

# SUPPLEMENTARY PLANNING STATEMENT

DECEMBER 2024



**SUBMISSION OF APPLICATION FOR PERMISSION  
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE (CAP. 131)**

**TO REZONE THE APPLICATION SITE FROM "RESIDENTIAL (GROUP A)" TO  
"RESIDENTIAL (GROUP A)9" FOR PERMITTED FLAT WITH SHOP AND SERVICES AND  
SOCIAL WELFARE FACILITY (RESIDENTIAL CARE HOME FOR THE ELDERLY) USES  
AT LOT NO. 3678 IN D.D. 120, YUEN LONG, NEW TERRITORIES**

Applicant:  
**Full Year Limited**

Planning and Land Consultant:  
**DeSPACE (International) Limited**

Architect:  
**I Consultants & Contracting Company Limited**

Traffic Consultant:  
**CTA Consultants Limited**

Environmental Consultant:  
**BeeXergy Consulting Limited**

Structural and Geotechnical Engineer:  
**S. T. Wong & Partners Limited**

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## Executive Summary

The Applicant, the registered land owner of Lot No. 3678 in D.D. 120, Yuen Long, New Territories (the Site), now seeks permission from the Town Planning Board for proposed amendment to the Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/27 to rezone the application site from “Residential (Group A)” to “Residential (Group A)9” at Lot 3678 in D.D. 120, Yuen Long, New Territories with stipulation of relevant controls on development parameters for permitted flat with shop and services and social welfare facility (Residential Care Home(s) for the Elderly) (RCHE(s)) at the aforementioned site.

The non-domestic plot ratio of the proposed development exceeds the zoning restrictions under the OZP which requires an application to the Town Planning Board for a rezoning. The proposed building height of the whole building and the RCHE premises complies with the prevailing restrictions as stipulated in the OZP and the Residential Care Homes (Elderly Persons) Regulation respectively. The uses of flat, shop and services and social welfare facilities under the proposed scheme are always permitted in the “R(A)” zone.

Given Hong Kong’s ageing population and the community’s increasing demand for RCHE, the Government has in 2023 implemented the enhanced measure of the *Incentive Scheme to Encourage Provision of Residential Care Homes for the Elderly Premises in New Private Developments – Time-limited Enhancements (LandsD’s Practice Note Issue No. 5/2023)* to provide more incentives to encourage developers to build and operate RCHEs in private development projects. The enhanced incentive scheme provides for the exemption of eligible RCHE premises from the calculation of total permissible gross floor area under lease. Meanwhile, to respect the planning intention of the subject “R(A)” zone for high-density residential development, the Applicant intends to maximize the site development potential by providing flats. In response to the growing demand for RCHE and pursuant to the latest policy initiative, the Applicant intends to incorporate an RCHE(s) premises into the permitted residential development under a “single site, multiple use” principle in a manner as acceptable in planning and technical terms. Support from the Social Welfare Department (SWD) will be sought for the proposed RCHE(s) in accordance with the said Practice Note.

The proposed development uniquely bears multiple design merits, including:

- Proposed streetscape improvements;
- A full utilization of land resources under the “single site, multiple use” model; and
- Application of Sustainable Building Design Guidelines (SBDG).

# 行政摘要

(以英文版本為準)

申請人為新界元朗朗丈量約份第 120 約地段第 3678 號（擬議發展）的註冊土地的擁有人，現尋求城市規劃委員會（城委會）的批准，把申請地點由「住宅（甲類）」地帶改劃為「住宅（甲類）9」地帶並列明相關發展參數的規定，以作經常准許的屋宇、商店服務行業和社會福利設施（安老院舍）用途。

擬議發展的非住用地積比率超出了大綱圖上用途地帶所規定的上限，因而需要向城規會申請改劃。擬議發展的整體高度及安老院舍高度都分別附合現時大綱圖及安老院規例的標準。擬議屋宇、商店服務行業和社會福利設施（安老院舍）用途均屬於住宅(甲類)的經常准許的用途。

鑑於香港人口老化以及社會對安老院舍的需求日益增加，政府於 2023 年推展「鼓勵在新私人發展物業內提供安老院舍的計劃 - 優化措施」（地政處作業備考編號 5/2023）的優化措施，以鼓勵發展商於私人發展項目內興建安老院舍。是項優化措施容許豁免計算根據租契下允許的總建築面積。同時，申請人亦尊重住宅(甲類)地帶作高密度住宅發展的規劃意向，於申請地盤提供單位以發揮地盤的發展潛力。為迎合安老院舍日益增長的需求及配合最新的政策措施，申請人以「一地多用」的原則，在可接受的規劃及技術方面的程度上，將安老院舍納入許可的住宅發展項目中。擬議的安老院舍將按照上述作業指引尋求社會福利署的支持。

擬議發展計劃具有獨特設計優點，包括：

- 擬議街景優化；
- 充分利用土地資源推行「一地多用」模式；以及
- 符合可持續建築設計指引。

## SECTION ONE – INTRODUCTION

### 1.1 Project Background

This Planning Statement is prepared by DeSPACE (International) Limited acting on behalf of the Applicant, namely, Full Year Limited (hereinafter referred to as “the Applicant”), to submit a Section 12A Application to the Town Planning Board (“TPB”) for proposed amendment to the Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/27 (“the OZP”) to rezone the application site from “Residential (Group A)” to “Residential (Group A)9” at Lot 3678 in D.D. 120, Yuen Long, New Territories for permitted flat with shop and services and social welfare facility (Residential Care Home(s) for the Elderly) (RCHE(s)) .

Against the backdrop of fast ageing population in Hong Kong, the Government launched the “Incentive Scheme to Encourage Provision of Residential Care Homes for the Elderly Premises in New Private Developments” in 2003. The aim is to encourage the provision of quality RCHE(s) premises in new developments by exempting the GFA of eligible private RCHE(s) from premium payment. Recently in June 2023, the **“Incentive Scheme to Encourage Provision of Residential Care Homes for the Elderly Premises in New Private Developments – Time-limited Enhancements” (LandsD’s Practice Note Issue No. 5/2023)** (“Incentive Scheme”) was introduced to further raise the maximum GFA of RCHEs from 5,400 sq. m. to 12,000 sq. m. that can be exempted in each development project and exempt such GFA from the calculation of the total permissible GFA of the relevant projects. The Applicant will request the Social Welfare Department (“SWD”) to support the proposed RCHE(s) subject to compliance with all relevant statutory and licensing requirements and without implying any financial implications, both capital and recurrent costs by the Government.

Furthermore, the Government should maintain a stable housing supply to maintain a healthy property market, especially in the North West New Territories to cater for the expected increase in demand for quality living accommodations brought about by the new developments under the Northern Metropolis Development Strategy in the long run. The Applicant thus intends to respect the planning intention of the subject “R(A)” zone for high-density residential development and maintain the supply of flats on its site.

