

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/TM/20

- Applicant** : Agrade Holdings Limited represented by Ove Arup & Partners
Hong Kong Limited
- Site** : No. 436, Castle Peak Road – Castle Peak Bay, Tuen Mun,
New Territories
- Site Area** : About 2,364m²
- Lease** : Lot No. 977 RP in D.D. 131
- Building and Garden
- One residential type house
- No partitioning into flats or separate residences without the
permission of the District Commissioner, New Territories
in writing
- Not exceed 2 storeys in height nor 25 feet; and no storey
shall be less than 10 feet in height
- 2/3 site coverage
- Extension to Lot No. 977 PR in D.D. 131
- Garden purposes
- The site shall not be taken into account for the purposes of
calculating plot ratio or site coverage permitted under the
provisions of the Buildings Ordinance, any regulations
made thereunder and any amending legislation in respect of
any development or redevelopment of the lot.
- Plan** : Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/34
(at the time of submission)
- Approved Tuen Mun OZP No. S/TM/35
(currently in force)
- Zoning** : “Green Belt” (“GB”) (About 93%)
“Government, Institution or Community” (“G/IC”) (About 6%)
and area shown as ‘Road’ (About 1%)
(The zonings and development restrictions of the Site remain
unchanged on the current approved OZP.)
- Proposed
Amendment** : To rezone the application site from “GB”, “G/IC” and an area
shown as ‘Road’ to “Residential (Group A)27” (“R(A)27”)

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1**), which is mainly zoned “GB” with a minor portion in “G/IC” zone and a very small area shown as ‘Road’, to “R(A)27” with domestic plot ratio (PR) of 6 or non-domestic PR of 9.5 and maximum building height (BH) of 100mPD on the Tuen Mun OZP to facilitate a residential development with social welfare facilities. A proposed set of Notes for the “R(A)27” zone is attached at **Appendix V**¹.
- 1.2 The applicant has submitted an indicative scheme to support the proposed rezoning for residential development. The proposed development would have 31 storeys mainly comprising 26 residential floors and 1 storey of sky garden over a podium with social welfare facility on 1/F, residents’ clubhouse and podium garden on 2/F and carpark on basement and ground floors. The indicative scheme has a total gross floor area (GFA) and PR of about 14,367m² and 6.08 respectively.
- 1.3 The applicant is willing to incorporate an office base for On-site Pre-school Rehabilitation Services (OPRS) within the proposed development as requested by Social Welfare Department (SWD) to provide necessary social welfare facility to cater for the need of the community. The applicant would collaborate closely with SWD regarding the provision of social welfare facility within the proposed development.
- 1.4 The major development parameters of the proposed indicative development are summarised as follows:

Development Parameters of Indicative Scheme	
Site Area	About 2,364m ²
Total PR	6.08
- Domestic	5.87
- Non-domestic*	0.21
Total GFA	About 14,367m ²
- Domestic	About 13,867m ²
- Non-domestic*	500m ²
Site Coverage	
- Below 15m	About 80%
- Above 15m	About 30%
Total No. of Storeys	31
- Domestic Portion	27 (including 1-level sky garden)
- Non-domestic Portion	4 (including 2-level carpark)
Building Height	About 100mPD
No. of Residential Block	1
No. of Flats	600
Average Flat Size (about)	23m ²
Private Open Space	Not less than 1,615m ²
Car Parking Provision	
- Residents private car parking	27

¹ Proposed Notes for “R(A)27” zone is identical to the Schedule of Uses of other R(A) zones on the OZP.

- Visitors private car parking	20 (including 1 parking space for the disabled)
- Motorcycle	6
Loading/Unloading Space	
- Heavy Goods Vehicle	1
- Light Goods Vehicle	1
Main Uses by Floors	
B/1	Carpark
G/F	Carpark and Lobby
1/F	Office Base for On-site Pre-school Rehabilitation Services (OPRS), E&M
2/F	Residents' Clubhouse, Podium Garden
3/F to 15/F, 17-29/F	Residential Flats
16/F	Sky Garden

*The non-domestic PR and GFA only include the proposed OPRS.

- 1.5 Floor plans, section plans, landscape plan and photomontages for the proposed residential development submitted by the applicant to support the proposed rezoning are shown in **Drawings Z-1 to Z-19**.
- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 1.3.2018 **(Appendix I)**
 - (b) FI received on 5.11.2019 enclosing a consolidated planning statement with technical assessments **(Appendix Ia)**
[The FI was accepted and exempted from publication and recounting requirements.]
 - (c) FI received on 12.12.2019 enclosing a letter clarifying the number of storeys proposed in the indicative scheme and confirming that the FI received on 5.11.2019 superseded the planning statement received on 1.3.2018, and FIs received on 20.7.2018, 24.12.2018, 14.3.2019, 23.5.2019, 31.5.2019, 28.6.2019 and 2.9.2019 **(Appendix Ib)**
[The FI was accepted and exempted from publication and recounting requirements.]

