently under site formation works; and

- (b) accessible via a temporary ingress/egress from Ma Sik Road.

7.2 At present, the surrounding areas are mainly occupied by active/fallow farmlands and some temporary domestic structures in Ma Shi Po. However, these areas would be resumed and cleared by the Government and would form part of the future KTN/FLN NDA development, and would become the future FLN Eastern District Centre, which will serve as one of the major activity nodes of the area, with a mix of residential use, retail, social and community facilities, PTI and public open space (including FLN Town Plaza). The planned land uses are as follows:

- (a) to the immediate north are an area zoned “Open Space” (“O”) which connects the FLN town centre to the Ng Tung River promenade, and an area zoned “OU(CRDPTI)1” which is planned for the provision of public housing development with commercial uses, social welfare facilities and a PTI; and to the further north is Ng Tung River;
- (b) to the east and northeast are a strip of “O” in parallel with the proposed Fanling Bypass Eastern Section and Ma Wat River; and to the further northeast off Ma Wat River are rural dwellings of San Uk Tsuen;
- (c) to the immediate south is Ma Sik Road; and to further south and southwest off Ma Sik Road are the existing high-rise residential buildings in Luen Wo Hui area known as Wing Fai Centre and Belair Monte, which are well connected with the existing covered pedestrian footbridge network of Luen Wo Hui area with its width ranging from about 5m to 7m; and
- (d) to the immediate west is the planned Road L1; and to further west and northwest are a cluster of planned private residential developments zoned “Residential (Group A)1” (“R(A)1”) intermixed with the FLN Town Plaza zoned “O” and a site zoned “Government, Institution or Community” (“G/IC”) planned for schools development.

8. Planning Intention

The planning intention of the “R(B)” zone is primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

9. Comments from Relevant Government Departments

9.1 The following Government departments have been consulted and their views are summarised as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) the Site is held under FSSTL No. 262 which is governed by New Grant No. 22584 (the New Grant). The subject 6m-wide pedestrian walkway under the application is provided in accordance with SC 20 (d) of the New Grant. As stipulated in SC 20(h) of the New Grant, the Director of Lands shall at his sole discretion decide the whole or part of the area of the pedestrian walkway that may be excluded from the GFA calculation under lease; and
- (b) if the Board approves the application, the lot owner may apply to LandsD for GFA exemption for the whole of the area of the subject pedestrian walkway. However, such application will be considered by LandsD acting in the capacity of landlord at its sole discretion under SC 20 of the New Grant and there is no guarantee that such application will be approved.

Building Matters

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

he has no objection in principle to the application under the BO.

Traffic

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

he has no comment on the application from traffic engineering perspectives.

Future Development

9.1.4 Comments of the Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD):

he has no comment on the application from project development and interface point of view. The proposed elevated pedestrian walkway system connecting to the proposed pedestrian walkway at the Site at its northern and southern boundary is under review/design of CEDD's D&C Study for Remaining Phase of KTN/FLN NDA development.

Urban Design and Landscape

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

Visual and Urban Design Aspect

- (a) he has no comment on the application from visual and urban design perspective, having regard to the small scale of the proposed pedestrian walkway and the requirement of Government departments for the fully covered walkway; and

Landscape Aspect

- (b) he has no objection to the application from the landscape planning perspective, having regard that the proposed development has followed the requirements under the OZP and is unlikely to cause further significant landscape impacts.

Drainage

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

he has no objection to the application from drainage point of view. His detailed comments are at **Appendix V**.

Water Supply

9.1.7 Comments of the Chief Engineer/New Territories East, Water Supplies Department (CE/NTE, WSD):

he has no objection to the application. His detailed comments are at **Appendix V**.

District Officer's Comments

9.1.8 Comments of the District Officer/North, Home Affairs Department (DO/N, HAD):

he has consulted the locals from 23.4.2019 to 8.5.2019.

- (a) the Chairman of Fanling District Rural Committee (RC), the incumbent North District Council (NDC) member of Tin Ping East Constituency and 54 residents from Ma Shi Po objected to the application mainly on the grounds that:

- (i) The Site falls within the boundary of KTN/FLN NDA and the relevant planning works has been completed.

Without a change in the planning circumstances, it appears no reason to make changes to the planned developments. Besides, it is not efficient to go through the statutory planning process again to facilitate the proposed minor relaxation in maximum plot ratio.