To align with these initiatives, the Applicant as the sole registered owner of the private lot intends to develop a comprehensive residential development at Lot No. 3678 in D.D. 120, Yuen Long, New Territories (hereafter referred to as “the Site”) (**Figure 1**). The Site falls within “R(A)” zone under the OZP. According to the Notes of the OZP, the proposed non-domestic plot ratio has exceeded the maximum non-domestic plot ratio under the “R(A)” zone, which requires planning permission from TPB. The current non-domestic plot ratio exceeds the plot ratio restriction by 6.03 (i.e. from 1.98 to 8.01) under the composite formula based on a domestic Plot Ratio of about 3.96 of the proposed scheme. Although the proposal aligns with the Government’s policy directions and has been justified to be technically feasible in the previous application no. A/YL/319, the extent of relaxation is beyond the scope of minor relaxation provided under Section 16 of the Town Planning Ordinance. The proposed building height (BH) is within the maximum BH of 30 storeys

excluding basement(s) for “R(A)”. The proposed “Shop and Services” use is always permitted under the OZP as it is within the lowest three floors of a building, including basements. The proposed flat and RCHE(s) are always permitted use regardless of which storeys they are situated.

## **1.2 Structure of Report**

Following this section, Section 2 gives a brief overview of the site context and history. Section 3 presents the planning context of the Site. Section 4 contains a full description of the proposed development scheme. Planning and technical justifications for the proposed development are elaborated in Section 5. Section 6 draws the concluding remarks and summarises the planning grounds for approval of the application.

## SECTION TWO – SITE CONTEXT AND HISTORY

### **2.1 Site Context and Surrounding Land Uses**

The Site is zoned as “R(A)” within the OZP. The Site has a total area of about 780 sq.m. It is observed with the following site characteristics (**Figure 1**):-

- i. The Site is currently a construction site surrounded by composite buildings. It was formerly the site of an old theatre with around 60 years of history which was closed in 2020 and demolished.
- ii. The Site is accessible from Yuen Long Pau Cheung Square in the east.
- iii. A minibus terminus is zoned as “Government, Institution or Community” (“G/IC”) zone and is located to the southwest of the Site and abuts Fook Tak Street and Sau Fu Street.
- iv. The Yuen Long Government Offices & Tai Kiu Market is located further west of the Site.
- v. The Pau Cheung Square Playground is zoned as “Open Space” (“O” zone) and is located at the southeast of the Site.
- vi. The Long Ping MTR Station is located further northwest of the Site and can be accessed within a 500m walkable distance.
- vii. The Tai Tong Road and Hong Lok Road Light Rail Stations are located further south and further southwest of the Site respectively and both can be accessed within a 500m walkable distance.
- viii. The high-rise private and public housing are both located further northwest of the Site (i.e. Long Ching Estate and Yuccie Square).

## 2.2 Land Status and Matters

The Applicant Site is solely owned by the Applicant. With reference to the latest land registry status, Lot no. 3678 in D.D. 120 (**Figure 2**) is held under New Grant 380-387 dated 4.7.1955 and GN 364 of 1934. The lot is restricted to non-industrial uses and a two-storey development. No car park provision is required under the New Grant.

It is noted that the Applicant will apply for the Incentive Scheme (**Appendix 1**) and the Lands Department (LandsD) may grant the following concessions (“collectively “the Concessions”):-

- i. Exempt one or more eligible RCHE(s) premises from payment of land premium in land transactions of lease modification, land exchange and private treaty grant for new private developments (excluding industrial developments)<sup>1</sup> (each “a Proposed Development”); and
- ii. Exempt eligible RCHE(s) premises<sup>2</sup> from the calculation of total permissible gross floor area under lease.

It is well-noted that in the event that the planning permission is given, it is required to apply to the LandsD to effect the proposed composite development and to facilitate the access to the Yuen Long Pau Cheung Square, subject to further liaison with the LandsD. The Applicant also like to seek a no-objection letter from LandsD during the land application stage.

## SECTION THREE – PLANNING CONTEXT

### 3.1 Statutory Planning Context

The Site is currently zoned as “R(A)” under the OZP. The proposed RCHE(s) falls under the “Social Welfare Facility” use in the town planning terms and in accordance with the Notes of the OZP regarding “R(A)” zone, “Social Welfare Facility” and “Flat” fall into Column 1 uses that are always permitted. “Shop and Services” is an always permitted use within the lowest three floors of a building, including basements.

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<sup>1</sup> Addition to or alteration or conversion of existing building(s) will not be considered as constituting a new private development.

<sup>2</sup> The eligible RCHE premises has to comply with the Town Planning Ordinance (Cap. 131) (“TPO”) and the Buildings Ordinance (Cap. 123) (“BO”), among others. Planning application under section 12A or section 16, as appropriate, of the TPO is required if the proposed RCHE is not always permitted and/or has resulted in exceedance of the maximum plot ratio/GFA/building height permissible under the Notes of the respective Outline Zoning Plan (“OZP”). The Town Planning Board will consider each application based on individual merits of the case. RCHE in private development is GF A accountable under the Building (Planning) Regulations. During the Pilot Period, the Building Authority is prepared to grant modification to permit a higher plot ratio/GF A to accommodate the additional GF A of the RCHE in the development site under the BO taking into account the Planning Department (“PlanD”)’s advice on the planning intention as well as whether the provisions and requirements under the OZP or planning approval have been complied with when processing the general building plans.



The planning intention for this zone is high-density residential development. More importantly, commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

According to the Notes of the OZP, for new development of a building that is partly domestic and partly non-domestic, the plot ratio for the domestic part of the building shall not exceed the product of the difference between the maximum non-domestic plot ratio of 9.5 and the actual non-domestic plot ratio proposed for the building and the maximum domestic plot ratio of 5 divided by the maximum non-domestic plot ratio of 9.5. The “R(A)” is subject to a maximum building height (BH) of 30 storeys excluding basement(s), which is not exceeded under the proposed scheme.

### **3.2 Non-Statutory Planning Context & Relevant Policy Objectives**

#### **3.2.1 Scheme to Encourage Provision of Residential Care Home for the Elderly Premises**

To encourage the private market to provide purpose-built RCHE places, the Government broke new ground a scheme in July 2003. This scheme aims to incentivize additional provision of RCHE premises in new private developments by granting concessions to eligible RCHE premises, exempting them from the payment of land premium in land transactions.

In the 2023-24 Budget, the Government has furthered this policy initiative by increasing the eligibility criteria of private RCHEs’ maximum total GFA to 12,000 sq. m. for exemptions from premium payment for each development project. Notably, this exempted GFA under lease, which may have resulted in exceedance of the maximum plot ratio/ GFA permissible under the Notes of the respective OZP, requires planning application under section 12A or section 16 as appropriate.

Beyond a shadow of doubt, the Government is making its endeavour to encourage private developers to construct residential care homes for the elderly in private development projects. It is crystal clear that the Government has a policy to support private developers to leverage their market forces to develop more quality RCHE premises and meet community’s diverse demand for RCHE. The Incentive Scheme has been well discussed in the community. Legislative Council members raised the following concerns in the Panel Meeting for Welfare Services held on 12<sup>th</sup> June 2023<sup>3</sup>:

- i. The completion time, locations and capacity of the RCHEs constructed under the Scheme need to be monitored.
- ii. The slow progress for the implementation of the enhanced measures should be avoided. In response, the Development Bureau added that relevant Government departments including the Buildings Department (BD), the Lands Department (LandsD) and the Planning Department (PlanD) and would implement

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<sup>3</sup> Source: LC Paper No. CB(2)729/2023  
<https://www.legco.gov.hk/yr2023/english/panels/ws/minutes/ws20230612.pdf>

streamlined administrative procedures in tandem, wherever possible to facilitate applications and expedite process.

