

RNTPC Paper No. A/YL/256A  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 20.3.2020

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL/256**

- Applicant** : Upper Caterings Group Limited represented by Kenneth To and Associates Ltd.
- Site** : Lots 1695 S.E ss. 1 RP, 1695 S.F ss.1 and 1695 S.H RP (Part) in D.D. 120, Tai Kei Leng, Yuen Long, New Territories
- Site Area** : 1,714.229m<sup>2</sup>
- Lease** : Old Scheduled Agricultural Lots (*the lease is untraceable*)
- Plan** : Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/23
- Zoning** : “Government, Institution or Community(1)” (“G/IC(1)”) [restricted to a maximum building height (BH) of 3 storeys (8 storeys for ‘School’ and ‘Hospital’ uses) excluding basement(s). Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction may be considered by the Town Planning Board on application under s.16 of the Town Planning Ordinance]
- Application** : Proposed Conservation of Historic Building and Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of building height restriction (BHR) from 3 storeys to 5 storeys for a proposed social welfare facility (Residential Care Home for the Elderly) at the southern part of the application site (the Site), which is zoned “G/IC(1)” on the approved Yuen Long OZP No. S/YL/23 (**Plan A-1**). According to the Notes of the OZP, ‘Social Welfare Facility’ is always permitted in the “G/IC” zone. The Remarks of the Notes stipulates that the maximum building height (BH) of the “G/IC(1)” zone is 3 storey (8 storeys for ‘School’ and ‘Hospital’) excluding basement(s). Based on the individual merits of a development or redevelopment proposal, minor relaxation of the BHR may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance. As the proposed development exceeds the BHR of 3 storeys, planning permission for minor relaxation of BHR is required

from the Board. The Site is currently occupied by a vacant historic building ‘Siu Lo’ and parking of vehicles.

- 1.2 The applicant, owner of the Site, proposes a conservation-cum-development project. The proposed development will completely preserve an existing Grade 3 historic building (‘Siu Lo’ (筱廬)) (includes its main building and annex block) in situ, and construct a new building for a proposed Residential Care Home for the Elderly (RCHE). ‘Siu Lo’ comprising a 2-storey main building and a 1-storey annex block which are both Grade 3 historic buildings, is proposed to be converted to a “Gallery for Heritage Interpretation” for public visits through advance bookings. Guided tours would be provided for visitors to understand the background of Siu Lo, the original owner’s family life and the history of the surrounding area. The guided visit would be organised once per two months, subject to agreement with Antiquities and Monuments Office (AMO) and Commissioner for Heritage’s Office (CHO). According to the Notes of the OZP, ‘Place of Recreation, Sports and Culture’ is always permitted in the “G/IC” zone. The proposed RCHE at the southern portion of the Site, will have a total of 5 storeys (excluding 1 basement storey) and provide 170 beds. The Site is accessible via Tai Tong Road (**Plan A-2**). The proposed development proposal is scheduled for completion in December 2022. The master layout plan, floor plans, section plans, landscape plan, greenery calculation, layout and section plans of the notional scheme and photomontages submitted by the applicant are shown on **Drawings A-1 to A-16**.
- 1.3 According to the applicant, under the notional scheme of full-development of the new RCHE building without preserving ‘Siu Lo’ (**Drawings A-9 and A-10**), the developable GFA of the RCHE is 4,672m<sup>2</sup>. With the intention to preserve ‘Siu Lo’ and in order to attain the developable GFA with significantly reduced footprint, the new RCHE building has to comprise 5 storeys above ground plus 1 basement level.
- 1.4 The major development parameters of the proposal with preservation of ‘Siu Lo’ are as follows:

<b>Proposed Development (overall)</b>	
Site area (about)	About 1,714.229m <sup>2</sup>
Total Gross Floor Area (GFA)	About 4,267m <sup>2</sup>
Proposed Plot Ratio (PR)	About 2.49
Propose Site Coverage	About 54%
<b>Historic Building – Siu Lo</b>	
Total GFA for the Existing Structure	368m <sup>2</sup>
<u>No. of Storeys</u> Main Building Annex Block	2 storeys 1 storey
Proposed Uses	Gallery for Heritage Interpretation, Storage, Gallery

<b>Proposed RCHE</b>	
Proposed GFA	3,581m <sup>2</sup>
No. of Storeys	5 + 1 basement floor
<u>Proposed Floor Use (floor-to-floor height)</u>	
<ul style="list-style-type: none"> <li>• B/F : Office/Kitchen/Rehabilitation Area</li> <li>• G/F : Reception / Parking Spaces / L&amp;UL Bays (HGV) /RCHE (6m)</li> <li>• 1/F to 4/F : RCHE (3.5m)</li> <li>• R/F : Open Space/E&amp;M Facilities</li> </ul>	
Building Height (BH)	27.5mPD
Total No. of beds	170
<b>Provision of Transport Facilities</b>	
No. of private Car Parking Spaces	3 (including 1 for disabled persons)
No. of Ambulance Lay-by	1
No. of Maxicab Parking Space	1
No. of Loading/unloading Bay (Heavy Goods Vehicle)	1

