

RNTPC Paper No. A/MOS/127
For Consideration by the
Rural and New Town Planning
Committee on 26.5.2020

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

APPLICATION NO. A/MOS/127

<u>Applicant</u>	Li Po Chun United World College (Hong Kong Limited) represented by Masterplan Limited
<u>Site</u>	10 Lok Wo Sha Lane, Wu Kai Sha, Sha Tin
<u>Site Area</u>	59,640 m ² (about)
<u>Lease</u>	<u>STTL 367</u> (a) New Grant No. 12365 (b) Restricted to the purposes of a non-profit-making international school and residential quarters (c) Maximum GFA: 36,300m ² (d) Maximum Site Coverage (SC): 25% (e) Maximum Building Height (BH): 42mPD
<u>Plan</u>	Approved Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/22
<u>Zoning</u>	“Government, Institution or Community” (G/IC”) [a maximum BH of 42mPD]
<u>Application</u>	Proposed Minor Relaxation of BH Restriction for the Permitted School Extension Building from 42mPD to 52.4mPD

1. The Proposal

- 1.1 The applicant seeks planning permission for a minor relaxation of BH restriction for a school extension building of the Li Po Chun United World College (UWC) at the application site (the Site). According to the Notes of the OZP, ‘School’ is always permitted within the “G/IC” zone and the Site is subject to a maximum BH restriction of 42mPD. According to the Notes for the “G/IC” zone, minor relaxation of the BH restriction stated in the OZP may be considered by the Town Planning Board (the Board) on application under s.16 of the Town Planning Ordinance based on the individual merits of a development or redevelopment proposal.
- 1.2 The proposed extension building with a footprint of 419m² is situated at the south-western portion of the campus with a ground level of 30.6mPD. According to the indicative scheme submitted by the applicant (**Drawings A-1 to A-2**), the maximum BH for the extension building is proposed to be increased by about 25% from 42mPD to 52.4mPD (i.e.

an increase of 10.4m) while the absolute BH will be increased by 91% from 11.4m (42mPD – 30.6mPD) to 21.8m (52.4mPD – 30.6mPD). The proposed increase in BH will allow the development of a 6-storey extension building with multipurpose area (L1), science laboratories (L2), language classrooms (L3), music rooms (L4), peace education workshop (L5) and ancillary accommodation with 5 rooms (L6). The proposed extension is designed to connect with the existing south wing of the 3-storey academic block. Floor-to-floor heights are 5.3m on L4 and 3.3m on L1 to L3 and L5 to L6. A ground floor deck of 447m² is provided next to the extension building for students' enjoyment of the outdoor greenery¹.

- 1.3 The major development parameters of the indicative development scheme provided by the applicant are as follows:

	Existing UWC Campus	Proposed Extension Building	UWC Campus with the proposal
Site Area	About 59,640m ²		
Plot Ratio (PR) (about)	0.286	0.041	0.327
Domestic PR	0.158	0.006	0.164
Non-domestic PR	0.128	0.035	0.163
GFA (about)	17,020m ²	2,467m ²	19,487m ²
Domestic GFA	9,402m ²	355m ²	9,757m ²
Non-domestic GFA	7,618m ²	2,112m ²	9,730m ²
SC	19.7%	0.7%	20.4%
BH at Main Roof	26mPD – 40.5mPD	Not more than 52.4mPD	26mPD – 52.4mPD
No. of Storeys	2 – 3	6	2 – 6
No. of Block	7	1	8

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

- (a) Application form received on 6.2.2020 **(Appendix I)**
- (b) Supplementary planning statement including Preliminary Environmental Review, Visual Impact Appraisal, Drainage Impact Assessment (DIA) and Sewerage Impact Assessment (SIA) **(Appendix Ia)**
- (c) Further Information (FI) received on 27.3.2020 with submission of responses to departmental and public comments and enclosing revised preliminary layout plan, location of viewpoints and evaluation of overall visual impacts **(Appendix Ib)**
- (d) FI received on 8.4.2020 with submission of responses to departmental comments and background information about the GFA of existing buildings **(Appendix Ic)**

¹ According to the applicant, the proposed deck does not form part of the application.

- (e) FI received on 15.5.2020 with submission of responses to departmental comments and revised pages of planning statement and preliminary environmental assessment [^] **(Appendix Id)**

[^] *accepted and exempted from publication and recounting requirements*

- 1.5 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 3.4.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. The application is now scheduled for consideration by the Rural and New Town Planning Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supporting planning statement and FIs (**Appendices Ia to Id**). They can be summarised as follows:

School Enhancement in “G/IC” Zone

- (a) School is always permissible in the “G/IC” zone under the current Ma On Shan OZP. The minor relaxation of BH restriction relates to the proposed extension building at a small part of the campus. The proposed extension building will not require application for government’s funding. It will accommodate the shortfall of classrooms for student activities and supplement the existing facilities. It will not increase the number of UWC students and will better serve the visiting students from the UWC’s exchange program.

Alternative Design Scheme

- (b) The location of the proposed extension building seeks to conveniently serve the exchange students from other schools. Its design is confined by the existing structures, driveway and carpark and restricted by the lack of vacant space of suitable dimensions and area. A minor increase in the floor plate will not contribute to the functional dimensions and area of the new classrooms. A larger floor plate will require significant site formation which will not be ideal for the connection with the adjacent academic blocks and will involve additional tree felling. Doubling the size of the floor plate will block the solar access and natural ventilation of the academic block and reduce the size of the outdoor greenery at ground floor deck for student enjoyment. The proposed design scheme is considered to be the best form in consideration of the operational functions, student’s amenities, tree impacts and site settings.

Minor Building Height Increase for Optimal Functional Benefit

- (c) The proposed extension building adopts the minimal floor-to-floor height, with the exception on 4/F which serves the intended function for music practice and performance art. As the current OZP does not state the permitted level for minor relaxation in BH, the Board will take into account the specific characteristics of the proposal and consider each case on its own merits.

Consistent with Building Height Restriction

- (d) The minor relaxation of about 10.4m in height is not excessively large in extent and will not have a significant impact on the visual quality of the area. The proposed development is set back from the school boundary and screened by the existing established trees along the perimeter of the Site. The proposed development will achieve a general stepped height profile which is compatible with the new residential building across Lok Wo Sha Lane.

No Adverse Landscape or Visual Impacts

- (e) The proposal is considered to have the merit for minor relaxation on the grounds of no adverse landscape and visual impacts. Photomontages of the proposed development are shown at **Drawings A-3 to A-10**. Site constraints limit the suitable locations and floor plate. The extension building represents 0.7% site coverage. Its footprint is not excessive and occupies only a small part of the campus.

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. Previous Application

There is no previous application at the Site.

5. Similar Application

There is no similar application within the same “G/IC” zone on the OZP.

6. The Site and its Surrounding Areas (Plans A-1 to A-4)

6.1 The Site is:

- (a) currently occupied by the campus of Li Po Chun UWC consisting of seven blocks including the academic block, a sports hall/assembly hall and five residences, surrounded by green landscape;
- (b) varied in topography with levels between 14.8mPD and 30.6mPD;
- (c) accessible via Lok Wo Sha Lane; and
- (d) the main roof level of various buildings within the campus ranges from 26.0mPD to 40.5mPD.

6.2 The proposed extension building is:

- (a) located at the south-western portion of the campus next to the academic block (south wing);
- (b) generally flat at a formation level of about 30.6mPD; and
- (c) covered by grass and trees with a rock outcrop located at the southeast of the proposed extension building.

6.3 The surrounding areas have the following characteristics:

- (a) to the north are the Starfish Bay and the Nai Chung Site of Special Scientific Interest;
- (b) to the east are some GIC facilities including the Cheung Muk Tau Holiday Centre for the Elderly, the Outward Bound Alumni Association of Hong Kong Activities Centre and the Helping Hand Father Sean Burke Care Home for the Elderly;
- (c) to the west is an area zoned “Conservation Area” and to the further west are residential development including Double Cove and Lake Silver; and
- (d) to the south and southeast across Lok Wo Sha Lane are Symphony Bay, the residential development zoned “Residential (Group B)5” and a GIC site designated for sports centre.