These enhanced measures were introduced through Practice Note No. 5/2023 by the Lands Department. The Proposed Development will comply with the detailed eligibility criteria and the General Guidelines on Calculation of GFA for RCHE(s) Premises as set out in the Practice Notes Issue No. 5/2023.

### 3.2.2 Surging Demand for RCHE in Hong Kong

It is not in question that Hong Kong has been encountering soaring demand for RCHE supply. It was emphasized in the reply from the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council on 22<sup>nd</sup> March 2023 that:

*“...a continued rise in the number of elderly persons will increase the demand for various elderly and healthcare services. To this end, the Government will continue to improve elderly services with due emphasis on both quality and quantity, follow through with the policy direction of promoting “ageing in place as the core, with institutional care as back-up”, and endeavour to provide diversified services to elderly persons in need.”*

According to “Elderly Services Programme Plan” completed by Working Group on Elderly Services Programme Plan Elderly Commission<sup>4</sup>, the projected service demand for residential care for elderly is expected to rise from 49,000 places in 2016 to about 68,000 places in 2046. Thus, there is a high demand for an increase in the amount of RCHEs. Let’s assume 250 places per RCHE, Hong Kong demands 10 – 12 new RCHEs per year.

Furthermore, as at 31<sup>st</sup> October 2023, there were a total of 17,069 applicants being waitlisted for various types of subsidised residential care services (“RCS”) for the elderly in the Central Waiting List for subsidised long term care services. The average waiting time for (i) subvented homes and contract homes and (ii) private homes participating in the Enhanced Bought Place Scheme (“EBPS”) are 22 and 3 months respectively. The overall waiting time for subsidised RCS for the elderly is 11 months.<sup>5</sup> It is evident that the supply of private RCHE places is also crucial to meet the acute demand.

### 3.2.3 Ageing Population at the District Level

With respect to the population profile of Yuen Long District stated in the Population and Household Statistics released by the Census and Districts Department on 3<sup>rd</sup> April 2023, the

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<sup>4</sup> Source: Working Group on Elderly Services Programme Plan of Elderly Commission  
[https://www.elderlycommission.gov.hk/en/download/library/ESPP\\_Final\\_Report\\_Eng.pdf](https://www.elderlycommission.gov.hk/en/download/library/ESPP_Final_Report_Eng.pdf)

<sup>5</sup>Source: Social Welfare Department as at 31<sup>st</sup> October 2023  
[https://www.swd.gov.hk/storage/asset/section/1022/en/CWL/LTC\\_statistics\\_HP-EN\(202310\).pdf](https://www.swd.gov.hk/storage/asset/section/1022/en/CWL/LTC_statistics_HP-EN(202310).pdf)

population in Yuen Long District was nearly 652,500 in 2022 whilst the population aged 65 or above accounted for about 15.9% (around 103,700 elders) of the district population<sup>6</sup>.

In addition, a sharp growth in Yuen Long's elderly population has been projected by the Planning Department, according to the Projection of Population Distribution, 2021-2029. The population aged over 65 or above in Yuen Long is estimated to have a drastic increase from 108,000 (16.6% of the district population of about 650,100) in 2019 to 169,400 (23.9% of the district population of about 708,200) in 2029. The median age is also projected to rise from 43 in 2019 to 46.6 in 2029.<sup>7</sup> The ageing problem is therefore a cloud on the horizon at the district level, sounding the alarm bell about the pressing demand for elderly services in the area. Fast ageing population is a cross to bear for the planning in Yuen Long and the crux of the matter is sufficient and timely supply of quality RCHes of various types and at convenient locations within the Yuen Long District.

#### 3.2.4 Government's On-going Strategy to Increase Flat Supply

Besides the ageing problem, housing demand is also a significant concern in Hong Kong. The Long Term Housing Strategy ("LTHS") was first released by the Transport and Housing Bureau on 16<sup>th</sup> December 2014 to address the structural issues pertaining to Hong Kong's housing problem. It is updated annually to make timely adjustments accordingly. According to the latest Annual Progress Report released in October 2023, the total housing supply target for the ten-year period from 2024-25 to 2033-34 is about 432,000 units, including public and private housing supply targets of 308,000 units and 132,000 units respectively. The public/private split for the supply of new housing units would be maintained at 70:30.

To ensure sustainable land supply beyond the next 10 years, the Northern Metropolis Development Strategy was announced by the Government in 2021, which would be the major source of housing supply in the period of 10 to 15 years after 2031-32. Not least, the Chief Executive also stated in the following in the 2022 Policy Address:

*"increase development intensity – We will make the best use of the land resources in the Northern Metropolis by adopting higher plot ratios. As a guideline, the maximum plot ratio for residential sites will be 6.5 (higher than that of 5 for earlier generations of new towns like Sha Tin), while that for commercial sites will be 9.5"*

### 3.3 Planning History

The Site involves one planning application (application no. A/YL/319) for the same proposal with the same set of scheme, development parameters and programme. The proposed scheme aligns with the Government's policy directions and has been justified to be technically feasible. The application was however rejected by the Town Planning Board on

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<sup>6</sup> Population and Household Statistics Analysed by District Council 2022, Census and Statistics Department

<sup>7</sup> Planning Department (Last revision date: 1 September 2023)

[https://www.pland.gov.hk/pland\\_en/resources/info\\_serv/statistic/wgpd21.html](https://www.pland.gov.hk/pland_en/resources/info_serv/statistic/wgpd21.html)

22.11.2024 since the extent of relaxation in non-domestic Plot Ratio cannot be regarded as “minor”, which is beyond the scope of minor relaxation provided under Section 16 of the Town Planning Ordinance. A Section 12A application is considered a more appropriate mechanism to facilitate the proposal while also adhering to the Incentive Scheme. Hence, the subject re-submission is only as a result of statutory procedures more than the nature of proposal.

### 3.4 Similar Planning Application(s)

As shown in Tables 1 to 2, the approved planning cases share similarities in terms of their composite uses. The circumstances surrounding these similar applications are largely applicable to the current application.

**Table 1 – Approved Planning Application for Composite Development in the Residential Zone of the Same OZP**

	Case No.	Zoning & Site Area	Applied Use	Planning Justification & Meeting Minutes
1	A/YL/304 (22/12/2023) (Approved with condition(s))  Address: 21-35 Wang Yip Street East, Tung Tau Industrial Area, Yuen Long, New Territories (Yuen Long Town Lot No. 362)	<u>Zoning</u> R(E)2  <u>Site Area</u> 7,271 sq. m.  <u>Plot Ratio</u> 6.22  <u>GFA for Social Welfare Facilities</u> <sup>8</sup> 422.1 sq. m.	Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Flat with Shop and Services/Eating Place and Social Welfare Facility Uses	<u>The proposed uses are generally in line with the planning intention</u> at the “R(E)2” zone and the applicant has proposed various environmental mitigation measures such as acoustic window, enhanced acoustic balcony, fixed glazing and noise barrier to address the environmental and I/R issues. The proposed development is considered <u>not incompatible</u> with the surrounding land uses.  Members agreed to include an additional advisory clause to request the applicant to improve the building layout and design of the proposed development for better air ventilation, in particular at the Keung Yip Street Rest Garden, during the detailed design stage.

