



元朗區議會主席

CHAIRMAN of YUEN LONG DISTRICT COUNCIL

Wilson, Ho Kit Shum, BBS, JP

沈豪傑
銅紫荊星章
太平紳士

致：元朗區議會秘書處

由：沈豪傑主席

事宜：請將議題列入 2022 年 12 月 20 日區議會大會議程

反對 YOHO Midtown 鄰近土地興建資助房屋

就城市規劃委員會申請(申請編號：A/YL/298)，指房協將會在 YOHO Midtown 鄰近土地興建一幢 40 層高綜合資助房屋物業，提供 720 個住宅單位。

近日收到 YOHO Midtown 居民就上述規劃申請召開業委會，並收到 1,773 名的居民基於區內交通擠塞、屏風效應及保育問題為理由，反對興建一幢 40 層高的資助房屋物業，並希望改為興建兩幢約 28 層高的資助房屋。

現要求城規會、房協及相關部門就上述事件作出回應，以及向 YOHO Midtown 的居民及公眾交代相關事宜。

附件：Yoho Midtown 業委會信件

YLDC Received on

- 2 DEC 2022

YOHO MIDTOWN 業主委員會

Owners' Committee of YOHO MIDTOWN

通訊地址：新界元朗元龍街九號 YOHO MIDTOWN 五樓平台服務處(近 M8 座後面)

Correspondence Address: Management Services Office, 5/F, Residential Podium (Behind Tower M8), YOHO MIDTOWN, 9 Yuen Lung Street, Yuen Long, N.T.

Ref : YMT/OC/L006/11/2022

Date : 26 November 2022

Mr. Shum Ho Kit, BBS, JP
Chairman of Yuen Long District Council
13/F., Yuen Long Government Offices,
No.2, Kiu Lok Square, Yuen Long,
N.T.

Dear Mr. Shum,

Re: Grounds of Objection to Planning Application No. A/YL/298

We are the Owners' Committee of YOHO Midtown and on behalf of the owners of YOHO Midtown, 9 Yuen Long Street, Yuen Long, New Territories ("YOHO Midtown"). In this regard, we would like to seek your kind assistance to reflect our opinion to Town Planning Board ("TPB"), so as to insist Hong Kong Housing Society to maintain the Original Plan of TWO 28-storey buildings.

We received the letter from Planning Department dated 8 November 2022 regarding the planning application no. A/YL/298 ("the Application"). We conducted the Owners' Committee meeting dated 10 November 2022 to discuss the mentioned planning application and it is concluded that we object to the mentioned planning application. Meanwhile, we have collected 1,773 nos. of signatures of Yoho Midtown residents during November 2022 that object to the mentioned planning application and attached herewith for your perusal (Appendix 1).

We would like to reiterate that we have no comment on the Proposed Subsidised Sales Flats ("SSF") Development with social welfare facility at the application site, which would be beneficial to the surrounding residents. Meanwhile, we only object the proposal submitted by Hong Kong Housing Society regarding the development of ONE 40-storey building, as it would greatly affect the surrounding developments. In this regard, we would like to seek the kind assistance of Town Planning Board ("TPB") to insist Hong Kong Housing Society to maintain the Original Plan of TWO 28-storey buildings, a copy of which is attached for your easy reference.

YLDC Received on

30 NOV 2022

Unless otherwise defined in this letter, capitalised terms used herein shall have the same meanings as those in the Application. Among other things, the Application proposes to relax the ratio restriction in order to maximise the density of the Proposed SSF Development on the following basis:

- (1) Proposed SSF Development is in line with the Government policy to increase public housing supply through intensifying the development density of public housing sites where technically feasible (“Ground 1”);
- (2) Proposed SSF Development is compatible with the surrounding development setting in terms of use, development density and building height (“Ground 2”);
- (3) Proposed SSF Development fosters harmonious integration with adjoining developments (“Ground 3”);
- (4) Proposed SSF Development provides additional planning gains as compared with the Phase III development under the Approved CDA Development (“Ground 4”);
- (5) Proposed SSF Development is technical feasible and will not impose insurmountable impacts to the surrounding from various technical aspects (“Ground 5”); and
- (6) Proposed SSF Development will not constitute any change to the planning intention and nature of the proposed development compared to the approved scheme (“Ground 6”).

For the reasons stated below, we submit that the Grounds 1-6 have little, if not none, merit:

(a) Response to Ground 1

We understand that the proposed plot ratio of the Proposed SSF Development in the Application is the maximum plot ratio of 6.5. While page 26 of the Chief Executive’s 2022 Policy Address dated 19 October 2022 states that “*as a guideline, the maximum plot ratio for residential sites will be 6.5*”, we are of the view that such guideline regarding the maximum plot ratio for residential sites should only be adopted after careful considerations with clear justifications.

In the Application, there is no justification for increasing the plot ratio to 6.5. Adopting the maximum plot ratio of 6.5, the number of residential flats expected is 720. This would represent a 61% increase in the number of flats as compared to the planning application no. A/YL/205 which was previously approved by the TPB in 2015 (i.e. two 28-storey buildings providing 448 flats) (“Original Plan”). We

are of the view that the proposed drastic increase failed to take into account as to the impact on the surrounding, including the congested traffic situation (which is already extremely severe) and worsen ventilation of the Yuen Long MTR station area, being one of the most busy areas in Yuen Long.

We therefore strongly urge the TPB to reject the proposed increase in plot ratio, and remain the plot ratio of 4.75 as stated in the Original Plan. We also respectfully request the TPB to furnish us a copy of the traffic impact assessment and visual impact assessment in relation to the Application submitted to TPB for our kind attention.

