

Previous s.16 Applications covering the Application Site

Approved Application

Application No.	Proposed Use(s)/ Development(s)	Date of Consideration (RNTPC/TPB)*	Approval Condition(s)
A/YL/191	Proposed flat	21.12.2012	(a) to (h)

Approval Conditions:

- (a) No occupation of the proposed residential development prior to the relocation of the temporary bus depot together with the associated facilities (including overnight on street parking spaces) at the junction of Wang Yip Street West and Hong Yip Street, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (b) The design and provision of environmental mitigation measures, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (c) The disclosure of the environmental mitigation measures, as proposed by the applicant, to future owners through brochures and/or exhibition of Noise Impact Assessment report in the sales office and recorded in the DMC, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (d) The submission and implementation of a landscape master plan and tree preservation proposal to the satisfaction of the Director of Planning or of the Town Planning Board.
- (e) The provision of EVA, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (f) The submission of a DIA including flood relief mitigation measures to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- (g) The implementation of the drainage proposals and other necessary flood relief mitigation measures identified in the DIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- (h) The design and provision of vehicular access arrangement, car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

Rejected Application

Application No.	Proposed Use(s)/ Development(s)	Date of Consideration (RNTPC/TPB)*	<u>Reason for Rejection:</u>
A/YL/231	Proposed flat, shop and services, eating place and minor relaxation of PR restriction	18.5.2018	<i>(see below)</i>

Main Reason for Rejection :

- There was no strong planning justification in the submission for minor relaxation of the plot ratio restriction. The approval of such a relaxation would set an undesirable precedent.

*Delete as appropriate

Comparison of Major Development Parameters between Applications No. A/YL/191, 231 and 257

Parameters	Approved Scheme (No. A/YL/191) (a)	Rejected Scheme (No. A/YL/231) (b)	Current Scheme (No. A/YL/257) (c)	Changes (c) – (a)	Changes (c) – (b)
Proposal	Proposed Flat Development	Proposed Flat Development with 'Shop and Services' and 'Eating Place' and minor relaxation of PR restriction	Proposed Flat, Shop and Services, Eating Place and Public Vehicle Park (excluding container vehicle)	'Shop and Services', 'Eating Place' and 'Public Vehicle Park (excluding container vehicle)' added and minor relaxation of PR restriction	'Public Vehicle Park (excluding container vehicle)' added and no minor relaxation of PR
Site Area (m ² , about)	3,180	3,180	3,180	No change	No change
Plot Ratio ⁽¹⁾⁽²⁾	5	5.5	5	No change	-0.5 (-9.1%)
Maximum Domestic GFA (m ²) ⁽¹⁾	15,900	17,080	15,490	-410 (-2.6%)	-1,590 (-9.3%)
Maximum Non-domestic GFA (m ²) ⁽¹⁾	-	410	410	+410	No change
Maximum Site Coverage (%)					
Lowest 2 floors (excluding basement)	60	59	60	No change	+1 (+1.7%)
Upper floors	30	29.5	25	-5 (-16.7%)	-4.5 (-15.3%)
No. of Blocks					
Domestic	2	1	1 (Composite) (flats, clubhouse, shop and services/eating place)	-2 (-66.7%)	-1 (-50%)
Non-domestic	1 (Clubhouse)	1 (Clubhouse, shop and services/eating place)			

Parameters	Approved Scheme (No. A/YL/191) (a)	Rejected Scheme (No. A/YL/231) (b)	Current Scheme (No. A/YL/257) (c)	Changes (c) – (a)	Changes (c) – (b)
No. of Flats	276	450	335	+59 (+21.4%)	-115 (-25.6%)
Average Flat Size (m ² , about)	57.6	37.9	46.2	-11.4 (-19.8%)	+8.3 (+21.9%)
Estimated No. of Residents	690	1,260	938	+248 (+35.9%)	-322 (-25.6%)
No. of Storeys	25 (Domestic) (including basement)	25 (including M/F and basement)	24 (Composite) (including basement)	-1 (-4%)	-1 (-4%)
Maximum BH (main roof) (mPD)	2 (Clubhouse)	2 (Clubhouse, shop and services/eating place)	85 (Composite)	No change	No change
Car Parking Provision	85 13.5 (Clubhouse)	85 15 (Clubhouse, shop and services/eating place)	61	+12 (+24.5%)	+3(+5.2%)
- Total: Parking space L/UL Bay	49	58	2	No change	No change
- Residential	44 (including 2 visitor parking and 2	49 (including 5 visitor parking and 1 disabled	28 (including 5 visitor parking and 1 disabled parking)	-16 (-36.4%)	-21 (-42.9%)