<sup>8</sup> Social welfare facilities including Short Term Food Assistance Service Team and Home Care Services for Frail Elderly Persons (2-team size non-kitchen based)

**Table 2 – Approved Planning Applications for Minor Relaxation of Plot Ratio of the Composite Development in R(A) Zone of Different OZPs**

	Case No.	Zoning & Site Area	Applied Use	Planning Justification & Meeting Minutes
1	A/KTN/93 (23/9/2022)  Address: Various Lots in D.D. 95 and adjoining Government Land, Kwu Tung North, New Territories	<u>Zoning</u> R(A)1, R(A)2, R(A)3, R(B), GB and Area shown as 'Road'  <u>Site Area</u> 365,970 sq. m.  <u>Plot Ratio</u> 4.2 to 7.8	Proposed Minor Relaxation of Plot Ratio and/or Building Height Restrictions for Proposed/Permitted Public and Private Housing Developments, and Proposed Shop and Services and Eating Place within Public Housing Developments, and Proposed Public Transport Terminus, Shop and Services and Eating Place within a Private Housing Development	With regard to the basis for the respective increase in PR of 20% and 30% for private housing and public housing sites and the scope to further increase the intensity of the private housing sites in the NDA, <u>the proposed intensification was based on the policy directives promulgated in 2014 and 2018, and was also justified in considerations of the site context and infrastructure capacity. As such, the overall townscape and neighbourhood environment of the NDA could be maintained by implementing some urban design concepts such as stepped BH, key view corridors, terraced podiums and open space system.</u>  Members had no objection to the application and considered that a longer validity period of six years to cater for a longer development timeframe of the site as recommended by PlanD acceptable.
2	A/FLN/30 (23/9/2022)  Address: Various Lots in D.D. 51, D.D. 52, D.D. 83 and FSSTL and Adjoining Government Land, Fanling North, New Territories	<u>Zoning</u> R(A)1, R(A)2, R(A)3, R(A)4, R(B), R(C) and OU annotated Commercial/ Residential Development with Public Transport Interchange (2)  <u>Site Area</u> 257,904 sq. m.  <u>Plot Ratio</u> 2.4 to 7.8	Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Public and Private Housing Developments; and Proposed Social Welfare Facilities, Shop and Services and Eating Place within Public Housing Developments in Various Lots	With regard to the basis for the respective increase in PR of 20% and 30% for private housing and public housing sites and the scope to further increase the intensity of the private housing sites in the NDA, <u>the proposed intensification was based on the policy directives promulgated in 2014 and 2018, and was also justified in considerations of the site context and infrastructure capacity. As such, the overall townscape and neighbourhood environment of the NDA could be maintained by implementing some urban design concepts such as stepped BH, key view corridors, terraced podiums and open space system.</u>  Members had no objection to the application and considered that a longer validity period of six years to cater for a longer development timeframe of the

				site as recommended by PlanD acceptable.
3	A/KC/347 (20/11/2009) (Approved with condition(s))  Address: Lot No.445s.A remaining portion and No. 445s.A ss1, Kwai Chung, N.T.	<u>Zoning</u> R(A) and GIC  <u>Site Area</u> 14,500 sq. m.  <u>Plot Ratio</u> NA	Proposed minor relaxation of the non-domestic plot ratio restriction for permitted uses in Estate, Kwai Chung Town	The proposed uses of the application premises as a councillor’s office, storeroom for kindergarten and social welfare facility were always permitted under the “Residential (Group A)” zone, and were compatible with other uses on the podium deck comprising a councillor’s office, kindergarten, estate management office, mutual aid committee office, etc. Regarding the public comments, the applicant advised that the subject application would not affect the existing maintenance cost arrangement between Lai Yan Court and Wah Lai Estate.  Members had no question on the application.

In summary, the above-mentioned planning applications align with the planning intention of the “R(A)” zone, which is a residential development and non-residential uses on the lowest three floors. These cases demonstrated that the proposed composite development could effectively meet the local demand, especially for the bed spaces for the elderly. The proposed development is considered not incompatible with the surrounding development in terms of development scale, intensity, and land use nature. These justifications support the purpose of the proposed development. The proposed intensification is inspired by the prevailing policy directives to leverage market forces to increase RCHE bedspaces while maintaining high density residential flat supply in R(A) zones.

## SECTION FOUR – PROPOSED DEVELOPMENT

### 4.1 Development Objectives

In view of the demands for both residential care services for the elderly and housing supply, the Applicant has a good intention to convert the existing idle Site into a composite building providing flats, shop and services and RCHE(s).

The Government, in pursuit of the policy initiative in “2022 Policy Address” and the 2023-24 Budget, has launched the Incentive Scheme in 2023 (*LandsD’s Practice Note Issue No. 5/2023*) with a view to leveraging market forces to develop quality RCHE premises to meet the community’s diverse demand for residential care service places for the elderly. The Incentive Scheme permits the exemption of eligible RCHE premises from the calculation of total permissible GFA under lease. With such GFA exemption provided under the policy, the Applicant would like to echo with this policy by adding and sandwiching the proposed RCHE(s) premises between the residential and commercial portions of the building, to maximize the social gains under the “single site, multiple use” model and in a compatible manner in planning and technical terms.

In order to align with the Incentive Scheme for raising the maximum GFA of RCHE(s) in the Site and exempt such GFA from the calculation of the total permissible GFA of the proposed development, the proposed minor relaxation of non-domestic plot ratio is solely for RCHE(s). All the facilities provided for elderly at the proposed RCHE(s) portion are situated within the maximum height of not more than 24m above ground level (measuring vertically from the street level to the floor of the premises in which the RCHE(s) is or is to be situated), in compliance with the Code of Practice for Residential Care Homes (Elderly Persons) which are from 3/F to 7/F. On account of the long working hours of the nurses, care givers and other staffs for the proposed RCHE, supporting facilities for their convenient uses shall be provided, including a staff common/ rest room and kitchen, etc. These areas are restricted to staffs only as they will be situated at a height above the 24m restriction under the said code, which is from 8/F to 9/F. The proposed RCHE(s) portion has a site coverage of 85% as maximized under the B(P)R. It is expressly stated that the Applicant will apply for a modification to treat the proposed RCHE(s) use from domestic to non-domestic use in terms of site coverage, plot ratio and open space calculation during the building plan submission stage.

It is proposed to maximize the development potential on the Site to provide RCHE(s) to respond to the growing demand for RCHE and pursuant to the latest policy initiative, as well as to provide residential flats to align with the Planning Intention of “R(A)” zone and Government Policies.

