

REVIEW OF APPLICATION NO. A/MOS/127
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

**Proposed Minor Relaxation of
Building Height Restriction for School (School Extension)
in “Government, Institution or Community” (“G/IC”) Zone
10 Lok Wo Sha Lane, Wu Kai Sha, Sha Tin**

1. Background

- 1.1 On 6.2.2020, the applicant, Li Po Chun United World College (Hong Kong Limited) represented by Masterplan Limited, sought planning permission for a minor relaxation of building height (BH) restriction from 42mPD to 52.4mPD for a permitted school extension building (marked as Site A and delineated by red broken line on **Drawing R-5** and **Plan R-3**) of the Li Po Chun United World College (UWC) at the application site (the Site) under s.16 of the Town Planning Ordinance (the Ordinance). The Site falls within “G/IC” zone on the approved Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/22 at the time of application and the draft Ma On Shan OZP No. S/MOS/23 currently in force (**Plan R-1**).
- 1.2 On 26.5.2020, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the application and 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.
- 1.3 For Members’ reference, the following documents are attached:
- (a) RNTPC Paper No. A/MOS/127 (Annex A)
 - (b) Extract of minutes of the RNTPC meeting held on 26.5.2020 (Annex B)
 - (c) Secretary of the Board’s letter dated 12.6.2020 (Annex C)

2. Application for Review

On 29.6.2020, the applicant applied under section 17(1) of the Ordinance for a review of the RNTPC’s decision to reject the application (**Annex D**). In support of the review, the applicant has submitted the following further information:

- (a) Review Statement received on 3.9.2020 including a revised development scheme with a reduction in BH from 52.4mPD to 51.1mPD, planning justifications and a Geotechnical Planning Review Report (GPRR) **(Annex E)**
(not exempted from publication and recounting requirements)
- (b) Letter received on 3.11.2020 providing responses to the comments of the government departments and the public **(Annex F)**
(exempted from publication and recounting requirements)

3. Justifications from the Applicant

3.1 The justifications put forth by the applicant in support of the review application are detailed in the applicant's Review Statement **(Annex E)** and further information **(Annex F)**. They are summarized as follows:

- (a) UWC, occupying an area of about 59,640m², has been offering exchange programs with other schools in Hong Kong for students to participate in short courses in the form of day and weekend camps, and is strengthening its role in enabling more local students to engage in experiential learning.
- (b) The proposed extension building at Site A with a building footprint of 419m² and a total gross floor area (GFA) of 2,467m² (including 355m² of domestic GFA) is a core part of the UWC's expansion plan to better use the campus to offer more experiential education. According to the applicant's submission, the 6-storey building **(Drawing R-2)** comprises multipurpose area at Level 1 (L1), science laboratories at L2, language classrooms at L3, music rooms at L4, peace education workshop at L5 and ancillary accommodation with 5 rooms at L6. The proposed extension building is located near the school's entrance for security and management purpose. It is envisaged that the proposed extension building could support the exchange programmes for students from 50 local schools to participate in these short courses every year. Based on the current operation, UWC has no intention to apply for minor relaxation of BH for other buildings in the campus.

Revised Scheme with Reduced Building Height (BH)

- (c) In response to the rejection reason (a) of the s.16 application as stated in para. 1.2 above, a revised scheme has been prepared to lower the overall BH of the proposed extension building from 52.4 mPD to 51.1 mPD (with ground level at 30.6 mPD) (i.e. from 21.8m to 20.5m in terms of absolute BH) through adjusting the floor height of the proposed Level 4 (L4) (intended for music rooms) by reducing 1.0m (from 5.3m to 4.3 m) and L6 (intended for ancillary accommodation) by reducing 0.3m (from 3.3m to 3.0m) **(Drawing R-2)**, therefore seeking a minor relaxation of BH restriction on the OZP from 42mPD to 51.1mPD (i.e. +9.1m representing an increase by 21.7% in terms of mPD or 79.8% in terms of absolute BH). Coupled with a sloping roofline architectural design as proposed at the s.16 application stage **(Drawing R-2)**, the proposed development will unlikely result in adverse visual impact **(Drawing A-3 in Annex A, Drawings R-3 to R-4)**. Careful considerations have also been given to the design of the adjacent landscape deck which is

permitted as of right in the “G/IC” zone. According to the current design, the landscaped deck will allow existing trees to penetrate through where appropriate (tree pits indicated on **Drawing R-1** and illustrated at **Drawing R-7**).