Parameters	Approved Scheme (No. A/YL/191) (a)	Rejected Scheme (No. A/YL/231) (b)	Current Scheme (No. A/YL/257) (c)	Changes (c) – (a)	Changes (c) – (b)
Motor Cycle L/UL Bay	disabled parking 5 2	parking 5 1	4 1	-1 (-20%) -1 (-50%)	-1 (-20%) -1 (-50%)
- Commercial (including 1 disabled parking)	-	3	3	+3	No change
Motor Cycle L/UL Bay	-	1 1	1 1	+1 +1	No change No change
- Public (at B1/F)	-	-	25	+25	+25
Resident Clubhouse (m ² , about)	795	854	795	No change	-59 (-6.9%)
Private Open Space (m ² , about)	1,176.74	1,289	1,104	-72.74 (-6.2)	-185 (-14.4)
Total Greenery Area (m ² , about)	938	696.8	653.75	-284.25 (-30.3%)	-43.05 (-6.2%)

(1) GFA concessions and exemptions (including car parking spaces, residents' clubhouse, open space, and greenery features, etc.) as claimed by the applicant are subject to the Building Authority (BA)'s approval at building plan submission stage. Should the said concessions and exemption be unacceptable to the BA, any GFA/PR incurred shall not lead to an exceedance of the OZP provisions.

(2) Where the permitted PR as defined in the Building (Planning) Regulations (B(P)R) is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the subject PR may be increased by the additional PR by which the permitted PR is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2).

**Similar Applications within the
“R(E)1” Zone on the Yuen Long OZP**

Approved Application(s)

Application No.	Proposed Use(s)/ Development(s)	Date of Consideration (RNTPC/TPB)*	Approval Condition(s)
A/YL/194	Proposed flat	11.1.2013	(a), (c), (e), (f) & (h)
A/YL/201	Proposed flat	23.5.2014	(a), (b), (d), (e), (g) & (h)

Approval Conditions

- (a) The design and provision of environmental mitigation measures, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (b) the submission of a land contamination assessment and a waste management plan prior to the commencement of site formation works, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or the Town Planning Board.
- (c) The submission and implementation of a Landscape Master Plan and tree preservation proposal to the satisfaction of the Director of Planning or of the Town Planning Board.
- (d) The submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board.
- (e) The provision of EVA, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (f) The submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- (g) The submission of a revised drainage impact assessment (DIA), and the implementation of the drainage proposal identified in the revised DIA to the Director of Drainage Services or of the Town Planning Board.
- (h) The design and provision of vehicular access arrangement, car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

*Delete as appropriate

Detailed Departmental Comments

1. Technical Comments of the Director of Environmental Protection:

Environmental Air Quality Impact

- (a) It should be the responsibility of the applicant and their consultants to ensure the validity of the chimney data by their own site surveys. Should the information of industrial chimneys be subsequently found to be incorrect, the assessment result as presented in the planning application would be invalidated.

Sewage Impact Assessment (SIA)

