Application for Proposed Minor Relaxation of Maximum Building Height and Site Coverage Restrictions in "Residential (Group C)1" Zone at Lot No. 1109 RP (Part) in D.D. 253, 8 Ka Shue Road, Sai Kung, New Territories

Applicant	:	Brilliant Genius Limited
Project Architect	:	CYS Associates (HK) Ltd.
Planning Consultants	:	Vision Planning Consultants Ltd.
Landscape Consultants	:	URBIS Ltd.
Date of Submission	:	24 December, 2024

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EXECUTIVE SUMMARY

This planning application aims to seek a permission of the Town Planning Board (**"TPB"**) for the proposed minor relaxation of maximum building height ("**BH**") and site coverage ("**SC**") restrictions for an upmarket low-rise, low-density residential redevelopment scheme with higher headroom units at Lot No. 1109 RP (part) in D.D. 253 (**"Subject Site"**), 8 Ka Shue Road, Sai Kung, New Territories. The Subject Site falls within "Residential (Group C)1" ("**R(C)1**") zone on the Approved Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/10 ("**OZP**").

The proposed increase levels in BH and SC are respectively from 18m to 21.2m (or an increase of 17.8%) and from 30% to about 34.034% solely within the Subject Site. The main purpose of the present scheme aims to achieve the following three redevelopment objectives: (i) to resolve the overlooked inter-locking technical problems resulting in unable to comply with the relevant statutory building regulations and CLP Power Hong Kong Limited's requirements being identified in the previous approved scheme under Application No. A/SK-TLS/56 ("**PAS**") [including, but not limited to, the substantial site level differences between Ka Shu Road and the Subject Site, the provision of a high headroom electricity transformer with its stringent vehicular access gradient requirements for delivery of equipment and maintenance purposes, firefighting facilities, Emergency Vehicular Access and other critical building and structural considerations related to the utilisation of the permissible domestic floor area under lease]; (ii) to respond to the recent market aspirations for better living quality in particular the high headroom residential units; and (iii) to take this opportunity to further improve the development scheme where technically feasible.

The present scheme also represents a positive and active response to the Government policy objective in "attracting and retaining talents" to strength the economic growth of Hong Kong. It comprises two 5-storey buildings on top of one storey of basement car park with a total domestic plot ratio of 1.5 complying fully with the OZP stipulations. Upon completion by end 2028, a total of 14 slightly high floor ceiling units will be provided to meet the market expectations for better living quality.

It has been demonstrated that due to the cumulative uniqueness of the Subject Site and having considered the proposed development is compatible with its surrounding development character and natural setting, and no consequential significant adverse or unacceptable impacts due to the proposed development in the local area with respect to traffic, water supply, sewerage, drainage or visual aspects is anticipated, the proposed increase in BH and SC are minor in nature. The proposed ceiling heights are not unreasonable when compared to those currently adopted in high ceiling buildings in the market.

The approval of this application will not set an undesirable precedent case for other applications in the area due to its uniqueness. It will also be a "*quick-win*" project to respond to the Government's policy objective.

內容摘要

本規劃申請旨懇請城市規劃委員會（下簡稱為「**城規會**」）批准位於西貢 嘉澍路 8 號 丈量約份第 253 約地段，第 1109 號餘段（部分）（下簡稱為「**申請地塊**」），一個擬議略為放寬建築物高度和放寬覆蓋率限制的低層低密度樓底高的優質住宅重建發展的規劃申請。申請地塊是屬於「井欄樹分區計劃大綱核准圖」編號 S/SK-TLS/10（下簡稱為「**大綱圖**」）範圍內的「住宅(丙類)1」用途地帶。

擬議放寬建築物高限是由 18 米放寬至 21.2 米(即擬議放寬 17.8%)，而在覆蓋率方面，則由 30% 放寬至大約 34.034%。是次的申請方案主要是希望達致以下三個重建實施目標：(i)解決在早前在申請編號 A/SK-TLS/56 的擬議方案中，忽略了一連串互相影響的技術問題,導致不能符合相關法定建築規例和中華電力公司的要求的問題，當中包括全面了解嘉澍路與申請地塊之間高低差異甚大的關連性，要提供一所有樓底高度要求的電力變壓房和其特定斜度要求的運送設備及維修通道; 消防設施及設備;緊急車輛通道，以及在建築設計和建築結構考慮上，未能夠充分利用在地契許可下的住宅建築面積)；(ii)應對市場對改生活環境質素，特別在樓底高住宅單位的渴求；及(iii) 在技術可行的情況下，進一步優化發展方案。

是次擬議方案也代表正面和積極回應政府就「招商引才」及「留才」為香港創造新發展動力的政策目標。擬議方案包含兩幢五層加一層地下停車場的重建發展，總住宅地積比率也保持大綱圖要求的 1.5 倍。預期在 2028 年尾落成，合共提供 14 個樓底高的住宅單位。

本規劃申請已證實，整合所有申請地點特有的地理環境優勢條件，以及考慮到擬議發展與周邊發展格局和自然環境相容，也不會導致隨之而來的嚴重不良或不可接受的道路交通、供水、污水處理、雨水排放或視覺景觀等影響的前提下，是次擬議放寬建築物高度限制和放寬覆蓋限制尺度要求的性質，是屬於輕微的。相對市場渴求中的高樓底常用規格而言，擬議的樓底高度也不是不合理的。

由於申請地點有其獨特的優勢，批准是次規劃申請，完全不會成為同區其他申請的不良先例。申請發展會成為應對政府政策目標的「速贏」項目。

1 THE PURPOSE

1.1 Vision Planning Consultants Limited has been commissioned by Brilliant Genius Limited ("**the Applicant**"), which is the registered owner of Lot No. 1109 RP in D.D. 253 (the "**Subject Lot**", which has a total land area of 1,719m^2), to prepare and submit this planning application on its behalf. The Subject Site under application is located in portion of the Subject Lot, 8 Ka Shue Road (嘉澍路), Sai Kung, New Territories. It covers a total land area of 1,572m^2, and is about 91.45% of the Subject Lot.

1.2 The Subject Site falls within an area zoned "Residential (Group C)1" (**"R(C)1"**) on the Approved Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/10 (**"OZP"**) (**Figure 1**). **Figures 1** and **2** show the location plan and the lot plan of the Subject Site respectively.

1.3 The purpose of this planning application aims to seek a permission of the Town Planning Board ("**TPB**") for a proposed minor relaxation of the maximum building height ("**BH**") restriction from 18m to 21.2m (or an increase of about 3.4m or 17.8%) and minor relaxation of maximum site coverage ("**SC**") restriction from 30% to about 34.034% for achieving the following three redevelopment objectives:

(i) to tackle the overlooked inter-locking technical problems resulting in unable to comply with the relevant statutory building regulations and CLP Power Hong Kong Limited's requirements being identified in the previous approved scheme under Application No. A/SK-TLS/56 ("**PAS**") [including, but not limited to, the substantial site level differences between Ka Shue Road and the Subject Site, the provision of a high headroom electricity transformer with its stringent vehicular access gradient requirements for delivery of equipment and maintenance purposes, firefighting facilities, Emergency Vehicular Access and other critical building and structural considerations related to the utilisation of the permissible domestic floor area under lease];

(ii) to respond to the recent market aspirations for better living quality in particular the high headroom residential units; and

(iii) to take this opportunity to further improve the development scheme where technically feasible.

1.4 Under the Notes of the OZP for "R(C)1" zoning, 'Flat' use is always permitted (**Appendix I**). In Remark (a) under the same Notes, it states that: *"No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess*

of the maximum plot ratio, site coverage and building height specified below, or the plot ratio, site coverage and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater:" (**Appendix I**)

Sub-area	*Maximum Plot Ratio*	*Maximum Site Coverage*	*Maximum Number of Storeys*	*Maximum Building Height*
R(C)1	*1.5*	*30%*	*5 storeys over one storey of carport*	*18m*

1.5 In Remark (d), it also states: *"Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, GFA, site coverage and building height restrictions stated in paragraphs (a) and (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance."* (**Appendix I**).

1.6 The present scheme comprises two 5 storey residential towers on top of one storey of basement car park with a total domestic plot ratio of 1.5. These two development parameters comply fully with the OZP stipulation.

1.7 In view of the above, this planning application is then submitted to realise in practice the three redevelopment objectives outlined in paragraph 1.3 above.

1.8 To facilitate Members of the TPB to consider this planning application, the unique background of the Subject Site, a brief description of the Subject Site and its surroundings, issues on existing statutory BH restriction, general market aspirations for higher headroom units/apartments, a brief introduction of the proposed schematic redevelopment scheme, swept path analysis and traffic junction assessment, drainage impact assessment, visual impact assessment, landscape proposals and land use planning justifications are included in this planning statement.

2 LEASE ASPECTS

2.1 In its letter dated 14 February 2023, the Lands Department ("**LandsD**") confirmed that the Modification Letter ("**ML**") of Lot No. 1109 RP in D.D.253 (i.e. the Subject Lot), has been duly completed and registered in the Land Registry.

2.2 In the Special Conditions imposed on Lot No. 1109 RP in D.D. 253, they include: the compliance with Buildings Ordinance and Town Planning Ordinance; the setting-out of vehicular access points (i.e. between points X and Y through Z (**"'XYZ'"**) as shown **Figure 3**); total parking space requirements for residential, visitors, motorcycle and loading/unloading; total domestic gross floor area ("**GFA**")

of the Lot shall not be less than 1,415m^2 and shall not exceed 2,357m^2; needs to take into account the sustainable building design requirements; and so on.

2.3 For domestic plot ratio calculation, with the total land area of about 1,572m^2 under the present application and the total domestic GFA of 2,357m^2 under lease, the overall resultant plot ratio in the present proposed development is about 1.5 (i.e. complies fully with the OZP stipulation outlined in paragraph 1.4 above).

3 THE SITE AND ITS SURROUNDINGS

3.1 The Subject Lot was originally a portion of the building lot of the Clear Water Bay Apartments ("**CWBA**") (清水灣大廈) development, which was built in 1963 (i.e. over 60 years old) in the middle of the densely vegetated hillslope of Hebe Hill (尖風山) (**Figure 1**). As shown in **Figures 1 - 4**, the Subject Lot is located at the northern end of the CWBA development. At present, the Subject Lot is occupied by one semi-detached tower of 5 storeys **walk-up** residential building, known as Block G and Block H of CWBA (**Figures 2** and **3**). The existing tower contains a total of 8 residential units.

3.2 The Subject Site falls within a portion of the Subject Lot. It covers a total land area of about 1,572m^2. It is surrounded by Ka Shue Road (about 7.5m wide) to its west (**Figure 2**); slope and retaining wall to its north and west (**Figure 3**); a swimming pool under Short Term Tenancy ("**STT**") first granted in 1991 to its east (**Figures 3** and **4**); and Block E and Block F of CWBA to its south (**Figures 2** and **4**). **Figures 4** and **5** show the existing site conditions and surrounding environment.

3.3 In the local wider surrounding context, Ka Shue Road serves exclusively two "R(C)1" residential developments [namely, Hillview Court (曉嵐閣) and CWBA] on its two sides at the northern end (**Figure 5**). It is almost very certain that no new residential land disposal within a catchment radius of 100m from the Subject Site is and will be anticipated in the near future taking into account the surrounding steep green hillslope profile.

3.4 Ka Shue Road does not connect to any local walking path or hiking trail. The upper end of Ka Shue Road is in the middle of the two existing residential developments, as mentioned in paragraph 3.3 above. As shown in **Figure 2**, there is a substantial site level difference of 9.7m between Hillview Court (+238.5mPD) and the Subject Site (+228.8mPD). No residential unit is located directly in front of the Subject Site. The level difference between Ka Shue Road and the Subject Site ranges from about 3.3m at the south to about 7.1m at the north (**Figure 2**). A strip of on-site slope abuts Ka Shue Road (**Figures 2** and **3**).

3.5 At present, no standalone electricity transformer ("**TX**"), drainage system, and sewage disposal facilities are provided within the Subject Site. The results of the recent tree survey (conducted in October 2023) indicates that a total of 15 existing trees are identified within the Subject Site. The location and the species of these surveyed existing trees are in **Appendix II**. No Old and Valuable Tree ("**OVT**"), Champion tree or rare tree species has been recorded within the Subject Site.

3.6 It is understood that the Government has almost completed its committed sewerage pipelines along Ka Shue Road, as shown in Photo No. 7 in **Figure 5**. The alignment of this committed sewerage works is shown in **Figure 6** and has been scheduled to complete in July 2024 (**Appendix III**).

3.7 **Figure 7** shows the district-wide context that could be reached within 30 minutes driving time from the Subject Site. Within the 30-minute driving zone, it covers most of the urban central business district ("**CBD**") areas, 11 universities, 3 Hong Kong Science & Technology Parks ("**HKSTP**"), Hong Kong Cyberport, 8 Country Parks, 5 marina/yacht clubs, 8 public beaches, 4 golf courses, 2 theme parks, 57 hospitals, 4 cruises/cross-boundary ferry termini, 1 high speed train station, etc.

3.8 Even if the driving zone is reduced to 15-minute, the Subject Site can easily access several local essential community facilities, including 8 public hospitals, 137 primary schools, 130 secondary schools, 3 universities, 12 markets/cooked food markets, 6 public swimming pools, 17 public libraries, 21 sports centres and 4 sports grounds (**Figure 8**).

3.9 In sum, the following geographical advantages and special site backgrounds have made the Subject Site **so unique** when compared to other nearby "R(C)" sites in the area:

i. The Subject Site is situated in a secluded location [completely isolated from other local public vehicular access] (**Figures 1** and **4**);
ii. It is located at the end of Ka Shue Road with no other local pedestrian or vehicular connections at all (**Figure 2**);
iii. It is located at the northern end of the CWBA development (**Figure 2**);
iv. It is fully enclosed by existing slope vegetation/trees to its north, east and south-east (**Figures 4** and **5)**;
v. The portion of Hillview Court facing directly to the Subject Site is solely occupied by or used for its clubhouse, swimming pool and EVA, forming an effective visual buffer of looking towards the Subject Site (i.e. insignificant visual impact on Hillview Court residents) (**Figure 2**);

vi. The vehicular entrance point of Hillview Court is located near the upper end of Ka Shue Road at about 235.6mPD (i.e. no visual or traffic impact on Hillview Court residents) (**Figures 3** and **4**);

vii. There is about 9.7m site level difference between the ground level of the Subject Site (at 228.8mPD) and the ground level of Hillview Court (at 238.5mPD) (i.e. natural visual screening site profile) (**Figure 2**);

viii. The level differences between Ka Shue Road and the Subject Site are arranged from about 3.3m in the south to about 7.1m in the north (i.e. natural visual screening site profile) (**Figure 2**);

ix. The Subject Site enjoys exclusively a swimming pool facility (**Figures 4** and **5**);

x. It is highly unlikely that any land disposal programme for new residential development(s) will be proposed within a catchment radius of 100m from the Subject Site in the near future due to the steep slope profile, limited accessibility and natural slope greenery considerations (i.e. no other potential development opportunity nearby the Subject Site); and

xi. The Subject Site can easily reach most of essential and major district and local community, educational, medical, industrial, retail, and major cross-boundary ferry/high-speed train terminal facilities with 30-minute driving zone (i.e. most popular living catchment in town) (**Figures 7** and **8**).

4 OVERLOOKED TECHNICAL PROBLEMS IN THE PAS

Severely Undermined the Function of Topographical Survey

4.1 Soon after the approval of the PAS on 13.12.2019, the Applicant then appointed a new Project Team to prepare a detailed building design to implement the PAS. A topographical survey of the Subject Site and it immediately surrounding area was subsequently conducted thereafter.

4.2 The findings of the topographical survey have revealed that the site level difference between Ka Shue Road and the existing ground levels of the Applicant Site are greater than the expectations (i.e. from about 7.17m in the north and about 3.31m in the south, as shown in **Figure 9**). Such substantial site level differences have resulted in causing practical difficulties for the PAS to comply with in reality: (i) CLP's 'Code of Practice 101 for Distribution Substation Design (Version 15)' (**"CoP 101"**) (**Appendix IV**); and (ii) the relevant Building Regulations.

4.3 **PROPOSALS**: a new set of implementable site formation levels between Ka Shue Road and the Subject Site is unavoidable to resolve all building requirements at the Lower Ground Level ("**LG/F**") to accommodate the specific headroom required by

CLP and other ancillary building facilities, e.g. structural beams, floor slab, cable ducts, E&M zone, driving ramp and provision of car parks required under lease.

Non-Compliance of the Building Regulations for Helical Car Ramp

4.4 Based on the results of the topographical survey, a holistic detailed building design review of the PAS was conducted. As shown in **Figure 10**, multiple concerns and technical difficulties have been identified.

4.5 Insufficient turning radius of the driveway ramp of PAS as shown in **Figure 10**, according to the Access Roads/Driveways of PNAP APP-111[1] 'Design of Car Parks and Loading/Unloading Facilities'. The minimum inner turning radius of a helical ramp should be not less than 3.6m for private cars. Therefore, the PAS scheme is unable to comply with this statutory building requirement.

4.6 The feasibility of a minor revision of the ramp in the PAS was also conducted, however, there will be insufficient headroom to comply with PNAP APP-111 and a reduction of 3 car parking spaces will also be required thereafter. As a result, the whole PAS scheme is unable to comply with the current car parking provision set out in the Hong Kong Planning Standards and Guidelines[2] ("**HKPSG**"), and with a reduction of these 3 carparking spaces, the PAS cannot fulfil the carparking provision requirements stipulated in the Special Conditions under lease.

4.7 **PROPOSALS**: A practically implementable new driving ramp design for the car parking area while complying with the required provision of car parking spaces under lease must be needed, as shown in **Figure 10**.

Non-Compliance of the Building Regulations for Rear End Building Setback

4.8 The schematic Master Layout Plan in the PAS failed to comply with the Building (Planning) Regulations ("**B(P)R**")25(2) to provide a building setback of 1.5m at the rear boundary of the site, as shown in **Figure 11**. It should also be noted that the proposed 5m building separation between Tower 1 ("**T1**") and Tower 2 ("**T2**") (in the PAS) would be unable to achieve as the T1 in the PAS needs to be repositioned to comply with the required provision of 1.5m rear boundary setback as stipulated in B(P)R25 (**Figure 11**).

4.9 **PROPOSALS**: The spatial planning and design of T1 must be needed to ensure the redevelopment scheme can comply with the B(P)R25(2) and, at the same time, to maintain the provision of a minimum of 5m building separation between T1 and T2, as shown in **Figure 11**. Very minor increase in SC will also be required as a result.

[1] https://www.bd.gov.hk/doc/en/resources/codes-and-references/practice-notes-and-circular-letters/pnap/APP/APP111.pdf

[2] https://www.pland.gov.hk/file/tech_doc/hkpsg/sum/pdf/sum_ch8_en.pdf

Non-Compliance of the CoP 101 **(Appendix IV)**

4.10 Upon the approval of the application, the Project Team liaised with CLP regarding the location and technical requirements of the proposed transformer room. Based on the original scheme of the PAS, the feasibility of the proposed new TX Room at G/F in T1 is considered not acceptable as the cable lead-in duct is excessively long (i.e. 29m) and too far away from Ka Shue Road as shown in **Figure 12**.

4.11 Furthermore, in its replies, CLP found the proposed location to be non-compliant with **CoP 101** (**Appendix IV**) and outlined clearly that the proposed development should, among other requirements, comply with the following:

i. Locational requirements for the substation to be located at the periphery of the building (para. 5.1.2 of **CoP 101**);
ii. Minimum headroom of 3.6m (para. 5.1.5 of **CoP 101**);
iii. A concrete slab with thickness of 1m atop the TX room (para. 5.1.7 of **CoP 101**);
iv. Provision of compliant cable trench for cable lead-in (*including invert level of 1,050mm cable trench)* (para. 5.5 of **CoP 101**); and
v. Gentle ramp with gradient of not greater than 1:12 for delivery of a new transformer (para. 5.12 of **CoP 101**).

4.12 **PROPOSALS**: Having considered the specific location requirements set out in CLP's para. 5.1.2 of **CoP 101** in **Appendix IV**, the Project Team then proposed to relocate the new TX Room from G/F of T1 in the PAS to G/F of T2 in the present scheme, as shown in **Figures 12** and **13**.

4.13 A new building height of 4.8m at LG/F is required. It is a bare minimum requirement for fitting the TX room together with other building design considerations (i.e. 1.25m cable draw pit duct including a 0.15m ancillary structure slab is required to connect to the trench of the TX Room at G/F, a 0.5m E&M zone, a 0.6m structural beam and the remaining headroom of 2.45m for the LG/F would only be slightly above the statutory requirements set out in Cap. 123G). Details of the proposed BH at LG/F is in **Figure 13**. When compared to that in the PAS, it represents an increase of 0.8m.

4.14 The new BH of LG/F has already considered the area dedicated to the E&M zone as shown in **Figure 13**. It should be noted that the Soil & Waste pipes serving the two residential towers are routed at high level of LG/F towards Septic Tank Room and require up to 0.8m height to allow for the required fall of the pipes via gravity.

4.15 As shown in **Figure 17**, the Soil & Waste pipes must pass under structural beams (0.6m (H)) of the Planter Areas / Private Garden Areas (1.5m (H)) above, while

preserving the requisite minimum height for Car Parking Area (2.4m) and floor finishing (0.1m), requiring 5.4m in total. Hence the proposed BH of 4.8m at LG/F, as shown in **Figure 13**, and **Figures 20** and **22**), is considered a bare minimal requirement in practice.

4.16 The results of the above multiplying overlooked inter-locking technical problems have demonstrated that the PAS scheme is unable to be implemented simply with minor design amendments in practice. Further increase in BH of the development under the PAS is unavoidable in practice. As shown in **Figure 24**, when compared to the PAS, a very minor increase of the SC in the present scheme is also required (i.e. from 33.911% in the PAS to 34.034% in the present scheme, an increase of 0.123%).

5 ASPIRATIONS FOR HIGH CEILING APARTMENTS

5.1 It is understood that in many overseas cities, throughout the 19th and early 20th centuries, the norm of ceiling heights for homes, offices and other buildings were around 10 to 12 feet (i.e. about 3.05m to 3.66m). **A minimum clear room floor height of 10 feet is being treated as a basic requirement for *'high ceiling'* units/apartments**.

5.2 The post-war homes came with ceiling heights only about 7 to 8 feet (i.e. about 2.13m to 2.44m) for more affordable to heat and cool due to smaller in spatial volume despite they have a little box feeling in general.

5.3 Several practical and functional advantages have been well recognised by many people over the world that high-ceiling homes would help improve and promote internal healthy living quality, particularly in the health and wellbeing (psychological comfort) aspects.

5.4 **Advantages** of high ceiling homes include:

i. Taller or larger windows offer more natural light (good for the residents' health and wellbeing) (some selected high ceiling apartments are attached in **Figures 14** and **15**);
ii. Better airflow and circulation, particularly important in hotter climates, homes with higher ceilings let air circulate more freely inside, giving the rooms a cooler and fresher feel (i.e. airy and breezy), to improve the internal healthy living space;
iii. Greater spatial volume, can give people a lighter, freer, openness and spaciousness feeling. Low ceiling apartments give you a kind of little box

feeling, appearing a bit being cramped, cooped up or claustrophobic feeling (**Figures 14** and **15**);

iv. Excellent acoustic properties (**Figures 14** and **15**);

v. Less hazardous for taller people;

vi. They are elegant, fascinating, luxurious – and open up the room (**Figures 14** and **15**);

vii. In warmer climates, it is easier to cool homes with high ceilings; and

viii. They provide versatility for variety of décor ideas, especially "*go contemporary*", modern, or traditional with pendant lights, or installation of antique chandeliers for an Old-World feel, or enabling placement of tall Christmas tree and associated decorative lightings, or tall Peach Blossoms for Chinese New Year, or hanging Chinese lanterns during Mid-Autumn Festival, etc (**Figures 14** and **15**).

5.5 As one of the international cities in the Asian Region, Hong Kong should encourage supply a greater and better variety of good living quality apartments to improve the quality of living, particularly the high ceiling residential units/apartments. Such strong aspirations are not only in the local market, but also for the overseas homebuyers or users.

5.6 Indeed, among other things, a better healthy living condition is one of the crucial basic considerations for many overseas talented people with families. This is particularly important to those families with children or young family members due to the greater psychological comfort.

5.7 A notional study on natural light penetration effect in different higher headroom units has been conducted as indicated in **Figures 14** and **15**. The results of this notional study have demonstrated that the higher the ceiling, the better and greater the extent of natural light effect can be attained inside the rooms. It should be noted that the internal structural beams on the ceiling top will also create a little box feeling effect, particularly in those lower ceiling rooms (**Figure 15**). Generally, the thickness of the internal structural beams is ranged from 600mm to 800mm (subject to the overall building design requirements). Indeed, these internal structures inevitably reduce the room ceiling height and, in many cases, they will be below BD's minimum headroom requirement (i.e. 2.5m floor height)[3].

5.8 It is unquestionable that most of potential homebuyers or renters of this "R(C)" type residential development are higher income earning groups in the community. Their expectations should not, and cannot, be neglected. The Government of Hong

[3] https://www.bd.gov.hk/doc/en/resources/codes-and-references/practice-notes-and-circular-letters/pnap/APP/APP005.pdf

Kong and the TPB should encourage the private housing suppliers to produce more high ceiling housing units/apartments to meet the market demand in areas where situations permit.

5.9 **Table 1** summarises the adopted ceiling heights in some selected previously redevelopment applications in various "R(C)" zones over the past 10 years since 2014.

Table 1 – Summary of Ceiling Heights Previously Proposed in "R(C)" Zones

Year	Application Nos.	Proposed ceiling heights for domestic use (m) [About]
2022	A/H14/84	4.5* each for G – 2/F (**House**)
	A/K18/342	4.5* for G/F; 3.5 each for 1 – 2/F (**House**)
	A/H18/88	3.5 each for flats; 4.5 with 1.0 transfer plate for studio (**House**)
	A/H17/141	3.5 for G/F; 2.65 each for 1 – 2/F; 2.55 for 3/F (**House**)
2021	A/K4/72	4.2 for G/F*; 3.2 for 1/F; 3.27 for 2/F (**House**)
2020	A/K18/335	4.5 for G/F*; 3.5 for 1/F; 3.5 for 2/F (**House**)
	A/K18/334	3.5 each for flats
2019	A/SK-TLS/56	3.0 each for flats
	A/H17/140	4.2 for G/F*; 3.5 each for 1-2/F; 3.65 for 3/F (**House**)
	A/K18/333	4.2 for G/F; 3.1 for 1/F; 2.8 for 2/F (**House**)
	A/K18/331	4.3 for G/F*; 3.645 for 1/F; 4.5 for 2/F (**House**)
2017	A/TWW/112	4.0 for G/F*; 3.62 for 1/F (**House**)
	A/H7/136	3.5 each for flats
2016	A/K7/112	4.5 for G/F*; 3.5 for 1/F (**House**)
	A/SLC/144	3.5[&] each for 3 storeys; 3.8 [&] each for 2 storeys (**House**)
2015	A/H14/76-1[#]	4.5 for G/F*; 3.5 for 1-2/F (**House**)
2014	A/NE-KTS/377	3.16 [&] each for 3 storeys (**House**)
	A/YL-NTM/310	3[&] each for 3 storeys (**House**)
	A/TWW/109	3.048 each for flats
	A/H17/132	3.5 each for flats
	A/H10/86	3.1 each for flats
	A/K18/307	4.05 for G/F*; 3.9 each for 1-2/F (**House**)

* The proposed ceiling heights for houses which are accepted by BD for the purpose of regulations 23(3)(a) of the Building (Planning) Regulations (B(P)R); [&] By approximation only, based on current information

5.10 Although some of the above listed applications were not approved by the TPB for various reasons, they clearly demonstrate the general market aspiration for higher ceiling residential units/apartments for this type of low-rise, low-density residential development zoning. In view of the above, it is not unreasonable to conclude that there is a strong aspiration for a clear benchmarked floor height of at least 3.5m in this type of residential developments in the market.

5.11 Clearly, such market expectation is not unreasonable due to the targeted homebuyers for the "R(C)" type housing are so different from those urban high-rise, high-density housing developments in town, say "R(A)" and "R(B)" types of housing developments.

5.12 Indeed, most "R(C)" housing developments are generally targeted at "*high-end market*" groups in our society, including representatives (with or without families) of overseas enterprises and talents with high-income earning from overseas. Since 2022, the Government has targeted to trawl for potential representatives of overseas enterprises and talents with higher income earning from overseas with a view to further strengthening the competitiveness of Hong Kong's economic development (i.e. *[…]*, ***more proactive and aggressive in "competing of enterprises" and "competing for talents***").

5.13 Very obviously, living conditions are one of the most fundamental elements to attract people to stay with, particularly those people from overseas. As one of the international cities, reasonable choices of better internal living quality, including higher headroom, like the one under application, should be encouraged where situation permits.

5.14 After further reviewing the unique geographical advantages and the historic background of the Site (as outlined in paragraph 3.9 above), the Applicant would like to take this opportunity to redevelop the Site into a high-end, high-quality with high ceiling private apartment project to meet the needs of the community.

5.15 According to a further desktop review on the supply of high ceiling apartments/units in Hong Kong between 2019 and 2024 (with reference to the Domestic Occupation Permits listed in "Monthly Digest"[4] issued by the Buildings Department and the individual first-hand sales brochures[5]) of all properties with sizes ranged from 900ft^2 to 2,500ft^2, the results of this review indicated that 668 units out of 1,696 total surveyed units (contributing to about 33.93%) were in the form of high ceiling units with floor heights equal to or above 3.25m. **Table 2** summarises the findings of the above review.

Table 2 – Summary of Similar Flat Size Supplies between 2019 and 2024

A	Total supply of similar flat size between 2019 and 2024	**1,696 Units**
B	Units with High Ceiling (above 3.25m) between 2019 and 2024	**668 Units (33.93%)**
C	Average Ceiling Height in (**B**) above	**3.369m**

5.16 In view of the above, the Applicant has decided to propose a floor height of 3.25m for floor between G/F and 3/F) and 3.4m at 5/F (4/F is omitted) in the present scheme to cope with the market demand.

[4] https://www.bd.gov.hk/en/whats-new/monthly-digests/index.html
[5] https://www.srpe.gov.hk/opip/index.htm

6 SCHEMATIC DEVELOPMENT PROPOSALS

The Scheme

6.1 The present scheme represents an all-thought-out redevelopment project to realise in practice the three major design objectives as outlined in paragraph 1.3 above. It is a practically implementable and self-contained redevelopment project with high floor ceiling, and better considerate neighbourhood-friendly design when compared to that in the PAS.

6.2 The proposed redevelopment comprises a total of two 5-storey residential towers [i.e. Tower 1 ("**T1**") and Tower 2 ("**T2**")] on top of one level of basement car park (now in the form of Lower Ground Floor ("**LG/F**")). With a total domestic GFA of 2,357m^2 and the site area of about 1,572m^2, the overall resultant domestic plot ratio of 1.5 will be yielded. These development parameters comply fully with the OZP stipulations as outlined in paragraph 1.4 above.

6.3 **Figures 16 - 19** shows the schematic layouts of the proposed redevelopment scheme from Ground Floor ("**G/F**"), to LG/F, to 1/F - 5/F (4/F is omitted), and to Roof Floor respectively. **Figures 20 - 22** are the schematic Section Diagrams of the proposed scheme in three different cut-lines as shown in **Figure 16**.

6.4 For BH proposals, it has been proven in **Figure 13** that a bare minimum floor height requirement of 4.8m is required for the LG/F to resolve all site constraints while complying with all building and CLP's requirements. To create sufficient floor spaces to accommodate the required car parks, driving ramp, driveways and E&M facilities at LG/F, a transfer plate with a thickness of 1m in each residential tower is proposed under such special site conditions. To tackle the substantial on-site level differences without requiring additional floor height, the portion of transfer plate in Tower 2 will be placed at level above the TX room as shown in **Figure 21**, while the transfer plate in Tower 1 is planned to be below G/F level as shown in **Figure 22**. All major E&M facilities are allocated at G/F of Tower 2 (**Figure 16**).

6.5 To meet the redevelopment objective (ii), i.e. for improving the living quality of the proposed development, two different floor height zones are proposed in the present scheme. They are: 3.25m for the lower zone between G/F and 3/F, and 3.4m for the upper floor (or 5/F) as shown in **Figures 20 - 22**. As a result, the absolute BH of the present scheme measured from the mean site formation of LG/F (i.e. proposed levels ranged from 227mPD to 248.2mPD) will be amounted to 21.2m (**Figures 20 - 22**). Compared to the OZP stipulation, the proposed BH represents an increase of 3.2m (or around 17.8%) (i.e. from 18m in the OZP to 21.2m in the present

scheme). **Figure 24** shows the present BH in comparison with that in the PAS (i.e. represents an increase of 2.2m).

6.6 For site coverage ("**SC"**), to strike the most best practical balance between the site constraints and the building requirements in reality, a slightly increase in SC with a bare minimum requirement of around 34.034% in the present scheme is proposed. It represent an increase of 4.034% when compared to the OZP stipulation (i.e. from 30% to about 34.034%). When this compares to that in the PAS, the present proposed SC is almost the same (i.e. 33.911% in the PAS vs 34.034% in the present scheme, an increase of 0.123%). **Figure 23** is the proposed SC of the present scheme in comparison with that in the PAS.

6.7 **Table 3** compares the key development parameters between the PAS and the present scheme.

Table 3 – Comparison of Key Development Parameters between the PAS and the Present Scheme

Item	**PAS (A)**	**Present Scheme (B)**	**Difference (B)-(A)**
Subject Site Area (m^2)	1,572	1,572	Unchanged
Domestic GFA (m^2)	2,357	2,357	Unchanged
Plot Ratio	1.5	1.5	Unchanged
Site Coverage	About 33.911%	About 34.034%	**+ 0.123%**
No. of Storeys	5 storeys over 1 basement level	5 storeys over 1 basement level	Unchanged
Mean Site Formation Level (mPD)	Tower 1: 227.0[#1] Tower 2: 227.0[#1]	Tower 1: 227.0 Tower 2: 227.0	Tower 1: Unchanged Tower 2: Unchanged
Absolute Building Height[#3] (m)	19[#1]	Tower 1: 21.2 Tower 2: 21.2	**Tower 1: + 2.2m** **Tower 2: + 2.2m**
LG/F (or basement) G/F 1/F 2/F 3/F 5/F	4 3 3 3 3 3	4.8[#3] 3.25 3.25 3.25 3.25 3.4	**+ 0.8m** **+ 0.25m** **+ 0.25m** **+ 0.25m** **+ 0.25m** **+0.4m**
Building Height (mPD)	246[#2]	248.2[#2]	**+ 2.2m**
No. of Blocks	2	2	Unchanged
No of Units	14	14	Unchanged
Average Flat Size	About 160 m^2	About 168.36 m^2	**+8.36 m^2**
Estimated Persons	-	About 38	Not Applicable
Greening Ratio (%)	About 17.98%	About 20.039%	+**11.47**%
Greenery Provision	About 282.6 m^2	About 315.014m^2	**+ 32.414m^2**
Total Parking Space Provisions	27 for private cars (incld.1 for disabled and 2 for visitors) 3 for motorcycles 1 L/UL bay	26 for private cars (incld.1 for disabled and 2 for visitors) [#4] 3 for motorcycles 1 L/UL bay	**- 1**[#4] Unchanged Unchanged

[#1] Based on TPB Paper No. A/SK-TLS/56B; [#2] Up to the main roof level; [#3] Bare minimum floor height requirement; [#4] Provision complies with requirements under lease

6.8 Upon completion of whole redevelopment project by end of 2028, a total 14 high-end, high floor ceiling apartments with flat sizes ranging from 120m^2 to 225m^2 to

cope with various homebuyers' aspirations. The average flat size of the proposed development is about 168.36m^2 GFA.

6.9 Assuming the estimated household size per unit is 2.7, the proposed development will accommodate a total population of 38 persons (i.e. 14 x 2.7 = 37.8, round up to 38).

6.10 **Table 4** summarises the total domestic GFA (about) and BH distributions per floor in each tower.

Table 4 – Summary of Domestic GFA and BH Distribution per Floor Per Tower

	Unit	**Domestic GFA (m^2)**	**BH (m)**
Tower 1*			
LG/F	0	222	4.8
G/F	2	232	3.25
1/F	1	232	3.25
2/F	1	232	3.25
3/F	1	232	3.25
5/F	1	232	3.4
Sub-total	6	1,150 (about)	21.2
Tower 2*			
LG/F	0	0	4.8
G/F	0	39	3.25
1/F	2	292	3.25
2/F	2	292	3.25
3/F	2	292	3.25
5/F	2	292	3.4
Sub-total	8	1,207 (about)	21.2
Total	**14**	**2,357**	**21.2**

* 4/F is omitted

6.11 The present scheme will provide two building setback areas: one is a 2.5m wide setback area alongside Ka Shue Road to enhance the visual and natural wind penetrations and one is a 1.5m wide setback area alongside eastern site boundary solely to comply with B(P)R25 as shown in **Figures 11** and **16**. Compared to that in the PAS, the width of the setback area alongside Ka Shue Road will commit to increase further from 2m in the PAS to 2.5m in the present scheme (**Figure 11**).

6.12 Within this 2.5m wide setback area, at least a portion of 1.5m immediately adjoining Ka Shue Road will be used for landscaping purposes aiming to enhance the visual amenity, the streetscape and the biodiversity of this section of Ka Shue Road. To further enhance the visual and natural wind penetration towards Ka Shue Road, permeable main entrance gate and regular grille above 1.6m street levels of Ka Shue Road are also proposed as shown in **Figures 25 - 27**.

6.13 To ensure a good and sustainable living quality of the proposed development, a minimum building separation of 5m from 1/F up to the Roof Level between T1 and T2 will be maintained in the present scheme, as shown in **Figures 11** and **18**. It is also to fulfil the Special Condition under lease, i.e. "*needs to take into account the sustainable building requirements*" as mentioned in paragraph 2.2 above.

6.14 Besides, to enhance the on-site quality of well-being for end-users and workers, a covered pedestrian walkway is also proposed between these two residential towers as shown in **Figures 18** and **23**.

6.15 The Applicant has actively made an initiative to upgrade the quality of the whole development up to at least a GOLD BEAM Plus Certification instead of UNCLASSIFIED project under the PAS.

6.16 According to Credit Summary_NB v2 of the BEAM Plus (**Figure 28**), the higher the floor ceiling of a domestic unit, the greater the performance of the internal ventilation effect will be resulted in. The proposed high ceiling apartments are also one of the green building considerations to improve the internal living quality in terms well-being. It will very logical to deduce that the higher the floor ceiling in a domestic room, the greater and wider natural daylight penetration will also be resulted in to save energy consumption. Tinted window glasses can be applied when necessary.

Internal Traffic Arrangements

6.17 The main vehicular ingress/egress point is provided in accordance with 'XYZ' points set out under lease, i.e. at the south-western corner of the Subject Site (**Figures 3**, **11** and **16**). The on-site EVA alignment is proposed as shown in **Figure 16**. One loading/unloading ("**L/UL**") bay is planned at the western end of the Subject Site at G/F (**Figure 16**). A total of 26 car-parking spaces and 3 motorcycle parking spaces are proposed at the LG/F in accordance with the requirements set out in the HKPSG and that under lease (**Figure 17**). When compared to that in the PAS, the present proposed parking provision is one space short (**Table 3** above). A swept path analysis of the proposed development is attached in **Appendix V**.

6.18 Compared to the existing development, the proposed scheme will generate only an additional of 6 residential units (i.e. from 8 units in the existing development to 14 units in the present scheme). Such a minor increase in the number of residential units will unlikely result in any significant adverse traffic impact on the local road system under normal circumstances.

6.19 The results of a detailed junction assessment of Clear Water Bay Road/Ka Shue Road have demonstrated that the proposed scheme is acceptable and will not cause any significant traffic impact on that junction from the traffic engineering point of view (**Appendix VI**).

Sewerage Arrangements

6.20 As mentioned in paragraph 3.6 above, a set of new sewerage mains along Ka Shue Road is planned to complete by end July 2024 (**Appendix III**), and having considered the proposed redevelopment scheme will be completed by end 2028, it is anticipated that the Applicant will be able to connect the on-site sewerage system directly to the new sewerage mains by that time. Compared to the existing on-site development, which contains a total of 8 residential units, the present development will produce only an additional 6 residential units in the area. No significant adverse sewerage impact due to the proposed development is anticipated. Details of the sewerage connection will be carried out at the detailed design stage.

6.21 If the committed public sewer system alongside Ka Shue Road will not be available for connection for any reasons, an interim on-site septic system with a septic tank at LG/F (at part of the Clubhouse) has already taken into account in the present scheme for contingency purpose. Technical details of this interim on-site sewerage system will be submitted timely to relevant Government departments for approval when necessary.

On-Site Drainage Arrangements

6.22 The proposed on-site drainage alignments will be very similar to those in the existing development area. All surface runoffs will be collected by on-site U-channels via drainage manholes and eventually discharge into the two nearby stepped channels, as shown in **Figure 29**. No on-site drainage system is proposed to connect to that running along Ka Shue Road. A Drainage Impact Assessment ("**DIA**") of the proposed development is in **Appendix VII**. The results of the DIA have indicated that no significant drainage impact on the two exiting stepped channels is anticipated.

Greenery Proposals

6.23 As mentioned in paragraph 3.5 above, a total of 15 existing trees are surveyed within the Subject Site. As these on-site surveyed existing trees will conflict with the proposed development, they must be felled. Details of the tree felling and tree compensatory proposals are in **Appendix II**. The Landscape Master Plan of the proposed development is shown in **Figure 30**.

6.24 In greenery coverage, it has been estimated that a total of 20.039% (or an extent of 315.014m^2) of the site area are proposed for greenery purposes. Drawing No.

SMC1-GP-02 in the Landscape Proposal attached in **Appendix II** compares the proposed greening provision between the PAS and the present scheme. **Table 5** below summary the greening provisions in these two schemes.

Table 5 – Greening Provision between the PAS and the Present Scheme

	PAS (A)	Present Scheme (B)	Difference (B)-(A)
Proposed Greenery Provision within the Subject Site (m^2)	282.6	315.014	**+32.414 (or about +11.47%)**
Greening Ratio (%)	17.977	20.039	**+2.062 (or about +11.47%)**

7. NO SIGNIFICANT ADVERSE VISUAL IMPACT

7.1 The results of the Visual Impact Assessment ("**VIA**") (**Appendix VIII**) have demonstrated that two out of five selected public viewing points are moderately adverse, two are slightly adverse and the remaining one is negligible. The overall resultant BH of the proposed development will be 248.2mPD. Compared to the existing maximum BH level of Hillview Court at 253.7mPD, it represents about 4.7m lower than its adjoining development profile.

7.2 With the provision of extensive building setbacksfurther building setback, retention of 5m building separation and landscaping treatments along Ka Shue Road and rooftop planings will reduce the perceived building bulk, soften building edge and mitigate the potential; visual impact of the present scheme. Tthe results the above VIA have been proved that the present proposed minor relaxation of BH and SC restrictions at the Subject Site is not incompatible with it surrounding physical setting. No significant adverse visual impact on the local area is anticipated due to the present development. Indeed, the whole redevelopment project will blend in well with the existing surrounding development character and settings.

8. SUMMARY OF MAJOR PLANNING MERITS

8.1 To commit to the provision of a minimum of 5m building separation as proposed in the PAS, the present scheme has made the best effort to retain this building separation from 1/F to roof level between T1 and T2 for the natural wind movements through the proposed development onto its surrounding areas while complying with the statutory building minimum regulations (**Figure 11**) and, at the same time, to offer additional building setback from Ka Shue Road (**Figure 11**) (i.e. by sacrificing a market desirable internal domestic floor layouts in T1 and T2;

8.2 To commit to offer a greater and better roadside ventilation, greening and biodiversity by making the best use of the 1.5m wide roadside setback area alongside Ka Shue Road for provision of extensive landscaping treatments to be managed and

maintained by the future management of the proposed development (**Figures 25 - 27**);

8.3 To commit to further enhancement of the natural wind penetration onto Ka Shue Road without jeopardising the privacy of the on-site residential units with windows fronting Ka Shue Road, by providing grilles at the upper portion of the joining areas between boundary wall partitions (i.e. portion above 1.6m from ground level of Ka Shue Road) will be in the form of grille as shown in **Figures 25 - 27**).

8.4 To commit to offer further enhancement on the local biodiversity in the area by providing selected various plant species which could provide foods and shelter for the local wildlife/ecosystem within the Subject Site (**Figure 27**).

8.5 To commit to make the best effort to initiate to upgrade the quality of building development at least up to a GOLD BEAM Plus Certification instead of UNCLASSIFIED project under the PAS.

9 PLANNING JUSTIFICATIONS

In-Line with Primarily Planning Intention

9.1 In the Notes of the OZP for "R(C)" zoning, it states: *"this zone is intended primarily for low-rise, low-density residential developments […]"* (**Appendix I**). The proposed development conforms with the general development character of "*5 storeys over one storey of carport*" as stipulated in the Notes of the OZP. Therefore, the present proposed development scheme is fully in-line with the primary land use planning intention of the "R(C)" zone under the OZP.

Relaxation of BH for Technical Needs and for Better Living Quality

9.2 After a thorough review of the site constraints, and the practical building design requirements being overlooked in the PAS as outlined in paragraph 4 above, it is realised that a bare minimum BH requirement of 4.8m for the LG/F is unavoidable to balance all practical difficulties confronting the project in reality.

9.3 With this bare minimum BH requirement for the LG/F, the BHR set out in the OZP (i.e. 18m) is unable to accommodate the permissible plot ratio of 1.5 under the special site circumstances in the present scheme taking into account a transfer plate with a thickness of 1m and a normal thickness of 0.15m floor slab on each domestic floor are unavoidable.

9.4 In light of the above, and having considered the unusual uniqueness of the Subject Site (paragraph 3.9 above) and soaring demand for better living quality, particularly for high ceiling apartments in the community (paragraph 5 above), the Applicant has

decided to take this opportunity to propose two different floor heights to cope with the market aspirations (i.e., 3.25m for floors between G/F and 3/F, and 3.4m for 5/F (4/F is omitted). Although the overall increase in BH is considered minor in nature, this will contribute a significant and meaningful improvement to the primarily living quality for all end-users of the development at the end of the day.

Suitable Location for the Proposed Development

9.5 As highlighted in paragraph 3.9 above, the Subject Site enjoys unique geographical advantages for the proposed development. All these unique conditions have made the Subject Site so exceptional from other "R(C)" sites, particularly in terms of visual appearance to the public viewing points (**Appendix VIII**).

9.6 The present planning application is mainly a redevelopment of an existing old residential building. With the provision of additional 6 residential units, it is not anticipated that the proposed redevelopment scheme will result in overtaxing of the existing and planned basic infrastructure facilities (i.e. water supply, drainage or sewerage capacity) in the area.

9.7 The results of the VIA (**Appendix VIII** and paragraph 7.1 above) have demonstrated that the proposed development at the Subject Site will not result in any significant visual impact on selected medium to long range public viewing points in the area. The proposed development is not incompatible with its surrounding development setting in the area.

Insignificant Increase in SC

9.8 Compared to the PAS, the present proposed increases in SC represent an increase of 0.123% (i.e. 33.911% in the PAS vs 34.034% in the present scheme, as shown in **Figure 23**). This is a very minor increase to the PAS, but such an increase will contribute a significant improvement to all end-users of the proposed development as far as the quality of overall well-being is concerned. It is considered a minor in nature and should be supported by the Government departments and the TPB from the sustainable building design standpoint.

Responsive Echo to Government Policy Objective

9.9 In 2022 Policy Address, it states that ***"Hong Kong is one of the most competitive economies in the world. It also serves as an important gateway connecting the Mainland with global markets. We must be more proactive and aggressive in "competing for enterprises" and "competing for talents""*** (Paragraph 25).

9.10 In 2023 Policy Address, it further states: *"[…]* ***The Government will introduce a mechanism to facilitate companies domiciled overseas […] for re-domiciliation to***

Hong Kong […]" (Paragraph 55) and *"[…]* **the Government will endeavour to trawl for and retain talents *[…]"*** (Paragraph 57).

9.11 All these policy objectives are supportive. However, among other things, better living conditions remain one of the most essential and fundamental considerations for these high-income earning groups to continue to stay longer and to continue to create strong impetus for our growth. The present proposed higher headroom apartments with various unit sizes, although limited, will no doubt offer a meaningful solution to tackle the aspiration for better psychological comfort. This is particularly important for those talents with young family members.

9.12 It is unquestionable that such a basic community hardware element (higher headroom living rooms) for attracting and retaining local and overseas' talents is a must among other things. The present proposed development will be completed in about 3 years upon approval of this planning application. Therefore, it will become a "*quick-win*" project to facilitate the captioned strategic policy objective.

Reasonable Ceiling Heights

9.13 As mentioned in paragraph 5.1 above, the norm of higher headroom is generally ranged from 10 feet (about 3.05m) to 12 feet (about 3.66m), and the minimum clear room height for higher headroom units/apartments is 10 feet.

9.14 **Figures 20 - 22** shows that the proposed floor heights are only 3.25m and 3.4m respectively for floors from 1/F to 3/F and (5/F). In practice, these floor heights should include a thickness of 150mm floor slab and 600mm internal structural beams, as shown in **Figures 14** and **15**. The net clear floor to ceiling height in units between 1/F and 3/F are only 3.1m without internal structural beam and 2.5m with internal structural beam. For 5/F, the clear floor to ceiling height is only 3.25m without beam and 2.65m with internal structural beam.

9.15 **Table 2** above has summarised the general ceiling heights for flats/apartments with sizes ranged from 900ft^2 to 2,500ft^2 in the past five years between 2019 to 2024. With an average flat size over 1,800ft^2, the present proposed floor heights of 3.25m for floors between G/F and 3/F, and 3.4m for 5/F are not unreasonable. In fact, the results of the VIA have demonstrated that the proposed BH represent an increase of 3.2m under the OZP stipulation and only 2.2m when compared to that in the PAS. No significant adverse or unacceptable visual impact is anticipated on the local. Therefore, this is considered minor in nature.

Setting No Undesirable Precedent

9.16 It has been demonstrated that due to the uniqueness of the Subject Site, as outlined in paragraph 3.9 above, and being demonstrated that no significant adverse impact due to the proposed development in the area with respect to traffic, drainage, sewerage, water supply or visual aspects, the proposed increases in BH and SC at the Subject Site are minor in nature. The proposed 5 storeys over one storey of basement car park are basically the same development character in its surrounding development nearby.

9.17 In view of the above, the approval of the present proposed development with higher headroom living environment compared to those regular units in town, will not result in setting an undesirable precedent case for other planning application in the area. It is understood that each application will have its own individual merits and such merits will be assessed by the TPB on an individual basis.

9.18 As mentioned in paragraph 5 above, the Government of Hong Kong and the TPB should encourage private housing suppliers to produce better quality of apartments with higher headroom to meet the soaring market demand in the community where situations permit.

Further Enhancements to Local Living Quality

9.19 As mentioned in paragraph 1.3 above, the primarily intention of this planning application is solely aimed to realise the three redevelopment objectives at the Subject Site. The present scheme represents the most balanced option, among others, to realise the above mentioned three redevelopment objectives in reality. It is also the intention of the Applicant to implement this redevelopment project as early as possible to cope with the needs of the community.

9.20 Upon completion of this redevelopment project by end of 2028, a series of achievable planning gains or planning merits, as outlined in paragraph 8 above, will be realised to enhance the local living quality in terms of visual, natural wind movements and biodiversity of the local ecosystem at no cost to the Government or the local community. **Figure 31** summarises the key proposed development items and planning merits of the present scheme

10 CONCLUSION

10.1 The present application aims to seek the permission of TPB for proposed minor relaxation of the BH and SC restrictions respectively from 18m to 21.2m (i.e. an increase of 3.2m or 17.8%) and from 30% to 34.034% (or an increase of 4.034%) in "R(C)1" zone at Lot No. 1109 RP (part) in D.D. 253, 8 Ka Shue Road, Sai Kung.

10.2 Apart from the proposed changes in BH and SC, the overall permissible GFA under lease, the plot ratio restriction of 1.5 and the 5 storeys over one storey of carport comply fully with the OZP stipulations. Upon completion by end 2028, the proposed redevelopment scheme will provide a total of 14 "R(C)" flats with an average flat size of 168.36m^2.

10.3 The present application aims to achieve three implementation objectives: (i) to resolve the overlooked inter-locking technical problems in the PAS resulting in unable to comply with the building regulations and the specific requirements set out by the CLP; (ii) to cope with the market aspirations for better living quality in particular the high floor ceiling apartments; and (iii) to further improve the quality of the development scheme in a good neighbourhood planning manner.

10.4 It has been demonstrated that due to the cumulative uniqueness of the Subject Site, as outlined in paragraph 3.9 above, and having considered the nature of the proposed development, the present proposed increase levels of BH and SC are minor in nature; the proposed development has been proved compatible with its surrounding development character and natural setting; no significant adverse or unacceptable impact due to the proposed development on the local area with respect to traffic, water supply, sewerage or visual aspects is anticipated; and the proposed floor heights are not unreasonable when compared to those commonly adopted for flat sizes ranged from 900ft^2 to 2,500ft^2 between 2019 and 2024.

10.5 The approval of this application will not set an undesirable precedent case for other applications in the area due to its uniqueness. It will be a *"quick-win"* project to actively and positively to echo the Government's policy objective and the needs of the community.

10.6 A series of committed planning merits, as outline in paragraph 8 above, will also be provided in the local community upon completion of this unique redevelopment project.

10.7 In view of the above, we respectfully request Members of the TPB to give favourable consideration to and approve the present application so as to allow the Applicant to implement this special redevelopment project to meet the needs of the community.

VISION PLANNING CONSULTANTS LTD.

24 December 2024