Identification of Alternative Site within the Campus

- (d) The current proposed location is considered the best option within the Campus site taking account of the following considerations –
- (i) there is a 10m wide “Non-building Area” (NBA) under the lease (i.e. an area hatched green on **Plan R-3**). The applicant intends not to locate the extension building near the adjoining areas zoned “Conservation Area” (“CA”) and “Site of Special Scientific Interest” (“SSSI”) at the waterfront by designating an “Areas to Avoid” (i.e. an area hatched black on **Drawing R-5** and area coloured yellow in **Plan R-4**), in varied width ranging from about 19m to 50m from the northern boundary of the Campus;
 - (ii) the applicant intends to adopt a stepped BH profile within the Campus site with buildings descending from the south to the north. In this regard, the proposed extension building with BH of 51.1mPD should not be located in the northern part of the Campus site;
 - (iii) alternative locations are also limited due to various constraints including many sloped areas, landscaped areas and mature trees, and existing roads and school buildings;
 - (iv) the two sites adjoining the academic block (i.e. areas coloured purple on **Drawing R-5** and marked in purple broken line on **Plan R-4**) are reserved for future school expansion. The proposal is currently at a conceptual stage only and is subject to funding. The site adjoining the eastern part of the academic block is reserved for a low-rise Black Box Theatre to leverage on the natural sloping topography, while the other site adjoining the north-eastern part of the academic block is reserved for a Science Block largely dedicated to STEM (Science, Technology, Engineering and Mathematics) education. If the proposed floors of the extension building are relocated to these two sites reserved for future school expansion, it would create confusion for the visitors;
 - (v) after taking into account the site constraints and future school expansion areas mentioned above, Site B as shown on **Drawing R-5** and **Plan R-4** is the resulting alternative location. Site B is worse than the proposed location at Site A as it is too far away from the main operational and functional teaching areas of the school, and allows less green buffer and setback¹ from the residential development zoned

¹ According to the applicant’s submission, the setback distance of Site A and Site B from the residential development zoned “R(B)5” to the south of UWC is about 12m and 5m respectively. The actual setback distance for Site A and Site B should be about 76m and 54m respectively.

“R(B)5” to the south of UWC across Lok Wo Sha Lane for noise alleviation and visual permeability; and

- (vi) considerations have also been given to relocate L4 to L6 of the proposed extension building to the area parallel and adjacent to the academic block (i.e. area marked in blue broken line on **Drawing R-6**) However, this will result in extra excavation works, greater landscape impact and smaller landscape deck (marked in brown broken line on **Drawing R-6**) for students to enjoy outdoor greenery, and reduced natural lighting to some classrooms of the adjoining buildings.

No Adverse Geotechnical Impact

- (e) In response to rejection reason (b) of the s.16 application as stated in para. 1.2 above, a Geotechnical Planning Review Report (GPRR) has been prepared and has demonstrated that the proposed school extension building is feasible from the geotechnical perspective.

4. The Section 16 Application

The Site and Its Surrounding Areas (Plans R-1 to R-4)

- 4.1 The Site has a total area of about 59,640m² and is currently occupied by eight buildings (with BHs ranging from 26.0mPD to 40.5mPD in not more than three storeys) with a total GFA of about 17,020 m² and site coverage (SC) of about 19.7%. With the proposed extension building, the total GFA and the SC will be increased to about 19,487 m² (i.e. an increase by 2,467 m²) and 20.4% (i.e. an increase by 0.7%) respectively.
- 4.2 The situations of the Site and its surrounding areas at the time of the consideration of the s.16 application by the RNTPC are described in paragraph 6 of **Annex A**. There has been no material change of the situation since then.

Planning Intention

- 4.3 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.
- 4.4 While there is no plot ratio (PR) and SC restriction for the “G/IC” site, it is subject to a maximum BH restriction of 42mPD. 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 Ma On Shan Planning Scheme Area.
- 4.5 As set out in para. 7.6 of the Explanatory Statement of the OZP, a minor relaxation clause in respect of BH 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.

Previous Application

4.6 There is no previous application at the Site.

Similar Application

4.7 There is no similar application within the same "G/IC" zone on the OZP.

5. Comments from Relevant Government Departments

5.1 Comments on the s.16 application made by relevant Government departments are stated in para. 8.1 and 8.2 of **Annex A**.