7. Planning Intention

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

7.2 In 2009, the Board imposed a BH restriction of 42mPD on the Site. The maximum BH restriction follows the height restriction under the New Grant No. 12365 granted in 1989 and reflects the existing BH of the development. As stated in para. 7.3 of the Explanatory Statement of the OZP, specific BH restriction for the “G/IC” zone has been incorporated to provide visual and spatial relief to the high density environment of the area.

7.3 As set out in para. 7.6 of the Explanatory Statement of the OZP, a minor relaxation clause in respect of building height restrictions is incorporated into the Notes of the Plan in order to provide incentive for developments/redevelopments with planning and design merits. Each planning application will be considered on its own merits and the relevant criteria for consideration of such application are as follows:

- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
- (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as a public passage/street widening;

- (c) providing better streetscape/good quality street level public urban space;
- (d) providing separation between buildings to enhance air and visual permeability; and
- (e) other factors such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.

8. Comments from Relevant Government Departments

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

Land Administration

8.1.1 Comments of the District Lands Officer/Shu Tin, Lands Department (DLO/ST, LandsD):

- (a) the existing Li Po Chun UWC is situated at Sha Tin Town Lot No. 367 (“the Lot”) governed by New Grant No. 12365 (“the New Grant”) granted in 1989. Under the New Grant, the Lot or any part thereof is restricted to the purposes of a non-profit-making international school and residential quarters; and shall not be developed except in accordance with the New Grant and the approved Master Plan and no building or structure which is not shown on the Master Plan shall be erected, constructed or maintained on or within the Lot. The GFA, SC and BH allowed under the New Grant shall not exceed 36,300m², 25% and 42mPD respectively;
- (b) the proposal under the application to construct a school extension with a height of 52.4mPD is not permitted under the New Grant. Furthermore, as required under the New Grant, parking spaces for motor vehicles and vehicle space for waiting, picking up and setting down of passengers shall be provided at the rate of not less than one vehicle space for every 4 classrooms or part thereof and for every 5 classrooms or part thereof respectively. It is noted that new classrooms are proposed but there is no new parking space or vehicle space for waiting, picking up and setting down of passengers. Lastly, the existing GFA claimed in the application is found not tally with his office’s record but the proposed total GFA is still within the GFA restriction permitted under the lease; and
- (c) if the Board approves the application, the owner of the Lot is required to apply for a lease modification and revision to the approved Master Plan from LandsD to implement this proposal. However, there is no guarantee that the applications will be approved. Such applications, if received, will be considered by LandsD acting in its capacity as the landlord at its sole discretion and any approval given will be subject to such terms and conditions including, inter alia, payment of premium and administrative fee as may be imposed by LandsD.

Urban Design and Landscape

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

- (a) the proposed extension building is at 52.4mPD and the maximum BH restriction under the OZP is 42mPD. At a site formation level of 30.6mPD, the proposed extension building with an absolute BH of 21.8m represents an increase in absolute BH by 91% (from 11.4m to 21.8m) and is about 120% higher than adjacent academic blocks with an absolute BH of 9.9m. It is undesirable from visual impact point of view and may not be compatible to adjacent developments; and
- (b) as there is ample empty space available in the Site for expansion, the applicant should re-configure the proposed extension building to reduce the BH so as to minimize the visual impact.

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

Urban Design and Visual

- (a) the proposed extension building at 52.4mPD will introduce a relatively higher building height profile to the existing low-rise government, institution and community clusters located along the foreshore of Starfish Bay. The development proposal under application has demonstrated that an urban design concept of a stepped height profile has been adopted by keeping its overall building height comparatively lower than adjacent inland sites in addition to incorporating a sloping roofline into its architectural form to further blend into its waterfront setting. The applicant should consider to explore other design measures to make the proposed BH lower, such as allowing a slightly larger site coverage, etc. The applicant should also elaborate whether he has made every effort to compare and assess alternative sites with lower site level within the campus before proposing the increased BH;
- (b) the proposed relaxation of BH should be considered with the planning and design criteria as listed in para. 7.6 of the Explanatory Statement of the OZP (as stated in para.7.3 of RNTPC Paper). The applicant should demonstrate how the proposed BH is related to these criteria in the Explanatory Statement as he only puts emphasis on operational and functional needs in the submission; and
- (c) the applicant's explanation in the FI could not adequately demonstrate whether he has considered other sites within the existing school campus/GIC site, and other design measures to lower the proposed building height. Her detailed comments on the revised Visual Impact Appraisal in the FI are at **Appendix II**.

Landscape

- (d) based on aerial photo of 2020 and planning statement submitted by the applicant, the Site is situated in an area of miscellaneous urban fringe landscape character surrounded by residential buildings and clusters of trees. The proposed development of an extension building is connected to the school's existing

academic block to its immediate southwest. It is noted that although some existing trees will be affected by the proposed development, they are of common species and new tree plantings will be proposed around the new structure. Moreover, no significant sensitive landscape resource (i.e. OVT, rare and protected species) will be affected by the proposed development, significant adverse impact on existing landscape resources is not anticipated; and

- (e) the Site is in operation and the proposed development aims to enhance existing school facilities. The proposed development is considered not entirely incompatible with the landscape character of the surrounding environment. In view of the above, she has no objection to the application from the landscape planning perspective.

Education

8.1.4 Comments of the Permanent Secretary for Education, Education Bureau (PS(Ed), EDB):

the Li Po Chun UWC is a Direct Subsidy Scheme School. It is a 2-year boarding school for International Baccalaureate (IB) Diploma students. All students take the IB Examinations. She has no comment on the application.

Traffic

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

- (a) in view of minimum traffic impact with the extension, he has no in-principle objection to the application from traffic engineering point of view; and
- (b) the applicant should ensure the parking provision is in accordance with the requirement under the land lease conditions.

Environment

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

- (a) having reviewed the supporting planning statement and FIs, he noted that sufficient buffer distances between the proposed development and surrounding roads would be provided according to Hong Kong Planning Standards and Guidelines requirements and no chimneys are identified in the surroundings; all sensitive uses of the proposed development, including the educational uses and dormitories, would be provided with A/C system and would not rely on opened windows for ventilation; all sewage generated from the proposed development would be collected by existing on-site sewage treatment plant(s); the applicant would ensure the discharge from the plant(s) would comply with Water Pollution Control Ordinance; the applicant would follow relevant ordinance(s) and/or regulation(s) for waste management and implement general mitigation measures to control construction environmental impacts; and
- (b) in view of the above, insurmountable environmental impacts are not anticipated for the proposed development and he has no objection to the application.

Water Supply

8.1.7 Comments of Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) the applicant's estimation of additional sewerage generation rate arising from the additional water demand due to the proposed extension building is minor. In view of this, he has no objection to the application from water supply planning perspective; and
- (b) for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.

Geotechnical Aspect

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

he does not support the application from geotechnical engineering point of view. As the proposed extension building may affect, or be affected by, existing man-made slopes, the applicant is required to submit a Geotechnical Planning Review Report (GPRR) to the Board in supporting the application.

Electrical Safety

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

- (a) there is a high pressure underground town gas transmission pipeline (running along Lok Wo Sha Lane and Nin Wah Road) in the vicinity of the Site;
- (b) the project proponent/consultant/works contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations 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; and
- (c) the project proponent/consultant/works contractor is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2nd Edition" for reference.

Fire Safety

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

- (a) he has no in-principle objection to the application subject to the provision of water supplies for firefighting and fire service installations;

- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority; and
- (c) the EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by BD.