 [Planning statement received on 1.3.2018, and FIs received on 20.7.2018, 24.12.2018, 14.3.2019, 23.5.2019, 31.5.2019, 28.6.2019 and 2.9.2019 were superseded and not attached]
- 1.7 The application was received by the Board on 1.3.2018. On 1.6.2018, 19.10.2018, 22.3.2019 and 20.9.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) decided to defer a decision on the application for two months each time as requested by the applicant to allow sufficient time to prepare FI(s) to address comments from various departments. The applicant submitted FI on 5.11.2019 containing a consolidated planning statement with technical assessments and the application is scheduled for consideration by the Committee of the Board 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 the supplementary planning statement at **Appendix Ia**. They can be summarised as follows:

Meeting Territorial Housing Need by Increasing Flat Production

- (a) The proposed amendment to facilitate a residential cum social welfare facility is in line with the recent Government's policy to speed up the housing supply. The Policy Addresses in the past few years have had strong accent on housing supply. Furthermore, as presented by Government to the Legislative Council (LegCo) in January 2015, the Government has a multi-pronged strategy to increase land supply with a target to deliver 480,000 housing units for the coming 10 years. With due consideration of this policy direction, the indicative scheme, with the production of about 600 flats, will make optimal use of scarce land resources to support the Government's housing initiatives.

In line with the Government Policy to Intensify Residential Development

- (b) The proposed amendment aligns with the Government's policy initiative of intensifying the residential development of existing housing sites. As announced in the 2014 Policy Address, while a multi-pronged strategy and a series of land supply initiatives have been adopted to increase land supply in the short, medium and long term, given the limited amount of readily developable land, the current tight situation in the supply of housing land, as well as in the supply of land for various economic activities and social facilities, is expected to continue. Therefore, there is an urgent need to make more efficient use of scarce land resources that could be made available for development or redevelopment within a shorter timeframe. Taking into account the relevant planning consideration, the Government considers that the maximum PR for housing sites located in the respective Density Zones of the New Town could be increased. For the Density Zone 1 (in New Towns) where the Site falls within, the maximum domestic PR has been increased by 20% from 5 to 6.
- (c) The Site has been used as a housing site since at least the 1950s. A planning application (A/TM/370) for house redevelopment was approved in 2008. The proposed amendment to intensify the residential development on this readily available piece of housing site will respond to the Government's initiative of intensifying residential development.

Compatible with the Surrounding Developments

- (d) The Site is located in Tuen Mun New Town, which is characterised by high-rise residential developments and where the BH is about 100mPD in general. The "R(A)4" site adjacent to Tuen Mun West Rail Station, which is within 400m range of the Site, reaches 156mPD. The sites of Tseng Tau Sheung Tsuen South and former Pui Oi School for public housing development to the south of the Site, have a maximum PR of 6.5 and a maximum BH of 145mPD and 125mPD respectively. The Site shares similar characteristics of these two sites as all of them are located to the east of Castle Peak Road, surrounded by "GB" zone and have the ridgeline and country park as the visual backdrop. Besides, a planning application (No. A/TM/256) for high-rise and high-density residential developments (5 residential blocks with a maximum BH of 41 storeys) at Hoh Fuk Tong to the north of the Site was approved by the Committee of the Board on 19.11.1999 (**Plan Z-1**). As the proposed BH and PR of the Indicative

Scheme are comparable with these sites, the proposed amendment will not set an undesirable precedent in the area.

No Adverse Impact on Existing and Planned “G/IC” Provision

- (e) The proposed amendment will unlikely result in any deficit in existing and planned “G/IC” facilities provision. According to the RNTPC Paper No. 9/17², the existing and planned provision of G/IC facilities and open space are generally adequate to meet the demand of the overall planned population in Tuen Mun in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG). Although there is deficit of clinic/ health centre as well as sports centre and sports ground/ sports complex, the additional population by the proposed amendments (with about 600 residential units, when compared with the aggregate total population added by the 30 housing sites in Tuen Mun in 2014 and 2017, is insignificant at best.
- (f) The proposed amendment is an opportunity to provide a much needed type of social welfare facility. In an episode of Hong Kong Letter dated 21 October 2017, the Chief Executive acknowledged that there was a lack of early education and training for young children diagnosed with special education needs. The increase of population in Tuen Mun makes a strong case for provision of social welfare facilities with a shortage acknowledged by the Government. In view of SWD’s comments, the applicant proposes to provide an office base for OPRS, which is also a kind of pre-school welfare facility.

No Adverse Technical Impact

- (g) Technical assessments, including TIA, EAS, SIA, Landscape and Tree Preservation Proposal (LTPP), VIA, AVA and Geotechnical Planning Review Report (GPRR) have been conducted to ascertain that the Indicative Scheme will not result in adverse impacts on its surroundings and sufficient mitigation measures will be carried out during the construction and operation of the Scheme. With the proposed improvement scheme at the junction of Castle Peak Road – Castle Peak Bay/Tuen Shing Street (i.e. extension of existing cycle time and rearrangement of Methods-of-Control sequence of traffic lights) in place (**Drawing Z-19**), all junctions in the vicinity would be operating satisfactorily. A traffic impact sensitivity test has also been conducted, concluding that the proposed rezoning together with potential residential development of the adjoining lots in the south would not generate any major negative impact on the surrounding road network based on the assumptions adopted.

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

² RNTPC Paper No. 9/17 Proposed Amendments to the Approved Tuen Mun Outline Zoning Plan No. S/TM/33 was considered by the Committee of the Board on 13.10.2017.

The majority part of the Site is zoned “GB” with a minor portion zoned “G/IC” and a very small area shown as ‘Road’, since the gazettal of the first Tuen Mun OZP in 1983. It was previously occupied by a house named ‘柳園’ which was demolished in 2008. Considering the Site is located in between Tuen Mun Town and Tai Lam Country Park, the “GB” zone is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets.