5.2 For the review application, the relevant Government departments have been further consulted and their comments are as follows:

Land Administration

5.2.1 The District Lands Officer/Shia Tin, Lands Department (DLO/ST, LandsD):

- (a) the proposal under the application to construct a school extension with a height of 51.1mPD is not permitted under New Grant No. 12365 ("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; and

- (b) he maintains his previous views on the s.16 application as stated in paragraph 8.1.1 of **Annex A**, which are recapitulated below:
- (i) the existing Li Po Chun UWC is situated at Sha Tin Town Lot No. 367 (“the Lot”) governed by the New Grant which was 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; and
 - (ii) 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

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

- (a) it is noted that the proposed development consists of one school extension block with a height of 51.1mPD (absolute BH of 20.5m) which is about 107% higher than adjacent school blocks (in terms of absolute BH) with a height of 40.5mPD (absolute BH of 9.9m). It is undesirable from visual impact point of view and may not be compatible with adjacent developments. As there is ample empty space available in the Site for expansion, the applicant is advised to re-configure the proposed extension block massing to reduce the BH so as to minimize the visual impact; and
- (b) the applicant did not provide sufficient information (such as plans, elevations and photomontages) on the proposed development at the alternative location of Site B (marked in blue broken line on **Plan R-4**) and on the alternative building configuration for his comment from architectural and visual impact point of view.

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

Urban Design and Visual

- (a) according to the applicant's submission, the location of the extension block is chosen based on various considerations including site constraints (such as maintaining buffer with adjacent sensitive areas zoned "CA" and "SSSI", minimizing impact on existing trees and slopes, etc.) and operational efficiency. The applicant has not explicitly explained the reason for adopting the site formation level of 30.6mPD for the extension block at this location and whether the alternatives of lowering the site level or basement development have been explored;
- (b) the applicant considered that the proposed extension block at its chosen location (i.e. Site A) (marked in red broken line on **Plan R-2**) would provide a greater setback distance from the existing residential development zoned "R(B)5" to the south of the site across Lok Wo Sha Lane than alternative location of Site B (marked in blue broken line on **Plan R-4**). While the currently proposed location of Site A is certainly further away from the existing residential development zoned "R(B)5" as compared with Site B, the enhancement of visual and air permeability is not substantiated from the perspectives of benefitting the general public and enhancing the public realm;
- (c) having said that, the proposed BH of 51.1mPD for the proposed extension block at the current location is considered not incompatible with the overall BH profile of the area and can generally respect the stepped BH profile ascending from the waterfront towards the inland. While significant adverse visual impact of the proposed extension block is not anticipated as shown in the VIA submitted at s.16 application stage, the applicant is advised to explore whether there is scope to further reduce the overall BH of the extension block (for example, adopting a lower site formation level for the proposed extension building; increasing the BH of existing buildings (with BHs ranging from 26.0mPD to 40.5mPD) to accommodate the proposed educational facilities/uses, etc.); and

Landscape

- (d) she maintains her previous views on the s.16 application as stated in paragraph 8.1.3 of **Annex A**, which are recapitulated below:
 - (i) 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. Old and Valuable Trees (OVTs), rare and protected species) will be affected by the proposed development, significant adverse impact on existing landscape resources is not anticipated; and

- (ii) 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

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

- he has no objection to the proposal and supports the youth programs planned by the school which are beneficial to students.

Nature Conservation

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

- the applicant should avoid the NBA (area hatched black and to the north of the black broken line on **Drawing R-5** and area hatched green on **Plan R-3**) in accordance with the Special Condition (14) of the New Grant and he has no comment on the requirement of the portion of the "Areas to Avoid" (area hatched black and to the south of the black broken line on **Drawing R-5**) beyond the NBA from nature conservation point of view.

Geotechnical Aspect

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

- the GPRR in the Review Statement submitted by the applicant has addressed his previous geotechnical comments. He has no geotechnical objection to the review application.