Building Matters

8.1.11 Comments of the Chief Building Surveyor/New Territories East (2) & Rail Section, Building Department (CBS/NTE2&Rail, BD):

he has no in-principle objection under the Building Ordinance to the application noting that the resulting PR and SC are far below the maximum permissible PR and SC under the First Schedule of Building (Planning) Regulations.

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

- (a) Director of Agriculture, Fisheries and Conservation Department (DAFC);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (d) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD); and
- (e) District Officer (Sha Tin), Home Affairs Department (DO/ST, HAD).

9. Public Comments Received During Statutory Publication Period

On 18.2.2020, the application was published for public inspection. During the statutory public inspection period, seven public comments were received from the Owners' Committees of Double Cove and Lake Silver, the Management Services Office of Villa Rhapsody of Symphony Bay and St. Barths, the developer of "R(B)5" site and private individuals (**Appendix III**). All of them object to the application on the following grounds:

- (a) the site formation of the proposed extension building can be lowered and the SC can be expanded to make the BH of the proposed development lower. The proposed development has no public gain. Given the site constraints claimed by the applicant, there is huge space available in the east, west and south of the proposed extension building which suggests that a larger building footprint can be adopted. Agglomeration of the proposed ancillary accommodation near the existing residential quarters could achieve higher operational efficiency. There is no strong justification to approve the application with underutilized SC;

- (b) the proposed development with an absolute BH of 21.8m (from 30.6mPD to 52.4mPD) will exceed the existing permissible BH of 11.4m (from 30.6mPD to 42mPD) as stipulated under the OZP. It is a 91% (from 11.4m to 21.8m) increase of absolute BH which is not considered minor in scale. It will set an undesirable precedent for similar application in the “G/IC” zone;
- (c) the proposed increase of BH restriction to 52.4mPD for the proposed extension building deviates from the stepped BH band intended for the coastal location of the Site and fails to preserve public views of the Starfish Bay. The upper portion of the proposed extension building, especially the top three storeys is considered visually obstructive and at odds with the continuous coastal greenery along Starfish Bay. The proposed music rooms that do not normally require natural lighting could be accommodated within the basement. It seems that the only reason for the proposed relaxation of BH restriction is to maximize views without concern to the obstruction of public views and views from neighbouring sites; and
- (d) the proposed development will have adverse visual and environmental impacts to the surrounding area especially the Starfish Bay, the Site of Special Scientific Interest and nearby residential developments. The proposed extension building is visually prominent and the visual impacts will be further exaggerated by the tree felling. The public views to the Starfish Bay and the existing green landscape will be obstructed by the proposed development. The property value of nearby residential developments will be affected.

10. Planning Considerations and Assessments

- 10.1 The applicant seeks minor relaxation of BH restriction from 42mPD to 52.4mPD (+10.4m or about 25%) of a permitted school extension building at the south-western portion of the Site. The absolute BH for the proposed extension building will be increased from 11.4m to 21.8m (+10.4m or about 91%). According to the applicant, the proposed extension building is to accommodate the shortfall of classroom and to provide additional educational facilities with ancillary accommodation. The proposed relaxation of BH should be considered with the planning and design criteria listed in para. 7.6 of the Explanatory Statement of the OZP (as stated in para. 7.3 above).
- 10.2 The applicant has claimed that its design is confined by the existing structures, driveway and carpark and restricted by the lack of vacant space of suitable dimensions and area. The proposed development will achieve a general stepped height profile and will not have a significant impact on the visual quality of the area. The applicant has also stated that a larger floor plate will require significant site formation which will not be ideal for the connection with the adjacent building block and will involve additional tree felling. However, the applicant fails to demonstrate any planning and design merits to justify the proposed BH relaxation that would bring about improvements to streetscape, townscape and amenity of the locality. Since the site coverage for the existing school buildings (about 19.7%) and the proposed extension (about 0.7%) will only be 20.4% in total, there is still ample empty space available for expansion without the need for uplifting the BH restriction. Having considered the application and the FI submitted by the applicant, CA/CMD2, ArchSD considers that the proposed BH is undesirable from visual impact point of view and may not be compatible to adjacent developments. The applicant could reconfigure the proposed extension building and reduce the BH. CTP/UD&L, PlanD also advises that the applicant’s explanation in the FI could not adequately demonstrate

whether he has considered other sites within the existing school campus/GIC site, and other design measures to lower the proposed building height. The applicant should demonstrate how the proposed BH is related to the criteria listed in para. 7.6 of the Explanatory Statement of the OZP as emphasis is only put on operational and functional needs in the submission. In view of the above, there is no strong justification for the minor relaxation of BH restriction.

- 10.3 Relevant departments including PS(Ed) of EDB, C for T, DAFC, DEP, CBS/NTE2&Rail, BD and CE/C, WSD have no objection to/no comment on the application. Nonetheless, H(GEO), CEDD does not support the application and considers that the applicant should submit a GPRR in support of the application. However, the applicant has not submitted the relevant report.
- 10.4 All seven public comments received are against the application. In this regard, the planning assessment and comments of Government departments above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9 above, Planning Department does not support the application for the following reason:
- (a) the applicant fails to demonstrate planning and design merits for the proposed minor relaxation of building height restriction for the proposed school extension development; and
 - (b) the applicant fails to demonstrate that the proposed school extension development would not result in adverse geotechnical impact on the Site and its surrounding areas.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until **26.5.2024**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following condition of approval and advisory clauses are also suggested for Members' reference:

Approval Condition

- the submission of a Natural Terrain Hazard Study and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board.

Advisory Clauses

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

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 12.3 Alternatively, 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. Attachments

Appendix I	Application form received on 6.2.2020
Appendix Ia	Supplementary planning statement
Appendix Ib	FI received on 27.3.2020
Appendix Ic	FI received on 8.4.2020
Appendix Id	FI received on 15.5.2020
Appendix II	Detailed departmental comments
Appendix III	Public comments
Appendix IV	Recommended advisory clauses
Drawing A-1	Block Plan of the Proposed Extension Building
Drawing A-2	Elevation of the Proposed Extension Building
Drawing A-3	Location of Viewpoints for the Visual Impact Appraisal
Drawings A-4 to A-10	Photomontages of the Proposed Extension Building
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**Detailed Comments of CTP/UD&L, PlanD on the revised Visual Impact Appraisal
in the FI:**

- (a) viewpoint 4 is missing in the revised figure in the R-to-C item(iii);
- (b) the applicant should clarify the discrepancy in the last sentence between the R-to-C item 5c(viii) on page 4 and the revised para. 7.2 in Annex B; and
- (c) only the evaluation of visual impact without mitigation measures is provided in para. 7.2. The applicant should provide the overall visual impact and photomontages with mitigation measures, such as choice of materials with suitable colours and provisions of plantings, etc.

Recommended Advisory Clauses

- (a) to note the comment of the District Lands Officer/Shia Tin, Lands Department (DLO/ST, LandsD) that:

the owner of the Lot is required to apply for a lease modification and revision to the approved Master Plan from LandsD to implement this proposal. However, there is no guarantee that the applications will be approved. Such applications, if received, will be considered by LandsD acting in its capacity as the landlord at its sole discretion and any approval given will be subject to such terms and conditions including, inter alia, payment of premium and administrative fee as may be imposed by LandsD.

- (b) to note the comments of the Director of Electrical and Mechanical Services that:

- (i) there is a high pressure underground town gas transmission pipeline (running along Lok Wo Sha Lane and Nin Wah Road) in the vicinity of the Site;
- (ii) the applicant shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations 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; and
- (iii) the applicant is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2nd Edition" for reference.

- (c) to note the comments of the Director of Fire Services that:

- (i) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority; and
- (ii) the EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by Buildings Department.

