

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

**APPLICATION NO. A/YL/257**

- Applicant** : Sincere Gold Properties Limited represented by Kenneth To and Associates Limited
- Site** : 21 Wang Yip Street West, Yuen Long, New Territories (Yuen Long Town Lot (YLTL) No. 461)
- Site Area** : 3,180m<sup>2</sup> (about)
- Lease** : YLTL 461  
(a) Restricted for industrial/godown or office purposes, or a combination of such uses  
(b) Maximum gross floor area (GFA) of 8,000m<sup>2</sup>
- Plan** : Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/23
- Zoning** : “Residential (Group E)1” (“R(E)1”)  
*[restricted to a maximum plot ratio of 5, a maximum site coverage of 60% for the lowest two floors (excluding basement(s)) and 30% for the floors above and a maximum building height of 85mPD. Non-building area(s) with a minimum width of 1.5m from the lot boundaries abutting Wang Yip Street West and Tak Yip Street shall be provided.]*
- Application** : Proposed Flat, Shop and Services, Eating Place and Public Vehicle Park (excluding container vehicle)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed composite development consisting of flat, shop and services, eating place and public vehicle park (excluding container vehicle) on the application site (the Site) (**Plan A-1**). According to Schedule I (for open-air development or for building other than industrial or industrial-office (I-O) building) of the Notes of the OZP for the “R(E)1” zone, ‘Flat’ and ‘Public Vehicle Park (excluding container vehicle)’ are Column 2 uses requiring planning permission from the Town Planning Board (the Board), while ‘Shop and Services’ and ‘Eating Place’ are always permitted on the lowest three floors of a building, taken to include basements but excluding floors containing wholly or mainly car parking, loading/unloading (L/UL) bays and/or plant room. The Site is currently undergoing site formation

work (**Plans A-4a and A-4b**).

- 1.2 The Site is the subject of two previous applications (No. A/YL/191 and 231). The former application was for proposed flat development with plot ratio (PR) of 5 and building height (BH) of 85mPD which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 21.12.2012. The latter application was for proposed flat, shop and services, eating place and minor relaxation of PR restriction from 5 to 5.5 which was rejected by the Committee on 18.5.2018 mainly for the reasons that there was no strong planning justifications in the submission for the minor relaxation of PR sought and approval of such a relaxation would set an undesirable precedent. Details of the previous applications are at paragraph 5 below and **Appendix II**.
- 1.3 The current proposed development comprises a 20-storey residential tower providing 335 flats over a 3-storey composite block for shop and services and eating place (on G/F only) and residents' clubhouse above one storey basement car park. The proposed development parameters conforms to the OZP restriction, including a PR of 5 (i.e. domestic gross floor area (GFA)/PR of about 15,490m<sup>2</sup>/4.87 and non-domestic GFA/PR of about 410m<sup>2</sup>/0.13), site coverage (SC) of 60% for the lowest two floors (excluding basement) and 25% for the residential floors above, and a maximum BH of 85mPD. Car parking spaces (for both ancillary car parking and public vehicle park (excluding container vehicle)) and L/UL bays for heavy goods vehicles will be provided at the basement level.
- 1.4 A 1.5m building set-back from Wang Yip Street West will be designated to comply with the OZP requirement (**Drawing A-2**). Besides, 3m building set-backs along Leung Yip Street and Kwong Yip Street are also proposed to enhance the amenity of the proposed development and the street environment (**Drawings A-2 and A-12**). G/F shop and services and eating places are proposed along the Wang Yip Street West and Leung Yip Street frontages to enhance the vitality at street level. The applicant also pledged to carry out off-site road improvement works to improve a section of Leung Yip Street fronting the Site and Kwong Yip Street between Leung Yip Street and Fo Yip Street by widening it to a standard 7.3m wide carriageway with 2m wide footpath to be implemented at the applicant's own cost, which is currently a local access without proper pedestrian footpath (**Drawing A-24**). While there are no trees currently within the Site, a total of 20 heavy standard trees are proposed within the site boundary and they will be planted at the planting areas at G/F and 2/F (**Drawings A-12 and A-14**). All the proposed planting will be maintained by the lot owner of the development.
- 1.5 To minimise potential road traffic noise, nearby fixed noise sources and railway noise impact onto the future residents, appropriate building design with disposition of the tower block at the north-western part of the Site has been adopted. The non-domestic uses and residents' clubhouse facilities along Wang Yip Street West and Leung Yip Street will also serve as a buffer against traffic and industrial noise sources in the vicinity.
- 1.6 The floor plans, section plans, landscape plans, photomontages, and plans