5. Previous Applications

- 5.1 There is no previous s.12A rezoning application covering the Site.
- 5.2 However, the Site was involved in previous s.16 planning application (No. A/TM/370) for redevelopment of an existing house at PR of 0.4. The application was approved with conditions by the Committee of the Board on 15.8.2008 mainly on considerations of generally in compliance with the Town Planning Board Guidelines for “Application for Development within Green Belt Zone”; development intensity (PR of 0.4) compatible with the surrounding area; no adverse traffic and environmental impacts anticipated; the subject lot is permitted under lease for house with site coverage of 66% and 2 storeys (**Plans Z-1 and Z-1a**).
- 5.3 The Site together with the adjacent lots (PSIL 6, Lots 975, 976s.A, 976RP and Government land in D.D.131) was the subject of a previous s.16 planning application (No. A/TM/263) for redevelopment of four 1 to 2-storey existing houses into four 3-storey houses above a single building platform at PR of 0.4³. The application was approved with conditions by the Committee on 16.6.2000 mainly on considerations that the redevelopment scheme would blend in with the “GB” setting; would not have significant visual, landscape, traffic and other infrastructural impacts to the area; no excessive site formation works or clearance of natural vegetation; and the proposed scale and intensity was compatible for the “GB” setting and noting that the sites are building lots (**Plans Z-1a and Z-2**).
- 5.4 Details of these two previous s.16 applications are shown at **Appendix II** and their locations are shown on **Plan Z-1a**.

6. Similar Applications

- 6.1 Majority of the Site (93%) is zoned “GB”. There is no similar s.12A planning application for rezoning from “GB” zone to “R(A)” zone within the OZP.
- 6.2 For information, two house lots lying to the south obtained planning approval for redevelopment of the existing houses at PR 0.4 on 18.11.2011 (Application Nos. A/TM/416 and A/TM/417) mainly on consideration that the proposed redevelopment intensity would unlikely cause any adverse environmental, traffic and sewerage impacts to the surrounding; and not incompatible with the urban fringe setting and noting that the sites are building lots. Their locations are shown on **Plans Z-1, Z-1a and Z-2**.

³ Besides, there were two other previous s.16 application Nos. A/TM/98 and 125 with PR of 0.88 and 0.759 respectively for proposed residential development which were rejected in 1990 and 1991.

7. The Site and its Surrounding Areas
(Plans Z-1 to Z-4d)

7.1 The Site is:

- (a) located at the eastern fringe of the Tuen Mun New Town on the eastern side of Castle Peak Road – Castle Peak Bay;
- (b) previously occupied by a house named ‘柳園’. The house was demolished in 2008;
- (c) currently covered by vegetation with site formation works suspended for the house redevelopment approved under Application No. A/TM/370;
- (d) directly accessible from Castle Peak Road – Castle Peak Bay near the road junction with Pui To Road.

7.2 The surrounding areas have the following characteristics:

- (a) to its immediate north is an area zoned “G/IC”⁴ which is currently occupied by low rise premises including the CCC But San Primary School, the CCC Hoh Fuk Tong College, the Ho Fuk Tong Centre which comprises a group of buildings including the Morrison Building which is a declared monument) and the Fuk Tong Mansion which is a retirement quarter for priests (**Plans Z-2b and Z-3**). A watercourse runs along the northern boundary of the Site;
- (b) to the west across Castle Peak Road – Castle Peak Bay are high-rise commercial/ residential developments including Tuen Mun Town Plaza, the Trend Plaza and Waldorf Garden. Light Rail Transit (LRT) Pui To Station and West Rail Tuen Mun Station are located about 120m and 500m to the west of the Site respectively (**Plan Z-2b**);
- (c) to its immediate south is an area zoned “GB” with a house lot occupied by an existing single-storey house named “蓮圃” and two vacant house lots, surrounded by tree clusters with mature vegetation (**Plans Z-1a and Z-3**);
- (d) to the south-east is an area zoned “GB” with a few scattered low-rise residential structures on vegetated slope (**Plan Z-3**). To the further south is the “Residential (Group B)” zone for a residential development named Villa Tiara and two proposed public housing sites (“R(A)26”) at Tseng Tau Sheung Tsuen South and former Pui Oi School (**Plan Z-1**); and

⁴ Application No. A/TM/256 for Comprehensive Residential Development of five 41-storey buildings at total PR 5 with a Primary School, a Secondary School and a Chapel falling within an area partly zoned “G/IC” and partly zoned “Village Type Development” (“V”) was approved with conditions by the Committee of the Board on 19.11.1999. Morrison Building within the application site was designated a declared monument after granting of planning permission, rendering the redevelopment proposal not implementable (**Plan Z-2b**). The planning permission has subsequently lapsed.

- (e) to the east is mostly vegetated hill-slope zoned “GB” on the OZP. The Tuen Mun East Fresh Water Service Reservoir lies to the southeast. Tai Lam Country Park is located to the further east (**Plan Z-3**).

8. Planning Intentions

- 8.1 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 8.2 The “G/IC” zone is intended 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, organizations providing social services to meet community needs, and other institutional establishments.

9. Comments from the Relevant Government Departments

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):

- (a) The subject lot is held under New Grant No. 418 dated 19.10.1955 and the Extension letter dated 13.2.1986 and subject to the right-of-way from Castle Peak Road governed by the letter dated 31.3.2009 from DLO/TM. The salient development parameters permitted under lease are as follows:

Lot No. 977 RP in D.D. 131

a. Status: Building and Garden

b. Development Conditions

- (i) One residential type house;
- (ii) No partitioning into flats or separate residences without the permission of the District Commissioner, New Territories in writing;
- (iii) Not exceed 2 storeys in height nor 25 feet; and no storey shall be less than 10 feet in height;
- (iv) 2/3 site coverage

Extension to Lot No. 977 RP in D.D. 131

a. User: Garden purposes

b. Other conditions

- (i) The site shall not be taken into account for the purposes of calculating PR or site coverage permitted under the provisions of the Buildings Ordinance, any regulations made thereunder and any amending legislation in respect of any development or redevelopment of the lot.
- (ii) No structure other than boundary walls, fences and the structures existing as at the date hereof shall be erected or constructed on or within the above area except with the prior written approval of the Director.