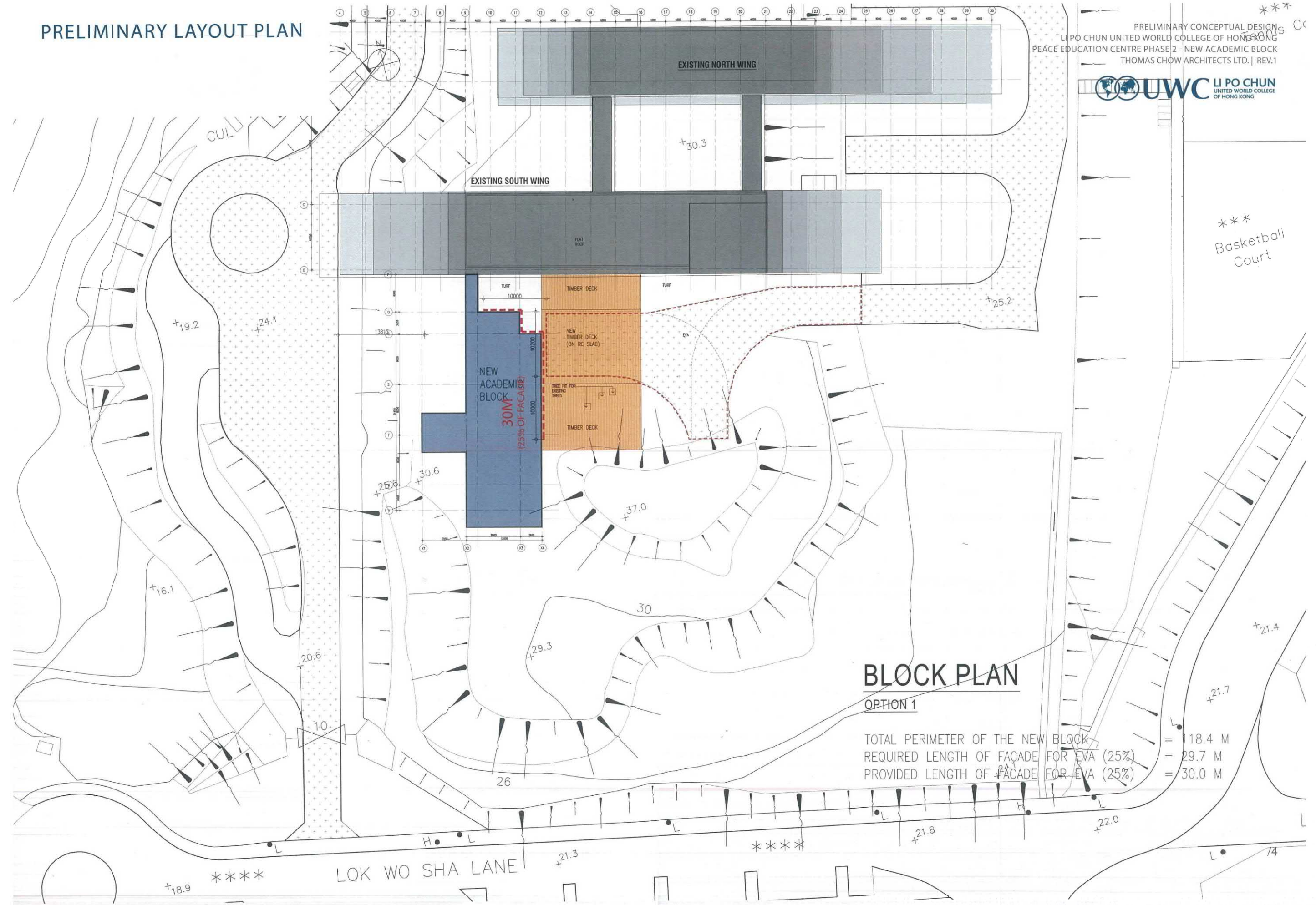
- (d) to note the comment of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:

for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.

PRELIMINARY LAYOUT PLAN

PRELIMINARY CONCEPTUAL DESIGN
 LI PO CHUN UNITED WORLD COLLEGE OF HONG KONG
 PEACE EDUCATION CENTRE PHASE 2 - NEW ACADEMIC BLOCK
 THOMAS CHOW ARCHITECTS LTD. | REV.1

UWC LI PO CHUN
 UNITED WORLD COLLEGE
 OF HONG KONG



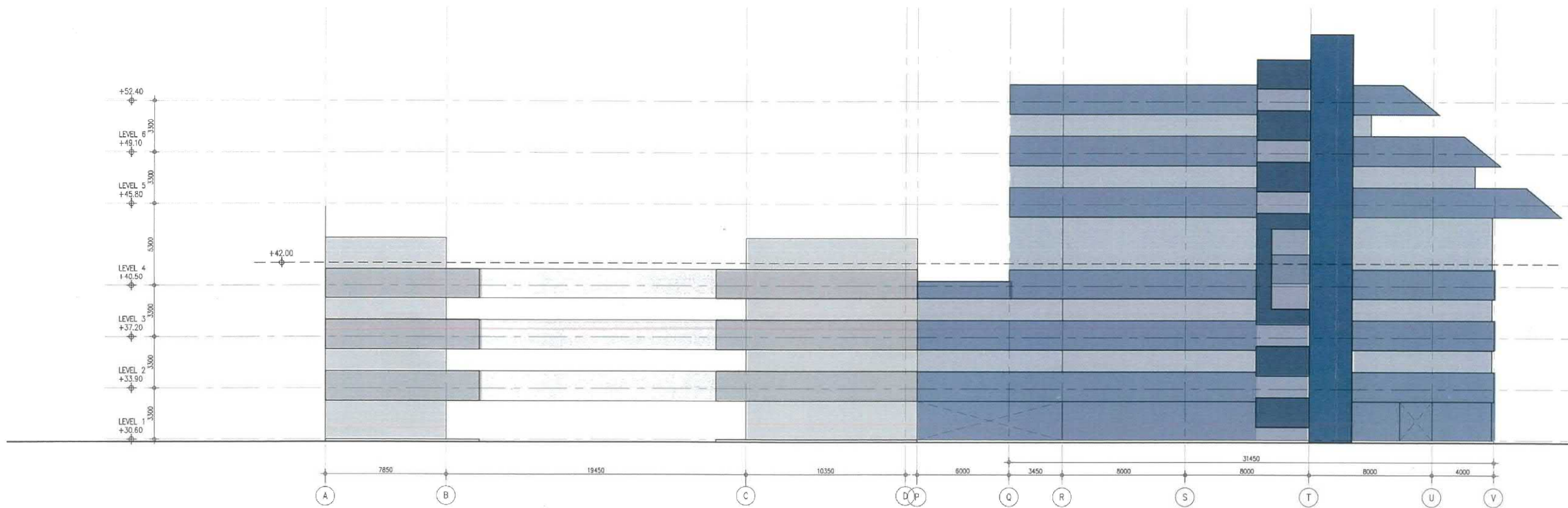
BLOCK PLAN

OPTION 1

TOTAL PERIMETER OF THE NEW BLOCK	= 118.4 M
REQUIRED LENGTH OF FACADE FOR EVA (25%)	= 29.7 M
PROVIDED LENGTH OF FACADE FOR EVA (25%)	= 30.0 M

PRELIMINARY LAYOUT PLAN

PRELIMINARY CONCEPTUAL DESIGN
 LI PO CHUN UNITED WORLD COLLEGE OF HONG KONG
 PEACE EDUCATION CENTRE PHASE 2 - NEW ACADEMIC BLOCK
 THOMAS CHOW ARCHITECTS LTD. | REV.1



WEST ELEVATION



Figure 5 The viewing points selected for appraisal.