- 1.5 According to the applicant, special design considerations have been given to the proposed RCHE building in order to conserve the historic building of ‘Siu Lo’ which include special façade treatment and a column design with higher headroom on G/F. A landscape plan with proposed tree planting and at grade greenery are also proposed. The streetscape adjoining to the Site will be also be improved. The entrance at the northeast of the Site facing Tai Tong Road will be enhanced to facilitate pedestrian usage (**Drawings A-7 and A-8**).
- 1.6 The applicant has submitted relevant technical assessments in regards to traffic, environmental, sewerage, drainage and landscape impacts to demonstrate that the proposed RCHE development would not pose significant adverse impact on the surrounding environment (**Appendices Ia to Ij**).
- 1.7 In support of the application, the applicant has submitted the following documents:
- (a) Application form with attachments received on 22.5.2019 (**Appendix I**)
  - (b) Supplementary planning statement attached to **Appendix I** (**Appendix Ia**)
  - (c) Further information (FI) dated 10.7.2019 in response to comments from department with additional figures for Traffic Impact Assessment (TIA), Visual Impact Assessment (VIA) and a revised Sewerage Impact Assessment (SIA) (*accepted but not exempted from publishing*) (**Appendix Ib**)

- (d) FI dated 8.8.2019 in response to comments from concerned departments with revised figures showing visual context, updated planning statement and replacement pages for Heritage Appraisal and a revised Environmental Assessment (EA)  
*(accepted but not exempted from publishing)* **(Appendix Ic)**
- (e) FI dated 10.9.2019 in response to comments from concerned departments with a revised EA and revised SIA  
*(accepted but not exempted from publishing)* **(Appendix Id)**
- (f) FI dated 8.11.2019 in response to comments from concern departments with revised schematic layouts, a revised EA, revised photomontages, revised landscape plan and a revised SIA  
*(accepted but not exempted from publishing)* **(Appendix Ie)**
- (g) FI dated 12.12.2019 in response to comments from TD and EPD, with revised architectural drawings and revised landscape drawings and layout plans of notional scheme for clarification.  
*(accepted and exempted from publishing)* **(Appendix If)**
- (h) FI dated 13.12.2019 in response to comments from EPD with a revised SIA  
*(accepted but not exempted from publishing)* **(Appendix Ig)**
- (i) FI dated on 17.1.2020 to elaborate planning and design merits and submitted a responses-to-comments table in response to the comments from EPD and UD&L, PlanD with replacement pages of the planning statement and a revised EA with minor revisions  
*(accepted and exempted from publishing)* **(Appendix Ih)**
- (j) FI dated on 3.2.2020 to clarify the proposed operation hours of the preserved historic building  
*(accepted and exempted from publishing)* **(Appendix Ii)**
- (k) FI dated on 3.3.2020 in response to comments from Fire Services Department  
*(accepted and exempted from publishing)* **(Appendix Ij)**

1.8 On 1.11.2019, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision as requested by the applicant. After the deferral, the applicant submitted further information on 8.11.2019, 12.12.2019, 13.12.2019, 17.1.2020, 3.2.2020 and 3.3.2020. In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting

originally scheduled for 7.2.2020 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 Section 6 of **Appendices Ia, Ih and Ii**. They are summarised as follows:

### In line with the policy direction on preservation-cum-development private project

- (a) The Government has been encouraging conservation of privately owned historic buildings and respective private property rights by providing incentives to owners for historic building conservation. The subject proposal aims to conserve the existing historic building 'Siu Lo' in situ in which both public interest and financial viability could be properly attained.
- (b) The concerned building is a Grade 3 historic building which has no protection under current legislation. To echo the Government's policy to conserve historic buildings in Hong Kong and revitalise historic buildings and revitalise it for a sustainable use, the applicant initiates a conservation-cum-development proposal, at his own cost, to restore the historic building into a compatible use and develop the remaining part of the Site into community use.
- (c) At meetings with the CHO and AMO, they agreed with the direction of this proposal to preserve the entire Siu Lo (both the main building and the annex block) while developing a RCHE on the remaining area of the Site.

### Conservation for public enjoyment

- (d) While all the facilities for the operation of the proposed RCHE are self-contained, Siu Lo is proposed for a Gallery of Heritage Interpretation to allow public appreciation of the historic building.
- (e) With proper administrative and security arrangement, Siu Lo would be open for public visits through advance bookings. Guided tours would be provided for visitors to understand the background of Siu Lo, the original owner's family life and the history of the surrounding area. The guided visit would be organised around once per two months, subject to agreement with AMO and CHO.

### Addressing surging demand of RCHE places

- (f) The projected service demand for RCHE would increase from about 49,000 places in 2019 to about 68,000 places in 2046. However, the total number of subsidised and non-subsidised RCHE places is only 32,461 as at 31.12.2018. The subject proposal supports the policy direction to explore the possibility of reserving land or premises in new development projects or redevelopment projects, where appropriate, for welfare facilities.