- (b) Without going into the technical details of the SIA (**Appendix Ia**) at this stage, some deficiencies spotted by his cursory check are appended below for the applicant to follow up and to refine in the future SIA submission:
- (i) Section 5.4.2 & Table 5.1 (1b)- Please confirm the year of population by-census, 2018 or 2017? The by-census was conducted in 2016.
 - (ii) Section 5.4.6- Please amend Table A to Table 2.
 - (iii) Table 3a- Year of completion of Wang Fu Court is 2017. It is not under construction.
 - (iv) Table 3c- One of the buildings in Catchment C “Yue Fung Industrial Building” was redeveloped into “The Rainbow”. Please revise the flow generation.
 - (v) Please include the flow generation and capacity calculation of the following buildings being discharged to FMH1008778(S8) as their sewage flow is joining that from the application site (the Site) in the sewer along Wang Yip Street East:
 - Hung Wai Industrial Building, Kar Wah Industrial Building, Lai Sun Godown, Yuen Long Trade Centre, Twin Regency, Po Wai Building, Kwan Lok Sun Tsuen, One Regent Place, Wang Yip Industrial Building, Tsun Mee Industrial Building, Golden Town Industrial Building, Mansfield Industrial Building, Crown Data Centre III, Yuen Long Logistics, CLP Aroma Limited, Annking Industrial Building, Lai Sun Centre and Ching Hing Godown.
 - (vi) Please clarify the discharge point of the sewage generated from the Site. (Compare Section 5.2.2 Hi Yip Street and Wang Yip Street with Section 5.6.2 Leung Yip Street).

terminal sewerage manhole and S1 with assessment of the hydraulic performance accordingly.

- (l) In a given manhole, apart from maintaining adequate fall for both upstream and downstream drains, it is preferable to set the upstream drain soffit(s) to be not lower than the downstream soffit(s). This is to prevent the upstream drain being surcharged by backwater effect when there is chokage condition for the downstream pipe due to obstruction by debris. For example at manholes nos. S4 (i.e. FMH1048116) and S8 (i.e. FMH1008778), the soffit of upstream pipe is lower than that of downstream pipe by 150mm. Please review all the proposed invert levels and revise Appendix 5.2 accordingly.
- (m) The applicant shall further ascertain the feasibility of the proposed sewer upgrading works by considering the constraints of road opening, working hours imposed by EPD to minimise environmental disturbance to nearby premises, and the existing/proposed underground utilities.
- (n) The applicant should bear all the cost of the proposed sewers upgrading works on public roads. The applicant shall also be liable for and indemnify claims and demands arising out of damage or nuisance caused by any inadequate construction of the sewerage facilities under the development. The applicant shall submit detailed method statement about the upgrading works and hand over the completed facilities back to the satisfaction of the Director of Drainage Services.

3. Comments of the Director of Food and Environmental Hygiene:

For domestic waste collection, please note the following general comments:

- (a) The refuses collection point (RCP) of domestic waste and the commercial waste should be clearly separated. The share use of RCP for both domestic and commercial waste is not recommended.
- (b) The RCP should be designed to such a condition that within which a refuse collection vehicle (RCV) of 3.0m in width and 10m in length can make a 3 point turn and park without restriction.
- (c) A designated operational space with dimension 5m (W) X 12m (L) should be provided in the RCP and the headroom of RCP should not be less than 4.5m.
- (d) The RCP should be provided with a water point and foul water drainage system for clean-up of the RCV and discharge of foul water before leaving of RCV.
- (e) The width of driveway of RCV should be 4m in width (single direction) and the headroom along the driveway.
- (f) As the RCP may be located at the basement, it should be provided with adequate ventilation and an effective RCV exhaust extractor with related coupling/ detaching device.

- (g) The ground surface of the driveway should be designed to withstand the weight of a vehicle up to 25T gross vehicle weight.
- (h) No part of the access road including the part connecting the entrance/ exit and the roadway of RCV should exceed the gradient of 1 in 10 and in no case the change of slope at any point should exceed 8 degrees.
- (i) For any waste generated from building, the applicant should arrange its disposal properly at her own expenses. If domestic waste collection service of her department is required, prior comments from her department on the waste collection plan should be sought.