Right of way (6m width) from Castle Peak Road to the subject lot – Letter dated 31.3.2009

Conditions

- (i) 6m width
 - (ii) No exclusive right of use
- (b) The proposed development as stated in the application is not permitted under the lease. If the application is approved by the Board, the owners of the subject lot may consider applying to this office for a lease modification for the proposed development. The application will be considered by LandsD acting in the capacity as private landlord at his discretion. However, there is no guarantee that the application will be approved and, if approved, it will be subject to some terms and conditions including, amongst others, charging of premium and fee, as imposed by LandsD. Besides, regarding other proposed design of the application, comment will be given by LandsD at building plan processing stage and there is no guarantee that the schematic design as presently proposed in the application will be approved or be incorporated onto the future lease document.
- (c) The applicant claims that the site area is about 2,364m². According to his record, it appears that there may be some existing structures at the adjoining lot of Lot 976 S.A. in D.D. 131 encroaching onto the subject lot. As such the applicant is required to resolve this encroachment issue before submitting the formal application to LandsD and submit a detailed land survey report about site boundaries, areas, etc. at the time of application. He would not comment on the accuracy of the site area as mentioned by the applicant at this preliminary stage.
- (d) Since the width of the existing right of way as permitted under the lease is 6m only, the applicant has to justify to the concerned

departments especially TD and HyD that the existing right of way is sufficient for the future high rise residential building with various parking facilities. There is no guarantee that additional land can be given for widening of the right-of-way or permission be given to alter the right of way.

Traffic

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

TIA

- (a) He has no in-principle objection to the application including the proposed 6m-wide right-of-way and ingress /egress point and advises that the proposed traffic improvement measure should be carried out by the applicant.

Sensitivity Test

- (b) He notes that the sensitivity test for residential development at the Site and the potential residential development of the adjoining lots in the south was requested by PlanD. The traffic impact sensitivity test concludes that based on the assumptions adopted, the proposed rezoning would not generate any major negative impact on the surrounding road network. He has the following observations on the sensitivity test:
 - (i) The development schedules such as the PR and average flat size are based on assumptions which may not reflect the actual development schedule proposed in the future;
 - (ii) The programme of Tuen Mun Western Bypass and Tuen Mun South Extension are uncertain and the assumptions of the planned major development in Section 3.2 may be invalid;
 - (iii) The junction improvement measure proposed by CEDD for Junction 4 may not be in place in 2026;
 - (iv) The pedestrian flow generated by the potential housing site is up to 1000 during peak hour. Additional pedestrian facilities such as footpath and crossings may be required; and
 - (v) In Figure 4.3, the increase in right turn traffic from Castle Peak Road – Castle Peak Bay to Tuen Shing Street is relatively low. The applicant should review the traffic flow or the route in Figure 2.2.

9.1.3 Comments of the Chief Highway Engineer/ New Territories West:

- (a) The proposed access arrangement of the application site from Castle Peak Road – Castle Peak Bay should be commented and approved by TD;

- (b) If the proposed access is agreed by TD, a run in/out at the access point at Castle Peak Road – Castle Peak Bay should be constructed by the applicant in accordance with the latest version of Highways Standard Drawing Nos. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement;
- (c) There is a strip of unallocated government land between the application site and Castle Peak Road – Castle Peak Bay near the proposed run-in/out, which is not and will not be maintained by HyD; and
- (d) Adequate drainage measures should be provided to prevent surface water running from the application site to the nearby public roads and drains.

Environment

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

He has no objection to the application but has the following comments on the applicant's EA:

Water Quality and Sewerage Impact

- (a) He has no adverse comment on the SIA submission.

Traffic and Railway Noise Impact

- (b) According to the EA, the application site is subject to road traffic noise from Castle Peak Road (San Hui), Castle Peak Road (Castle Peak Bay) and Pui To Road. Based on the indicative scheme, with implementation of proposed noise mitigation measures, including architectural fins, conventional acoustic balcony and enhanced acoustic balcony design, all residential flats could meet the road traffic noise standard stipulated in HKPSG. No adverse rail noise impact from the LRT and fixed noise source impact are anticipated. He has no adverse comment from noise perspective. The developer shall be required to submit NIA report and provision of noise mitigation measures to meet HKPSG requirements to the satisfaction of DEP under the relevant land title documents, if applicable. His technical comments on the NIA are provided at **Appendix III** and the applicant should address these comments in the future NIA submission.