- (g) To conserve 'Siu Lo', developing a new 3-storey RCHE is always permitted, but the supply of bed spaces would be reduced by 40%. In order to attain the developable GFA of the Site to address surging demand for RCHE places while conserving 'Siu Lo', the proposed scheme will ensure adequate provision of RCHE bed space originally allowed under the notional scheme. The applicant aims to provide a comfortable and caring living environment for the future residents with the standard of 9.5m<sup>2</sup> floor space per resident.

#### Need for BH relaxation

- (h) The notional full-development scheme demonstrates the actual development potential of the Site without the conservation of the historic building (**Drawings A-9 and A-10**). Under the maximum BH, the maximum achievable GFA of the notional scheme is 4,672m<sup>2</sup>. The total GFA of the proposal new RCHE with the preservation of 'Siu Lo' is 4,267m<sup>2</sup>, no extra GFA is proposed.
- (i) To achieve the comparable development potential with the preservation of the heritage building, the proposed preservation-cum-development scheme would only require a minor relaxation of BH to accommodate the GFA needed to provide the same number of RCHE beds as in the notional scheme.

#### Compatibility

- (j) While the building height of the developments in the immediate surrounding is 1-3 storeys, the maximum building height for the prevailing "G/IC(1)" zone is 8 storey for 'School' and 'Hospital' use. The residential development Sereno Verde with BH of 16 storeys is located within 200m southeast to the Site. It is anticipated that the proposed 5-storey RCHE would be compatible to the surrounding visual context.

#### Design Merits

##### *Overall*

- (k) The Main Building of Siu Lo, and the new building would be blended with the old one without imposing any adverse impact to Siu Lo. Rooftop garden comprising open lawn, sitting courtyard and edge planters will be provided at R/F of the new building for the enjoyment of the future users of RCHE. The edge planters will also improve the visual quality at street level.

##### *Green Building Design*

- (l) The building design, construction and operation will be related to efficient use of energy, water and other resources. It will not be limited to the compliance with the Energy Efficiency of Buildings - Building (Energy Efficiency) Regulation, but also the utilization of re-use and recycling materials for construction of building; use of materials which are low Volatile Organic Compounds, environmentally friendly and energy saving E&M system.

##### *Sustainable Building Design*

- (m) The applicant does not intend to claim GFA concessions for green and amenity features and non-mandatory / non-essential plant rooms and services through complying with the Sustainable Building Design (SBD) Guidelines under PNAP

APP-151 & 152, thus no extra GFA would be added to the building bulk. Nevertheless, the Applicant has made reference to some of the elements suggested under the SBD Guidelines, i.e. provision of total greenery area not less than 20% of the site area.

*Street level design, pedestrian accessibility, connectivity and comfort*

- (n) With the Proposed Development, streetscape adjoining to the Site will be improved. A beautified entrance at the northeast of the Site facing Tai Tong Road will be provided. Ornamental trees and shrubs will be provided along the site boundary to provide shade and visual amenity to the users and pedestrians.

No adverse landscape and visual, traffic, environmental, drainage impacts

- (o) A landscape plan (**Drawing A-7**) is provided to ensure a quality landscape environment for the proposed development. A total of 404m<sup>2</sup> planting area will be provided, the green ratio is approximately 21.87% (**Drawing A-8**). 3 numbers of existing trees are proposed to be removed and 11 heavy standard trees will be replanted for compensation.
- (p) The results of relevant technical assessments with respect to traffic, environmental, sewerage, drainage, and landscape impacts have demonstrated that the proposed RCHE development would not pose significant adverse impact on the surrounding environment.

Acceptable quantitative risk from nearby hazardous use

- (q) According to the Quantitative Risk Assessment (QRA) on the petrol filling station adjoining to the east of the Site, the individual risk and societal risk associated with the PFS is in compliance with “Hong Kong Government Risk Guidelines for Potential Hazardous Installations”, and thus no further mitigation measures are required.

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

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

**4. Background**

- 4.1 According to the Planning Report for Yuen Long New Town prepared by the Planning Department in 1990, “G/IC” sites were planned/reserved in the western and southern extension areas of the Yuen Long New Town for providing GIC facilities to cater for the unforeseen needs in future. The Site has been zoned “G/IC” since the exhibition of the first draft Yuen Long OZP No. S/YL/1 on 12.4.1991. Subsequently, the Site was rezoned to “G/IC(1)” with the imposition of BHR to help ensure that the developments will be in keeping with the adjacent village environment under the draft Yuen Long OZP No. S/YL/16 gazetted on 5.1.2007. There is no designated GIC use for the subject “G/IC(1)” zone.

4.2 ‘Siu Lo’<sup>1</sup>, comprising a two-storey Main Building and a single-storey Annex Block, is a Grade 3<sup>2</sup> historic building accorded by the Antiquities Advisory Board on 7.9.2017. CHO and AMO have engaged the owner on various preservation-cum-development proposals for the subject historic building since April 2017. After rounds of discussion, the owner finally agreed in December 2018 to preserve the entire Siu Lo in-situ, and convert the building into a “Gallery for Heritage Interpretation” for free public visit and enjoyment, whilst a new five-storey RCHE would be constructed on the remaining area of the Site.

## **5. Previous Application**

There is no previous application within the Site.