## 4.2 Development Parameters

The layout plans and schematic section are presented in **Appendix 2**. The key development parameters of the development scheme are summarised in Table 4.1 below:

**Table 4.1: - Major Development Parameters (subject to further design)**

Site Area (about)	About 780 sq. m.
Total Gross Floor Area (GFA)	<b>Total GFA: about 9,333 sq. m.</b> <ul style="list-style-type: none"> <li>• Shop and Services: about 1,522 sq. m.</li> <li>• RCHE(s): about 4,723 sq. m.</li> <li>• Flats: about 3,088 sq. m.</li> </ul>
Permissible Plot Ratio (PR) under OZP (Based on Actual Permissible PR)	<b>Total PR: 5.94</b> <ul style="list-style-type: none"> <li>• Proposed domestic PR: about 3.96 (max. 5 under OZP notes)</li> <li>• Non-domestic PR: about 1.98</li> </ul>
Proposed PR	<b>Total: about 12</b> <ul style="list-style-type: none"> <li>• Domestic: about 3.96</li> <li>• Non-domestic: about 8.01 (PR for RCHE(s): 6.03 &amp; PR for Shops &amp; Services: 1.98)</li> </ul>
Site Coverage (about)	Not exceeding 85%
No. of Building Blocks	1
No. of Storeys	21 storeys and 2 basement floors
Building Height	Not more than 82.34mPD (Absolute Building Height=88.6m with 10m for the basement floors) <sup>[1]</sup> (NB: The mean street level at 3.74mPD)
Population Size for Flat Only	208 (NB: based on an average household size of 2.8)
Proposed Major Floor Use	<ul style="list-style-type: none"> <li>• B2/F to B1/F: Car Park</li> <li>• G/F: Shop and Services, RCHE(s) (Lobby and Lift) Car Park Entrance and Lay-by</li> <li>• 1/F: Shop and Services and RCHE(s) (lift)</li> <li>• 2/F: Shop and Services and RCHE(s) (lift)</li> <li>• 3/F to 7/F: Dormitory for RCHE(s)</li> <li>• 8/F to 9/F: Office and Back-of-House for RCHE(s)</li> <li>• 10/F to 19/F: Flats</li> <li>• 20/F: Clubhouse</li> </ul>
<b>Proposed RCHE</b>	
Total No. of Beds	160 to 220 <sup>[2]</sup> (NB: The current scheme proposes 170 RCHE beds)
<b>Proposed Flats</b>	
No. of Flats (about)	74
Average Unit Size (about)	40 sq. m.
<b>Provision of Internal Transport Facilities</b> <sup>[3]</sup>	
No. of Private Car Parking Spaces	22 (5 m x 2.5 m)
No. of Motorcycle Parking Spaces	3 (2 m x 1 m)
No. of Bicycle Parking Spaces	5
No. of Ambulance	1 (9 m x 3 m)
No. of Disabled Car Parking Spaces	2 (5 m x 3.5 m x 2.4 m (H))
No. of Loading & Unloading Bay	4 for LGV (7 m x 3.5 m)
No. of Car Lift	1

Notes:

[1] Machine rooms, air-conditioning units, water tanks, stair-hoods and similar roof-top structures may be erected or placed on the roof of the building so as to exceed the above number of storeys. Please be invited to note that the building height restriction of no more than 24m above the ground level is fully complied with the Cap. 459A in the proposed dormitory in RCHE(s) (i.e. 3/F to 7/F).

[2] SoA in Appendix 3: Provision of dormitory, dining/multi-purpose room, nursing station cum medical and sick/ isolation/ quiet room will be further adjusted in design and the actual provision may be further revised at the detailed design stage. It appears a potential for an interface of bedspaces.

[3] 2 parking spaces for private cars and 1 parking space for disabled persons for RCHE(s), 6 parking spaces for private car; 4 visitor car parking spaces, 1 car parking space for disabled person, 1 parking space for motorcycle and 5 bicycle spaces for flats; 10 parking spaces for private cars and 2 parking spaces for motorcycles for shop and services.



### 4.3 Proposed RCHE(s)

The proposed RCHE(s) is designated from 3/F to 9/F in the composite building to optimise the development potential according to the policy of the Incentive Scheme and in response to the pressing societal need for residential care service for the elderly across the territory. It is well-noted that the proposed RCHE(s) can be managed and operated by more than one licensed RCHE operator. The bed spaces shown in **Table 4.1** are only an indicative scheme for one operator.

The proposed RCHE(s) would duly comply with the licensing requirements as stipulated in the Residential Care Homes (Elderly Persons) Ordinance, Cap.459A, its subsidiary legislation and the Code of Practice of Residential Care Homes (Elderly Persons). It is well noted that all the dormitories provided for elderly will be situated at a height of not more than 24m above ground level, measuring vertically from the ground of the building to the floor of the premises. The floor spaces from 3/F to 7/F are designated for dormitory purpose which is situated at a height of 24m above the ground floor. Please refer to G/F Layout Plan in **Appendix 2 (Drawing No. GBP003)** for the Development Scheme.

The proposed office for RCHE(s) is on 8/F to 9/F of the composite building. The rationale and justification for having two floors for administration and management purposes:-

- i. To create more space for administration (better work environment would result in good performance and morale, as well as a stronger sense of belonging).
- ii. To create more space for the kitchen and laundry (staff can work in a more spacious environment).
- iii. To solve the problem of the lack of space for storage in most RCHEs and RCHDs (need lots of space for storage of masks, PPE, equipment, drugs, milk powder, diapers, medical equipment, furniture, etc.).
- iv. To provide decent changing space/ rest room for staff (most RCHEs basically have no space for such purpose).
- v. To create a dining space for staff (most RCHEs and RCHDs do not have proper space for staff to take meals).
- vi. To provide a larger and well-equipped conference room which can be also used for training purposes to enhance the quality service standards of our staff.
- vii. To provide more than one interview rooms to create better connections and communication with family members of our residents.

All kinds of necessary functions room will be provided with reference to the requirement of Schedule of Accommodation (“SoA”) for RCHE (**Appendix 3**), including bedrooms, soil utility room, pantry, toilet, end-life care room, isolation room, nursing station with medical consultation room, dining/ multi-purpose room, dumb waiter, reception, small activity room, interview/ meeting/ family room and rehabilitation room & store, etc.

#### 4.4 Proposed Flats

The proposed flats are allocated from 10/F to 19/F in the composite building to address the pressing demand for residential flats in Hong Kong. It offers a convenient and accessible lifestyle for the future residents as the Site is close proximity to the minibus terminus, Long Pin MTR Station and Tai Tong Road Light Rail Station. The clubhouse will be proposed on 20/F and exclusive for residents to use.

#### 4.5 Design Features/ Merits

As illustrated in the Proposed Development Scheme (**Table 4.1** refers), the design features/ merits can be summarised as follows:

i. Proposed Streetscape Improvements

Currently, both Fook Tak Street and Yuen Long Pau Cheung Square are covered in old concrete pavement and lacks proper attractiveness. As a planning gain, the Applicant proposes to take initiative to conduct streetscape enhancement works for both Yuen Long Pau Cheung Square and Fook Tak Street at the east and south respectively (**Appendix 2, Drawing No. GBP012**). The proposed pavement with a total area of about 205 sq. m., and a width of about 4.0m and 2.8m along Fook Tak Street and Yuen Long Pau Cheung Square respectively, will be polished and provided with lighting and canopy installations. The proposed upgrade of footpath pavement will be provided in accordance with the Highway Standard, subject to approval from the Highway Department. Furthermore, the proposed new benches will be provided further south of the paved area on Fook Tak Street to enhance comfort and convenience for the pedestrian, new bollards will be proposed along the paved area of Yuen Long Pau Cheung Square to ensure safety for the pedestrian. The proposed streetscape enhancements is expected to improve the pedestrian's accessibility, enjoyment, comfort, weather protection and safety as a whole. Feature paving will be included in the area.