參考編號 REFERENCE No.	A/MOS/127	繪圖 DRAWING A-3
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(來源：申請人於2020年2月6日提交的規劃申請表內的繪圖)
 (SOURCE: DRAWING IN THE APPLICANT'S SUBMITTED APPLICATION FORM ON 6.2.2020)

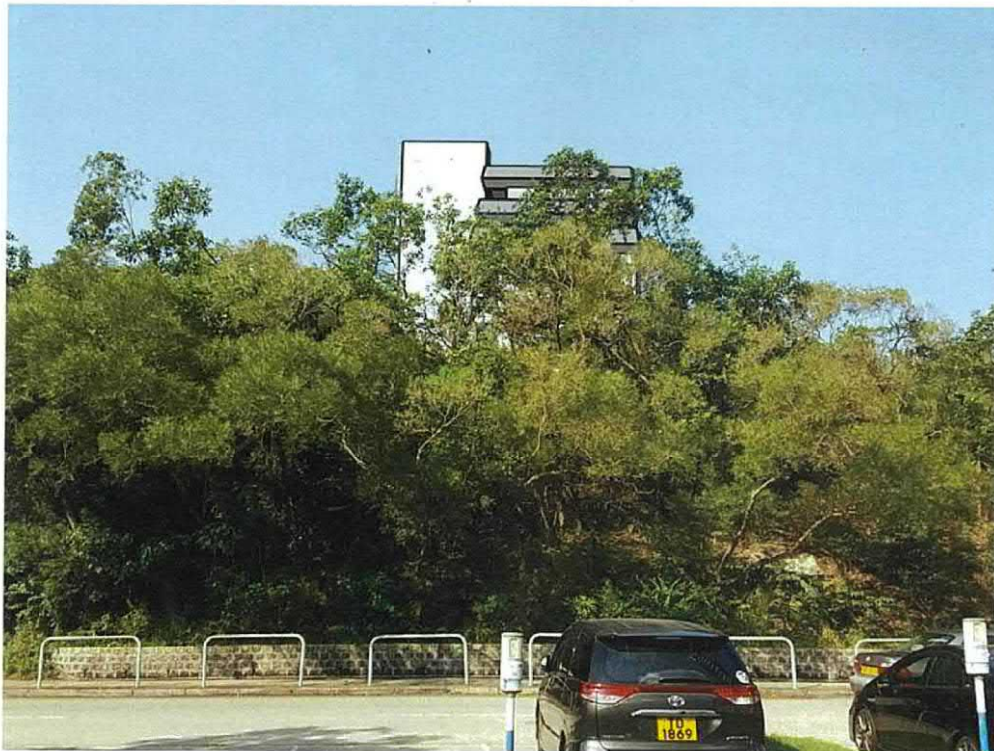


FIGURE:
6a

DATE:
Jan 2020

TITLE:
PHOTOMONTAGE - VP1



PROJECT:
LI PO CHUN UNITED WORLD COLLEGE - PROPOSED MINOR RELAXATION

DESCRIPTION:
View from the foot/ cycle path on Lok Wo Sha Lane, immediately in front of where the proposed expansion will be located, behind the greenery and above the slope.

參考編號 REFERENCE No.	A/MOS/127	繪圖 DRAWING A-4
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(來源：申請人於2020年2月6日呈交的規劃申請表內的繪圖)
(SOURCE : DRAWING IN THE APPLICANT'S SUBMITTED APPLICATION FORM ON 6.2.2020)



FIGURE:
6b

DATE:
Jan 2020

TITLE:
PHOTOMONTAGE - VP2



PROJECT:
LI PO CHUN UNITED WORLD COLLEGE - PROPOSED MINOR RELAXATION

DESCRIPTION:
View from Nim Wah Road, immediately in front of where the proposed expansion will be located, behind the greenery and above the slope.

參考編號

REFERENCE No. **A/MOS/127**

繪圖 **DRAWING A-5**

(來源: 申請人於2020年2月6日提交的規劃申請表內的繪圖)
(SOURCE: DRAWING IN THE APPLICANT'S SUBMITTED APPLICATION FORM ON 6.2.2020)



FIGURE:
6c

DATE:
Jan 2020

TITLE:
PHOTOMONTAGE - VP3

MASTERPLAN
Planning and Development Advisors
領賢規劃顧問有限公司

PROJECT:
LI PO CHUN UNITED WORLD COLLEGE - PROPOSED MINOR RELAXATION

DESCRIPTION:
Approaching view from Sai Sha Road- UWC behind the GIC zoned vacant lot. "The Entrance" is in view on the right.

參考編號


REFERENCE No.

A/MOS/127

繪圖 **DRAWING A-6**

(來源：申請人於2020年2月6日提交的規劃申請表內的繪圖)
(SOURCE : DRAWING IN THE APPLICANT'S SUBMITTED
APPLICATION FORM ON 6.2.2020)




FIGURE: 6d	DATE: Jan 2020	TITLE: PHOTOMONTAGE - VP4
		PROJECT: LI PO CHUN UNITED WORLD COLLEGE - PROPOSED MINOR RELAXATION
		DESCRIPTION: View from the foot/ cycle path in parallel to Sai Sha Road, where the UWC is located behind the greenery within the "Conservation Area" and the setback area of the campus. "The Entrance" is in view on the right.

參考編號 REFERENCE No.	A/MOS/127	繪圖 DRAWING A-7
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(來源：申請人於2020年2月6日呈交的規劃申請表內的繪圖)
(SOURCE : DRAWING IN THE APPLICANT'S SUBMITTED APPLICATION FORM ON 6.2.2020)



FIGURE: 6e	DATE: Jan 2020	TITLE: PHOTOMONTAGE - VP5
		PROJECT: LI PO CHUN UNITED WORLD COLLEGE - PROPOSED MINOR RELAXATION
		DESCRIPTION: View from the western part of Lok Wo Sha Lane, where the UWC is located behind the greenery within the "Conservation Area" and the setback area of the campus. The Entrance is partly in view on the right.

參考編號 REFERENCE No.	A/MOS/127	繪圖 DRAWING A-8
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(來源：申請人於2020年2月6日提交的規劃申請表內的繪圖)
(SOURCE : DRAWING IN THE APPLICANT'S SUBMITTED APPLICATION FORM ON 6.2.2020)