## **6. Similar Application**

There is one similar application for minor relaxation of BHR involving the “G/IC(1)” zone (with a minor portion on the “Village Type Development” (“V”) zone) on the Yuen Long OZP. Planning application No. A/YL/252 for a composite building comprising school and religious institution (church) with minor relaxation of BHR which was approved with conditions by the RNTPC on 3.5.2019 on the grounds that the proposed development was in line with the planning intention of the “G/IC” zone. While the proposed development was not entirely in line with the planning intention of the “V” zone, the “V” zone portion of the application site, which was owned by the applicant, would only be used for landscaping area. The proposed development was not incompatible with the surrounding areas. The proposed design and mitigation measures such as façade design and variation of BHs to minimise the potential visual impact arising from the proposed development were acceptable to relevant government departments. The proposed minor relaxation of BHR from three to eight storeys with two storeys basements for carparking and loading/unloading was compatible with the medium-rise GIC uses north of Ma Tong Road. Details of the application are summarized at **Appendix II** and its location is shown on **Plan A-1**.

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

### **7.1 The Site:**

- (a) is located in the southern part of Yuen Long New Town. It is accessible via Tai Tong Road;
- (b) comprises a Grade 3 historic building (including its main building and annex block) which is currently vacant i.e., ‘Siu Lo’; and

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<sup>1</sup> Siu Lo was built in early 1942. It comprises a two-storey main building with a single-storey annex block (a kitchen and a store) attached to the house at an angle. It is a house in mixed style, with Western influence in the open porch and verandah, as well as Chinese influence in the splayed fung shui corners. Siu Lo has built heritage value. The architecturally mixed style (both Chinese and Western) is character attribute. It has local interest and local significance.

<sup>2</sup> By definition, Grade 3 historic buildings are buildings of some merit preservation in some form would be desirable and alternative means should be considered if preservation is not applicable.



- (c) is currently used as a temporary public car park.

7.2 The surrounding areas have the following characteristics:

- (a) the Site is situated in an area generally occupied by low-density residential and village settlements;
- (b) to its immediately north is the Yuen Long Baptist Church which is covered by a valid planning application No. A/YL/252 for a composite building comprising school and religious institution (church) with minor relaxation of BHR which was approved with conditions by the RNTPC on 3.5.2019, and to its further north are village houses.
- (c) to its west and south-west are open storages, rural workshops and parking of vehicles;
- (d) to its south are s a cluster of village houses and a food factory;
- (e) to its immediate east is Tai Tong Road and a petrol filling station;
- (f) to its further east across Tai Tong Road are open storage, warehouse with retail sale and workshop, real estate agencies and car services.

## **8. Planning Intention**

8.1 The planning intention of “G/IC” zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

8.2 A minor relaxation clause in respect of BH restrictions is incorporated into the Notes in order to provide incentive for developments/redevelopments with planning and design merits. Each application for minor relaxation will be considered on its own merits and the relevant criteria for consideration of such relaxation in paragraph 9.1.8 of the Explanatory Statement (ES) of the OZP are as follow:

- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
- (b) accommodating the bonus PR granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
- (c) providing better streetscape/good quality street level public space;
- (d) providing separation between buildings to enhance air ventilation and visual permeability; and

- (e) other factors, such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape, visual and air ventilation impacts, as appropriate, would be resulted from the innovative building design.

## **9. Comments from Relevant Government Departments**

- 9.1 The following Government departments have been consulted and their views on the application and the public comments received are summarised as follows:

### **Heritage Preservation Aspect**

- 9.1.1 Comments of the Commissioner of the Heritage's Office (CHO) and the Antiquities and Monuments Office ("AMO"), Development Bureau:

- (a) They render in-principle support to the application from the heritage conservation perspective.

#### *Grading system for historic buildings*

- (b) The government's heritage conservation policy aims to strike a proper balance between respect for private property rights and heritage conservation, and offer appropriate economic incentives to encourage private owners to conserve and revitalize their historic buildings. A grading system for historic buildings has been put in place to provide an objective basis for the preservation need of individual historic buildings. The grading system is administrative in nature and does not affect the ownership management, usage and development rights of the buildings.
- (c) 'Siu Lo', comprising a two-storey Main Building and a single-storey Annex Block, is a Grade 3 historic building accorded by the Antiquities Advisory Board on 7.9.2017. By definition, Grade 3 historic buildings are "buildings of some merit preservation in some form would be desirable and alternative means should be considered if preservation is not applicable".

#### *Conservation of the subject historic building*

- (d) Noting the redevelopment plan for 'Siu Lo', CHO and AMO have engaged the owner on various preservation-cum-development proposals for the subject historic building since April 2017. After rounds of discussion, the owner agreed in December 2018 to preserve the entire Siu Lo in-situ, and convert the building into a "Gallery for Heritage Interpretation" for free public visit and enjoyment; whilst a new five-storey RCHE would be constructed on the remaining area of the Site. From heritage conservation perspective, the applicant's good intention to preserve in-situ this Grade 3 historic building and put it into beneficial use was appreciated.

- (e) In view of the preservation of the entire Siu Lo, the application is seeking minor relaxation of BHR for social welfare facilities from three storeys to five storeys (excluding basement). With regard to the prevailing heritage conservation policy, it is considered that the current preservation-cum-development proposal for 'Siu Lo' is commensurate with its grading and heritage value. Therefore, in-principle support was rendered to the application from the heritage conservation perspective.