Urban Design and Visual Aspects

9.1.5 Comments of the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) :

She has no objection to the application from urban design and visual

impact point of view:

- (a) To the west of the application site is high-rise residential development including Tuen Mun Trend Plaza with a BH of 106mPD, Tuen Mun Town Plaza with a BH of 104mPD, and Waldorf Garden with BH of about 95mPD. However, the subject site is mainly predominated by village clusters (e.g. Tseng Tau Sheung Tsuen North) and also located on the periphery of the existing Tai Lam Country Park which is a major landscape and visual resources in the area.
- (b) As the applicant has addressed her previous comments, she has no further comments from urban design and visual impact viewpoint. To enhance the visual and air permeability, the applicant has proposed some design elements such as communal sky garden in the middle of the residential block with additional greenery and a 10m high empty bay on G/F in the western and southern wings of developments, building setback or greenery coverage according to the BD's PNAP Guidelines No. APP-152 for 'Sustainable Building Design Guidelines' with a view to making the scheme more visually compatible with the rural environment and preserving the existing visibility to the mountainous backdrop

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

He has the following comments from the architectural and visual point of view:

- (a) It is noted that the proposed development has one domestic block with 31 storeys (including 2-level car park) and a BH of 100mPD. The proposed use, development massing and intensity may not be incompatible with adjacent developments with maximum BH ranging from 85mPD to 100mPD. In this regard, he has no comment from visual impact point of view.
- (b) The applicant clarified that emergency vehicular access (EVA) within the site will be provided in accordance with B(P)R 41D and PNAP APP-136. As such, he has no further comment.

Air Ventilation

9.1.7 Comments of the CTP/UD&L:

She has no objection to the application and has the following comments from the air ventilation perspective:

- (a) An AVA Initial Study (IS) using computational fluid dynamic modelling has been carried out to support the application. Two scenarios, i.e. Baseline Scheme (approved by TPB under

Application No. A/TM/370) and the Proposed Scheme, have been studied. As set out in the AVA IS report, mitigation measures including (i) setback from western boundary; (ii) elevated tower design with 10m (height) x 7.5m (width) empty bay in the western wing; and (iii) elevated tower design with 10m (height) x 7.5m (width) empty bay in the southern wing (**Drawing Z-18**), have been incorporated in the Proposed Scheme with the aim to address the potential adverse air ventilation impact induced by the proposal to the surrounding areas.

- (b) According to the simulation results, the Proposed Scheme has better Site spatial average velocity ratio (SVR) and Local spatial average velocity ratio (LVR) when compared with the Baseline Scheme under annual condition, while the overall performance on pedestrian wind environment of both Baseline and Proposed Schemes are comparable under summer condition in accordance with their SVRs and LVRs.
- (c) Considering the above, it is not anticipated that the Proposed Scheme with mitigation measures described above would generate significant adverse air ventilation impact on the overall pedestrian wind environment as compared with the Baseline Scheme.

Landscape

9.1.8 Comments of the CTP/UD&L:

She has no objection to the application and has the following comments from the landscape planning perspective:

- (a) It is noted that the Site has already been formed with some piling works already carried out. 3 nos. of existing trees are found along/ abutting its southeast boundary which will be in conflict with the slope retaining work proposed. A number of residential developments under series of planning applications were approved by TPB at the sites to the south, which has already reduced the significance and function of the original "GB" as landscape buffer. In this regard, the proposed rezoning is not incompatible with the surrounding environment.
- (b) Taking into account the revised Master Landscape Plan submitted by the applicant, the required private open space of not less than 1,615 m² will be provided and information on the effect of site formation to demonstrate the preservation of adjacent tree groups, CTP/UD&L has no further comment from landscape planning perspective.

Drainage

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

He has no comment on the application from public drainage point of view on the understanding that the proposed residential development, including site formation, drainage and sewerage works etc., shall be submitted by the applicant separately for relevant authorities' approval.

Building Matters

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

He has no comment under the Buildings Ordinance (BO) on the application but he draws the applicant's attention to the following points:

- (a) The Site shall be provided with means of obtaining access thereto from a street and EVA in accordance with Regulations 5 and 41D of the Building (Planning) Regulations respectively.
- (b) Detailed comments under the BO will be provided at the building plan submission stage.

Nature Conservation

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

- (a) He has no major comments on the application from the nature conservation perspective.
- (b) It is noted that majority of the Site is located within "GB" zone and the Site is primarily disturbed. In the Landscape and Tree Preservation Proposal, it is stated that three nos. of trees will be affected by the proposed retaining walls and they are proposed to be felled since they are located on slope and difficult to form a proper root ball for transplantation. As the applicant has proposed to plant 15 heavy standard trees to compensate the removal of these 3 trees, he has no major comment from the nature conservation perspective. However, the applicant is reminded that precautionary measures shall be in place to preserve other trees near the Site.
- (c) Having said the above, the Site largely falls within "GB" zone where there is presumption against development. The Board may wish to consider if approval of the subject application might set an undesirable precedent for other proposed developments within "GB" zone.
- (d) Regarding the Tree Compensation Plan proposing 15 and 54 nos. of trees for compensatory planting and landscape planting respectively, he has no comment on the application.

Fire Safety

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

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

Geotechnical

9.1.13 Comments of Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO, CEDD):

He has no in-principle objection to the rezoning application. His detailed comments are provided at **Appendix III**.

Others

9.1.14 Comment of the Director of Social Welfare (DSW):

- (a) He noted that the applicant is willing to incorporate an office base for OPRS in the development and will closely collaborate with SWD on such provision. He has no further comment on the preliminary schematic design of the OPRS submitted by the applicant.
- (b) The office base for OPRS is a kind of pre-school welfare facility. The space requirement will be around 165 m² in terms of net operational floor area (NOFA), 215m² in terms of internal floor area (IFA) and 363 m² in terms of gross floor area (GFA) subject to further review in detailed design stage. The premises shall be situated at a height not more than 24m above ground level. There should also be an independent entrance accessible to the public for the premises since centre-based training will be provided for service users at the OPRS office. A parking space for 24-seater van for the mobile training centre of the OPRS team should be provided.
- (c) His other detailed comments are at **Appendix III**.