(b) Response to Ground 2

Ground 2 purported that the Proposed SSF Development is in line with the surrounding development setting in terms of use, development density and building height ("Ground 2"). However, we submit that the Proposed SSF Development, being located in the south-west of YOHO Midtown, will severely obstruct the main ventilation corridor for the whole Yuen Long MTR station area as well as the vicinity thereof. It follows that any references to the development density and building height of surrounding development are of little assistance.

According to the Original Plan, the two 28-storey buildings were to be built in the Application Site, which allowed a ventilation corridor to exist between them (albeit narrowed). However, in the Proposed SSF Development, a single building with a wide surface area facing the south-west will be built. This will not only completely obstruct the ventilation corridor and worsen the already serious air pollution problem caused by the heavy traffic in the Yuen Long MTR station area, posing an adverse impact on the health of the residents and road users in the Yuen Long district.

Given that the obstruction of ventilation corridor is against the public interest, we urge the TPB to reject the one-building proposal in the Proposed SSF Development and to maintain the Original Plan (two 28-storey buildings). We would also urge the TPB to reject any alternative proposal which would lead to a complete obstruction of the ventilation corridor.

(c) Response to Ground 3

We submit that the Proposed SSF Development, being a building for subsidized housing, fosters **no** harmonious integration with adjoining developments whatsoever. There is currently no subsidized housing in the adjacent development but luxury shopping mall surrounded by private residence. As such, it would be outrageous to claim that there is any harmonious integration with the surrounding. Moreover, given that Proposed SSF Development is a single building divided into 720 flats, while YOHO Midtown has 8 buildings divided into 1,890 flats (236.25 flats per building), the density of the Proposed SSF Development is 205% higher than YOHO Midtown, being the immediately adjacent

development, which is grossly out of proportion and is unreasonable in all aspects.

Objectively speaking, the Proposed SSF Development is clearly unharmonious with the adjacent development and the claim in the Application is baseless, unreasonable and merely subjective. We strongly urge the TPB to reject such an outrageous proposal.

(d) Response to Ground 4

It was asserted in the Application that the Proposed SSF Development provides additional gains. However, such assertion is baseless and superficial. We submit that the outrageously high density as a result of the proposed increase in the number of flats may cause additional losses as explained in our responses to Grounds 1-3 above, namely, the adverse impacts on traffic, air pollution and public interest.

We again urge the TPB to reject the Proposed SSF Development.

(e) Response to Ground 5

Even if the Proposed SSF Development is technically feasible as asserted in the Application, the claim that it will not impose insurmountable impacts to the surrounding from various technical aspects is not supported with any solid evidence. In fact, technical feasibility is just one of the many factors considered by the TPB. Again, as explained in our response to Ground 1 above, the totality must be carefully considered.

(f) Response to Ground 6

While Ground 6 asserted that the Proposed SSF Development will not constitute any change to the planning intention and nature of the proposed development compared to the approved scheme, we submit that the Proposed SSF Development has deviated from the planning intention and nature of the proposed development in the approved scheme given that it is against the public interest (as explained above).

Furthermore, the high density of the Proposed SSF Development creates an unfavourable living and working environment for the Yuen Long residents (especially those living in the vicinity of the Application Site) as well as the occupants of the Proposed SSF Development, which is against TBP's aim to promote "*the health, safety, convenience and general welfare of the community through the process of guiding and controlling the development and use of land, and to bring about a better organized, efficient and desirable place to live and work*".

For the reasons stated above, we strongly urge the TPB to reject the Application. Acknowledging the

importance and benefit of a well-planned subsidized housing, we urge the TPB to maintain the Original Plan (i.e two 28-storey buildings with a plot ratio of 4.75 to be built in the Application Site) as soon as possible.

In addition to our objection above made on the basis that the Application has no merit, we also cast doubt on the legality and procedural propriety of the Application. We noted that as stated in paragraph one of the section “*Executive Summary- Purpose of Submission*” of the Application, the Application is purportedly submitted to the TPB under section 16 of the Town Planning Ordinance. Given that the change to the maximum domestic plot ratio in the Application from that of the Original Plan is substantially increased (i.e. from 4.75 to 6.5) and thus rendering the Application radically different from the Original Plan. We are of the view that the proposed plot ratio of the intended development has, in contravention of the Outline Zoning Plan to which it is subject, exceeded the maximum allowed therein by almost 37% (i.e. $(6.5-4.75)/4.75$), which the Town Planning Board, being a statutory body having to use approved plans as standards for guidance in the exercise of its powers under Section 14 of the Town Planning Ordinance, has no jurisdiction to deal with and grant permission to under Section 16 of the said Ordinance. In this regard, we are of the view that the Application should instead be made under section 12 of the Town Planning Ordinance, being the appropriate section which allows the public to participate in the process of obtaining approval from the TPB in respect of the Application.

We also noted that there are some old and valuable trees situated in the land lot in the Application. We hope that TBP would make appropriate measures to conserve the trees and maintain a green community in the Yuen Long district.

We trust that the above clarifies our position in respect of the captioned matter.

Should you have any queries on the above, please feel free to contact Mr. Chung or Mr. Lun of Yoho Midtown Management Services Office staff at 2475 9669.



Priscilla Poon

Chairperson

Eleventh Owners' Committee of YOHO MIDTOWN

Encl. Appendix 1 – 1,773 nos. of signatures of Yoho Midtown residents that object to the planning application no. A/YL/298
(秘書處備註：附錄一所載附的1,773個由Yoho Midtown業主收集的住戶簽名因檔案內容太大而未有夾附在此文件中。)

cc. Ms. Ho Pui Ling, JP (Chairperson of Town Planning Board)

Mr. Chan Kar Lok, SBS, JP (Chairman of Hong Kong Housing Society)