Conservation Management Plan

- (f) In anticipation of the change of uses of the graded building under the development proposal, including alteration works for accommodating new uses and complying with prevailing statutory requirements, from the heritage conservation perspective, it is advised that a Conservation Management Plan ("CMP") should be devised by the applicant. The CMP should include but not limit to the following aspects:
  - (i) an outline of the conservation approach of the development project;
  - (ii) documentation of the proposed works to Siu Lo;
  - (iii) evaluation of the impacts of the proposed works on Siu Lo;
  - (iv) provision of protective measures for Siu Lo throughout the project period; and
  - (v) recommendations of mitigation measures for Siu Lo for managing the changes arising from the development projects.
- (g) In paragraph 3.2 – Character Defining Elements, all internal and external elements of the Annex Block were assessed with a "low significance". He would like to draw the applicant's attention that the Annex Block forms an integral part of the Grade 3 historic building, and the heritage value of the Main Building as well as the Annex Block has to be considered as a whole. Besides, the Annex Block, which reflects the heydays of the family which built Siu Lo and forms part of the legacy of their ancestors who accumulated wealth overseas and returned to settle in this area. The applicant should consider his comments and revisit the assessment. The applicant is required to reflect appropriately the significance of the Annex Block in the CMP.
- (h) He suggests the Board could consider including the submission of CMP as approval conditions as below:
  - (i) The submission of a CMP for the conservation of the Main Building and the Annex Block of Siu Lo prior to commencement of any works and implementation of the CMP to the satisfaction of the Antiquities and Monuments Office or

of the Town Planning Board;

- (ii) The submission of a full set of photographic, cartographic and/or 3D scanning records of the Main Building and the Annex Block of Siu Lo prior to commencement of works to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board.
- (i) In response to the public comments regarding the concern on preservation of the historic building at the construction of the RCHE, AMO responded from the heritage conservation perspective that:
- (i) Under the subject s.16 planning application, Siu Lo, a Grade 3 historic building, is proposed to be preserved *in-situ* and to be converted into a “Gallery for Heritage Interpretation” to open to the public free. In anticipation of the change of uses of Siu Lo, AMO advised that the applicant should submit a CMP and recommended the Board to include the CMP as one of the approving conditions to ensure that the graded building will be preserved properly under the subject development if it is approved by TPB; and
  - (ii) Apart from CMP, under the current internal monitoring mechanism, BD, LandsD and PlanD will consult the CHO and AMO upon receipt of any submissions which may affect graded buildings. Once AMO receives referrals from relevant departments, AMO will offer comments for the protection of the graded buildings to be affected, for instance, to comment on the general building plans, protective and mitigation measures, etc. to safeguard graded buildings, including Siu Lo from any undesirable damages / interruptions arising from redevelopment.
- (j) He would reserve his comments on the future submissions regarding the detailed design of the new building, particularly the four columns near the Annex Block.

### **Land Administration**

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

- (a) According to the preliminary land status check, it reviews that Lot Nos. 1695 S.E s.s.1 RP, 1695S.F s.s.1 and Portion of 1695 S.H RP in D.D. 120 are Old Scheduled agricultural lots but the lease documents cannot be traced. As the southern portion of Lot 1695 S.H RP would be excluded from the Site, the actual site area and boundary of the Lot involved will be subject to verification at land exchange stage if any land exchange is applied for by the applicant to Lands Department.
- (b) In the event that planning permission is given, the applicant has to

apply to the Lands Department for a land exchange to effect the proposed development. Such application will be considered by her department acting in its capacity as a landlord at its sole discretion and there is no guarantee that the land exchange, including the grant of additional government land (if any), for the proposed development 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 his department at its sole discretion.

### **Traffic**

#### 9.1.3 Comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD):

He has no in-principle comment on the planning application from the traffic engineering viewpoint. The applicant is reminded that sufficient space should be provided within the application site for manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed.

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

- (a) If the proposed run-in is agreed by TD, the applicant should provide the run in/out at Tai Tong Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement.
- (b) Adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads/drains.
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and Tai Tong Road.

### **Social Welfare Perspective**

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

- (a) She has no objection on the proposed minor relaxation of building height from 3 storeys to the currently proposed 5 storeys for construction of a RCHE from the welfare point of view, the applicant should address the following comments from the licensing point of view for the future design:
  - (i) The applicant is reminded that, for a RCHE licence to be issued, the intended RCHE has to comply with the licensing requirements as stipulated in the Residential Care Homes (Elderly Persons) Ordinance, Cap. 459, its subsidiary legislation and the Code of Practice for Residential Care Homes (Elderly Persons)(CoP).

- (ii) It is noted that the basement would accommodate office, kitchen, laundry, interview room and rehabilitation area of the proposed RCHE whilst dormitories for the elderly would be situated on other floors. The applicant's attention should be drawn to paragraph 5.2.2 of the CoP stating that an RCHE should not be situated in the basement floor under general circumstances.
- (b) It is noted that the applicant had approached LandsD before indicating their interest to apply for the premium concession scheme. Please note that her comments on the eligibility to apply for the premium concession scheme will be provided separately upon receipt of the formal application from the applicant.
- (c) Policy support for the premium concession scheme of the RCHE would be considered separately upon receipt of the formal application from the applicant.