Local Views

5.2.7 Comments of the District Officer (Sha Tin), Home Affairs Department (DO/ST, HAD):

- (a) he has received objecting comments from the local residents via a District Council member; and
- (b) the major objecting views are summarised as follows:
 - (i) relaxation of the BH is only beneficial to some 250 students without public gains, and some residents in the surroundings will be adversely affected;
 - (ii) with only some 250 students, UWC is enjoying a large and green site, which is a big contrast to some tertiary educational institutions in Hong Kong where students have to study in a cramped campus. With only about 20% of the Site developed, UWC should first utilise the undeveloped space within the Site for school expansion and there is no need for relaxation of BH restriction;
 - (iii) relaxation of the BH restriction would result in adverse visual, environmental and ecological impacts on the coastal area and the “CA” zone at Starfish Bay, as well as adverse impact on the property prices due to visual obstruction;
 - (iv) BH restriction is part of town planning and should not be easily changed, which would be unfair to local residents; and
 - (v) various factors have been considered before setting the current BH restriction for the developments of UWC. Approval of the application would set an undesirable precedent for similar applications, such as the proposed school development in the nearby area, and result in cumulative impacts. It would also be contradictory to the decision of the RNTPC on the s.16 application which has been deliberated in detail.

5.3 The following Government departments maintain their previous comments on the s.16 application as stated in paragraph 8.1 of **Annex A**:

- (a) Commissioner for Transport (C for T);
- (b) Director of Environmental Protection (DEP);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Director of Fire Services (D of FS); and
- (f) Chief Building Surveyor/New Territories East (2) & Rail Section, Buildings Department (CBS/NTE2&Rail, BD).

5.4 The following Government departments maintain their previous views of having no objection/no comment on the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (b) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD); and
- (c) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD).

6. Public Comments on the Review Application Received During Statutory Publication Period

6.1 On 18.9.2020, the review application was published for public inspection. During the statutory public inspection period, a total of 16 public comments were received. One supporting comment from an individual considered that the planning application promoting the UWC's mission should be encouraged, the applicant had provided the geotechnical information, reduced the BH and demonstrated that there was no alternative site for the extension building as required by the Board, and private views from residential developments should not be a consideration. The remaining 15 comments were received from the Owners' Committees of Double Cove, Customer Service Office of St. Barths, nearby residents and individuals raising objection to/making adverse comments on the application (**Annex G**).

6.2 The major objecting views are summarized as follows:

- (a) the proposed relaxation of BH has no public gain. 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;
- (b) although there is no objection to the school expansion to meet the educational needs, ample empty space is still available in the campus, and the applicant should first utilise the Site, such as the site next to the swimming pool, for new buildings to be developed within the existing maximum BH allowed. Given not more than 20% of the site area has been occupied by buildings, the applicant can build additional blocks without requesting for a relaxation of BH restriction, and there is no strong justification to approve the application. It will set an undesirable precedent for other low-rise G/IC sites at the waterfront of Ma On Shan and similar sites in the area;
- (c) with only some 200 students, UWC is enjoying a large site and well-equipped with dormitories and various sports facilities, which seem to be under-utilised;
- (d) the proposed relaxation of BH restriction is not considered minor in scale, and would double the absolute BH of the proposed extension building. The photomontage provided by the applicant cannot reflect the actual impact;
- (e) the low-rise profile of G/IC use is designed to preserve local character of the community, preserve visual and ventilation corridors. The proposed development should have regard to the character and massing of the buildings in the surrounding areas. The proposed development will have adverse

impacts in terms of visual, air ventilation, natural lighting and environmental aspects on the surrounding area, especially the Starfish Bay, the coastal area zoned “CA” and “SSSI” and nearby residential developments;

- (f) the Site has been allocated to UWC by the Government at a rent of only 3% of the rateable value of the lot, and UWC has been enjoying various government subventions such as funding for constructing and equipping initial school premises, recurrent government funding every year for supporting its operation, and non-recurrent government funding for maintenance of the school premises. UWC should prudently use the public resources allocated in a considerate manner; and
- (g) there is weakening demand for international school and the COVID-19 has impacts on the economy and travel. There is more than sufficient supply to meet the needs of the international community.

6.3 During the statutory public inspection period of the s.16 application, seven public comments objecting to the application with similar grounds above were received. Their details are set out in paragraph 9 of **Annex A**.

7. Planning Considerations and Assessments

- 7.1 The subject application is for a minor relaxation of BH restriction from 42mPD to 52.4mPD only for a permitted school extension building at the Site zoned “G/IC”. Members of the RNTPC 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. The application was rejected on the grounds that the applicant fails to demonstrate planning and design merits for the proposed minor relaxation of BH restriction; and the proposed school extension development would not result in adverse geotechnical impact on the Site and its surrounding areas.
- 7.2 In the subject review application, the applicant has proposed a revised scheme seeking a minor relaxation of BH restriction from 42mPD to 51.1mPD (i.e. a minor relaxation of 9.1m or about 21.7%) through reducing the floor height of L4 intended for music rooms and L6 intended for ancillary accommodation (**Drawing R-2**). Based on the site formation level of 30.6mPD, the proposed minor relaxation of BH restriction represents an increase in absolute BH from 11.4m to 20.5m (+9.1m or about 79.8%).
- 7.3 CTP/UD&L, PlanD considered that the proposed BH of 51.1mPD for the proposed extension block at the current location is not incompatible with the overall BH profile of the area and can generally respect the stepped BH profile ascending from the waterfront towards the inland. However, the applicant is advised to explore whether there is scope to adopt a lower site formation level for the proposed extension building. CA/CMD2, ArchSD considered that the school extension block with an absolute BH of 20.5m is about 107% higher than the adjacent school blocks with an absolute BH of 9.9m. It is undesirable from visual impact point of view and may not be compatible with the adjacent developments.

- 7.4 The applicant, in the review submission, has also indicated that the options for alternative locations are limited due to various site constraints including the 10-m wide NBA as stipulated on the New Grant (**Plan R-3**), the “Areas to Avoid” (**Plan R-4**) to allow setback from the sensitive zonings of “CA” and “SSSI”. As regards the setback from the sensitive zonings, DAFC stated that the applicant should avoid the NBA as stipulated on the New Grant but he had no comment on the requirement of the portion of the "Areas to Avoid" beyond the NBA from nature conservation point of view. Noting DAFC’s comment, it is considered that the “Areas to Avoid” with varied width of about 19m to 50m and with existing buildings thereon (except for the NBA portion required under the lease) could still be explored for providing additional floor space for the proposed school extension.
- 7.5 The applicant has also stated that there is a need to adhere to the stepped BH profile from the highest point at the residential development zoned “R(B)5” at the south towards the lowest point near the waterfront at the north, and there are constraints of sloped areas, landscaped areas and mature trees as well as developments in existence. Nonetheless, it should be noted that there is no stepped-height requirement within the subject “G/IC” zone as long as the buildings conform to the BH restriction of the zone (**Plan R-1**). Given that some of the existing buildings within the school are well below the BH restriction (**Plan R-2**), there is scope to incorporate additional floor space to the existing buildings before increasing BH of the proposed extension building. CTP/UD&L, PlanD also opined that the applicant should explore increasing the BH of the existing buildings to accommodate the educational facilities so as to reduce the overall BH. The applicant has however not provided strong justifications for not exploring this option.

Alternative Locations Considered by the Applicant

Sites Reserved for Future Expansion

- 7.6 The applicant indicated that two sites adjoining the eastern and northeastern part of the academic block have been reserved for Black Box Theatre (at a site level of 24.7mPD) and Science Block (at a site level of 24.8mPD) respectively under the future school expansion plan (**Plan R-4**). As the two sites for future school expansion are currently at a conceptual stage only and are subject to availability of funding, there may be scope to further explore the expansion plan of the whole school to ensure that the land within the school site is well utilized within the maximum BH permitted under the OZP.

Site B

- 7.7 The applicant claimed that Site B (**Plan R-4**) is the resulting alternative location after taking into account the site constraints and the two sites reserved for Black Box Theatre and Science Block. When compared with the proposed location of the extension building at Site A, i.e. the proposed location of the extension building under application, Site B is not preferred as there will be less building setback and

green buffer for noise alleviation and visual permeability in view of its proximity to the existing residential development zoned “R(B)5” to the south of UWC. Site A will provide more separation between buildings to enhance air and visual permeability.

- 7.8 Given the closeness of the two sites, it is considered that the locations of Site A and Site B (about 76m and 54m respectively from the existing residential development) may not cause significant difference in terms of air and visual permeability in the locality. CTP/UD&L, PlanD pointed out that the enhancement of air and visual permeability of Site A is not substantiated from the perspectives of benefiting the general public and enhancing the public realm. Moreover, with a site level of about 24.1mPD to 25.2mPD at Site B which is lower than Site A by at least 5.4m, there may be scope for the proposed extension building to adopt a BH in compliance with the BH restriction of 42mPD if Site B is selected. As regards the better noise alleviation allowed under Site A, as claimed by the applicant, it should be noted that the difference in terms of noise impact between Site A and Site B should be minimal, as the proposed extension building will be ventilated by air-conditioned system according to the Preliminary Environmental Review submitted by the applicant in the s.16 application.

Alternative Building Configuration Considered by the Applicant

- 7.9 The applicant also indicated that relocating L4 to L6 of the proposed extension building to the area parallel and adjacent to the academic block (**Drawing R-6**) would result in further tree felling and damage to the natural landscape, smaller landscape deck (marked in brown broken line on **Drawing R-6**) for students’ enjoyment, and reduced natural lighting for some classrooms of the academic block and the proposed extension building.
- 7.10 As regards the impact on trees, the applicant has not submitted detailed information on the potential landscape impact arising from the alternative building configuration. It is also noted that the proposed area for relocating L4 to L6 of the proposed extension building is largely the same as the proposed emergency vehicular access (EVA) as indicated in **Drawings R-1 and R-6**. Even without reconfiguration of the proposed extension building, the trees in conflict with the EVA will be affected. As indicated by the applicant in the s.16 application, the trees in conflict with the proposed extension building and the EVA are not OVTs, but of common species, generally in fair health, condition and structure and some in poor form. Taking into account the above, the landscape impact may not be that significant as claimed by the applicant if the reconfiguration of the proposed extension building is adopted. CA/CMD2, ArchSD also opined that there is ample empty space available in the Site for expansion, the applicant is advised to re-configure the proposed extension block massing to reduce the BH.
- 7.11 After reviewing the information provided in the review submission, it is considered that the applicant has not provided sufficient and convincing justifications to demonstrate that the proposed minor relaxation of BH restriction for the extension building at Site A is the only option to accommodate the proposed facilities within

the UWC Campus, and the applicant fails to demonstrate planning and design merits (e.g. improvements to townscape and amenity of the locality) for the proposed minor relaxation of BH restriction.

Technical Aspects

7.12 In support of the review application, the applicant has submitted a GPRR (Appendix 2 of **Annex E**) to address one of the rejection reasons of RNTPC on concern about adverse geotechnical impact. H(GEO), CEDD has no objection to the report from geotechnical point of view. Relevant departments including PS(Ed), EDB, C for T, DEP, CBS/NTE2&Rail, BD, D of FS and CE/C, WSD have no in-principle objection to/no adverse comment on the application.

Public Comments

7.13 Regarding the objecting views conveyed by DO/ST, HAD and the adverse public comments as detailed in para. 5.2.7 and 6 above, the Government departments' comments and planning assessments above are relevant.

8. Planning Department's Views

8.1 Based on the assessment made in paragraph 7 and having taken into account the objecting views conveyed by DO/ST, HAD and public comments mentioned in paragraphs 5.2.7 and 6 above, the Planning Department maintains its previous view of not supporting the application for the following reason:

- the applicant fails to provide strong justifications and demonstrate planning and design merits for the proposed minor relaxation of building height restriction for the proposed school extension development.

8.2 Alternatively, should the Board decide to approve the review application, it is suggested that the permission shall be valid until 27.11.2024, 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 recommended advisory clauses are attached at **Annex H**.

9. Decision Sought

9.1 The Board is invited to consider the application for a review of the RNTPC's decision and decide whether to accede to the application.

9.2 Should the Board decide to reject the application on review, Members are invited to advise what reason(s) for rejection should be given to the application.

9.3 Alternatively, should the Board decide to approve the review 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.

10. Attachments

Drawing R-1	Block Plan of the Proposed Extension Building
Drawing R-2	Elevations of the Proposed Extension Building under the Previous s.16 Application and the Current Review Application
Drawings R-3 to R-4	Revised photomontages of the Proposed Extension Building
Drawing R-5	Plan Indicating the Current Uses of UWC and Considerations Taken during the Location Option Development Process
Drawing R-6	Plan Showing the Negative Results of Relocating the Floors Protruding above 42mPD
Drawing R-7	Illustration of the Design Concept of the Associated Landscape Deck Allowing Penetration of Existing Trees
Plan R-1	Location Plan
Plan R-2	Aerial Photo
Plan R-3	Site Plan
Plan R-4	Site Plan with Applicant's Location Options
Plan R-5	Site Photos
Annex A	RNTPC Paper No. A/MOS/127
Annex B	Extract of minutes of the RNTPC meeting held on 26.5.2020
Annex C	Secretary of the Board's letter dated 12.6.2020
Annex D	Applicant's letter received on 29.6.2020 applying for review of RNTPC's decision
Annex E	Review Statement received on 3.9.2020
Annex F	Further information received on 3.11.2020
Annex G	Public comments
Annex H	Recommended advisory clauses

**PLANNING DEPARTMENT
NOVEMBER 2020**