The Applicant notes that the proposed streetscape improvements as located outside the application boundary and the streetscape enhancement works in **Drawing No. GBP012 of Appendix 2** is an indicative streetscape design only, the implementation and future maintenance of the proposal will be sought from relevant government parties/authorities after the planning stage.

ii. “Living Room of Breathing Fresh (「清新客廳」)” of an indoor quality system for RCHE(s)

Holding a genuine mission to provide quality elderly services for the future RCHE residents, the proposed development possesses a design merit of providing health and wellness activity areas with an air quality improvement and monitoring system on various dormitory levels. In detail, the subject design is comprised of (i) a fresh air purification system, (ii) a dehumidification system, (iii) an internal circulation cleaning system, (iv) an oxygenation system, and (v) Indoor Air Quality (“IAQ”) sensors. Such system will be designated within the multi-purpose areas on 3/F to 7/F. The special functions are as follows:

- a. Fresh air purification system – Fresh air is injected and heat exchange is performed at the same time to reduce the impact on the indoor temperature. Comfortable temperature is thus easier to be controlled for the enjoyment of the occupants.
- b. Dehumidification system – By controlling the indoor humidity within 50%, the thermal comfort could be improved.
- c. Internal circulation cleaning system – Air quality could be improved by continuously cleaning the indoor air.
- d. Oxygenation system – The oxygen content of the space is increased, making the occupants feel more energetic.
- e. IAQ sensors – The IAQ is monitored by a central control system to timely alter the loading or mode of various equipment to achieve the best air quality.

iii. Developing under the “Single Site, Multiple Use” Model

The Hong Kong Government has started implementing mixed development under the “single site, multiple use” model since the 2019 Policy Address and they will continue to adhere to this development concept in providing sports, recreational, cultural and social welfare facilities for the community. The Applicant would like to align with the above development policy by providing flats, retails and social welfare facility to enhance the flexibility in urban planning and development.

iv. Compliance of the Sustainable Building Design Guidelines (SBDG)

To enhance the quality and sustainability of built environment, the proposed development will comply with the SBDG in terms of building setback along Yuen Long Pau Cheung Square of more than 15% of the site area and 50% greening areas in the open space/ setback area (**Appendix 2 (Drawing No. GBP013)**).

#### **4.6 Proposed Specific Amendment to OZP**

Since the extent of proposed relaxation in non-domestic Plot Ratio cannot be regarded as “minor”, which is beyond the scope of minor relaxation provided under Section 16 of the Town Planning Ordinance as aforementioned, the original “R(A)” zone will not be able to accommodate the proposed development. To facilitate the proposal, the site is proposed to be covered by a new designated “R(A)9” zone with stipulation of relevant controls on development parameters. Attached please find the proposed amendments to the notes of the OZP highlighted in red. Based on the proposed scheme, a maximum domestic GFA of 3,088 m<sup>2</sup> is proposed to be stipulated, whereas a non-domestic GFA of 1,544 m<sup>2</sup> based on the permissible non-domestic Plot Ratio under the composite formula of the extant OZP and the maximum building height restrictions are proposed to be stipulated in accordance with the existing “R(A)” zone. In addition, a GFA of not less than 4,723 m<sup>2</sup> for Government, institution or community (GIC) (Residential Care Home(s) for the Elderly only) facilities shall be provided based on the proposed scheme.

### **SECTION FIVE – PLANNING AND TECHNICAL JUSTIFICATIONS**

#### **5.1 In Line with the Planning Intention and Government’s On-going Policy on a Stable Supply of Residential Flats**

The Site was formerly a 60-year old theatre and its development potential within an “R(A)” zone was far from being maximized. Respecting the planning intention of the subject “R(A)” zone for high-density residential development, the Applicant intends to maximize the site development potential by providing flats. Increasing the housing supply has all along been a highly prioritized policy of the Government, as with the latest Annual Progress Report of the LTHS. In Chief Executive’s Policy Address in 2023, it is put that sufficient supply of land and housing is the key to making Hong Kong a better place for living and working. “*Land and Housing as the Top Priority*” and “*Housing: Enhance Quantity, Speed, Efficiency and Quality*” have been emphasized.

However, due to the inflationary pressure, elevated interest rates and a high viability threshold of borrowing, many developers regardless of their scales have become much more cautious and inactive in their property development investments. There has been several unsuccessful tenders through Government’s land auctions in recent years, such as Tung Chung Area 57. This proposal is seen as a strong commitment of the Applicant aligning with the Government’s policy for a stable housing supply in Hong Kong which will contribute to meeting the private housing supply targets 132,000 units for the ten-year period from 2024-25 to 2033-34.

#### **5.2 Prevailing Policy Support for Elderly Care Services with GFA exemption**

The Government, in pursuit of the policy initiative in “2022 Policy Address” and the 2023-24 Budget, has launched the Incentive Scheme (*LandsD’s Practice Note Issue No. 5/2023*) with a view to leveraging market forces to develop quality RCHE premises to meet the community’s

diverse demand for residential care service places for the elderly. The Incentive Scheme permits the exemption of eligible RCHE premises from the calculation of total permissible GFA under lease. With such GFA exemption provided under the policy, the Applicant would like to echo with this policy by adding and sandwiching the proposed RCHE(s) premises between the residential and commercial portions of the building, to maximize the social gains under the “single site, multiple use” model and in a compatible manner in planning and technical terms.

The Applicant is committed to building and providing quality RCHE(s) to the satisfaction of SWD under the Incentive Scheme. The proposed composite building is suitable for the development of private RCHE(s) in terms of its suitable location and good transport accessibility. SWD is invited to note the commitment of the Applicant in the provision of quality RCHE(s) services throughout the various stages as follows: -

- i. The proposed RCHE(s) will comply with all relevant statutory and licensing requirements, without entailing/ implying any financial implications, both capital and recurrent by the Government.
- ii. The Proposed Development will comply with the detailed eligibility criteria and the General Guidelines on Calculation of GFA for RCHE(s) Premises as set out in the Incentive Scheme.
- iii. The Applicant is committed to working closely with SWD to vigorously ensure full compliance with the Incentive Scheme in meeting relevant performance standards in both quality and quantity.
- iv. Upon town planning approval and lease modification execution, the Applicant has strong financial capabilities to pay for the cost of constructing the RCHE(s) and to increase the supply of quality RCHE(s) places.
- v. The Applicant is committed to collaborating with an experienced RCHE operator to adopt high service quality standards.

### **5.3 Shortage of Quality Private RCHEs in Yuen Long**

As at 30 September 2023, there were 42 private RCHEs providing 3,047 capacity of non-subsidised private home places in Yuen Long.<sup>9 10</sup> According to the information from SWD, most of the private RCHEs in Yuen Long have been operated for years and are situated either in shopping arcades, ground floor shops or podium floors of residential developments or village houses with very limited common areas or greenery open space<sup>11</sup>. In essence, the majority of existing private RCHEs are ageing, and their built environments are dilapidated.