Advisory clauses

- (a) the approval of the application does not imply that the proposed building design elements could fulfill the requirements under the Sustainable Building Design Guidelines, and the relevant requirements under the lease, and that the proposed gross floor area (GFA) concession for the proposed development will be approved/granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) and the Lands Department (LandsD) direct to obtain the necessary approval. If the building design elements and the GFA concession are not approved/granted by the BA and the Lands Authority and major changes to the current scheme are required, a fresh planning application to the Town Planning Board may be required;
- (b) to note the comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD) that the application site (the Site) is governed by New Grant No. 4359 as modified by a Modification Letter dated 27.11.2004 (the New Grant). Special Condition (S.C.)(7)(a) of the New Grant restricts that the lot shall not be used for any purpose other than for (i) industrial or godown or both; (ii) offices; or (iii) a combination of any of the users stated in sub-clauses (i) and (ii) of this sub-clause (a), excluding any offensive trades under the Public Health and Municipal Services Ordinance. S.C.(12)(c) of the New Grant provides that the total GFA of any building or buildings erected or to be erected on the lot shall not be less than 4,800m² and shall not exceed 8,000m². S.C.(18)(a) of the New Grant provides that the spaces for vehicle manoeuvring and the parking of motor vehicles shall be at a rate of one space for every 700m² of GFA of the building erected on the lot. S.C.(18)(b) of the New Grant stated that one space shall be provided for loading and unloading (L/UL) of container on trailer with its prime mover attached. S.C.(18)(c) of the New Grant provides that the spaces for vehicles manoeuvring and the parking, L/UL of goods vehicles (excluding containers on trailers with their prime movers attached) shall be a rate of (i) one space for every 1,000m² of half of the total GFA in the building erected on the lot; and (ii) one space for every 2,000m² of the remaining half of the total GFA in the building erected on the lot. The owner of the subject lot is required to apply to her department for a modification of the lease of the lot for the proposal. However, there is no guarantee that such application, including the granting of any government land (if any), will be approved. Such application will be dealt with by her department acting in the capacity as the landlord at her discretion, and if it is approved will be subject to such terms and conditions including among others, the payment of such appropriate fees as may be imposed by her department. An existing tree on site was damaged by Typhoon Mangkhut, so the damaged tree was removed in October 2018. The lot is held under a lease which does not contain any tree preservation clause, and as such approval from her department is not required for any proposed tree removal / pruning. The lot owner may refer to the Greening website of the Development Bureau (<http://www.greening.gov.hk>) for the list of qualified service providers/members in the professional groups on tree management as a general reference for their employment of qualified professionals. Useful information on proper tree management including tree risk assessment can also be downloaded from the Greening website. A “Handbook on Tree Management” is also available at the website to provide private property owners the guidelines and standards of good practices on tree management;
- (c) to note the comments of the Director of Environmental Protection that the applicant is reminded to implement appropriate measures as set out in Professional Persons Environmental Consultative Committee Practice Note No. 1/94 “Construction Site Drainage” (https://www.epd.gov.hk/epd/sites/default/files/epd/english/resources_pub/publications/file)

s/pn94_1.pdf). The applicant is also reminded to follow the waste management related legislation and guidelines during the construction and operation phases of the development. The technical comments on the Environmental Assessment Report are detailed in **Appendix V** of this RNTPC paper;

- (d) to note the comments of the Chief Building Surveyor/New Territories West, Building Department (BD) that the permitted maximum plot ratio (PR) and site coverage (SC) of a site are depended on the proposed building height and the site classification under Building (Planning) Regulations (B(P)R). If the Site is classified as a Class C site, the proposed PR and SC is well within 1st schedule of B(P)R which is acceptable. If the proposed PR is based on the assumption that GFA concession will be granted, the pre-requisites in Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 and PNAP APP-152 should be complied with. The excess storey height of B/F (6.5m), G/F (5m) and 1/F (4.5m) should be justified during building plan submission stage. Disregarding private car parking spaces from GFA calculation under the Building Ordinance will be considered on the basis of the criteria set out in PNAP APP-2 during building plan submission stage. The proposed building will be subject to the issue of various licences and should comply with the building and safety requirements as may be imposed by the relevant licensing authorities. Detailed checking of plans will be carried out during building plan submissions stage;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that if any road improvements are considered necessary by the Transport Department, they shall be implemented by the applicant at his own cost. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the planning application does not imply approval of the site coverage of greenery requirements under PNAP APP-152 and/or under the lease. The site coverage of greenery provisions should be submitted separately to BD/LandsD for approval;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department on the Sewage Impact Assessment in **Appendix V** of this RNTPC Paper;
- (h) to note the comments of the Director of Fire Services that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans, if any. The arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by BD; and
- (i) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that no facilities of her department will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. Proper licence / permit issued by her department is required if there is any catering service/ activities regulated by her under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. For domestic waste collection, the general comments are detailed in **Appendix V** of this RNTPC Paper.