- (ii) The proposed minor relaxation in maximum plot ratio may lengthen the construction period of the Site, resulting in further nuisance (including noise impact) to the general public.
- (iii) The proposed minor relaxation in maximum plot ratio is not minor in nature. An increase of about 247 m² GFA may bring considerable extra revenue to the developer.
- (iv) As stated in the land grant of the Site, the proposed pedestrian walkway should be included in GFA calculation, and the applicant had already accepted the relevant lease conditions. Approval of this application will indirectly alter the lease conditions and will hamper the authority of LandsD in processing lease requirements.
- (v) Application for proposed minor relaxation in maximum plot ratio after the completion of in-situ land exchange and agreement of land premium is not justified and may possibly lead to collusion between the Government and the developer.

(b) the Chairman of Sheung Shui District RC, the incumbent NDC member of Queen's Hill Constituency, the Chairman of Belair Monte Owners' Corporation (OC) and two residents from Ma Shi Po had no comments on the application; and

(c) the incumbent NDC member of Luen Wo Hui Constituency, the Hong Kong Lutheran Social Service Shek Wu Community Development Project, 馬屎埔居民關注組, the Chairmen of Green Code OC, Wing Fai Centre OC, Regentville OC and Grand Regentville OC did not reply to the consultation.

9.2 The following Government departments have no objection to/adverse comment on the application.

- (a) Chief Estate Surveyor/Acquisition, LandsD (CES/A, LandsD);
- (b) Chief Highway Engineer/NT East, Highways Department (CHE/NTE, HyD);
- (c) Director of Fire Services (D of FS);
- (d) Director of Environmental Protection (DEP);
- (e) Director of Electrical and Mechanical Services (DEMS);

- (f) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (g) Commissioner of Police (C of P).

10. **Public Comments Received During Statutory Publication Period**

- 10.1 On 9.4.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 30.4.2019, a total of 48 comments were received. Of the 48 comments, 1 from a member of public expresses concern on the application in terms of adverse traffic impact on the Fanling/Sheung Shui area, and suggests the applicant to further liaise with NDC (**Appendix IVa**). The remaining 47 comments (1 from 馬屎埔環境關注組 (**Appendix IVb**) and 46 from members of public in 2 sets of letters with similar format and grounds (**Appendices IVc to IVf**)) object to the application. A full set of public comments would be deposited at the meeting for Members' inspection.
- 10.2 Some of the objecting comments are directly related to the application and are summarised as follows:
- (a) The proposed minor relaxation in maximum plot ratio is not minor in nature. An increase of about 247 m² GFA may bring considerable extra revenue to the developer.
 - (b) As stated in the land grant of the Site, the proposed pedestrian walkway should be included in GFA calculation, and the applicant had already accepted the relevant lease conditions. Approval of this application will indirectly alter the lease conditions and will hamper the authority of LandsD in processing lease requirements.
 - (c) The proposed minor relaxation in maximum plot ratio may lengthen the construction period of the Site, resulting in further nuisance to the general public.
 - (d) The Site falls within the boundary of KTN/FLN NDA and the relevant planning works has been completed. Without a change in the planning circumstances, it appears no reason to make changes to the planned developments. Besides, it is not efficient to go through the statutory planning process again to facilitate the proposed minor relaxation in maximum plot ratio.
- 10.3 Some other objecting comments are not directly related to the application but mainly objecting to the development of the Site and providing views on other related issues. They are summarised as follows:
- (a) The proposed residential development at the Site will bring about traffic congestion problem, flooding problem, vibration problem related to the site formation works and other environmental nuisance to the area.
 - (b) The proposed residential development at the Site will lead to adverse impacts on greening, open space, education, security, medical care and

environment.

- (c) The in-situ land exchange mechanism of the KTN/FLN NDA is considered unfair in nature and favours the interest of private developers.
- (d) Application for proposed minor relaxation in maximum plot ratio after the completion of in-situ land exchange and agreement of land premium is not justified and may possibly lead to collusion between the Government and the developer.
- (e) Approval of this application will increase the property value of the proposed residential development at the Site. The compensation to the affected owners and occupants previously living at the Site should be enhanced.
- (f) Some residents in the area wish to stay in the neighborhood.