showing the proposed building set-backs, road improvement works and design enhancements of the proposed development submitted by the applicant, with comparison to the previous approved application (No. A/YL/191), where appropriate, are at **Drawings A-1 to A-25**. The proposed development is anticipated to be completed in December 2021.

- 1.7 A comparison of the major development parameters of the previously approved scheme (No. A/YL/191) and the current scheme is summarised in the table below, while a comparison between the previously approved scheme (No. A/YL/191), latest previous application (No. A/YL/231) and the current scheme (No. A/YL/257) is at **Appendix III**:

<b>Major Development Parameters</b>	<b>Approved Scheme (No. A/YL/191) (a)</b>	<b>Current Scheme (No. A/YL/257) (b)</b>	<b>Changes (b) – (a)</b>
Proposal	Proposed Flat Development	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
Major Uses by Floors :- Basement (B1/F)	: Carpark	: Carpark, L/UL bays	
G/F	: Clubhouse, L/UL bays, landscape garden	: Clubhouse, eating place, shops, landscape garden, piazza, residential lift lobby, E&M	
1/F	: Flats, clubhouse, landscape roof	: Clubhouse, covered landscape, E&M	
2/F	: Flats	: Clubhouse, landscape garden, covered landscape	
3/F to 26/F (excluding 4/F, 13/F, 14/F and 24/F for the current scheme)	: Flats (to 23/F only)	: Flats	
Site Area (m <sup>2</sup> , about)	3,180	3,180	No change
PR <sup>(1)(2)</sup>	5	5	No change
Maximum Domestic GFA (m <sup>2</sup> )/PR <sup>(1)</sup>	15,900/5	15,490/4.87	-410/-0.13 (-2.6%)
Maximum Non-domestic GFA (m <sup>2</sup> )/PR <sup>(1)</sup>	--	410/0.13	+410/0.13

<b>Major Development Parameters</b>	<b>Approved Scheme (No. A/YL/191) (a)</b>	<b>Current Scheme (No. A/YL/257) (b)</b>	<b>Changes (b) – (a)</b>
Maximum SC (%)			
- Lowest 2 floors (excluding basement)	60	60	No change
- Upper floors	30	25	-5 (-16.7%)
No. of Blocks	2 (Domestic) 1 (Clubhouse)	1 (Composite, consisting flats, clubhouse, shop and services/eating place)	-2 (-66.7%)
No. of Flats	276	335	+59 (+21.4 %)
Average Flat Size (m <sup>2</sup> ) (about)	57.6	46.2	-11.4 (-19.8%)
Estimated No. of Residents	690	938	+248 (+35.9%)
No. of Storeys	25 (Domestic) (including basement)  2 (Clubhouse)	24 (Composite) (including basement)	-1 (-4%)
Maximum BH (main roof) (mPD)	85 (Domestic)  13.5 (Clubhouse)	85 (Composite)	No change
Car Parking and L/UL Bay Provision <sup>(1)</sup>			
- Total: Parking space	49	61	+12 (+24.5%)
L/UL Bay	2	2	No change
- Residential	44 (including 2 visitor parking and 2 disabled parking)	28 (including 5 visitor parking and 1 disabled parking)	-16 (-36.4%)
Motorcycle	5	4	-1 (-20%)
L/UL Bay	2	1	-1 (-50%)
- Commercial (including 1 disabled parking)	-	3	+3
Motorcycle	-	1	+1
L/UL Bay	-	1	+1
- Public (at B1/F)	-	25	+25

<b>Major Development Parameters</b>	<b>Approved Scheme (No. A/YL/191) (a)</b>	<b>Current Scheme (No. A/YL/257) (b)</b>	<b>Changes (b) – (a)</b>
Residents' Clubhouse (m <sup>2</sup> ) (about)	795	795	No change
Private Open Space (m <sup>2</sup> ) (about)	1,176.74	1,104	-72.74 (-6.2%)
Total Greenery Area (m <sup>2</sup> ) (about)	938	653.75	-284.25 (-30.3%)

<sup>(1)</sup> 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.

<sup>(2)</sup> 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).

1.8 As compared with the approved scheme, the major changes in the current scheme include (**Drawings A-1 to A-25**):

- (a) about 410m<sup>2</sup> (PR 0.13) of domestic GFA converted to non-domestic GFA (additional retail/dining facilities);
- (b) decrease in SC of the upper floors from 30% to 25%;
- (c) reduction in number of building blocks from three to one single composite block;
- (d) increase in number of flats from 276 to 335 (+59, +21.4%) and corresponding reduction in average flat size;
- (e) decrease in number of storeys from 25 to 24 with the same maximum BH at 85mPD;
- (f) increase in total number of parking space from 49 to 59 (+10, +20.4%) but decrease in number of residential car park spaces from 44 to 28 (-16, -36.4%) and addition of car parking spaces for the public (+25) as well as to serve the additional commercial element (+3);
- (g) changes in the form and disposition of building blocks; and
- (h) reduction in private open space from 1,176.74 to 1,104m<sup>2</sup> (-72.74m<sup>2</sup>, -6.2%) and in greenery area from 938m<sup>2</sup> to 653.75m<sup>2</sup> (-284.25m<sup>2</sup>, -30.3%).

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

- (a) Application form received on 29.5.2019 (**Appendix I**)
- (b) Supplementary Planning Statement (**Appendix Ia**)
- (c) Further information (FI) received on 5.7.2019 providing additional sections, a plan showing proposed building setback, updated photomontages and perspectives, and responses to departmental comments (**Appendix Ib**)  
*[accepted and exempted from publication and*

*recounting requirements]*

- (d) FI received on 8.7.2019 updating the basement floor plan with 2 additional public car parking spaces and responses to departmental comments  
*[accepted and exempted from publication and recounting requirements]* **(Appendix Ic)**
- (e) FI received on 15.7.2019 clarifying it is feasible to accommodate about 31 public car parking spaces subject to the agreement of the Transport Department (TD)  
*[accepted and exempted from publication and recounting requirements]* **(Appendix Id)**

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Supplementary Planning Statement and FIs at **Appendix Ia to Id**. They can be summarised as follows:

- (a) The proposed development is in line with the Government's policy in optimising land to meet the acute demand for housing in Hong Kong. The proposed development will contribute to the immediate provision of 335 small-to-medium sized flats to meet the acute demand.
- (b) Redevelopment of the Site into residential use is in line with the planning intention of the "R(E)1" zone to phase out existing industrial uses through residential redevelopment. Following similar planning approvals within the same zone (No. A/YL/194 and 201), the redevelopment proposal would serve as a catalyst to speed up the transformation of Tung Tau Industrial Area (TTIA).
- (c) There are a number of residential development completed in the neighbourhood in recent years, including a Home Ownership Scheme (HOS) project (Wang Fu Court), Twin Regency, The Spectra and the comprehensive residential development at Long Ping Station (**Plan A-1**), which are purely residential development without any retail and dining facilities. The proposed retail and dining facilities on the G/F would provide necessary daily services to the residents and nearby workers and would enhance the liveliness and vibrancy of the neighbourhood.
- (d) The Site is highly suitable for residential development in that it enjoys good accessibility from various public transport modes including the West Rail Line, at-grade footpath, cycle tracks and footbridge system. The proposed development is also compatible with the surrounding land uses, including the comprehensive residential development near Long Ping Station (The Spectra and Long Ping (South) Development).
- (e) The road improvement scheme forming part of the proposal to be implemented

by the applicant would improve the connectivity between TTIA and Long Ping Station and enhance pedestrian safety. It includes the provision of 2m wide footpath along Kwong Yip Street (section abutting the Site) and Leung Yip Street up to Fo Yip Street (**Drawing A-24**).

- (f) Various technical assessments undertaken, including Traffic Impact Assessment (TIA), Environmental Assessment (EA) and Sewage Impact Assessment (SIA) revealed that the proposed development will not pose and/or be subject to adverse visual, landscape, air ventilation, traffic, environmental (noise and air), geotechnical, sewerage and drainage impacts with mitigation measures/upgrading works in place. In particular:
- (i) The proposed scale and bulk of the development conform within the OZP restriction and is considered appropriate. As seen from photomontages in **Drawings A-20 to A-23**, the proposed development will be compatible with the adjacent developments in terms of scale from various public viewpoints including TTIA Playground and across from the nullah at Wang Lok Street. Various design enhancement measures have been proposed by the applicant, including the provision of two visual corridors to improve the visual permeability at pedestrian level; provision of a centralised at-grade landscape garden/ sitting courtyard for the enjoyment of future residents as well as to enhance visual connection with the landscape area from the pedestrian level; maximising planting and soft landscaping opportunity to enhance the aesthetic quality of the proposed development and to provide a pleasant pedestrian environment.
  - (ii) Local junction improvement measures at the junction of Wang Lok Street/ Fuk Hi Street have been proposed to alleviate the capacity problem (**Drawing A-25**) and the results are considered acceptable. The proposed development would not impose any significant impact to the pedestrian network and the West Rail Line. 25 nos. of public car parking space will be provided to address the shortage of car parking spaces in the Yuen Long Area. Upon further reviewing the basement layout of the proposed development, it is found feasible to accommodate about 31 nos. of public car parking spaces, subject to the agreement of TD.
  - (iii) With the building setback from Wang Yip Street West and the provision of noise tolerant use such as clubhouse along the key frontages, no noise exceedance is anticipated. The Site is fully paved and at least 20% of the site area will be provided with soft landscape upon redevelopment. Hence, surface run-off generated onsite will be reduced and no adverse drainage impact is anticipated.
  - (iv) The proposed development has adopted a podium-free design and the Site is not located within the major breezeway (i.e. the open nullah) and air-path (i.e. Po Yip Street). No adverse air ventilation impact is anticipated.
  - (v) The Site falls within the Schedule Area No. 2 and it may be underlain by cavernous marble. According to ground investigation records, the

quality of the marble is better at the northwestern part of the Site, hence the tower is proposed at the current location. Ground investigation will be carried out in the detailed design stage to identify and refine the location and dimension of the cavities for designing the foundation for the development.

- (vi) Landscape treatment including the planting of shrubs and trees, in particular along Wang Yip Street West, has been proposed. Landscaping will be provided along the various setback areas to soften the hard edges of the development and to reduce heat built-up of the street environment. Greening and communal open spaces with different functions will be provided at various level.

### **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**

TTIA was previously zoned “Industrial” (“I”) and subsequently rezoned to “Other Specified Uses” annotated “Business” (“OU(B)”) in 2001. According to the Area Assessments 2009 of Industrial Land in the Territory considered by the Board on 17.9.2010 (TPB Paper No. 8630), a strip of land along the nullah on the north-western edge of TTIA and close to a proposed comprehensive residential development at Long Ping Station was recommended for residential use. Accordingly, the concerned area, which includes the Site, was first rezoned from “OU(B)” or “OU(B)1” to “R(E)1” on the OZP No. S/YL/21 in 2011. There is no change to the zoning since then (**Plan A-1**). The current application for residential development within the “R(E)1” zone could help achieve gradual transformation of the TTIA to residential use.

### **5. Previous Applications**

The Site is the subject of two previous applications No. A/YL/191 and 231 (**Plan A-1**). The former was for proposed flat development with PR of 5 and BH of 85mPD which was approved with conditions by the Committee on 21.12.2012, mainly on the consideration that the proposal would help achieve gradual transformation of the TTIA. The latter application was for proposed flat, shop and services, eating place and minor relaxation of PR restriction from 5 to 5.5 which was rejected by the Committee on 18.5.2018 mainly for reasons that there was no strong planning justification in the submission for minor relaxation of the PR restriction and approval of such a relaxation would set an undesirable precedent. Details of the two applications are summarised in **Appendix II**. A comparison of the major development parameters of the two previous applications No. A/YL/191 and 231 with the current scheme is summarised in **Appendix III**.