### **Environment**

#### 9.1.6 Comments of the Director of Environmental Protection (DEP):

He has no objection in principle to the application. Regarding the comments from DSD, he has no further comment on the SIA.

### **Urban Design and Landscape**

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

Based on the information provided, he has the following comments from architectural and visual impact point of view:

- (a) It is noted that the proposed development mainly consists of one 5-storeys building block (on top of 1-storey basement floor) which may not be incompatible with surrounding context. In this regard, they have no comment from visual impact point of view.
- (b) It is noted that some of the façade area are facing west. Solar control devices should be considered to reduce solar heat gain and avoid glare affecting other buildings as far as practicable.
- (c) For rehabilitation area, interview room, office, kitchen and toilets in the B/F, lighting and ventilation shall be provided to comply with relevant Building (Planning) Regulations.

9.1.8 Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

Urban Design

- (a) The applicant seeks planning permission for conservation of a historic building and minor relaxation of building height (BH) in the application site zoned “G/IC(1)” on the approved Yuen Long OZP No. S/YL/23. The proposed development involves preserving the Grade 3 Historic Building (“Siu Lo”) and development a new building at the remaining area of the Site for a proposed RCHE with minor relaxation of BHR from 3 storeys (8 storeys for ‘school’ and ‘hospital’ uses) to 5 storeys (plus 1 basement level).
- (b) Siu Lo comprises a two-storey main building and a single-storey annex block. The historic building is proposed to be restored and preserved for Gallery for Heritage Interpretation and management use. There is a 2-storey church building to the immediate north of the Site. The Site is surrounded by a “V” zone to its south, west and further north preoccupied by village houses with some low rise temporary structures and factories in the vicinity, with Tai Tong Road to the east. According to the Explanatory Statement of the OZP, the BHR will help ensure that the developments in these sites are in keeping with the adjacent village environment.
- (c) It is noted that special design considerations have been given to the proposed new building in order to conserve the historic building of ‘Siu Lo’. This includes special façade treatment in the later stage of the development, as well as a column design and “higher headroom” on G/F with part of the proposed new building (from 1/F to R/F) hovering 1.8m above part if the historic building for maintenance.
- (d) Based on information submitted by the applicant, the proposed development is considered not incompatible to the surroundings.
- (e) The applicant is reminded to take into consideration and respect the visual elements of ‘Siu Lo’ (including façade articulation, proportions, etc.) in preparing the design of the proposed new building in the later stage of the project as stated in their responses-to-comments.

Landscape

- (f) With reference to the aerial photo of 2018, it is observed that the majority of the Site is used as car park with an existing building at the northern portion. Significant vegetation is not observed within the Site. The Site is situated in an area of village landscape character disturbed by temporary structures. Significant change to the landscape character arising from the application is not envisaged.

- (g) The Applicant is advised that the approval of the application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. Applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works.

### **Drainage**

#### 9.1.9 Comments of the Chief Engineer/Mainland North, DSD (CE/MN, DSD):

- (a) He has no objection in principle to the proposed development from the public drainage point of view.

#### **Sewerage Impact Assessment (SIA)**

- (b) The SIA report needs to meet the full satisfaction of Sewerage Infrastructure Group (SOG) of EPD, the planning authority of sewerage infrastructure. DSD's comments on the SIA are subject to views and agreement of EPD.
- (c) The methodology of sewage flow estimate from the proposed development and existing catchment should be agreed with EPD.
- (d) Should the Board consider that the application is acceptable from the planning point of view, conditions should be stipulated in the approval letter requiring the applicant:
  - (i) the submission of a drainage proposal; and
  - (ii) the implementation of the drainage proposal.

### **Building Matters**

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

- (a) Presumably the Site abuts Tai Tong Road, the site coverage and plot ratio of the development should not exceed the limitation under the 1st schedule of B(P)R. Otherwise, the development intensity should be determined under B(P)R 19(3).
- (b) It is noted from the current proposal that the proposed vehicular and pedestrian access of the Site is via a local track which rest on government land and lead to Tai Tong Road. The applicant has to apply to LandsD for granting right of way for the proposed access.
- (c) The Site shall be provided with means of obtaining access thereto from a street under the B(P)R 5 and emergency vehicular access shall be provided for all the buildings to be rented on the Site in accordance with the requirements under the B(P)R 41D.



- (d) The proposed high headroom of G/F (7m) should be justified and considered during plan submission stage.
- (e) The applicant is reminded that disregarding car parking spaces from GFA calculation under Buildings Ordinance will be considered on the basis of the criteria set out in PNAP APP-2 during plan submission stage.
- (f) The proposed development should follow and comply with the pre-requisite for GFA concession in PNAP APP-151 and the Sustainable Building Design guideline stipulated in PNAP APP-152 during the preparation of detailed building design.
- (g) The proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other related relevant requirements as may be imposed by the licensing authority.
- (h) Detailed comments will be offered during building plan submission stage.