9.1.15 Comments of the Director of Electrical and Mechanical Services (DEMS):

From the town gas safety perspective, he advises that there is an intermediate pressure underground town gas pipeline (running along Castle Peak Road) in the vicinity of the proposed development. The future developer/consultant/work contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of the existing or planned gas pipe/gas installations within/in the vicinity

of the proposed development and any required minimum set back distance away from them during the design and construction stages of development. His detailed comments are provided at **Appendix III**.

9.1.16 Comments of the Executive Secretary (Antiquities and Monuments):

He has no comment on the application and he advised that the nearest heritage item i.e. Hoh Fuk Tong House at Hoh Fuk Tong Centre, a proposed Grade 3 historic building is about 150 away from the application site and will not be affected by the proposed development (**Plan Z-2b**).

9.1.17 Comment of the Director of Food and Environmental Hygiene (DFEH):

He has no in-principle objection to the rezoning application. His detailed comments are provided at **Appendix III**.

District Officer's comments

9.1.18 Comments of the District Officer (Tuen Mun) (DO(TM)):

The Site is in the vicinity of a string of existing and planned village settlements and residential developments, such as Villa Tiara, Tuen Mun Town Plaza, Tseng Tau Chung Tsuen, Waldorf Garden, the Trend Plaza and the planned public housing developments at Tseng Tau Sheung Tsuen South and Former Pui Oi School. Tuen Mun District Council (TMDC)⁵ and the concerned locals have been dissatisfied with the congested traffic conditions and insufficient supporting facilities (especially parking spaces, G/IC facilities, social welfare and medical services facilities) in the district. As revealed in the previous TMDC discussions on the proposed public housing developments in Tuen Mun Central, TMDC were very concerned whether the transport infrastructures and supporting facilities could meet the need of the existing and additional population in the area. They also expressed grave concern about the potential adverse visual, noise, and other environmental impacts brought by the proposed public housing developments to residents living in the vicinity. He envisaged that TMDC members and locals concerned will have similar concerns about the subject application, in particular when the cumulative effects of the adjoining planned/existing developments are taken into account and the proposed /planned transport infrastructures have not yet been put in place.

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

- (a) Secretary for Education;
- (b) Chief Engineer/ Construction/ Water Supplies Department (CE/C, WSD);
- (c) Director of Leisure and Cultural Services (DLCS);
- (d) Project Manager (New Territories West), New Territories West Development Office, Civil Engineering and Development Department (PM(NTW), CEDD); and

⁵ The last TMDC term of service ended in 2019.

(e) Commissioner of Police (C of P).

10. Public Comments Received During Statutory Publication Period

10.1 The application and the subsequent FI submitted by the applicant were published for public inspection on 9.3.2018, 27.7.2018, 11.1.2019 and 12.7.2019. The number of public comments received during the four publication periods are summarised below:

	Publication Period	Supporting	Objecting / expressing concerns	Comments received
First publication	9.3.2018 - 3.4.2018	13	33	46
1 st FI (2 nd publication)	27.7.2018 - 17.8.2018	0	9	9
2 st FI (3 rd publication)	11.1.2019 - 1.2.2019	0	6	6
3 rd FI (4 th Publication)	12.7.2019 – 2.8.2019	8	19	27
Total		21	67	88

10.2 Among the 88 public comments received, 67 of them either objected to or expressed concerns on the application and the remaining 21 supported the application.

Supporting	<ul style="list-style-type: none"> • Tuen Mun Merchants Association Limited • Individuals
Objecting	<ul style="list-style-type: none"> • 1 TMDC Member* • Village Representatives (VR) of Tseng Tau Sheung Tsuen (井頭上村) and Tseng Tau Chung/ Ha Tsuen (井頭中/下村), San Hui (新墟) and Tseng Tau Chung Tsuen Village Committee • Owner's Corporations of Tuen Mun Town Plaza Tower 8 and Waldorf Garden • World Wide Fund for Nature Hong Kong • Individuals
Expressing concerns	<ul style="list-style-type: none"> • 1 TMDC Member* • MTR Corporation Limited • Hong Kong and China Gas Company • Kadoorie Farm and Botanic Garden • a primary school in vicinity • Individuals

*whose term of service ended in 2019

10.3 Public comments received are at **Appendices IV-1 to IV-88** for Members' inspection.

10.4 Major views of the public comments can be summarised as follows:

Supporting Comments

- (a) The proposal can help meet the urging housing demand, making use of under-utilised land and enhance the living environment in the area.
- (b) Traffic condition within Tuen Mun will be improved upon completion of the proposed infrastructure such as Route 11 and Tuen Mun Western Bypass.
- (c) The proposed early education and training centre can help to improve the overall development of children with difficulties and relieve parents' pressure. There are a lot of GIC facilities, including Tuen Mun Eye Centre, Tuen Mun Woman Health Centre and Maternal and Child Health Centre in the area. The Site is suitable for housing development. More job opportunities will be created.

Objecting Comments

- (d) The existing road network, public transport, infrastructure, GIC and commercial facilities in Tuen Mun are overloaded. The serious traffic congestion problems in Tuen Mun will be worsened. There are also concerns about the traffic, noise and safety impact during the construction period of the proposed development.
- (e) The proposed high-density development is not compatible with the surrounding area zoned "GB". It will block air ventilation; have adverse visual impact; and set an undesirable precedent for high-rise developments in the area.
- (f) The proposed development may have adverse impact on the Tai Lam Country Park, Maclehole Trail and the watercourse at the north of the site. The tranquil environment being enjoyed by the schools in the surrounding area may be affected. The proposed development will destroy the village setting ('*fung shui*') of Tseng Tau Chung Tsuen and affect the well-being of villagers.
- (g) The "GB" zone and '柳園' should be preserved.