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<sup>9</sup> Source: Social Welfare Department (last revision date: 30 September 2023) [https://www.swd.gov.hk/storage/asset/section/1022/en/RCSS/Sept%202023/Number\\_of\\_Homes\\_Providing\\_Residential\\_Care\\_Services\\_for\\_the\\_Elderly\\_\(By\\_district\).pdf](https://www.swd.gov.hk/storage/asset/section/1022/en/RCSS/Sept%202023/Number_of_Homes_Providing_Residential_Care_Services_for_the_Elderly_(By_district).pdf)

<sup>10</sup> Source: Social Welfare Department (last revision date: 30 September 2023) [https://www.swd.gov.hk/storage/asset/section/1022/en/RCSS/Sept%202023/Capacity\\_of\\_Non-subsidised\\_Residential\\_Services\\_for\\_the\\_Elderly\(By\\_district\)\(30.9.2023\).pdf](https://www.swd.gov.hk/storage/asset/section/1022/en/RCSS/Sept%202023/Capacity_of_Non-subsidised_Residential_Services_for_the_Elderly(By_district)(30.9.2023).pdf)

<sup>11</sup> Source: Social Welfare Department as at 2023 [https://www.elderlyinfo.swd.gov.hk/en/search-result?sort by=field bi name en value&sort order=ASC&items per page=10&dt%5B0%5D=19&n%5B0%5D=25&n%5B1%5D=26](https://www.elderlyinfo.swd.gov.hk/en/search-result?sort%20by=field%20bi%20name%20en%20value&sort%20order=ASC&items%20per%20page=10&dt%5B0%5D=19&n%5B0%5D=25&n%5B1%5D=26)

Worse still, all these premises in the very beginning are not built to be used as residential care homes for the elderly. The structural design, the provision of natural ventilation and the natural lighting, etc. are far from ideal in facilitating the elderly to spend their lives comfortably and decently.

Furthermore, undertaking large-scale renovations proves challenging, if not an impossible mission due to the difficulty in relocating the live-in elderly residents. Consequently, they are left with no alternative but to reside in these ageing and low-quality homes. It is an undeniable reality that Yuen Long is currently experiencing a limited supply of quality private RCHEs, exacerbating the demand for modern and well-equipped elderly care facilities in the community.

#### **5.4 To improve the living standards of RCHE by increasing the area of floor space per resident**

The provision of elderly services, particularly in RCHEs in Hong Kong, has long been recognized as falling short of international standards, particularly concerning living space per person. This matter has been thoroughly examined and discussed within the "Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes," advocating for an increase in the minimum area per resident for RCHEs from 6.5 sq. m. to 9.5 sq. m.. The proposed development for the composite commercial-cum-residential development, inclusive of RCHE facilities, can be designed to allow a larger area of floor space per RCHE resident, exceeding the 9.5 sq. m. standard. Based on the current scheme of 170 RCHE beds, about 13.7 sq. m. can be allowed for each RCHE resident, subject to further design on the number of bedspaces (i.e. in a range of 160 to 220 beds). This approach aims to provide a living environment that aligns with international standards, ensuring a better quality of life for future RCHE residents. As shown in Appendix 2, the proposed development scheme can provide more than the required provision in the Schedule of Accommodation ("SoA").

#### **5.5 Compliance with Surrounding Land Uses**

The proposed development, consisting of a composite building structure with flats, RCHE(s) and shop and services uses, is compatible with the surrounding areas, which are predominantly characterized by composite buildings comprising flats and retails. The development aligns fully with the planning intention of creating a high-density residential and commercial complex, with commercial uses planned for the lowest three floors of the building. Additionally, the Site is located in close proximity to two Residential Care Homes for the Elderly in Tai Hang Street - Hong Tak Institution of Old Age (康德護老院) and Kei Tak (Tai Hang) Home for the Aged (基德(泰衡)護老院) (Figure 1). This ensures compatibility with the surrounding land use, and the proposed inclusion of shops, services, and RCHEs will provide

support to local workers and the elderly population. Moreover, the construction of the proposed flats is expected to address the pressing housing demand in Yuen Long.

#### **5.6 Proposed Building Height is Compatible with the Surrounding Area**

The proposed development suggests a building height of 21 storeys and 2 basement floors, which does not exceed the maximum BH of 30 storeys excluding basement(s) in “R(A)” under the OZP. The proposed minor relaxation of non-domestic plot ratio will not significantly impact the visual context. Furthermore, the proposed building height is compatible with the surrounding residential development, such as the Long Ching Estate (2 blocks in 18 storeys and 29 storeys) and Yuccie Square (4 blocks with 30 storeys each) at further northwest. This indicates the proposed development is considered compatible with the surrounding developments in terms of the building height and visual impact.

#### **5.7 Proposed Development is In-line with the Planning Intention of “Residential (Group A)” Zoning**

The proposed development is located in area zoned “R(A)” with the planning intention of “primarily for high-density residential development”. The proposed development of the Site will continue to be in-line with the planning intention of the “R(A)” zoning.

#### **5.8 No Adverse Traffic Impact**

The Site has good accessibility with numerous road-based public transport services provided in the vicinity. Sufficient car parking spaces to meet the operational needs of the RCHE(s). Besides, for the flats and shop and services, it complies with the transport provision under the HKPSG requirement and will provide within the Site.

In support of the previous Section 16 planning application (A/YL/319), a Traffic Impact Assessment (TIA) has been conducted and confirmed the technical feasibility of the proposed development in traffic aspects. Insurmountable adverse traffic impacts are not anticipated and the Commissioner for Transport (C for T) has no adverse comment from traffic engineering perspective. A Traffic Statement is submitted to reaffirm that the assessment results and mitigation measures identified in the previous TIA are also applicable to the current S.12A application. Therefore, it is evaluated that insurmountable adverse traffic impacts are also not anticipated for the current S.12A application. The same TIA Report is attached (**Appendix 4**).

## **5.9 No Adverse Visual Impact**

In support of the previous Section 16 planning application (A/YL/319), photomontages were submitted (**Appendix 8**). Insurmountable adverse visual impacts are not anticipated and the Chief Town Planner/Urban Design and Landscape, Planning Department has no adverse comment on the proposal. It states that the proposed development with a BH of not more than 82.34mPD is considered not incompatible with the surrounding context. Besides, various design measures, including building setback, vertical greening on 1/F to 2/F and a stepped BH design towards Yuen Long Pau Cheung Square, are proposed to mitigate the potential visual impact of the proposed development and to enhance visual interest and permeability. With the same proposed scheme, it is evaluated that insurmountable adverse traffic impacts are also not anticipated for the current S.12A application.

The Application Site is situated in an urban setting, characterized by medium-rise composite buildings for residential and retail uses, such as the Fook Loi Building (about 5 storeys) and Koon Wong Mansion (about 17 storeys) at the north of the Site. The Pau Cheung Square Playground and the minibus terminus are located at the southeast and southwest respectively. There are high residential developments further northwest of the Site, namely Long Ching Estate (2 blocks in 18 storeys and 29 storeys) and Yuccie Square (4 blocks with 30 storeys each).

The Applicant intends to develop a 21-storey composite building with 2 basement floors at the Site. It is noted that there is no building height restriction of maximum 30 storeys excluding basement(s) in the OZP. The proposed 21 storeys are considered to be compatible in terms of building height. The proposal is purposely designed to commensurate with urban character to tally with the surrounding medium to high buildings, and to provide enough bed spaces and residential flats to alleviate the pressing need for social welfare facilities and housing demand. With such design intention, the proposal has adopted several sensible design measures including a stepped building height profile at the east, which can avoid which can avoid a monotonous built environment. Furthermore, vertical greening will be proposed on the external wall of the building facing the Yuen Long Pau Cheung Square to align with the green open space in the Pau Cheung Square Playground in the southeast. These considerations contribute to providing a visual integration between the proposed development and nearby open spaces.