### **Fire Safety**

#### 9.1.11 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the application;
- (b) The following conditions should be observed:
  - (i) Where the wall of the petrol filling station forms part of an occupied building where the building is a domestic premises or premises housing vulnerable populations (i.e. schools, hospitals, old people's home and other residential accommodation), a separation of 12m from the fill point is maintained;
  - (ii) The vent discharge point of any vent pipes within the petrol filling station should not be within 3m in any direction of opening windows or any other opening to a building;
  - (iii) A minimum separation distance of 9m between the dispensers and any domestic premises or premises housing vulnerable populations is maintained;
  - (iv) Fill points are not located within 4m of the public thoroughfare or property boundary, i.e. boundary of the proposed residential care home for the elderly; and
  - (v) The location of tanks and other equipment, and the services at the filling station should be chosen to minimise the effects of

fire and explosion upon adjacent premises and to avoid jeopardizing the means of escape of persons at the filling station or at the adjacent premises. In this case, since the petrol filling station is an existing station, the developer of the residential care home for the elderly should be reminded of the effects of fire and explosion caused by the existence of the petrol filling station.

- (c) Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans and referral from relevant licensing authority.

### **Others**

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

- (a) No Food and Environmental Hygiene Department's (FEHD) facilities will be affected and all related work or operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.
- (b) For any waste generated from the such operation or activity, the applicant should arrange disposal properly at his own expenses.
- (c) Proper licence/permit issued by FEHD is required if there is any catering service/activities regulated by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.

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

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

His office has received four objecting letters (**Appendices III-1 to III-4**) on the application dated 1.8.2019, 22.8.2019, 27.11.2019 and 6.1.2020 from the Chairman of the Shap Pat Heung Rural Committee (SPHRC). He objects on grounds of traffic and environmental impacts, the risk of damage to the historic building during construction of proposed development and the safety of the elderly in view of the close proximity of the petrol filling station to the proposed RCHE.

#### 9.2 The following Government departments have no comments on the application:

- (a) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Commissioner of Police (C of P);
- (d) Director of Leisure and Cultural Services (DLCS);
- (e) Director of Electrical and Mechanical Services (DEMS); and
- (f) Director of Agriculture, Fisheries and Conservation (DAFC).

## 10. Public Comments Received During Statutory Publication Period

On 22.5.2019, 10.7.2019, 8.8.2019, 10.9.2019, 15.11.2019 and 13.12.2019, the application was published for public inspection (**Appendices I, Ia to Ie, and Ig**). During the three-week statutory public inspection periods, a total of 7 public comments were received. An individual claims to be the previous owner of 'Siu Lo' supports the application (**Appendix IV-1**). The Chairman of the Shap Pat Heung Rural Committee (SPHRC) objects to the application on behalf of the SPHRC on grounds of adverse traffic impacts brought by the increased traffic flow of the proposed development, the possible structural damage on 'Siu Lo' during the construction stage of the proposed development and the safety of elderly in view of the close proximity of the petrol filling station to the proposed RCHE (**Appendices IV-2 to IV-6**). Another individual raises concerns about the pedestrian path between the development and the adjacent church (**Appendix IV-7**).

## 11. Planning Considerations and Assessments

11.1 The applicant seeks permission for a minor relaxation of BHR from 3 storeys to 5 storeys for a permitted RCHE (**Plan A-1**). The Site is located within "G/IC(1)" zone on the approved Yuen Long OZP No. S/YL/23. According to the applicant, the proposed development is to preserve entire Grade III historic building 'Siu Lo' in-situ and convert it to a "Gallery for Heritage Interpretation" for free public visit and enjoyment and the provision of a new RCHE to serve the community need.

### Planning Intention

11.2 The planning intention of the "G/IC" zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. As 'Social Welfare Facility' and 'Place of Recreation, Sports and Culture' are column 1 uses of the "G/IC" zone, the proposed development is generally in line with the planning intention of the "G/IC" zone.

### Policy Support

11.3 CHO and AMO render in-principle support to the application from the heritage conservation perspective. DSW has no objection on the proposed minor relaxation of BHR for the proposed RCHE. The proposal is in line with the Government Policies to strike a proper balance between respect for private property rights and heritage conservation and offer appropriate economic incentives to encourage private owners to conserve and revitalize their historic buildings; and to encourage provision of RCHE premises in new private developments.

### Compatibility with surrounding Areas

11.4 The immediate surrounding areas of the Site are mainly low-rise, low density village type developments and temporary structure of 1 to 3 storeys. The adjacent

development is the proposed composite school and religious institution (Church) development which was approved by the RNTPC (Application No. A/YL/252) on has a BH of 8 storeys. According to the applicant, the notional scheme with a maximum building height of 3 storeys (in compliance with the BHR under the OZP), without the preservation of 'Siu Lo', could provide a maximum GFA of 4,672m<sup>2</sup> (**Drawings A-9 and A-10**). In order to completely preserve 'Siu Lo' in-situ, part of the new RCHE has to build over 'Siu Lo' (**Drawings A-3 to A-5**) without any structural intrusion on 'Siu Lo'. Having regard to the need to preserve 'Siu Lo' and to attain a comparable GFA (i.e. 4,267m<sup>2</sup> under the proposed scheme with a smaller building footprint), the proposed minor relaxation of BH (i.e. the number of storeys from 3 storeys to 5 storeys) is considered not unreasonable. It is noted that special design considerations have been given to the proposed new building in order to conserve the historic building of 'Siu Lo'. CTP/UD&L, PlanD considers that the proposed minor relaxation of BHR is not incompatible with the surroundings and has no comment on the Visual Impact Assessment from visual and urban design viewpoints. CA/CMD2, ArchSD also has no comment on the proposal from design perspective and visual impact point of view.