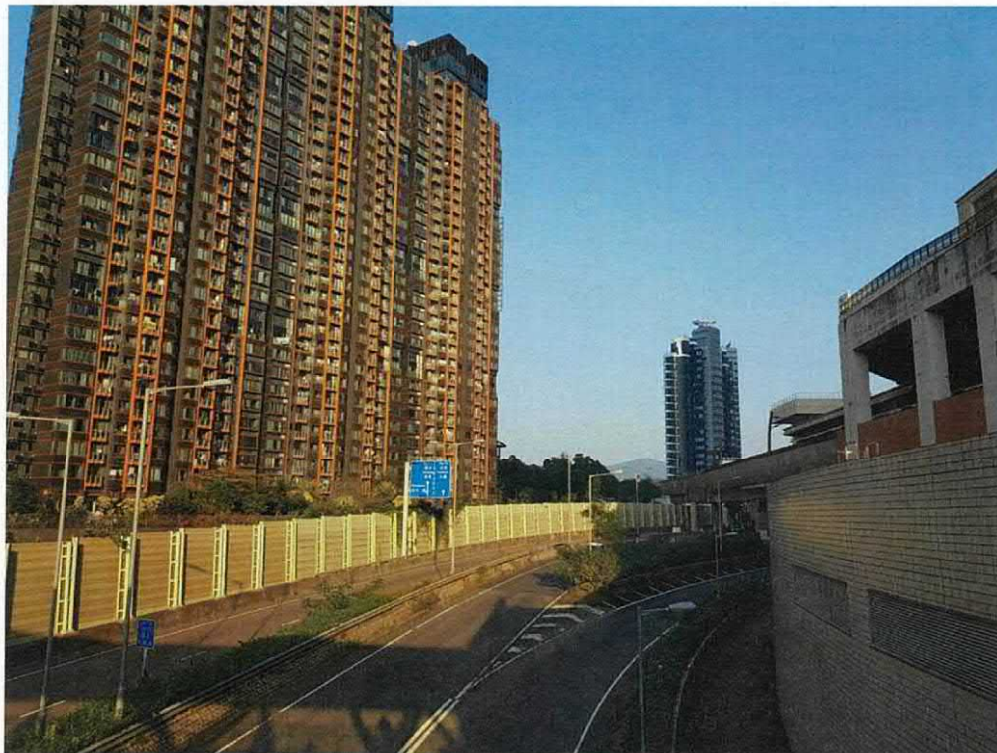
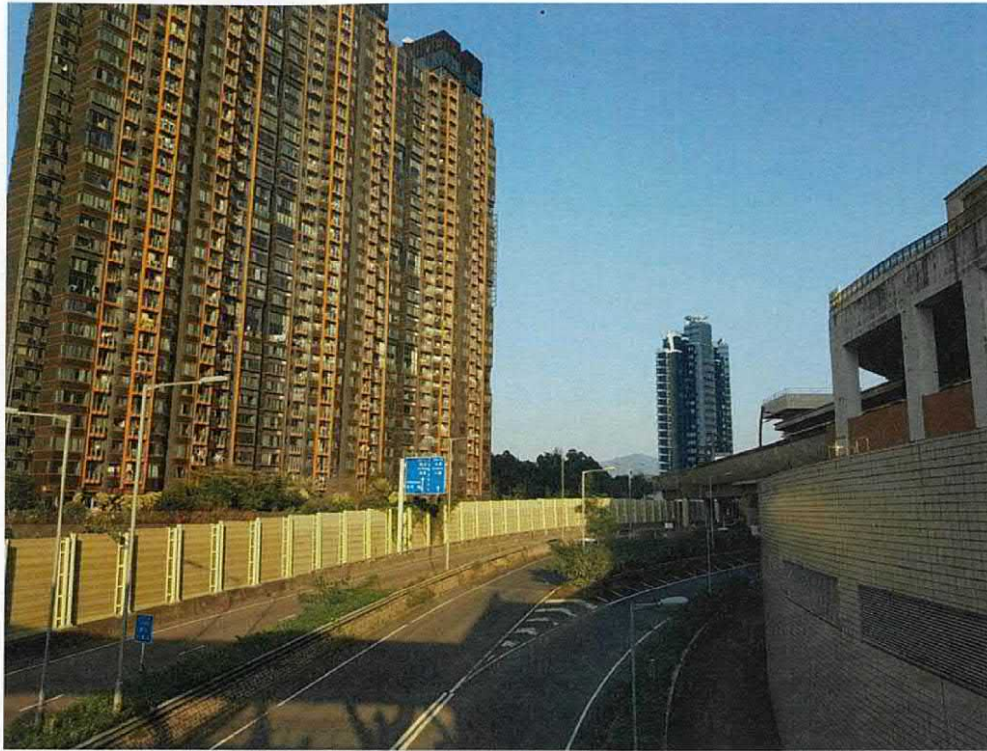




FIGURE: 6f	DATE: Jan 2020	TITLE: PHOTOMONTAGE - VP6
		PROJECT: LI PO CHUN UNITED WORLD COLLEGE - PROPOSED MINOR RELAXATION
		DESCRIPTION: View from the footbridge connecting the MTR (right) and Double Cove (left)- The area where the UWC is located is in distance. "The Entrance" also in view.

參考編號 REFERENCE No.	A/MOS/127	繪圖 DRAWING A-9
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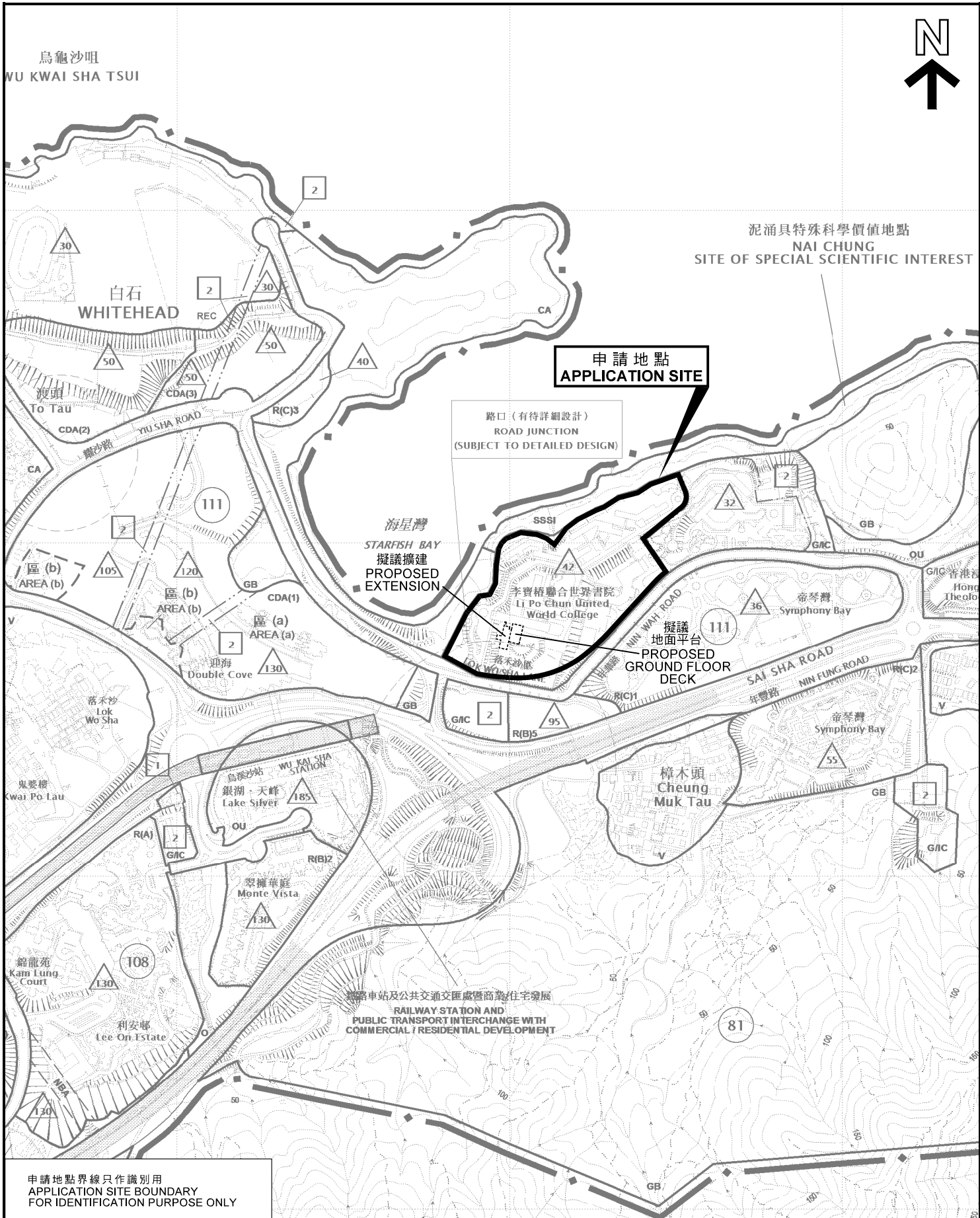
(來源：申請人於2020年2月6日呈交的規劃申請表內的繪圖)
(SOURCE : DRAWING IN THE APPLICANT'S SUBMITTED APPLICATION FORM ON 6.2.2020)



FIGURE: 6g	DATE: Jan 2020	TITLE: PHOTOMONTAGE - VP7
		PROJECT: LI PO CHUN UNITED WORLD COLLEGE - PROPOSED MINOR RELAXATION DESCRIPTION: View from Starfish Bay, towards the area where the UWC is located, where some existing buildings are in view through the lush vegetation and above the tree canopy. "The Entrance" on the right.