Hence, the proposed BH and landscape design of the proposed development are visually compatible with the existing environment. No significant adverse visual impact is anticipated from the proposed development.

## **5.10 No Adverse Environmental Impact**

In support of the previous Section 16 planning application (A/YL/319), an Environmental Assessment has been conducted and confirmed the technical feasibility of the proposed development in the aspects of air quality, noise, water quality, waste management and land contamination impacts. With the incorporation of mitigation measures, significant adverse



environmental impacts are not anticipated and the Director of Environmental Protection (DEP) has no objection to the application from environmental planning perspective. An Environmental Statement is submitted to reaffirm that the assessment results and the mitigation measures identified in the approved Environmental Assessment Report are also applicable to the current S.12A application. Therefore, it is evaluated that insurmountable adverse environmental impacts are also not anticipated for the current S.12A application. The same Environmental Assessment Report with relevant wordings updated to “S.12A application” is attached. **(Appendix 5)** Relevant findings are recapped hereunder:

### Air Impact

During construction phase, the Proposed Development will involve relatively small-scale demolition, site formation, foundation and superstructure works which are expected to generate insignificant air quality impact to the surrounding area. Those impacts could be minimised by implementation of general mitigation measures for construction sites. Hence, no adverse impact on air quality to the surrounding area is envisaged.

During operation phase, air quality impact arising from the operation of carpark and kitchen within the Proposed Development is not expected. The carpark will be designed in accordance with ProPECC PN 2/96 and its exhaust outlets will be located away from the nearby air sensitive receivers as far as practicable. The exhaust outlet of the kitchen will also be located away from the nearby sensitive uses and the best practical control measures recommended in the Environmental Protection Department’s Guideline “Control of Oily Fume and Cooking Odour from Restaurants and Food Business” will be adopted to minimize the gaseous and odour emissions from kitchen operation. On the other hand, no chimney was identified within 200m area from the Project boundary. Also, the Proposed Development will be located away from the nearby major roads with sufficient buffer distance provided in between the Proposed Development and major roads nearby in accordance with the requirements stipulated in Chapter 9 of the HKPSG to ensure the users will not be subject to unsatisfactory air quality.

### Noise

During the construction phase, with the implementation of practical mitigation measures including good site management practices, use of quieter construction methods and equipment, and use of movable noise barriers and noise enclosures, construction noise impact to the surrounding area would be minimized.

During the operation phase, no adverse road traffic noise impact on the Proposed Development is predicted. Potential fixed noise sources within the Proposed Development shall be properly designed to meet the relevant noise criteria as stipulated in Chapter 9 of the HKPSG. Provisions shall be made to control the fixed noise sources by suitable at source noise control measures such as silencers and acoustic linings when necessary.

### Water Quality

During the construction phase, appropriate water pollution control measures (e.g. use of sedimentation tank and provision of chemical toilets) will be implemented on site to handle the construction site runoff and wastewater generated to prevent water pollution. Discharge license will be applied and followed by the Contractors. No adverse impact on water quality impact to the surrounding area is expected.

During the operation phase, proper drainage and sewerage systems will be designed and installed to connect with the existing public drains and sewers. Hence, site runoff and wastewater discharged from the site will be handled properly. No insurmountable water quality impact is anticipated.

### Waste Management

Construction and demolition (C&D) materials, general refuse and chemical waste are expected to be generated during construction phase while general refuse, chemical waste and clinical waste are expected to be generated during operation phase. The amount of the above-mentioned wastes are expected to be small. All wastes will be properly handled and recycled in accordance with relevant waste management regulations and guidelines. Practice of avoiding and minimizing waste generation and waste recycling will be adopted to be in line with Government's policy on waste minimisation. Hence, no adverse environmental impact due to waste management is envisaged.

#### **5.11 No Adverse Sewage Impact**

In support of the previous Section 16 planning application (A/YL/319), an Sewerage Impact Assessment (SIA) has been conducted and confirmed the technical feasibility of the proposed development in sewerage aspects. With the incorporation of mitigation measures, significant adverse environmental impacts are not anticipated and the Director of Environmental Protection (DEP) has no objection to the application from environmental planning perspective. An Sewerage Statement is submitted to reaffirm that the assessment results and the mitigation measures identified in the approved SIA Report are also applicable to the current S.12A application. Therefore, it is evaluated that insurmountable adverse sewerage impacts are also not anticipated for the current S.12A application. The same SIA Report with relevant wordings updated to "S.12A application" is attached. **(Appendix 6)** .

Sewage generated from the proposed development will be collected and conveyed by a manhole (i.e. FMH-G01, according to the approved drainage plan of the subject site (BD Reference No. 4/9020/21) connecting to the closet public sewerage system. A foul water terminal manhole FTMH-01 will be proposed at the Site to connect the public sewer manhole FMH-G01 as shown in the approved drainage plan. The proposed sewage pipeline from the subject site connecting to the public sewer will be installed within the Government

land along the outer boundary of Lot No. 3678. Adverse sewerage impact is not anticipated, and thus no upgrading or improvement works are required.

## SECTION SIX – CONCLUSION

The section 12A application is submitted to seek permission from TPB for proposed amendment to the Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/27 to rezone the application site from “Residential (Group A)” to “Residential (Group A)9” at Lot 3678 in D.D. 120. The subject Site was subject to one planning application (application no. A/YL/319) submitted with the same set of scheme, development parameters and programme. The proposed scheme aligns with the Government’s policy directions and has been justified to be technically feasible during the last submission. The application was however rejected by the Town Planning Board on 22.11.2024 since the extent of relaxation in non-domestic Plot Ratio is beyond the scope of minor relaxation provided under Section 16 of the Town Planning Ordinance, that a Section 12A application is considered a more appropriate mechanism to facilitate the same proposed scheme.

The proposed development would maintain the supply of residential flats and the proposed RCHE(s) would help meet the growing residential care service demand of the ageing population in Yuen Long as well as other districts echoing with the prevailing government policy support for elderly care services. It could also help to shorten the waiting time for quality RCHE places. The proposed development is fully justified on the following grounds: -

- A planning merit to provide residential flats to meet the pressing demand;
- A planning merit to provide more residential care services at territorial and district levels to meet the genuine need to shorten the waiting time for quality RCHE places;
- Various design features/ merits such as streetscape improvements to enhance the visual permeability in the vicinity;
- Developing under the “single site, multiple use” model to enhance the flexibility of urban planning and development;
- In compliance with SBDG;
- Not incompatible in terms of land use nature, development scale and intensity; and
- No anticipated adverse environment, sewerage, drainage, visual and traffic impacts.

The proposed development is fully justified in terms of planning, visual, environmental, sewerage, traffic and other aspects with various planning and design merits. In view of the above, members of the TPB are respectfully requested to favourably consider the present application in support of the additional residential flats and additional social welfare facility in the form of RCHE(s) by the Applicant in Hong Kong.