Other Concerns

- (h) The Site is vulnerable to the railway noise arising from LRT track and air impact from the temple nearby. The applicant should provide technical assessments to demonstrate future residents of the proposed development will not be affected, and be requested to implement noise mitigation measures at his own cost to protect future residents from railway noise.
- (i) Residents living opposite to the Site have not been notified and consulted on the application.
- (j) Whether the land premium has been agreed for the proposed increase of PR from previously approved 0.4 to 5.87 in the current application.

- (k) The lift linking G/F to LRT Pui To Station / escalators should be provided before planning any residential developments in the area.
- (l) The Site should be rezoned for public housing instead of private housing development.
- (m) Impact on heritage buildings in the vicinity caused by the proposed development should be assessed.

11. Planning Considerations and Assessments

11.1 The applicant proposes to rezone the Site from “GB”(about 93%), “G/IC”(about 6%) and an area shown as ‘Road’ (about 1%) to “R(A)27” zone with domestic PR of 6 or non-domestic PR of 9.5 and maximum BH of 100mPD to facilitate a residential development with social welfare facilities at the Site. The proposed Notes for the proposed “R(A)27” zone is identical to the schedule of uses of other “R(A)” zones on the OZP (**Appendix V**). The assessment of the application is made on the basis of the “GB” zone on which the majority of the Site falls, despite minor portions of the Site in “G/IC” zone and an area shown as ‘Road’.

“GB” Zone

11.2 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

11.3 The Site is currently covered by vegetation with site formation works suspended for the house redevelopment with a PR of 0.4, which was approved under No. A/TM/370 on consideration of no adverse traffic, infrastructure and visual impacts and having regard to its entitlement for a house under lease. Noting that the Site is primarily disturbed, DAFC has no major comments on the rezoning application from the nature conservation perspective. CTP/UD&L considers that there are already a number of residential developments under series of planning applications approved by TPB at and near the Site. She has no objection to the rezoning application from landscaping point of view as the significance and function of the original “GB” zone serving as landscape buffer has been reduced.

Land Use Compatibility and Development Intensity

11.4 Although the Site is located at the eastern fringe of Tuen Mun New Town, it is adjacent to Tuen Mun Town Centre, West Rail (Tuen Mun Station) and developments to the west of the Site (i.e. Century Gateway, Tuen Mun Town Plaza, Waldorf Garden, the Trend Plaza) are mainly high-rise residential developments intermixed with G/IC uses (**Plans Z-1, Z-2b and Z-4c**). To the south of the Site, 2 sites including Tseng Tau Sheung Tsuen South and former Pui Oi School were rezoned from “GB” and “R(A)22” to “R(A)26” under Government’s initiation in 2018 for public housing development (**Plan Z-1**). In terms of land use, the Site is located in the Tuen Mun Town Centre and the rezoning proposal is considered not

incompatible with the surroundings.

- 11.5 The applicant proposes that the new “R(A)27” zone for the site should be subject to a maximum domestic PR of 6 or a maximum non-domestic PR of 9.5. Compared to the permitted domestic PRs of other R(A) zones in the OZP (which range from 5 to 6)⁶ and the permitted total maximum PR of 6.5 for “R(A)26” zones, the proposed PR is considered not unacceptable. Besides, the applicant proposes to stipulate a maximum BH of 100mPD on the Plan. In terms of BH, the proposed development with a maximum BH of 100mPD is not incompatible with the permitted BH of the “R(A)” zones along Castle Peak Road – Castle Peak Bay and Castle Peak Road – San Hui, which range from 85mPD to 100mPD, including Tuen Mun Town Plaza, Waldorf Garden and Trend Plaza at 100mPD, whereas Century Gateway to the further west of the Site is at 156mPD. Besides, the proposed BHs of the two planned public housing sites at Tseng Tau Sheung Tsuen South and former Pui Oi School are 145mPD and 125mPD respectively (**Plan Z-2a**). In this regard, CTP/UD&L, PlanD has no adverse comments from urban design perspective having considered the revised VIA submitted by the applicant.

Provision of Social Welfare Facility

- 11.6 The applicant originally proposes to provide an early education and training centre within the proposed development. DSW considers that an office base for OPRS would be preferable. In this regard, the applicant is willing to incorporate DSW’s request and is committed to collaborating closely with SWD regarding the provision of the social welfare facility. DSW also has no further comment on the preliminary schematic design of the proposed OPRS submitted by the applicant.

Technical Aspects

- 11.7 The applicant has submitted TIA to support the application. The TIA concluded that with transport improvement works in place, i.e. adjustment to traffic light sequence at Junction of Castle Peak Road – Castle Peak Bay/Tuen Shing Street as proposed by the applicant (**Drawing Z-19**), and other transport improvement projects initiated by the Government (i.e. widening of Castle Peak Road – Castle Peak Bay and possible Tuen Mun South MTR station), the proposed development would not generate any major negative impact on the surrounding road network. C for T has no objection to the application and advises that the proposed traffic improvement measure should be carried by the applicant. As explained in paragraph 5 above, the three “GB” sites to the south of the Site are similar in that the Board had previously granted planning permission for residential development at PR of 0.4 (A/TM/263) for each site⁷. Approval of the current application will likely set a precedent and attract similar rezoning applications for the other three sites. If all of the three sites are to be allowed for residential development at PR of 6, it is estimated to produce about 1,130 flats (adopting the same assumed average flat size of 23m² in the current application). The applicant has assessed the cumulative traffic impacts arising from the potential development of these four

⁶ On 9.5.2014, the Committee approved a planning application (No. A/TM/454) to the west of the Site for minor relaxation of domestic PR from 5 to 6 (+20%) for better utilisation of land resources and meeting housing demand.