### Planning and Design Merits

- 11.5 The Main Building of Siu Lo, and the new building would be blended with the old one without imposing any adverse impact to Siu Lo. 'Siu Lo' would be preserved, revitalised and open for public enjoyment, streetscape adjoining to the Site will be improved. The entrance at the northeast of the Site facing Tai Tong Road will be enhanced by new paving and planting of ornamental trees and shrubs. Rooftop garden and green features are proposed. The building design, construction and operation are subject to efficient use of energy. The Applicant has made reference to the SBD Guidelines in the provision of total greenery area.

### Technical Assessments

- 11.6 Other concerned government departments including DLO/YL of LandsD, CE/MN of DSD, AC for T/NT, D of FS and CBS/NTW of BD have no objection to or adverse comment on the application. Appropriate approval conditions are suggested in paragraph 12.2 below to address the technical requirements of the concerned government departments.

### Public Comments

- 11.7 Among the 7 public comments received, 1 supports and 6 raise objections to the application. Regarding the public comments about the concern on preservation of the historic building at construction of the RCHE, traffic and environmental impacts, the planning considerations and assessments in paragraphs 11.1 to 11.6 above are relevant and approval condition of the submission of a Conservation Management Plan is recommended in paragraph 12 by the AMO to ensure that the graded building will be preserved properly under the subject development. Regarding the concern on the safety of elderly in view of the close proximity of the petrol filling station, D of FS has been consulted and has no objection to the application.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 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 20.3.2024, 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 of a Conservation Management Plan for the conservation of the Main Building and the Annex Block of Siu Lo prior to commencement of any works and implementation of the CMP to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board;
- (b) the submission of a full set of photographic, cartographic and/ or 3D scanning records of the Main Building and the Annex Block of Siu Lo prior to commencement of works to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board;
- (c) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (d) the submission and implementation of a run-in/run-out proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board.

### Advisory clauses

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

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

The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of BHR. There are insufficient justifications for the minor relaxation of BHR.

## 13. **Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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 reasons for rejection should be given to the applicant.

**15. Attachments**

<b>Appendix I</b>	Application form received on 22.5.2019
<b>Appendix Ia</b>	Planning statement attached to <b>Appendix I</b>
<b>Appendix Ib</b>	FI dated 10.7.2019 in response to comments from department with additional figures for TIA, VIA and a revised SIA
<b>Appendix Ic</b>	FI dated on 8.8.2019 in response to comments from concerned departments with revised figures showing visual context, updated planning statement and replacement pages for Heritage Appraisal and a revised EA
<b>Appendix Id</b>	FI dated on 10.9.2019 in response to comments from concerned departments with a revised EA and revised SIA
<b>Appendix Ie</b>	FI dated on 8.11.2019 in response to comments from concern departments with revised schematic layouts, a revised EA, revised photomontages, revised landscape plan and a revised SIA
<b>Appendix If</b>	FI dated on 12.12.2019 in response to comments from TD and EPD, with revised architectural drawings and revised landscape drawings and layout plans of notional scheme for clarification
<b>Appendix Ig</b>	FI dated on 13.12.2019 in response to comments from EPD with a revised SIA
<b>Appendix Ih</b>	FI dated on 17.1.2020 to elaborate planning and design merits and submitted a responses-to-comments table in response to the comments from EPD and UD&L, PlanD with replacement pages of the planning statement and a revised EA with minor revisions
<b>Appendix Ii</b>	FI dated on 3.2.2020 to clarify the proposed operation hours of the preserved historic building
<b>Appendix Ij</b>	FI dated on 3.3.2020 in response to comments from Fire Services Department
<b>Appendix II</b>	Similar application within the same “Government, Institution or Community” Zone on the Approved Yuen Long Outline Zoning Plan No. S/YL/23
<b>Appendices III-1 to 4</b>	Objecting letters received by DO(YL), HAD
<b>Appendices IV-1 to 7</b>	Public Comments received during Statutory Publication Periods
<b>Appendix V</b>	Advisory Clauses
<b>Drawings A-1 to A-5</b>	Master Layout Plan and Floor Plans
<b>Drawing A-6</b>	Section Plan
<b>Drawings A-7 to A-8</b>	Landscape Plan and Greenery Calculation
<b>Drawings A-9 to A-10</b>	Layout Plan and Section Plan showing the notional scheme
<b>Drawings A-11 to A-16</b>	Photomontages
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plans A-4a and A-4b</b>	Site photos