參考編號 REFERENCE No.	A/MOS/127	繪圖DRAWING A-10
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(來源：申請人於2020年2月6日呈交的規劃申請表內的繪圖)
(SOURCE : DRAWING IN THE APPLICANT'S SUBMITTED APPLICATION FORM ON 6.2.2020)



申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2020年5月15日擬備，
所根據的資料為於2016年1月5日
核准的分區計劃大綱圖編號S/MOS/22
EXTRACT PLAN PREPARED ON 15.5.2020
BASED ON OUTLINE ZONING PLAN No.
S/MOS/22 APPROVED ON 5.1.2016

位置圖 LOCATION PLAN

略為放寬學校建築物高度(學校擴建)
沙田烏溪沙落禾沙里10號
MINOR RELAXATION OF BUILDING HEIGHT RESTRICTION
FOR SCHOOL (SCHOOL EXTENSION)
10 LOK WO SHA LANE, WU KAI SHA, SHA TIN

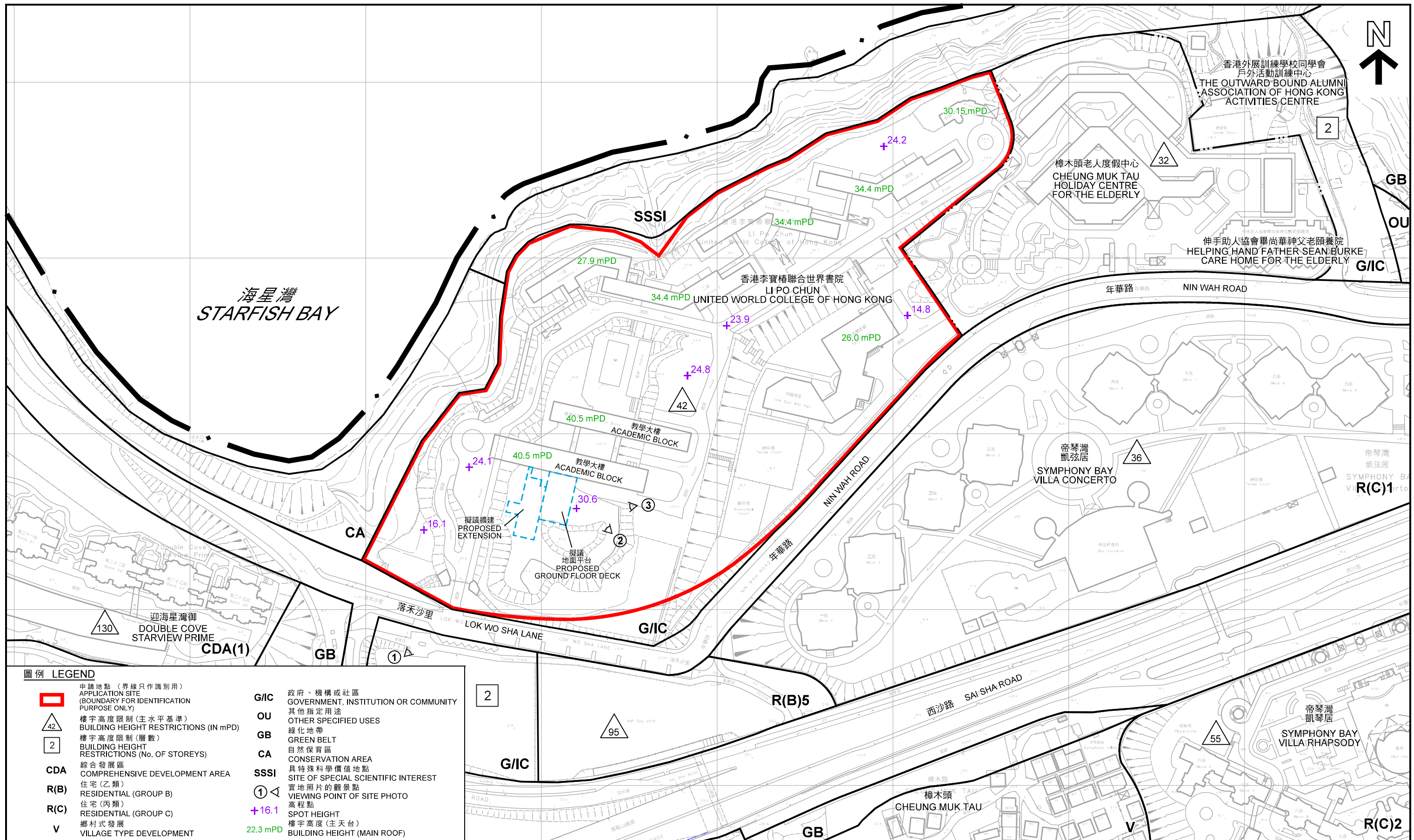
SCALE 1 : 7 500 比例尺

米 100 0 100 200 300 米
METRES

**規劃署
PLANNING
DEPARTMENT**

參考編號
REFERENCE No.
A/MOS/127

**圖 PLAN
A-1**



圖例 LEGEND

- 申請地點 (界線只作識別用)
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)
- 樓宇高度限制 (主水平基準)
BUILDING HEIGHT RESTRICTIONS (IN mPD)
- 樓宇高度限制 (層數)
BUILDING HEIGHT RESTRICTIONS (No. OF STOREYS)
- CDA** 綜合發展區
COMPREHENSIVE DEVELOPMENT AREA
- R(B)** 住宅 (乙類)
RESIDENTIAL (GROUP B)
- R(C)** 住宅 (丙類)
RESIDENTIAL (GROUP C)
- V** 鄉村式發展
VILLAGE TYPE DEVELOPMENT
- G/IC** 政府、機構或社區
GOVERNMENT, INSTITUTION OR COMMUNITY
- OU** 其他指定用途
OTHER SPECIFIED USES
- GB** 綠化地帶
GREEN BELT
- CA** 自然保育區
CONSERVATION AREA
- SSSI** 具特殊科學價值地點
SITE OF SPECIAL SCIENTIFIC INTEREST
- 實地照片的觀景點
VIEWING POINT OF SITE PHOTO
- 高程點
SPOT HEIGHT
- +16.1 樓宇高度 (主天台)
BUILDING HEIGHT (MAIN ROOF)
- 22.3 mPD 樓宇高度 (主天台)
BUILDING HEIGHT (MAIN ROOF)

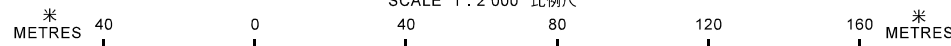
本摘要圖於2020年4月2日擬備，
所根據的資料為測量圖編號
7-NE-14D、15C、19B和20A
EXTRACT PLAN PREPARED ON 2.4.2020
BASED ON SURVEY SHEET No.
7-NE-14D, 15C, 19B & 20A

平面圖 SITE PLAN

略為放寬學校建築物高度 (學校擴建)
沙田烏溪沙落禾沙里10號

MINOR RELAXATION OF BUILDING HEIGHT RESTRICTION
FOR SCHOOL (SCHOOL EXTENSION)
10 LOK WO SHA LANE, WU KAI SHA, SHA TIN

SCALE 1 : 2 000 比例尺



規劃署
PLANNING DEPARTMENT



參考編號
REFERENCE No.
A/MOS/127

圖 PLAN
A-2



圖例 LEGEND

申請地點 (界線只作識別用)
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)

本摘要圖於2020年3月27日擬備，所根據的資料為地政總署於2019年9月12日拍得的航攝照片編號E063384C及E063386C
EXTRACT PLAN PREPARED ON 27.3.2020
BASED ON AERIAL PHOTO Nos.E063384C & E063386C
TAKEN ON 12.9.2019 BY LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

略為放寬學校建築物高度(學校擴建)
沙田烏溪沙落禾沙里10號
MINOR RELAXATION OF BUILDING HEIGHT RESTRICTION FOR SCHOOL (SCHOOL EXTENSION)
10 LOK WO SHA LANE, WU KAI SHA, SHA TIN