⁷ The Site together with 3 adjacent lots in the south (PSIL 6, Lots 975, 976s.A, 976RP) were the subject of a previous s.16 planning application (No. A/TM/263) for redevelopment of four 1 to 2-storey existing houses into four 3-storey houses above a single building platform at PR of 0.4 (**Plan Z-1a**).

sites (**Plans Z-1a and Z-2**) and concluded that the proposed development would not generate major negative traffic impact on the surrounding road network. C for T has no further comment on the proposed rezoning. Nevertheless, he points out that the assumed PR and flat size for the other three sites may not reflect the actual development schedule proposed in the future, and the implementation programme of other planned transport infrastructure and/or improvement works assumed in the assessment may be different.

- 11.8 The applicant has submitted VIA and AVA-IS to support the application. Having considered the design elements including building setback along Castle Peak Road, sky garden in the middle of residential block and a 10m high empty bay on G/F in the western and southern wings of the proposed development, CTP/UD&L has no objection to the application from visual impact and air ventilation point of view. CA/CMD2, ArchSD indicates that the development massing and intensity may not be incompatible with the surrounding area with maximum BH ranging from 85mPD and 100mPD and therefore he has no comment from visual point of view.
- 11.9 In view that the majority of the Site is primarily disturbed and the applicant proposes to compensate the felling of 3 nos. existing trees with 15 heavy standard trees, DAFC has no major comment on the application from nature conservation perspective. CTP/UD&L also has no objection from landscape planning point of view considering that the Site has been formed with piling while private open space of not less than 1,615m² would be provided within the Site as shown on the indicative scheme proposed by the applicant.
- 11.10 DEP has no objection to the application from water quality and sewerage infrastructure planning perspective. The revised EAS submitted by the applicant has identified the traffic noise from Castle Peak Road (San Hui), Castle Peak Road (Castle Peak Bay) and Pui To Road to the west of the Site as the main source of noise impact. The applicant has demonstrated in the indicative scheme that with appropriate mitigation measures, no adverse noise impact is anticipated. Provided that the applicant is required to submit a revised NIA report at land grant stage to demonstrate the compliance with the noise criteria with HKPSG and implement the proposed noise mitigation measures, he has no further comment on the NIA.
- 11.11 DSD has no in-principle objection to the application from drainage services perspective. GEO has no in-principle objection to the application having considered the GPRR submitted by the applicant. The applicant is required to submit a natural terrain hazard study and implement any necessary hazard mitigation measures at the detailed planning / implementation stage. All departments consulted have no objection to/adverse comments on the application.

Public Comments

- 11.12 Amongst the 88 public comments received, 67 comments either objected to or expressed concerns on the application while 21 comments indicated support. The major grounds of concerns are increased population, traffic, noise and environmental impacts to the surrounding area. Comments from relevant Government departments in paragraph 9.1 and the planning considerations and assessments in the above paragraphs 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 mentioned in paragraph 10, PlanD has no objection to the proposed rezoning of the Site, which is mainly zoned "GB" with a minor portion in "G/IC" zone and area shown as 'Road', to "R(A)27" to facilitate the proposed residential development with social welfare facility.
- 12.2 Should the Committee decide to agree/partially agree to the application for rezoning the Site to "R(A)27" for the proposed residential development with social welfare facility, PlanD would work out the appropriate amendments to the OZP including zoning boundaries, as well as the development restrictions and requirements to be set out in the Notes and/or Explanatory Statement for Committee's agreement prior to gazetting under the Ordinance when opportunity arises.
- 12.3 Alternatively, should the Committee decide not to agree to the proposed amendments, the following reasons are suggested for Members' reference:
- (a) the development intensity of the proposed rezoning is considered excessive having regard to the setting of the Site; and
 - (b) the proposed rezoning at the Site may set an undesirable precedent for similar applications within the "GB" zone.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 13.2 Should the Committee decide not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

14. Attachments

Appendix I	Application form received on 1.3.2018
Appendix Ia	FI received on 5.11.2019 enclosing a consolidated planning statement with technical assessments
Appendix Ib	FI received on 12.12.2019 enclosing a letter clarifying the number of storeys proposed in the indicative scheme and confirming that the FI received on 5.11.2019 superseded the planning statement received on 1.3.2018, and FIs received on 20.7.2018, 24.12.2018, 14.3.2019, 23.5.2019, 31.5.2019, 28.6.2019 and 2.9.2019
Appendix II	Previous Applications
Appendix III	Detailed Departmental Comments

Appendices IV-1 to IV-88	Public comments received during the statutory publication periods
Appendix V	Proposed schedule of uses of the “R(A)27” zone
Drawings Z-1 to Z-19	Floor plans, sections plans, landscape plan and photomontages submitted by the applicant
Plan Z-1	Location plan
Plan Z-1a	Site Plan with previous and similar applications
Plan Z-2	Site plan
Plan Z-2a	Site plan (with permitted BH)
Plan Z-2b	Site plan (with permitted PR/GFA of “R(A)” zones and historic buildings)
Plan Z-3	Aerial photo
Plans Z-4a and Z-4d	Site photos

**PLANNING DEPARTMENT
JANUARY 2020**