11. Planning Considerations and Assessments

- 11.1 The application is for minor relaxation of maximum plot ratio restriction from 3.5 to 3.5151 for permitted residential development at the Site, which is zoned "R(B)" on the approved Fanling North OZP No. S/FLN/2 (**Plan A-1**), to facilitate the provision of a 6m-wide pedestrian walkway along the western edge of the Site (**Plan A-2**) as required under the lease for the subject lot. The proposed pedestrian walkway will be open for use by the public on a 24-hour basis, and connected to the proposed footbridges to link up the Luen Wo Hui area and the future FLN Eastern District Centre (**Plan A-2**) and to the 1/F level of the residential development via a separate pedestrian link (**Drawings A-2** and **A-3**). Upon the request of TD and HyD, the walkway should be wholly covered. As BD only exempts part of the covered walkway (i.e. 2m in width) from GFA calculation under the BO, the current application is for proposed minor relaxation of maximum plot ratio from 3.5 to 3.5151 (with an increase of 0.0151) (about +0.431%) to cater for the section of covered walkway not exempted from GFA calculation under BO (i.e. 4m in width) which amounts to a GFA of 246.536 m².
- 11.2 The current application involves a minor increase in plot ratio and does not make any change to the established land use planning and development framework, and will not alter the planning themes, objectives and concepts of the KTN/FLN NDA embedded in the OZP. There is no change to the proposed land use for the Site. Besides, as compared to the approved GBP, there is no change to the site layout, building height, site coverage and number of blocks involved in this application such that overall townscape and neighbourhood environment of the NDA would not be affected.
- 11.3 According to the applicant, the proposed covered walkway at the Site will form part of the future 24-hour elevated north-south public pedestrian walkway network from Luen Wo Hui area to the south to the future FLN Eastern District Centre at the north (**Plan A-2**) in order to allow better integration of FLN area

with the Luen Wo Hui area and facilitate the pedestrian movement between two areas. It is considered that the proposed covered walkway would have a merit of enhancing public accessibility and pedestrians' comfort in the area. Having regard to the width of the existing elevated pedestrian walkway in Luen Wo Hui area ranging from about 5m to 7m, it is considered that a 6m-wide covered walkway at the Site is a reasonable and logical further extension of the above covered pedestrian connection system to FLN area. The provision of the pedestrian walkway is also required under the lease, but with no specific requirement on whether the walkway should be covered or not.

- 11.4 Concerned departments including DLO/N, LandsD, CBS/NTW, BD, C for T, PM/N, CEDD and CTP/UD&L, PlanD have no objection to/adverse comment on the application. DLO/N, LandsD advises that as stipulated in SC 20(h) of the land grant, the Director of Lands shall at his sole discretion decide the whole or part of the area of the pedestrian walkway that may be excluded from the GFA calculation under lease; and if the Board approves the application, the lot owner may apply to LandsD for GFA exemption for the whole of the area of the subject pedestrian walkway. However, such application will be considered by LandsD acting in the capacity of landlord at its sole discretion and there is no guarantee that such application will be approved. CBS/NTW, BD has no objection in principle to the application under the BO. CTP/UD&L, PlanD has no comment on the application from visual, urban design and landscape perspectives, having regard to the proposed pedestrian walkway is of small scale and is unlikely to cause further significant visual and landscape impacts.
- 11.5 During the statutory publication period, 48 comments were received from 馬屎埔環境關注組 and 47 members of public. Of which, 1 comment expresses concern on the application in terms of adverse traffic impact on the area, and the other 47 comments object to the application mainly on the ground that the proposed minor relaxation is not minor in nature, and is not justified to go through the statutory planning process again for minor relaxation. Relevant Government departments' comments and planning considerations set out in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the local views and public comments in paragraphs 9.1.8 and 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until **17.5.2023**, 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 condition of approval and advisory clauses are suggested for Members' reference:

Approval Condition

the additional GFA of 246.536 m² allowed is only for the provision of the

6m-wide covered pedestrian walkway at the Site.

Advisory Clauses

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

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

the applicant has failed to demonstrate the proposed minor relaxation of maximum plot ratio restriction is necessary to facilitate the provision of the proposed 6m-wide covered pedestrian walkway at the Site. There is no strong planning justification for the approval of minor relaxation of maximum plot ratio restriction for the permitted residential development.

13. Decision Sought

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

14. Attachments

Appendix I	Application Form received on 29.3.2019
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Further Information (FI) dated 11.4.2019
Appendix Ic	FI dated 6.5.2019
Appendix II	Previous Application
Appendix III	Similar Application
Appendices IVa to IVf	Public Comments
Appendix V	Advisory Clauses
Drawing A-1	Location Plan
Drawing A-2	Layout Plan
Drawing A-3	Part Plan and Section Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos