



Ref.: ADCL/PLG-10298/R001

Section 16 Planning Application

Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land

Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

Planning Statement

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EXECUTIVE SUMMARY

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for **Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land** at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories (hereinafter referred to as “the application site”). The current application proposes amendments to a previously approved scheme under the previous planning application No. A/YL-NTM/377 (hereinafter referred to as “the previous application”) approved by the Rural and New Town Planning Committee (RNTPC) on 12.4.2019 for Proposed House. The application site has a total area of about 1,978m² (including Government land of about 580m²), which covers the site extent of the previous application with an additional portion of Government land. This Planning Statement serves to provide background information and planning justifications in support of the current application to facilitate consideration by the Board.

The current application seeks planning permission to amend the proposed use and the site area of the previously approved scheme under the previous application with minor relaxation of Plot Ratio (PR) and Building Height (BH) restriction. The current application is for the development of a **3-storey residential block (including 1-storey basement carpark)** comprising 5 flats with maximum PR of 0.24 and maximum BH in **3 storeys (10.65m)**. The proposed development involves excavation of land for a basement carpark (**3.65m**). The proposed area and depth of excavation are about 580m² and about 2.1m respectively.

The application site currently falls within an area zoned “Residential (Group D)” (“R(D)”) on the draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13 (hereinafter referred to as “the Current OZP”) which was gazetted on 8.3.2024. According to the Notes of the Current OZP, ‘Flat’ within the “R(D)” zone, filling of pond or excavation of land require planning permission from the Board, and minor relaxation of PR and BH restriction may be considered by the Board on application under section 16 of the Ordinance. In this connection, the current application is herewith made to the Board for consideration. As detailed in the Planning Statement, the proposed development is well justified on the grounds that:

- (a) *The proposed development is fully in line with the Government’s latest policy direction to strategically increase high-quality housing supply, especially along future railway projects. The proposed development will respond to the public call for larger living spaces through complying with the latest requirement of minimum unit size promulgated by the Government;*
- (b) *The proposed use is solely for low-rise and low-density residential development and is considered to be fully in line with the planning intention of “R(D)” zone;*
- (c) *The application site is situated in an area which is predominantly rural in character with village houses, low-rise residential developments, vacant land and abandoned fishponds.*

- The proposed development under the current application would remain as a low-rise and low-density residential development, which is considered compatible with the surrounding environment in terms of land use, character and scale;*
- (d) The proposed development would facilitate the phasing-out of non-conforming uses to improve the overall local environment. It would also unleash development potential of scarce land resources for residential development and respond to the community demand for housing supply without causing insurmountable impact on the environment;*
 - (e) The design of the proposed development carries planning and design merits in enhancing pedestrian circulation and visual permeability of the surrounding areas;*
 - (f) Taking into account that the proposed development is relatively small-scale, no significant adverse traffic, landscape, visual, environmental, drainage and sewerage impacts are anticipated; and*
 - (g) The proposed development will not set an undesirable precedent considering that previous and similar applications in the "R(D)" zone of the Current OZP were approved by the Board.*

In view of the above and the list of detailed planning justifications in this Planning Statement, the Board is respectfully requested to give favorable consideration to approve the current application for the proposed development.

行政摘要

(如內文與其英文版本有差異，則以英文版本為準)

此規劃報告書旨在支持一宗遞交予城市規劃委員會（以下簡稱「城規會」）的規劃申請（以下簡稱「是次申請」），擬議略為放寬地積比率及建築物高度限制作擬議分層住宅用途及填塘及挖土工程。該申請所涉及地點位於新界元朗牛潭尾丈量約份第 104 約地段第 2572 號餘段、第 2573 號及第 2578 號和毗連政府土地（以下簡稱「申請地點」）。是次申請擬議修訂鄉郊及新市鎮規劃小組委員會於 2019 年 4 月 12 日在有條件下批給許可之規劃申請編號 A/YL-NTM/377（以下簡稱「先前申請」）作擬議屋宇用途之已核准的發展計劃。申請地點的面積約為 1,978 平方米（包括約 580 平方米的政府土地）。是次申請地點的界線與先前申請大致相同，並額外將一部分政府土地納入了申請範圍。此規劃報告書將提供是次申請的背景資料及規劃理據予城規會考慮。

是次申請的目的是為了修訂先前申請下已核准的發展計劃的擬議用途及申請地點的面積，並略為放寬地積比率及建築物高度限制。擬議發展是以興建一幢樓高三層（包括一層地下停車間）的分層住宅並提供 5 個單位，最高地積比率為 0.24，而最高建築物高度則為 3 層（10.65 米）。擬議發展涉及挖土工程以興建地下停車間（3.65 米）。擬議挖掘面積及深度分別約為 580 平方米及 2.1 米。

申請地點於 2024 年 3 月 8 日刊憲公佈的牛潭尾分區計劃大綱草圖（編號：S/YL-NTM/13）（以下簡稱「現行大綱圖」）內被劃為「住宅（丁類）」地帶。考慮到擬議用途所屬之「分層住宅」屬於「住宅（丁類）」地帶的第二欄用途，而是次申請亦擬議略為放寬地積比率及建築物高度限制和進行填塘或挖土工程，因此須向城規會提出申請。此規劃報告書內詳細闡述擬建用途的規劃理據，當中包括：-

- (一) 擬議發展完全符合政府最新的政策方向，即策略性地增加優質房屋供應，尤其在未來的鐵路沿線。擬議發展將響應政府最新頒布的單位最低面積要求，以回應市民大眾對更大居所空間的期望；
- (二) 擬議用途的性質僅為低層及低密度住宅發展，因此應被視為完全符合「住宅(丁類)」地帶的規劃意向；
- (三) 申請地點位於鄉郊範圍，周遭主要為村屋、低層及低密度住宅發展、閒置土地及荒廢魚塘。擬議低層及低密度住宅發展在土地用途、性質和發展規模方面與周遭環境相互兼容；
- (四) 擬議發展有助逐步淘汰當區不符合規定的用途，改善當區環境，並能夠釋放珍貴土地資源的發展潛力作住宅用途，以回應廣大市民對房屋供應的迫切需求，而不會對環境造成不可接受的影響；
- (五) 擬議發展的設計在加強周邊地區的行人流通和視覺通透性方面具有規劃和設計優點；
- (六) 擬議發展規模較細，不會對交通、園景、視覺、環境、排水及排污方面造成不良影響；及
- (七) 考慮到在現行大綱圖的「住宅（丁類）」地帶中已有先前申請及類似申請獲批，擬議發展並不會立下不良先例。

鑑於以上及此規劃報告書所提供的詳細規劃理據，敬希城規會各委員給予考慮並批准是次規劃申請。

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1. INTRODUCTION

1.1 Purpose

- 1.1.1 Pursuant to section 16 of the Town Planning Ordinance (Cap. 131) (hereinafter referred to as “the Ordinance”), this Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for **Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land** at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories (hereinafter referred to as “the application site”). The current application proposes amendments to a previously approved scheme under the previous planning application No. A/YL-NTM/377 (hereinafter referred to as “the previous application”) approved by the Rural and New Town Planning Committee (RNTPC) on 12.4.2019 for Proposed House. The application site has a total area of about 1,978m² (including Government land of about 580m²), which covers the site extent of the previous application with an additional portion of Government land. This Planning Statement serves to provide background information and planning justifications in support of the current application to facilitate consideration by the Board.
- 1.1.2 The current application seeks planning permission to amend the proposed use and the site area of the previously approved scheme under the previous application with minor relaxation of Plot Ratio (PR) and Building Height (BH) restriction. The current application is for development of a **3-storey residential block (including 1-storey basement carpark)** comprising 5 flats with minor relaxation of PR from 0.2 to 0.24 and BH restriction from 2 storeys (6m) to **3 storeys (10.65m)**. The proposed development involves filling of pond and excavation of land for a basement carpark. The proposed area and depth of excavation are about 580m² and about 2.1m respectively.
- 1.1.3 The application site currently falls completely within an area zoned “Residential (Group D)” (“R(D)”) on the draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13 (hereafter referred to as “the Current OZP”) which was gazetted on 8.3.2024. According to the Notes of the Current OZP, ‘Flat’ within the “R(D)” zone, filling of pond and excavation of land require planning permission from the Board, and minor relaxation of PR and BH restriction may be considered by the Board on application under section 16 of the Ordinance. In this connection, the current application is herewith made to the Board for consideration.
- 1.1.4 Prepared on behalf of the registered owner of the application site (hereafter referred to as the “the Applicant”), Aikon Development Consultancy Limited has been commissioned to prepare and submit the current application.

1.2 Background

- 1.2.1 The application site is solely owned by the Applicant and is currently vacant. The application site is mainly covered by wild vegetations and there are no active farming activities in its close proximity.
- 1.2.2 Subject to the changes in circumstances since the approval of the previous application in April 2019, a fresh section 16 planning application is now submitted to amend the proposed use and the site area of the previously approved scheme with minor relaxation of PR and BH restriction, filling of pond and excavation of land. The current proposal involves an amendment of proposed use from 'House' to 'Flat' for the development of a **3-storey residential block (including 1-storey basement carpark)**. In order to essentially cater the abovementioned 'Flat' development and accommodate the increased development intensity at the application site, it is proposed to increase the site area by including an additional portion of Government land of about 580m² with minor relaxation of PR from about 0.2 to 0.24 (+20%) and BH restriction from not more than 2 storeys (6m) to **3 storeys (10.65m) (including 1-storey basement carpark) (+77.5% in actual BH)** as well as the filling of pond and excavation of land for a basement carpark. The amended development scheme under the current application would optimise the development potential of scarce land resources for residential development and help to address the community demand for housing supply.

1.3 Objectives

- 1.3.1 The current application strives to achieve the following objectives:
- (a) *To materialize the policy directions reflected in the latest Policy Address, "Hong Kong 2030+ Towards a Planning Vision and Strategy Transcending 2030" in addressing the foreseeable planning challenges posed by limited land supply and increasing demand for housing;*
 - (b) *To act as an impetus to put forward the planning intention of the "R(D)" zone by completely phasing out non-conforming open storage and rural industrial uses within the "R(D)" zone and to be in full harmony with the surrounding residential area; and*
 - (c) *To introduce a low-rise and low-density residential development which has been carefully planned and designed with respect to the surrounding area, and would better utilise the land value of the application site.*

1.4 Structure of the Planning Statement

- 1.4.1 This *Planning Statement* is divided into 6 chapters. **Chapter 1** is the above introduction outlining the purpose and objectives of the current application. **Chapter 2** gives background details of the application site in terms of the current land use characteristics and the neighbouring developments. **Chapter 3** offers the planning context of the application site whilst **Chapter 4** provides details of the proposed development. A full list of planning justifications is given in **Chapter 5** whilst **Chapter**

6 provides a concluding remark for the proposed development.

2. SITE PROFILE

2.1 Location and Current Condition of the Application Site

2.1.1 The application site has an area of about 1,978m² comprising about 1,398m² (about 71%) of private land and about 580m² (about 29%) of Government land. The location of the application site is shown in **Figure 1** whilst **Figure 2** indicates the relevant private lots and Government land which the application site involves.

2.1.2 As shown in **Figure 1**, the application site is located in an area zoned “R(D)” on the Current OZP. The application site is located to the immediate south of Chun Shin Road but is separated from the road by fencing and an artificial slope. The site is currently accessible via an informal footpath running through Lots 1217 S.A RP, 1217 S.B RP, 1217 S.D, 2579, 2580, 2581, 2582 in D.D. 104 which connects to Chun Shin Road to the further east of the site.

2.1.3 The application site has an existing site level ranging from about 4.3mPD to 4.5mPD, which is about 1.1m to 1.3m lower than its access road, Chun Shin Road. It is currently vacant and covered by wild vegetation. **Illustration 1** indicates the current conditions of the application site.

2.2 Surrounding Land-use Characteristics

2.2.1 The application site is situated in an area which is predominantly rural in character with village houses, low-rise residential developments, vacant land and abandoned fishponds. To the immediate east, south and west of the applicant site are vacant land and abandoned fishponds. To the further east of the applicant site is the proposed temporary transitional housing development with construction works undergoing. To the immediate north of the application site across Chun Shin Road is a Nullah. To the further north of the application site is a cluster of low-rise residential dwellings along Ngau Tam Mei Road, comprising houses and New Territories Exempted Houses (NTEH) with BH ranging from 2 to 3 storeys. **Illustration 2** indicates the surrounding uses of the application site.

3. PLANNING CONTEXT

3.1 The Current OZP

- 3.1.1 The application site falls within an area zoned “R(D)” on the Current OZP (**Figure 3** refers). According to the Notes of the Current OZP, the proposed use should be regarded as ‘Flat’ which is a Column 2 use within the “R(D)” zone and requires planning permission from the Board. According to the Notes for the “R(D)” zone, minor relaxation of PR and BH restriction may be considered by the Board on application under section 16 of the Ordinance and it is also stipulated that “...*Any filling of pond or excavation of land... shall not be undertaken...without the permission from the Town Planning Board...*”. In this connection, the current application is herewith made to the Board for consideration.
- 3.1.2 The planning intention of the “R(D)” zone is “*primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board*”.
- 3.1.3 As stated in the Explanatory Statement for the “R(D)” zone, “*since the areas along San Tin Highway would be subject to traffic noise impact, any proposed development near the road should provide adequate mitigation measures to minimize such impact*”. According to the site visit on 24.5.2024, tall roadside trees and fence walls are commonly observed along residential developments in close proximity to San Tin Highway, which serve as effective noise barriers. With reference to such current practices, similar approach will also be applied to the proposed development and its eastern periphery facing San Tin Highway is proposed only for the ramp to the basement carpark and landscaping features. As such, noise issue should not be the major concern despite the application site is only about 40m away from San Tin Highway.

3.2 Previous Planning Application

- 3.2.1 Part of the application site is subject to a previous planning application (No. A/YL-NTM/377) submitted by the same Applicant as the current application for ‘House’ use. The previous application was approved by the RNTPC on 12.4.2019 mainly on the considerations that the proposed development was in line with the planning intention of the “R(D)” zone; proposed development parameters conformed to the OZP restrictions; the approval of the development could catalyse the phasing out of the non-conforming and undesirable rural industrial-related uses in the vicinity and help achieve an early implementation of the planning intention; and no insurmountable issue from traffic, ecological, environmental, landscape, geotechnical, sewerage and drainage perspectives was anticipated.

3.3 Similar Planning Applications

- 3.3.1 There is one similar application (No. A/YL-NTM/432) in the “R(D)” zone of the Current OZP. Application No. A/YL-NTM/432 for proposed temporary transitional housing development and ancillary facilities for a period of 3 years with filling of pond and excavation of land was approved with conditions on a temporary basis by the RNTPC on 14.1.2022 mainly on the considerations that the proposed development was in line with the planning intention of the “R(D)” zone; the proposed development was in line with the Government policy in increasing the supply of transitional housing for meeting the short-term needs of people waiting for public housing; the proposed development was considered not incompatible with the surrounding area; and no significant adverse traffic, environment, ecological, sewerage, drainage, water supply, visual and landscape impact was anticipated.

4. THE DEVELOPMENT PROPOSAL

4.1 Proposed Development and Major Development Parameters

- 4.1.1 The proposed development is configured as a low-rise and low-density residential development, which involves a 3-storey residential block comprising 5 flats, a basement carpark, landscaping areas, a swimming pool, a club house and a new public pedestrian access with seating area. The Master Layout Plan and perspective drawings illustrating the development scheme, floor plans and section drawings of the proposed development are shown in **Appendix I**.
- 4.1.2 The proposed development involves a site area of about 1,978m² (including Government land of about 580m²) with PR of not more than 0.24, total gross floor area (GFA) of about 473.3m² and BH and not more than 3 storeys (10.65m) (including 1-storey basement carpark). The major proposed development parameters of the proposed development are tabulated in **Table 1** below.
- 4.1.3 The current application serves to comply with the latest minimum unit size requirement of at least 26m² promulgated by the Government as from 2022 and respond to the imminent public call for larger living space. The proposed 3-storey residential block (including 1-storey basement carpark) would involve a total of 5 flats each with floor area ranging from 31m² to 120m². The floor-to-floor height of the proposed development would be 3.5m as complying with the requirements from Buildings Department Practice Note No. PNAP APP-5, Lands Department Lands Administration Office Practice Note No. 4/2014 and Joint Practice Note No. 5 in order to provide spacious living spaces and higher living quality for future occupants. The design of the residential units and internal layout are purposely designed for families with 5 special units provided at the north of the application site. The basement with a floor-to-floor height of 3.65m, created from excavation will offer 6 private car parking spaces (including 1 accessible car parking space), 1 motorcycle parking space and 1 light goods vehicle loading/unloading bay for the future occupants as well as a plant room in about 79 m² for the provision of water tank and pump room. Other ancillary facilities including transformer room and switch room are located at the northeast of the application site.
- 4.1.4 There will be about 968m² of landscaping area provided at the proposed development. Extensive planting of trees and other vegetations will be provided in the landscaping areas as well as along the boundary of the application site to provide visual amenity and for the enjoyment of future occupants. The periphery soft planted edge comprises tall roadside trees in association with a minimum 1.8m-tall fence wall for screening effect. A swimming pool will be provided in association with the club house in about 23m², serving the recreational needs of future occupants.
- 4.1.5 The proposed development will incorporate a setback along the periphery of the application site for the provision of a public footpath in not less than 1.5m in width (**Appendix I** refers). The setback area will be paved and designated as the new public pedestrian access to Chun Shin Road with a public sitting area at the north of the

application site.

- 4.1.6 The application site has an existing site level ranging from about 4.3mPD to 4.5mPD. Therefore, land filling work is proposed to be carried out at the application site of about 1.6m (**Figure 4** refers) in order to serve the proposed development in a “technically-feasible” manner. The proposed development involves excavation of land and filling of pond for a basement carpark (**Figure 5** refers). The proposed area and depth of excavation are about 580m² and about 2.1m respectively. Minor filling of pond is required at the southern part of the application site.

Table 1: Major Development Parameters of the Proposed Development

| Major Development Parameters of the Proposed Development | |
|---|--|
| Total Site Area (About) | 1,978m ² |
| Private Lots | 1,398m ² (71%) |
| Government Land | 580m ² (29%) |
| Total GFA (About) | 473.3m ² |
| PR | Not more than 0.24 |
| SC | 18.27% |
| BH | 3 storeys (10.65m) (including 3.65m basement carpark) |
| Number of Flats | 5 |
| Flat Size | 31m ² to 120m ² |
| Estimated Population | 14 |
| Floor-to-Floor Height | |
| - G/F and 1/F | 3.5m |
| - R/F | 3m |
| - Basement | 3.65m |
| Total Greenery Area (About) | 968m ² |
| Green Ratio | 48% |
| Height of Fence Wall | Not less than 1.8m |
| Excavation of Land | |
| Area (About) | 580m ² |
| Depth (About) | 2.1m |
| Filling of Pond | |
| Area (About) | 56m ² |
| Depth (About) | 1.8m |
| Parking Spaces | |
| - Private car | 6 (including 1 accessible car parking space) |
| - Motorcycle | 1 |
| - Light Goods Vehicle (LGV) Loading/ Unloading Bay | 1 |

A minimum flat size of about 31m² proposed under the current application will comply with the latest minimum unit size requirement of at least 26m² promulgated by the Government as from 2022.

4.2 Traffic Arrangement

- 4.2.1 The site adjoins Chun Shin Road to the north. The application site would be directly accessible via a newly proposed 6m-wide ingress/egress point connecting Chun Shin

Road. The proposal will also provide a basemen carpark comprising a total of 6 private car parking spaces (including 1 accessible car parking space), 1 motorcycle parking space and 1 light goods vehicle loading/unloading bay for the future occupants and visitors, which is in line with the parking requirement of the Hong Kong Planning Standards and Guidelines (HKPSG). All vehicular manoeuvring will be conducted within the site.

4.3 Landscape and Visual Considerations

4.3.1 Considering that the application site is surrounded by rural character with vacant land and abandoned fishponds to its immediate east, south and west; and there are similar uses including village houses and low-rise residential developments located to the north and east of the application site, the proposed low-rise and low-density residential development is deemed to be compatible with the surrounding land uses.

4.3.2 The proposed development constitutes a total greenery area of about 968m² and a greenery ratio of 48%, which is more than the required 20% greenery requirement set out in PNAP APP-152 – Sustainable Building Design Guidelines. In order to further integrate the proposed development with its surroundings, landscaping areas are provided within the application site in association with soft planted edge at the periphery to provide visual amenity. The periphery soft planted edge comprises tall roadside trees in association with a minimum 1.8m-tall fence wall for screening effect.

4.4 Provision of Drainage and Sewerage Facilities

4.4.1 Surface run-off can be collected through the existing channels adjacent to the northern boundary of the application site to the local nullah. Considering the existence of drainage facilities within the application site, significant adverse drainage impact is not anticipated. If required and considered essential, the Applicant will submit a drainage proposal and further implement additional drainage facilities to the satisfaction of Drainage Services Department or the Board by way of compliance of approval condition(s).

4.4.2 The proposed low-rise and low-density development involves only a 3-storey residential block (including 1-storey basement carpark) comprising 5 flats with an estimated population of 14 people. It is therefore considered to be small-scale in nature and no significant sewerage impact would be induced. If required and considered essential, the Applicant will submit a sewerage proposal and further implement additional sewerage facilities to the satisfaction of Water Supplies Department and Environmental Protection Department or the Board by way of compliance of approval condition(s).

5. PLANNING JUSTIFICATIONS

5.1 In Accordance with Policy Direction to Increase the Housing Supply

5.1.1 According to the territorial planning strategy "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" ("HK2030+"), 'enhancing liveability in a compact high-density city' is one of the building blocks in support of the strategic directions including creating development capacity to enable a decent level of living and wide housing choices for an equitable and inclusive city. In view of the focus in high-standard housing provision, the proposed development with a minimum flat size of about 31m² and floor-to-floor height of 3.5m will comply with the latest minimum unit size requirement of at least 26m² promulgated by the Government as from 2022 and respond to the imminent public call for larger living space. The proposed development strives to offer a desirable living environment for future occupants with a view to enhance the quality and quantity of housing supply.

5.1.2 The 2021 Policy Address also suggested that 'the consolidation of the Northern Metropolis and its expansion in terms of development capacity will be driven by a transportation system with railways as its backbone'. In particular, the proposed Ngau Tam Mei station along Northern Link (NOL) will be in close proximity to the Site and will be highly accessible for future occupants. Meanwhile, upon completion of the ongoing Ngau Tam Mei Land Use Review Study, the development potential in the area will be unleashed with an expected increase in number of housing sites in the future. In consideration of the above, the current application offers an opportunity to unleash the development potential of scarce land resources for residential development and contribute to the supply of high-quality housing, as well as to promote public transport usage at the future Ngau Tam Mei station. The proposed development is not only in line with the latest Government's policy direction, but it also provides a feasible scheme to integrate with the future land use planning at Ngau Tam Mei.

5.2 Fully In Line with the Planning Intentions of the "R(D)" Zone

5.2.1 The application site falls within an area zoned "R(D)" on the Current OZP of which the planning intention is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings as well as intending for low-rise, low-density residential development. In view of the fact that the proposed use is solely for low-rise and low-density residential development, it is considered to be fully in line with the planning intention of "R(D)" zone.

5.3 Being Compatible with the Surrounding Land Uses

5.3.1 The surroundings of the Application Site are predominately rural in character, comprising village houses, low-rise residential developments, vacant land and

abandoned fishponds. Having regard that the adjoining proposed temporary transitional housing development has a total PR of 1.3 and a BH of 4 storeys while other residential uses in the vicinity have a PR ranging from 0.2 to 0.4 and a BH of 2 to 3 storeys, the proposed **3-storey houses** with a PR of 0.24 would be fully compatible with the surrounding context.

- 5.3.2 The nature of the proposed residential development remains low-rise and low-density, which is the same as the approved scheme under the previous application. The proposed increase in PR and BH restriction should be considered minor in scale and the proposed development would be compatible with the neighbourhood and unlikely to result in any adverse visual impact on the surroundings.
- 5.3.3 An area to the further southwest of the application site is hard-paved and is currently being utilized for open storage. It is subject to a previously rejected planning application and shall be regarded as Unauthorized Development under the Ordinance.

5.4 Optimizing Land Resources in Meeting Community Needs

- 5.4.1 The application site and its immediate surrounding remain vacant since the gazette of the Current OZP in 2006. Considering the proposed development is compatible with the local geographical setting, the approval of current application would improve the existing rural environment, which is now predominately occupied by temporary non-domestic structures and abandoned land, and further to unleash the development potential of the under-utilised land resources for housing supply without causing insurmountable impact on the environment.
- 5.4.2 Comparing with the previously approved scheme under the previous application, the current proposal involves an increase in development intensity at the application site for the development of a **3-storey residential block (including 1-storey basement carpark)**. The proposed increase in site area with minor relaxation of PR and BH restriction as stated in **Section 1.2.2** would allow a higher practicability to essentially cater and facilitate the intensified proposed development for the sake of unleashing development potential of scarce land resources for residential development and responding to the community demand for housing supply. In this regard, the proposed amendments being sought are justifiable and deemed acceptable.
- 5.4.3 Furthermore, the adjoining portion of Government land currently falls within the R(D) zone is not feasible for R(D) development on its own and would hardly be able to reflect the planning intention due to size and site constrains. The inclusion of the additional portion of adjoining Government land in the Application Site would achieve public benefit in reducing management and control costs for unlawful occupation on unallocated and unleased Government land as well as to deliver additional domestic GFA generated from the Government land for the maximisation of housing provision. The 580m² of Government land in the application site would generate additional domestic GFA in about 139m² (about 29% of the total GFA) for an extra 2-3 flats at the proposed development. The inclusion of additional Government land under the proposed scheme would be conducted by the way of

land exchange exercise once the application is approved.

5.5 Planning and Design Merits

5.5.1 The current development proposal has adopted various planning and design features for the benefits of the future users of the proposed development and the wider community.

5.5.2 The proposed development will incorporate a setback along the periphery of the application site for the provision of a public footpath in not less than 1.5m in width (**Appendix I** refers). The setback area will be paved and designated as the new public pedestrian access to Chun Shin Road with a public sitting area at the north of the application site. The design would enhance local connectivity and accessibility especially for lots without direct public access to the local road network (i.e. Lots 2570 RP, 2571 RP, 2574, 2576, 2577, 2579, 2580 and 4140 RP in D.D. 104) as well as to further improve pedestrian safety and walking environment at the neighbourhood. The setback area will be designed, constructed, maintained and managed by the Applicant.

5.5.3 The Applicant intends to undertake extensive landscaping work at the application site in order to create a verdant and natural environment for the enjoyment of future occupants and for the enhancement of visual permeability. The proposed development constitutes a total greenery area of about 968m² and a green ratio of 48%, which is more than the required 20% greenery requirement set out in PNAP APP-152 – Sustainable Building Design Guidelines.

5.6 No Adverse Traffic, Landscape, Visual, Environmental, Drainage and Sewerage Impacts

5.6.1 In terms of traffic considerations, taking into account the fact that the proposed development is in relatively small-scale, and appropriate internal transport facilities will be provided in accordance with the standard as stipulated in the HKPSG (**Section 4.2** refers), it is anticipated that the application site would be able to cope with the traffic generated from the proposed development and would not cause any adverse traffic impacts to the surroundings.

5.6.2 In terms of landscape and visual considerations, the surroundings of the application site are predominately rural in character and similar uses including village houses and low-rise residential developments are found in the vicinity of the application site. In order to further integrate the proposed development with its surroundings, extensive planting of trees and other vegetations will be provided in the landscaping areas as well as along the boundary of the application site to provide visual amenity and for the enjoyment of future occupants. The periphery soft planted edge comprises tall roadside trees in association with a minimum 1.8m-tall fence wall for screening effect. In view of this, the proposed development is deemed to be compatible with the surrounding land use, character and scale, and no significant adverse landscape and visual impact arising from the proposed use is anticipated.

- 5.6.3 In terms of environmental considerations, considering that the application site is in immediate proximity to vacant land and abandon ponds, and there is no approved non-conforming industrial/open storage/tolerated use within 100m of the site boundary, environmental nuisance to future occupants is not anticipated. In response to the concerns regarding the possible noise impacts from San Tin Highway, the application site is proposed to be properly fenced with peripheral planting for visual screening and noise mitigation purpose. Therefore, no significant traffic noise impact would be induced to the proposed development.
- 5.6.4 In terms of drainage and sewerage considerations, since the proposed development is considered to be in small scale and drainage facilities have been adequately provided within the application site, it is anticipated that no adverse drainage and sewerage impact will be generated by the proposed development on the surroundings. The drainage and sewerage services proposals and facilities could be submitted and implemented to the satisfaction of relevant Government departments including Drainage Services Department, Water Services Department and Environmental Protection Department, if required, by way of compliance of approval conditions.

5.7 Not Setting an Undesirable Precedent

- 5.7.1 A previous planning application (No. YL-NTM/377) submitted by the same Applicant for the 'House' use and a similar application (No. A/YL-NTM/432) covering the same "R(D)" zone of the Current OZP for proposed temporary transitional housing development and ancillary facilities for a period of 3 years with filling of pond and excavation of land were approved/ approved on a temporary basis by the RNTPC in 2019 and 2021 on the considerations as detailed in **Section 3.2.1** and **3.3.1** respectively. Since the current application carries similar nature as the previous and similar applications involving low-rise, low-density residential development only, the considerations of the RNTPC for the previous and similar applications are applicable to the current application. Approval of the current application is in line with the previous decisions of the RNTPC and would not set an undesirable precedent to other similar applications.

6. CONCLUSION

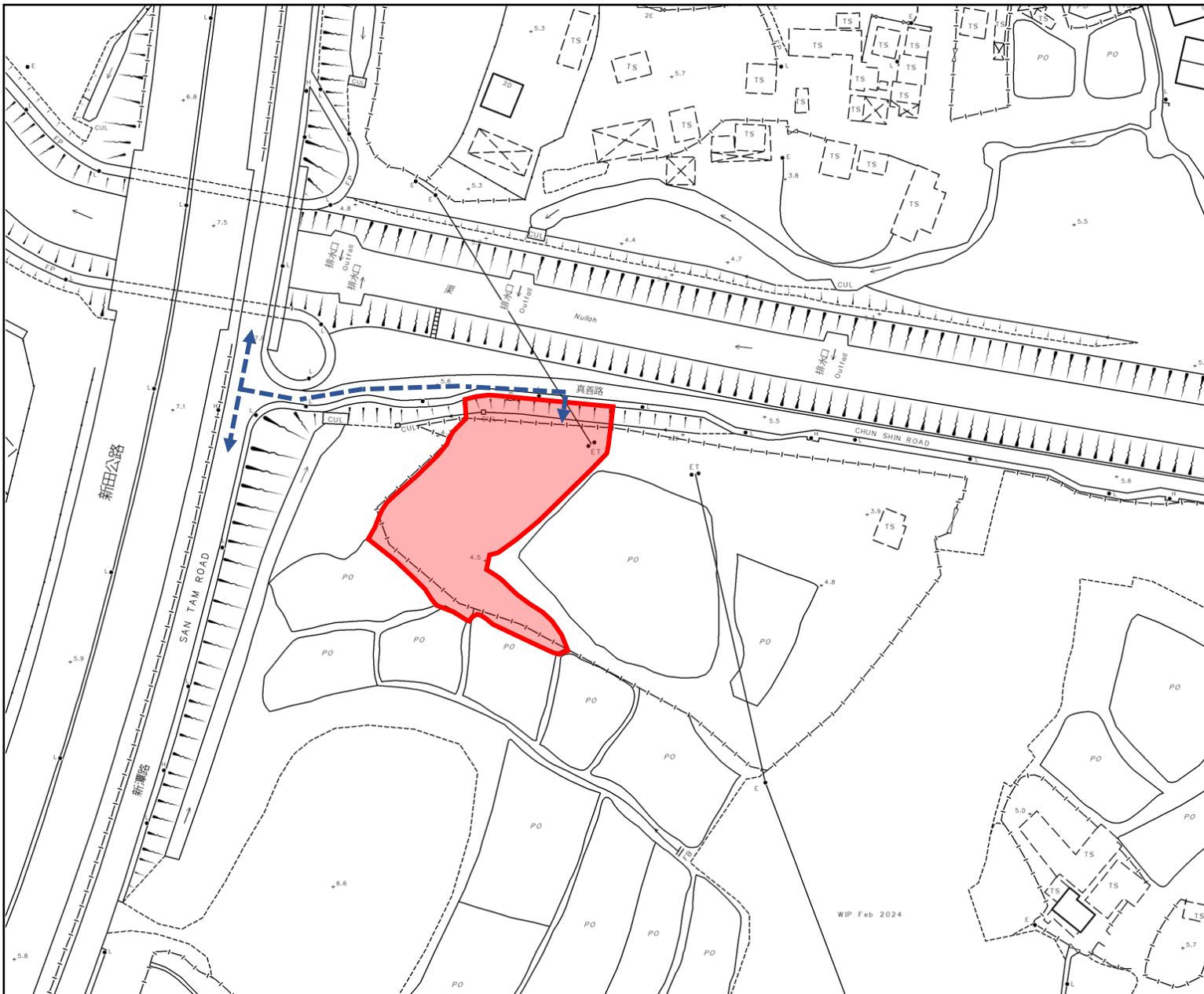
- 6.1.1 This Planning Statement is submitted to the Board in support of the current application to amend a previously approved scheme under planning application No. A/YL-NTM/377 approved by the RNTPC on 12.4.2019 for Proposed House at the application site. The application site has a total area of about 1,978m² (including Government land of about 580m²), which covers the site extent of the previous application with an additional portion of Government land. This Planning Statement serves to provide background information and planning justifications in support of the current application to facilitate consideration by the Board.
- 6.1.2 The current application seeks planning permission to amend the proposed use and the site area of the previously approved scheme under the previous application with minor relaxation of Plot Ratio (PR) and Building Height (BH) restriction. The current application is for the development of a **3-storey residential block (including 1-storey basement carpark)** comprising 5 flats with maximum PR of 0.24 and maximum BH in **3 storeys (10.65m)**. The proposed development involves excavation of land for a basement carpark (**3.65m**). The proposed area and depth of excavation are about 580m² and about 2.1m respectively.
- 6.1.3 The application site currently falls completely within an area zoned “Residential (Group D)” (“R(D)”) on the Current OZP. According to the Notes of the Current OZP, ‘Flat’ within the “R(D)” zone, filling of pond or excavation of land require planning permission from the Board, and minor relaxation of PR and BH restriction may be considered by the Board on application under section 16 of the Ordinance. In this connection, the current application is herewith made to the Board for consideration. As detailed in the Planning Statement, the proposed development is well justified on the grounds that:
- (a) The proposed development is fully in line with the Government’s latest policy direction to strategically increase high-quality housing supply, especially along future railway projects. The proposed development will respond to the public call for larger living spaces through complying with the latest requirement of minimum unit size promulgated by the Government;
 - (b) The proposed use is solely for low-rise and low-density residential development and is considered to be fully in line with the planning intention of “R(D)” zone;
 - (c) The application site is situated in an area which is predominantly rural in character with village houses, low-rise residential developments, vacant land and abandoned fishponds. The proposed development under the current application would remain as a low-rise and low-density residential development, which is considered compatible with the surrounding environment in terms of land use, character and scale;
 - (d) The proposed development would facilitate the phasing-out of non-conforming uses to improve the overall local environment. It would also unleash development potential of scarce land resources for residential development and respond to the community demand for housing supply without causing

- insurmountable impact on the environment;
- (e) The design of the proposed development carries planning and design merits in enhancing pedestrian circulation and visual permeability of the surrounding areas;
 - (f) Taking into account that the proposed development is relatively small-scale, no significant adverse traffic, landscape, visual, environmental, drainage and sewerage impacts are anticipated; and
 - (g) The proposed development will not set an undesirable precedent considering that previous and similar applications in the “R(D)” zone of the Current OZP were approved by the Board.



6.1.4 In view of the above and the list of detailed planning justifications in this Planning Statement, the Board is respectfully requested to give favorable consideration to approve the current application for the proposed development.

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LEGEND:

-  The Application Site
-  Vehicular Access to/from the Application Site

(For Identification Only)

Project:
Section 16 Planning Application for Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

Title:
The Location Plan

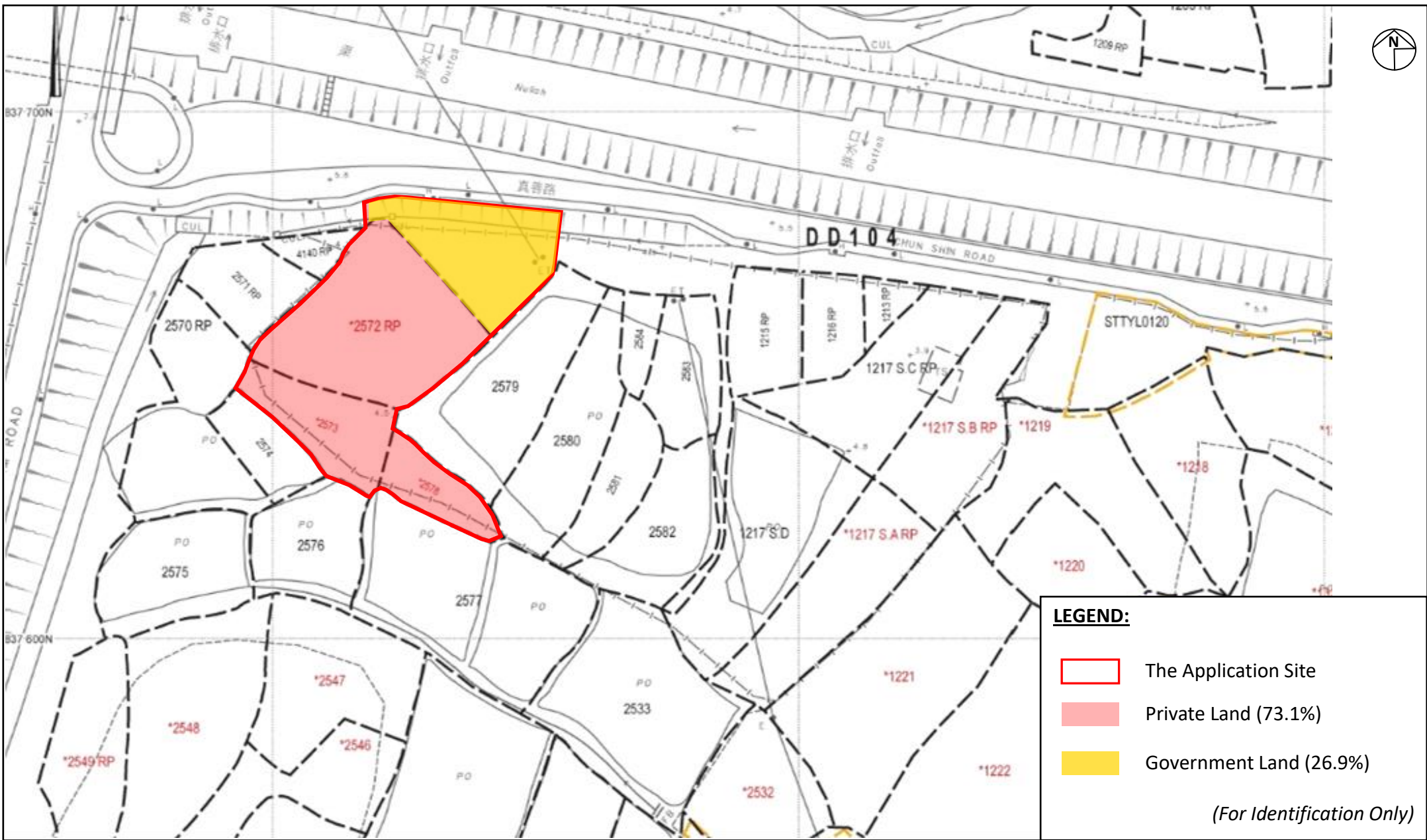
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Project:
 Section 16 Planning Application for Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

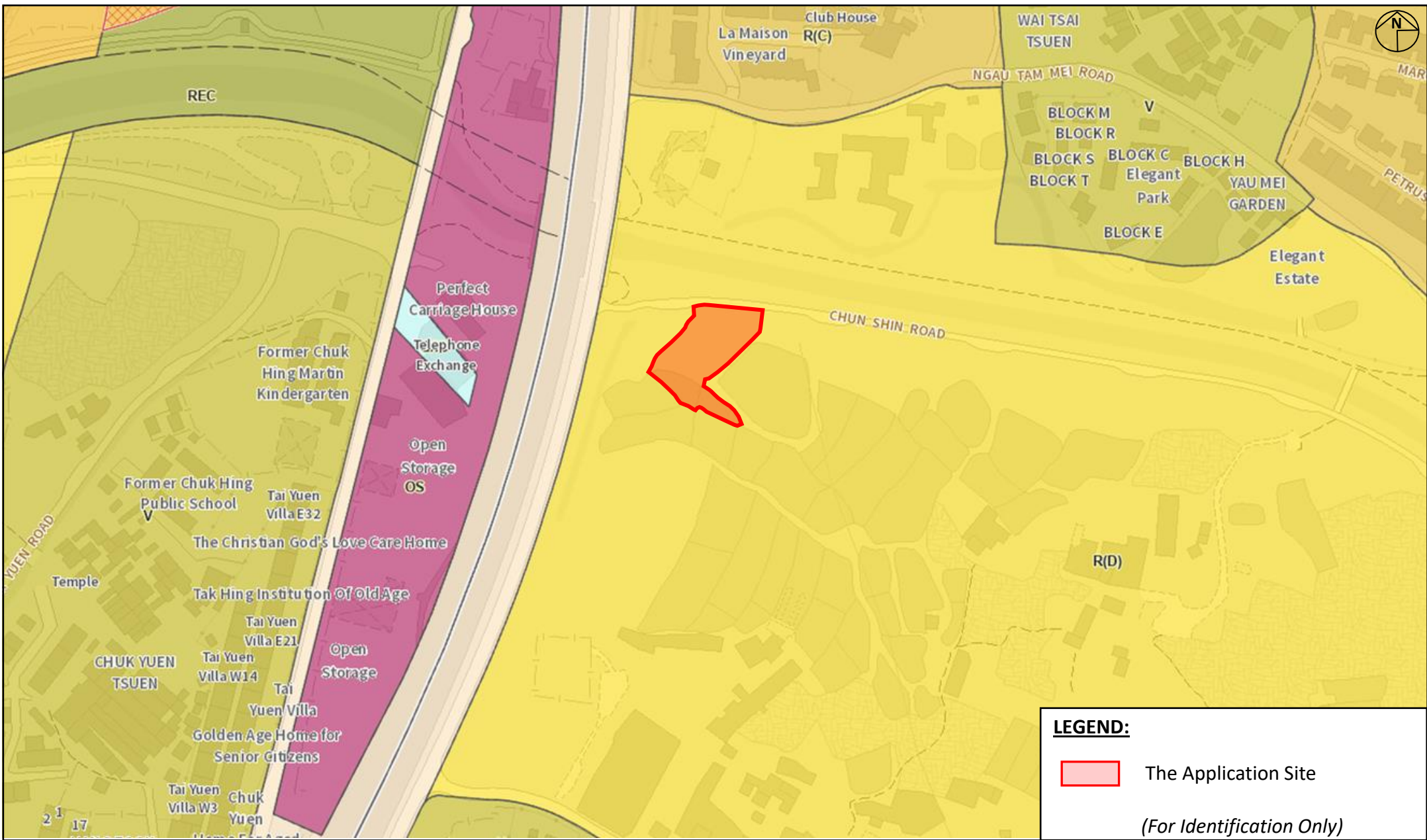
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 Extract of Lot Index Plan
 (No. ags_S00000129909_0001)

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 July 2024

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LEGEND:

The Application Site

(For Identification Only)

Project:
 Section 16 Planning Application for Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

Title:
 Extract of Draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13

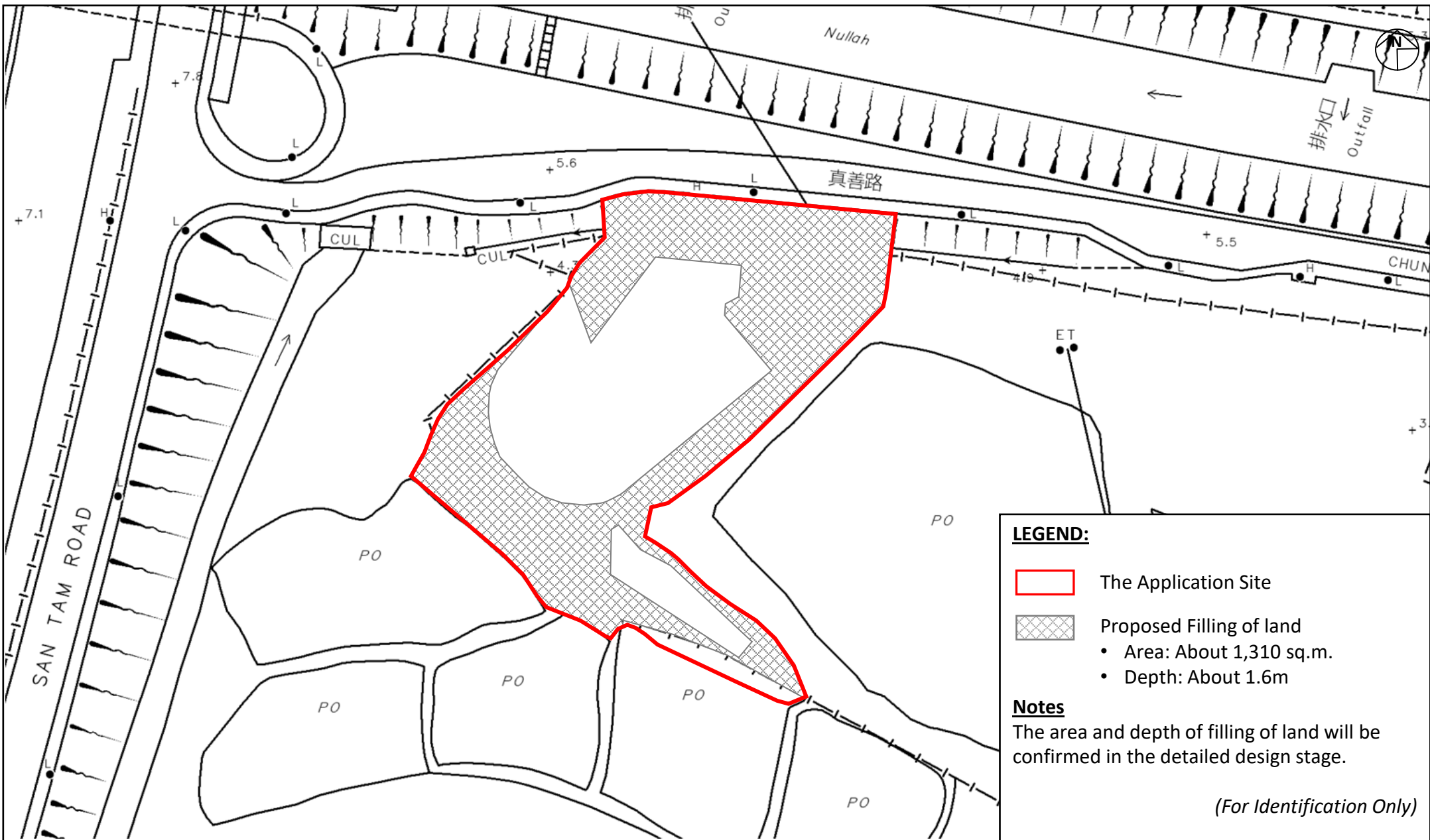
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LEGEND:

-  The Application Site
-  Proposed Filling of land
 - Area: About 1,310 sq.m.
 - Depth: About 1.6m

Notes

The area and depth of filling of land will be confirmed in the detailed design stage.

(For Identification Only)

Project:
 Section 16 Planning Application for Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

Title:
 Proposed Filling of Land

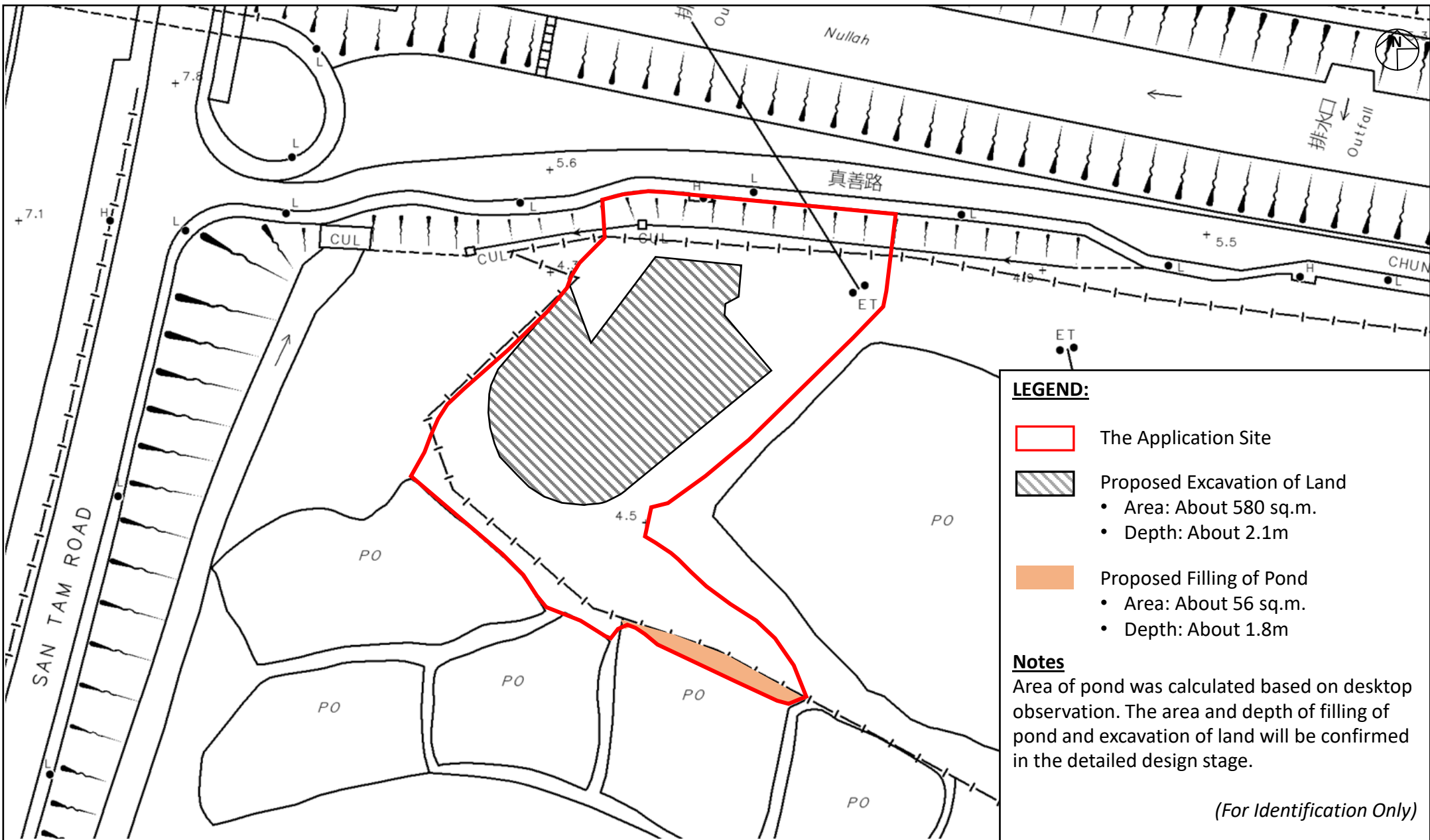
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Project:
 Section 16 Planning Application for Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

Title:
 Proposed Excavation of Land and Filling of Pond

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Project:
Section 16 Planning Application for Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

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Current Condition of Application Site

Illustration:
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Jul 2024

Ref.: ADCL/PLG-10298/R001/1001



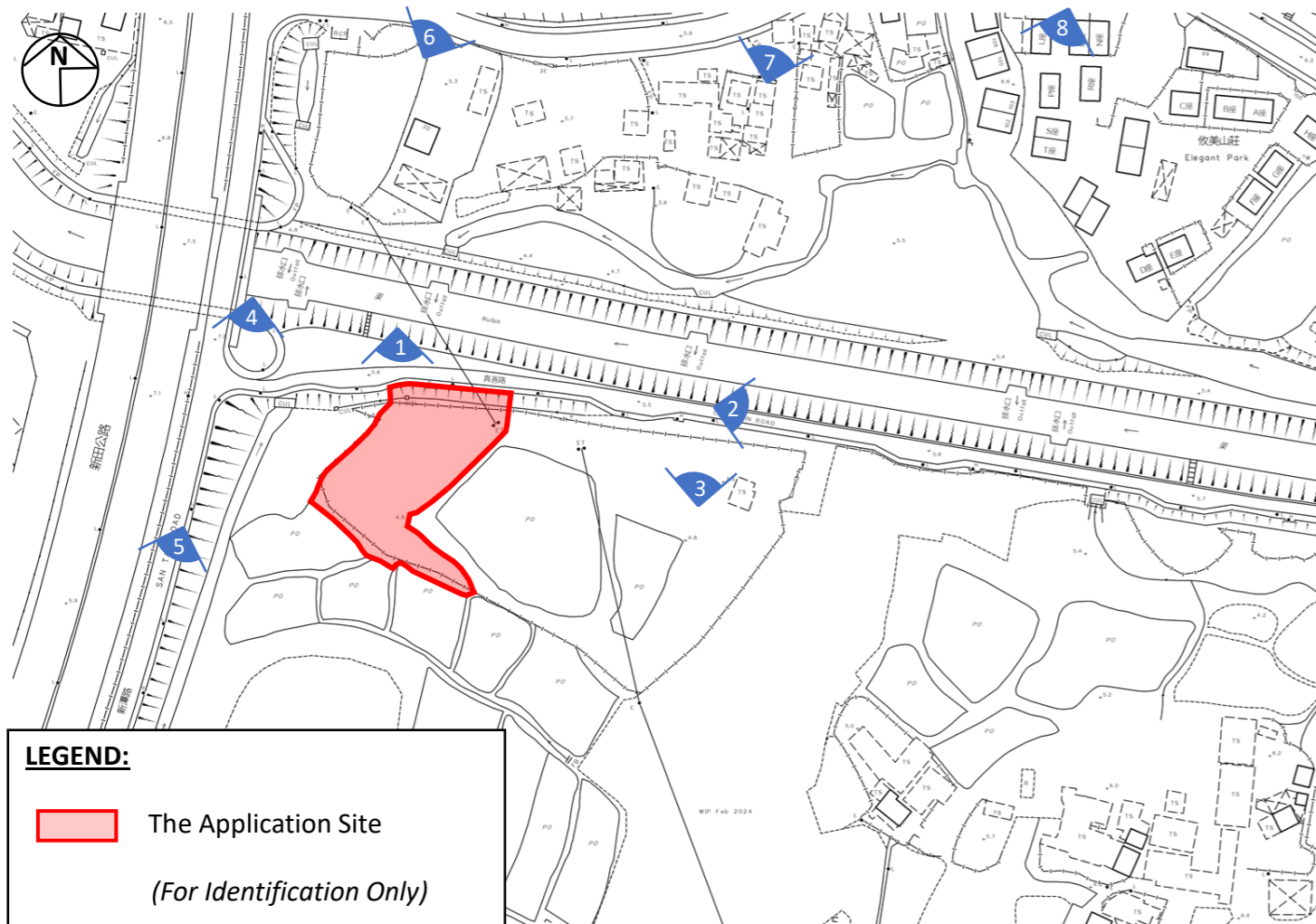


Photo 1 Surrounding Area



Photo 2 Chun Shin Road



Photo 3 Existing Nullah



Photo 4 San Tam Road

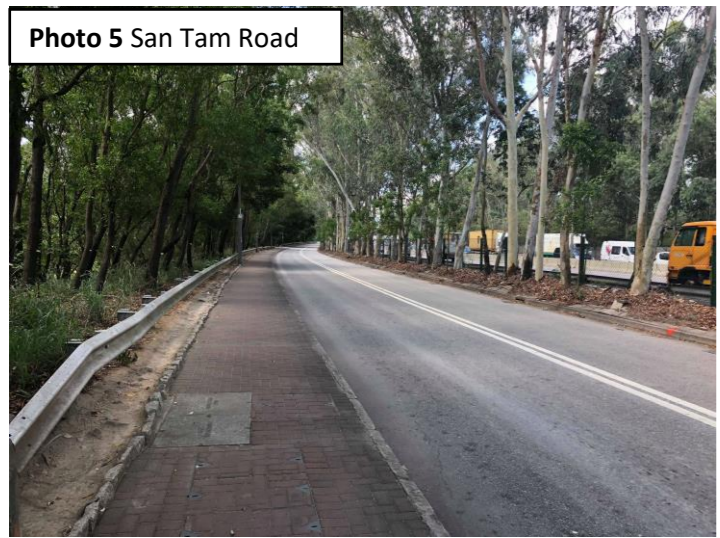


Photo 5 San Tam Road



Photo 6 La Maison Vineyard



Photo 7 Wal Tsai Tsuen



Photo 8 Residential Development along Ngau Tam Mei Road

Project:
Section 16 Planning Application for Proposed Minor Relaxation of Plot Ratio and Building Height Restriction for Proposed Flat and Filling of Pond and Excavation of Land at Lots 2572 RP, 2573 and 2578 in D.D. 104 and Adjoining Government Land, Ngau Tam Mei, Yuen Long, New Territories

Title:
Surrounding Land-use Characteristics of the Application Site

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Scale:
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Date:
Jul 2024

Ref.: ADCL/PLG-10298/R001/1002