## 6. Similar Applications

There are two similar applications (No. A/YL/194 and 201) for proposed flat development in the same “R(E)1” zone (**Plan A-1**). The former was submitted by the Hong Kong Housing Authority under the New HOS with PR of about 3 and BH of 40mPD (12 storeys), while the latter was for private residential development with PR of about 5 and BH of 85mPD (25 storeys). Both applications were approved with conditions by the Committee on 11.1.2013 and 23.5.2014 respectively mainly on the consideration that that the proposals would help achieve gradual transformation of the TTIA. Details of the similar applications are summarised in **Appendix IV**.

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

7.1 The Site is:

- (a) located on the western periphery of the TTIA adjacent to an open nullah in the northern part of Yuen Long Town;
- (b) accessible from Wang Yip Street West; and
- (c) currently fenced off and undergoing site formation work.

7.2 The surrounding areas have the following characteristics (**Plan A-2**):

- (a) comprises mainly industrial and warehouse/office buildings, intermixed with some recently completed residential developments, bus terminus and vacant land;
- (b) to its immediate north is an existing HOS development named Wang Fu Court approved under application No. A/YL/194;
- (c) to its immediate southwest is a 19-storey I-O building named Yuen Long Hi-Tech Centre mainly for warehouse and office uses;
- (d) to its further southwest across Fo Yip Street is a site zoned “Comprehensive Development Area” (“CDA”) for comprehensive residential development named The Spectra (Application No. A/YL/182-1) approved by the Director of Planning under the delegated authority of the Board on 16.5.2013;
- (e) to its east across Wang Yip Street West are mainly occupied by industrial buildings; and
- (f) to its further west across the open nullah and Wang Lok Street are various village type developments (**Plan A-3**).

## **8. Planning Intention**

The planning intention of the “R(E)” zone is primarily intended for the phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential (I/R) interface problem.

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

9.1 The following government departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

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

- (a) 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.
- (b) 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 4,800m<sup>2</sup> and shall not exceed 8,000m<sup>2</sup>.
- (c) 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 700m<sup>2</sup> 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 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 1,000m<sup>2</sup> of half of the total GFA in the building erected on the lot; and (ii) one space for every 2,000m<sup>2</sup> of the remaining half of the total GFA in the building erected on the lot.
- (d) Should the Board approve the planning application, 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.

- (e) As advised by the applicant in the Supplementary Planning Statement (**Appendix Ia**), 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 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.

### **Environment**

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

- (a) He has no objection to the subject application subject to the following conditions:
  - (i) Submission of a Noise Impact Assessment (NIA) report for the Master Layout Plan/General Building Plans and provision of noise mitigation measures to achieve 100% compliance in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) to his or the Board’s satisfaction.
  - (ii) Submission of a SIA report to the satisfaction of DEP and Director of Drainage Services or of the Board. The applicant shall be responsible to implement the local sewerage upgrading/sewerage connection works as recommended in the approved SIA report.
- (b) Given the sufficient buffer distance between the air sensitive uses and nearby roads, adverse air quality impacts arising from vehicular emissions on the proposed sensitive uses are not anticipated. He has no adverse comments from the air planning perspective.
- (c) The technical comments on the EA Report are detailed in **Appendix V**.

- (d) The applicant is reminded to implement appropriate mitigating measures as set out in Professional Persons Environmental Consultative Committee Practice Note No. 1/94 “Construction Site Drainage”.
- (e) Based on the information by the applicant, the Site is located in the TTIA and the surrounding areas are predominately occupied by industrial activities such as car repairing/ servicing uses, workshops etc. Hence, should the Board consider to approve the application, approval condition should be stipulated requiring the applicant to provide documentary justification to substantiate whether there is any land contamination issue for the Site; and if affirmative, the project proponent should carry out appropriate land decontamination in accordance with relevant prevailing guidelines prior to the construction works or development of the Site.
- (f) The applicant is also reminded to follow the waste management related legislation and guidelines during the construction and operation phases of the development.

### **Building Matters**

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

- (a) The permitted maximum PR and SC of a site are depended on the proposed BH and the site classification under 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.
- (b) 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.
- (c) 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.
- (d) Disregarding private car parking spaces from GFA calculation under the Buildings Ordinance will be considered on the basis of the criteria set out in PNAP APP-2 during building plan submission stage.
- (e) 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.

- (f) Detailed checking of plans will be carried out during building plan submissions stage.

### **Traffic**

#### 9.1.4 Comments of the Commissioner for Transport (C for T):

Noting that 31 public vehicle parking spaces could be provided in the development (**Appendix Id**), he has no further comment on the application from the traffic engineering perspective and recommends to incorporate the following conditions should the application be approved:

- (a) The submission of a consolidated TIA and the design and implementation of the road improvement measures as proposed in the TIA to his or the Board's satisfaction.
- (b) The design and implementation of road widening proposal at Kwong Yip Street and Leung Yip Street to his or the Board's satisfaction.
- (c) The design and provision of vehicular access and car parking and L/UL facilities for the proposed development to his or the Board's satisfaction.
- (d) The design and provision of public vehicular parkings to his or the Board's satisfaction.

#### 9.1.5 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) If any road improvements are considered necessary by TD, they shall be implemented by the applicant to the satisfaction of TD and his department at the applicant's own cost.
- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

### **Urban Design, Air Ventilation and Landscaping**

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

Based on the information provided, it is noted that the proposed development with a height of 85mPD complies with the permitted BH restriction of 85mPD for the Site and may not be incompatible with adjacent development with BH restriction of 85mPD. In this regard, he has no comment from architectural and visual impact viewpoint.

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

Urban Design and Air Ventilation

- (a) The Site falls within a larger “R(E)1” zone on the western fringe of the TTIA experiencing a transformation in character from predominantly industrial to business and residential nature. The proposed PR and BH are in line with the development restriction for the subject “R(E)1” zone. The proposed development is not incompatible with the context.
- (b) It is noted from the Supplementary Planning Statement (**Appendix Ia**) that a 1.5m building setback with non-building area is provided along Wang Yip Street West as required by the OZP. The proposed setback along Kwong Yip Street with edge planter is anticipated to enhance the streetscape environment. The other 3m setback along Leung Yip Street with pavement trees along boundary is also anticipated to have the same effect while also provide more space for the pedestrians.
- (c) According to the Expert Evaluation on Air Ventilation Assessment of Yuen Long Town published on 28.4.2008, the Site is not located within the major breezeway (i.e. the nullah) and not within major air path (i.e. Po Yip Street). Given the proposed layout and the small site area (about 0.318 ha), the development is not expected to create significant adverse air ventilation impact.

Landscaping

- (d) She has no objection from landscape planning perspective.
- (e) The Site is the subject of previous application No. A/YL/191 approved by the Board with conditions, among others, the submission and implementation of a landscape master plan including a tree preservation proposal. With reference to the aerial photo of 2018, the Site was completely occupied by a building. The Site is in an area of urban fringe landscape character. The application is not incompatible with the surrounding landscape character.
- (f) As the Site is not situated in a landscape sensitive area and it is not facing any prominent public frontage, it is considered not necessary to impose any landscape condition should the application be approved by the Board.
- (g) The applicant is reminded 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.

### **Drainage**

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

- (a) He has no objection in principle to the proposed development.
- (b) The technical comments on the SIA are detailed in **Appendix V**.
- (c) Should the Board consider the application acceptable from the planning point of view, approval condition should be stipulated requiring the applicant (i) to submit a Drainage Impact Assessment (DIA) with due consideration of both the runoff and the water generated from the swimming pool operation to the stormwater public drainage system and implement the drainage proposals identified in the DIA to the satisfaction of Director of Drainage Services or of the Board; and (ii) to submit a revised SIA report and implement the sewerage proposals identified in the revised SIA to the satisfaction of the Director of Drainage Services and DEP, or of the Board.

### **Fire Safety**

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

- (a) He has no objection in principle to the planning application subject to fire service installations and water supplies for firefighting being provided to his satisfaction. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans, if any.
- (b) 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.

### **Other**

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

- (a) 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.
- (b) 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.

- (c) For domestic waste collection, the general comments are detailed in **Appendix V**.

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

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

The local consultation has been completed and his office has not received any comments regarding the application. His office also has no departmental comment on the application.

9.2 The following government departments have no comments/in-principle adverse comments on the application:

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

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

On 11.6.2019, the application was published for public inspection. During the three-week public inspection period, which ended on 2.7.2019, two public comments objecting to the application were received from members of the public (**Appendices VI-1 and VI-2**). The objection were mainly on the grounds that some of the proposed units were too small and only open kitchen would be provided within those small flats, which might affect the health of the future residents; and there is still room for improvement with regard to the provision of greening, outdoor playground for children and activity corner for the elderly.

## **11. Planning Considerations and Assessments**

11.1 The subject application is for a proposed composite development consisting of flat, shop and services, eating place and public vehicle park (excluding container vehicle) at a site zoned "R(E)1" on the OZP. The proposed development comprises a 20-storey residential tower providing 335 flats over a 3-storey composite block for shop and services, eating place and residents' clubhouse above one storey basement car park. The proposed development parameters with PR of 5, SC of 60% for the lowest two floors (excluding basement) and 25% for the residential floors above, and a maximum BH of 85mPD, together with the provision of a 1.5m-wide setback from the lot boundary abutting Wang Yip Street West, are in conformity with the OZP restrictions.



### Planning Intention

11.2 The planning intention of the “R(E)” zone is for the phasing out of existing industrial uses through redevelopment for residential use on application to the Board such that planning control could be exerted on the development/redevelopment with appropriate mitigation measures to address the environmental impacts and I/R interface problems, where necessary. The building design of new developments/redevelopments within “R(E)1” zone should incorporate environmental mitigation measures, where appropriate, to meet all relevant criteria under the HKPSG. In this regard, the current scheme has proposed various environmental mitigation measures, to which DEP has no in principle objection. The proposed public vehicle park (excluding container vehicle) could provide public car parking facility to serve such demand in the area, which is accepted by TD. Overall, the current applied uses are generally in line with the planning intention of the “R(E)” zone and would help achieve gradual transformation of the TTIA.

### Compatibility

11.3 The Site is located on the western fringe of the TTIA, which is undergoing gradual transformation from industrial/warehouse/workshop uses to commercial and residential uses. The proposed development is considered not incompatible with the surrounding uses which are mainly residential including Wang Fu Court and The Spectra to the west of Wang Yip Street West, with extant industrial/warehouse uses predominantly to the east of Wang Yip Street West, as well as at the adjoining lot to the immediate southwest of the Site, which is intended to be phased out for residential use under the planning intention of the same “R(E)1” zoning.

### Previous applications

11.4 The Site is the subject of two previous applications No. A/YL/191 and 231 (**Plan A-1**). The former was for a solely residential (i.e. flat) development with PR of 5 and BH of 85mPD which was approved with conditions by the Committee on 21.12.2012, mainly on the consideration that the proposal would help achieve gradual transformation of the TTIA. The predominant land use (i.e. residential) and the major development parameters of the current application are similar to that of this previously approved application, albeit a G/F non-domestic component and a basement public vehicle park have been included in the current proposal. As for the latter application for proposed flat, shop and services, eating place and minor relaxation of PR restriction from 5 to 5.5, this was rejected by the Committee on 18.5.2018 mainly for reasons that there was no strong planning justification in the submission for minor relaxation of the PR restriction and approval of such a relaxation would set an undesirable precedent. The current application does not involve any minor relaxation of the PR restriction and such considerations are therefore not applicable to the current application.

### Streetscape Improvements

- 11.5 The current proposed scheme provides building set-backs along all three frontages (i.e. along Wang Yip Street West, Kwong Yip Street and Leung Yip Street, the latter two are surplus to the OZP requirement and provided at the applicant's own initiative) mainly for landscaping purposes. Together with the G/F shop and services and eating place uses, the current proposal demonstrates clear comparative design merits to the nearby residential developments, including Wang Fu Court (application No. A/YL/194), Twin Regency (application No. A/YL/201) and The Spectra (application No. A/YL/182) which are solely for residential uses.
- 11.6 Besides, the applicant also pledged to improve sections of Leung Yip Street fronting the Site and Kwong Yip Street between Leung Yip Street and Fo Yip Street by widening it to a standard 7.3m wide carriageway with 2m wide footpath to be implemented at the applicant's own cost (**Drawing A-24**). The subject road sections are currently substandard with no provision of footpaths for pedestrians and where illegal parking of vehicles is common (**Plan A-4b**). Given that there is no definitive programme for upgrading the subject road sections to prevailing standards, the proposed road improvement works, as part of the current proposal, could hasten improvement of the local street environment to the benefit of existing and future users. In this connection, C for T and CHE/NTW, HyD have no adverse comment on the proposal.

#### Technical Aspects

- 11.7 The applicant has submitted relevant technical assessments including TIA, EA (comprising NIA and SIA), geotechnical planning review, tree preservation and landscape proposal, as well as photomontages and perspectives of the proposed development in support of the application. Concerned government departments consulted including C for T, DEP, CA/CMD2, ArchSD, CTP/UD&L, PlanD, CE/MN, DSD and CBS/NTW, BD have no objection to/ adverse comment on the application, and significant adverse traffic, environmental, visual, drainage, sewerage and building safety impacts on the surrounding area are not envisaged. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below should the application be approved.

#### Public Comments

- 11.8 There were two public comments (**Appendices VI-1 and VI-2**) received on the application during the statutory publication period objecting to the application for the reasons as summarised in paragraph 10 above. The planning considerations and assessments in paragraphs 11.1 to 11.7 above are relevant.

### **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 above, 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 19.7.2023, 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 conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a consolidated Traffic Impact Assessment (TIA) and the design and implementation of the road improvement measures as proposed in the TIA to the satisfaction of the Commissioner for Transport and Director of Highways, or of the Town Planning Board;
- (b) the design and implementation of road widening proposal at Kwong Yip Street and Leung Yip Street to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the design and provision of public vehicular parkings to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the submission of a Noise Impact Assessment (NIA) and implementation of noise mitigation measures as proposed in the NIA to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) the submission of a Drainage Impact Assessment (DIA) with due consideration of both the runoff and the water generated from the swimming pool operation to the stormwater public drainage system and implementation of the drainage proposal identified in the DIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (g) the submission of a revised Sewage Impact Assessment (SIA) and implementation of the sewerage proposal identified in the revised SIA to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services, or of the Town Planning Board;
- (h) the submission of a documentary justification to substantiate whether there is any land contamination issue for the Site and, where appropriate, the implementation of appropriate land decontamination in accordance with relevant prevailing guidelines prior to the construction works or development of the Site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and

- (i) the submission and implementation of water supplies for firefighting and fire service installations proposal to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

12.3 There is no strong planning reason to recommend rejection of the application.

**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 reason(s) for rejection should be given to the applicant.

**14. Attachments**

- Appendix I** Application form received on 29.5.2019
- Appendix Ia** Supplementary Planning Statement
- Appendix Ib** FI received on 5.7.2019 providing additional sections, a plan showing proposed building setback, updated photomontages and perspectives, and responses to departmental comments
- Appendix Ic** FI received on 8.7.2019 updating the basement floor plan with 2 additional public car parking space and responses to departmental comments
- Appendix Id** FI received on 15.7.2019 clarifying it is feasible to accommodate about 31 public car parking spaces subject to the agreement of TD
- Appendix II** Previous applications covering the Site
- Appendix III** Comparison of major development parameters between applications No. A/YL/191, 231 and 257
- Appendix IV** Similar applications within “R(E)1” zone on the OZP

<b>Appendix V</b>	Detailed Departmental Comments
<b>Appendices VI-1 and VI-2</b>	Public comments on the application received during statutory publication period
<b>Appendix VII</b>	Recommended Advisory Clauses
<b>Drawings A-1 to A-8</b>	Proposed floor plans
<b>Drawings A-9 to A-11</b>	Proposed section plans
<b>Drawings A-12 to A-17</b>	Proposed landscape plans
<b>Drawings A-18 and A-19</b>	Plans showing open space provision within the proposed development
<b>Drawings A-20 to A-23</b>	Photomontages and perspectives of the proposed development
<b>Drawing A-24</b>	Proposed road improvement scheme for Kwong Yip Street and Leung Yip Street
<b>Drawing A-25</b>	Proposed road improvement works at junction of Wang Lok Street and Fuk Hi Street
<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 to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2019**