規劃署
PLANNING DEPARTMENT



參考編號
REFERENCE No.
A/MOS/127

圖 PLAN
A-3



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

略為放寬學校建築物高度(學校擴建)
沙田烏溪沙落禾沙里10號

MINOR RELAXATION OF BUILDING HEIGHT RESTRICTION
FOR SCHOOL (SCHOOL EXTENSION)
10 LOK WO SHA LANE, WU KAI SHA, SHA TIN

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/MOS/127

圖 PLAN
A-4

本摘要圖於2020年3月19日擬備，
所根據的資料為攝於
2020年3月17日的實地照片
PLAN PREPARED ON 19.3.2020
BASED ON SITE PHOTOS
TAKEN ON 17.3.2020

~~could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.~~

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/MOS/127 Minor relaxation of building height restriction for school (school extension) in "Government, Institution or Community" Zone, 10 Lok Wo Sha Lane, Wu Kai Sha, Sha Tin
(RNTPC Paper No. A/MOS/127)

Presentation and Question Sessions

80. Mr Kenny C.H. Lau, STP/STN, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of building height (BH) restriction from 42mPD to 52.4mPD for permitted school (school extension) use;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, seven public comments were received from the Owners' Committees of Double Cove and Lake Silver, the Management Services Office of Villa Rhapsody of Symphony Bay and St. Barths, the developer of the "Residential (Group

B)5” site and individuals objecting to the application. Major grounds of objection were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The proposed minor relaxation of BH restriction from 42mPD to 52.4mPD (+10.4m or about 25%) was for a permitted school extension building with ancillary accommodation at the south-western portion of the site, where as the absolute BH for the proposed extension building would be increased from 11.4m to 21.8m (+10.4m or about 91%). Although the applicant had claimed that the design was confined by the existing structures, driveway and carpark and restricted by the lack of suitable vacant space, the site coverage (SC) for the existing school buildings (about 19.7%) and the proposed extension (about 0.7%) would only be 20.4% in total, leaving ample space for expansion without the need for relaxation of the BH restriction. There was no strong justification for the proposed minor relaxation of BH restriction as the applicant failed to demonstrate any planning and design merits under the proposal. The Chief Architect/Central Management Division 2, Architectural Services Department considered the proposed BH undesirable from visual impact point of view as it might not be compatible with adjacent developments. The Chief Town Planner/Urban Design and Landscape, PlanD also considered that the application could not adequately demonstrate whether other sites within the existing school campus had been considered and whether there were other design measures to lower the proposed BH. Moreover, the Head of Geotechnical Engineering Office, Civil Engineering and Development Department did not support the application and considered that a geotechnical planning review report should be submitted by the applicant to support the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

81. The Chairman and a Member raised the following questions:

- (a) whether there was any statutory definition for the term 'minor relaxation' in the context of outline zoning plans; and
- (b) noting that the existing SC of the site was only about 20%, whether there were any drawings showing the areas within the school site that could be considered for the school extension.

82. In response, Mr Kenny C.H. Lau, STP/STN, made the following main points:

- (a) there was no statutory definition for the term 'minor relaxation' in the context of outline zoning plans. Whether the proposed relaxation of BH restriction could be considered as 'minor' was a matter of fact and degree. In general, consideration of such applications would depend on the circumstances and it was for the Committee to decide whether the proposal was acceptable; and
- (b) with reference to Plans A-2 and A-3 of the Paper, the existing academic blocks and the proposed school extension were located at the southwestern part of the application site and the residential quarters were located at the northwestern and northeastern parts of the application site. There were also areas currently used as swimming pool or ball courts to the west and southeast of the site. The rest of the site was mostly covered by vegetation. Above all, there was still ample space for school extension purpose. According to the applicant, apart from the proposed school extension under the current application, there were other expansion plans under preparation. As these proposals did not involve relaxation of BH restriction, they were not included in the current application. Moreover, noting that the height of the existing buildings within the site was lower than the permissible BH under the OZP, there were public comments suggesting siting the proposed ancillary accommodation near the existing residential quarters to achieve higher operational efficiency. However, the applicant did not provide any further information to address such concerns.

Deliberation Session

83. Members noted that the subject application involved a minor relaxation of BH restriction from 42mPD to 52.4mPD (i.e. +10.4m or about 25%). The Vice-chairman recalled that an increase of about 20% of the permissible BH under the OZP was used as a general reference in considering whether the relaxation sought was 'minor' or not. For the subject application, there was insufficient justification for the BH relaxation nor detailed information on the land available for the school expansion project. Hence, he did not support the application.

84. A Member also did not support the application and considered that although the BH of the existing school building and the proposed extension was lower than that of the residential developments in the vicinity, there was insufficient information to demonstrate that the current proposal and/or the whole expansion plan would not adversely affect the natural landscape and the existing trees within the school site. Another Member echoed and pointed out that although the existing trees at the site were foreign species with low ecological value, the landscape master plan proposed should improve the urban forestry in the area.

85. A Member enquired whether the BH restriction of the entire school site would be relaxed should the application be approved. The Chairman replied in the negative and said that if the application was approved, the minor relaxation of BH restriction sought would only apply to the school extension proposed under the current application.

86. Some Members also considered that the application could not be supported. A Member opined that the proposed relaxation of BH restriction sought could not be considered as 'minor'. Members generally considered that the applicant should provide more information including the expansion plan covering the whole school site to demonstrate that the land within the school site was well-utilised.

87. The Chairman concluded and Members agreed that the proposed minor relaxation of BH restriction from 42mPD to 52.4mPD could be considered, the subject application as submitted could not be supported at the current stage as the applicant failed to provide strong justifications and sufficient information to support the proposal.

88. After deliberation, the Committee decided to reject the application. The reasons were:

- “(a) the applicant fails to demonstrate planning and design merits for the proposed minor relaxation of building height restriction for the proposed school extension development; and
- (b) the applicant fails to demonstrate that the proposed school extension development would not result in adverse geotechnical impact on the site and its surrounding areas.”

Agenda Item 19

Section 16 Application

[Open Meeting]

A/NE-MKT/9

Proposed Temporary Shop and Services (Agricultural Products and Fruits Promotion Centre) with Ancillary Site Office and Car Park for a Period of 3 Years in “Recreation” Zone, Lots 788 and 792 in D.D. 82, Ping Che Road, Kan Tau Wai
(RNTPC Paper No. A/NE-MKT/9)

89. The Committee noted that the applicant’s representative requested on 18.5.2020 deferment of consideration of the application for a period of two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

90. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and ~~could be processed within a shorter time, the application could be submitted to an earlier~~

Recommended Advisory Clauses

- (a) To note the comment of the District Lands Officer/Shu Tin Lands Department (DLO/ST, LandsD) that:

the owner of the Lot is required to apply for a lease modification and revision to the approved Master Plan from LandsD to implement this proposal. However, there is no guarantee that the applications will be approved. Such applications, if received, will be considered by LandsD acting in its capacity as the landlord at its sole discretion and any approval given will be subject to such terms and conditions including, inter alia, payment of premium and administrative fee as may be imposed by LandsD.

- (b) To note the comment of the Commissioner for Transport (C for T) that:

the applicant should ensure the parking provision is in accordance with the requirement under the land lease conditions.

- (c) To note the comment of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:

for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.

- (d) To note the comments of the Director of Electrical and Mechanical Services (DEMS) that:

(i) there is a high pressure underground town gas transmission pipeline (running along Lok Wo Sha Lane and Nin Wah Road) in the vicinity of the Site;

(ii) the project proponent/consultant/works contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations 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; and

(iii) the project proponent/consultant/works contractor is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2nd Edition" for reference.

- (e) To note the comments of the Director of Fire Services (D of FS) that:
- (i) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority; and
 - (ii) the EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by the Buildings Department.