

## **Appendix 2**

### **Replacement Pages of the Planning Statement**

### 3.2.6 Development Restrictions and Relevant Requirements related to RCHE

RCHE development shall comply with the followings:

- a) Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) (“the Ordinance”);
- b) Residential Care Homes (Elderly Persons) Regulation (Cap. 459A) (“the Regulation”); and
- c) Code of Practice for Residential Care Homes (Elderly Persons) (Revised Edition, March 2013) (“Code of Practice”).

### 3.2.7 Heritage Conservation

The government’s heritage conservation policy aims to strike a proper balance between respect for private property rights and heritage conservation, and offer appropriate economic incentives to encourage private owners to conserve and revitalize their historic buildings. A grading system for historic buildings has been put in place to provide an objective basis for determining the heritage value, hence the preservation need of individual historic buildings. The grading system is administrative in nature and does not affect the ownership management, usage and development rights of the buildings. Siu Lo is a Grade 3 historic building accorded by the Antiquities Advisory Board on 7.9.2017. By definition, Grade 3 historic buildings are “buildings of some merit; preservation in some form would be desirable and alternative means should be considered if preservation is not applicable”. **On the Second Approved Scheme (A/YL/289, it is generally agreed that the proposed conservation-cum-development proposal is commensurate with Siu Lo’s grading and heritage value. The heritage conservation strategy outlined in the current application remains largely unchanged from the Second Approved Scheme, except for minor amendments on the development scheme of the new RCHE building.**

In respecting private property rights, the Government is providing incentives to owners for historic building conservation. As officially released by the Secretary for Development<sup>8</sup>, LegCo<sup>9</sup> and AMO<sup>10</sup>, the Government recognises that appropriate economic incentives should be offered to encourage the private owners to conserve historic buildings in their ownership. Economic incentives to be offered could take the form of financial assistance, relaxation of plot ratio and/or site coverage and land exchange to facilitate private owners to carry out timely maintenance works and protect historic buildings, and to compensate for their loss in a ‘conservation-cum-development’ model.

### 3.3 Hypothetical Scenario of Purely 3-storey RCHE without Siu Lo

In the Second Planning Application, a hypothetical scenario was presented which involved total demolition of Siu Lo to prove that the total intended GFA of the RCHE of 5,400 m<sup>2</sup> can be accommodated within the prevailing BHR of 3 storeys under the OZP and need for planning applications for minor relaxation of BHR is merely arisen from the good intention to preserve Siu Lo in-situ as a whole. In this regards, AMO has expressed that such hypothetical scenario is not supported from heritage conservation perspective. As such, the need for minor relaxation of building height has been justified and such hypothetical scenario is no longer a relevant consideration in the current fresh planning application.

<sup>8</sup> Source: Government Press Release on January 27, 2016 - LCQ6: Policy Review on Conservation of Built Heritage <https://www.info.gov.hk/gia/general/201601/27/P201601270704.htm>

<sup>9</sup> Source: Updated background brief on heritage conservation initiatives : <https://www.legco.gov.hk/yr15->

The preservation of Siu Lo, including its main building and annex block, faces some planning and design challenges that

- a) the development of the RCHE building needs to be confined outside the northern portion of the site and
- b) the periphery of Siu Lo is better to be freed up for the public appreciation and free public visits with guided and self-guided tours.

With a good view to strike a balance with the RCHE development and preservation of Siu Lo, the government’s in-principle policy support for the following items has been sought for:

- a) Inclusion of some government land (about 144.8 sq.m) to allow building design flexibility to allow no building development to the east of Siu Lo;
- ~~b) Separate calculation of covered car park and internal road spaces for Siu Lo (to be rendered outside the 5,400 sq.m RCHE portion to comply with the Incentive Scheme);~~
- c) Relaxing building height for RCHE for conservation merits;
- d) Justifications for high headroom on G/F of RCHE in order to materialize the conservation-cum-development proposal and allow a vertical clearance for occasional maintenance of the pitch roof of Siu Lo Annex Block (para. 4.2 and 4.4.4 refers); and
- e) Resuming the original use of Siu Lo as “house”.

Hypothetically, given the site area at 1877.1 sqm and the extant statutory planning requirement of building height restriction at 3 storeys, the maximum GFA for any G/IC use(s) can reach a maximum GFA of 5631.3 sqm. With a good planning intention to preserve in-situ the existing Siu Lo as well as its Annex Block, we need to apply to increase the number of storeys to 6 to achieve a comparable GFA at 6,600 sq.m. In particular, we need to adopt an exceptional high ground floor height to 7.45m to allow sufficient maintenance clear height over the Annex Block area. **To this end, the Commission of Heritage Officer (CHO) is invited to grant a policy (or in-principle support) for the exceptional high ground floor clear height on the conservation ground.**

### 3.4 Planning History

The Site is the subject of 2 previous planning applications under Section 16 of the Town Planning Ordinance – (i) Application No. A/YL/256 for Proposed Conservation of Historic Building and Minor Relaxation of BHR from 3 storeys to 5 storeys for Permitted Social Welfare Facility (Residential Care Home for the Elderly) (i.e. the First Planning Application), which was approved with condition(s) by the Town Planning Board on 20.3.2020; and (ii) Application No. A/YL/289 Proposed Minor Relaxation of Building Height Restriction (BHR) for Permitted Social Welfare Facility (Residential Care Home for the Elderly) (RCHE) and Proposed House Use with Conservation Proposal (i.e. the Second Planning Application).

<16/english/panels/dev/papers/dev20160621cb1-1034-4-e.pdf>

<sup>10</sup> Source: Report on the Policy Review on Conservation of Built Heritage: [https://www.aab.gov.hk/form/AAB\\_Report\\_e.pdf](https://www.aab.gov.hk/form/AAB_Report_e.pdf)



First Approved Scheme (i.e. about 42% increase). Drawings overlaying the amended scheme on the Second Approved Scheme (A/YL/289) for illustration and comparison purposes are in [Appendix 2](#).

Most importantly, according to SWD's Code of Practice for Residential Care Homes (Elderly Persons), no part of an RCHE should be situated in the basement floor. In this regard, the [First Approved Scheme](#) is **just not a feasible design scheme that satisfies with the relevant licensing requirements**. Working as an RCHE operator for more than 30 years, the Applicant also considers that the [First Approved Scheme](#) has numerous drawbacks from users' perspectives in terms of the functional arrangements, spatial relationships and circulation, and some of which are not good for the elderly person's health. [The Second Approved Scheme](#) has rectified the drawbacks already and rendered the scheme largely in compliant with the relevant licensing requirements.

#### 4.4.3 Heritage Conservation Strategy

A conservation-cum-development scheme is proposed as the applicant intends to preserve the architectural and cultural merits of Siu Lo for the benefit of the general public. Siu Lo, including its main building and annex block, will be preserved entirely in-situ and will remain as a freestanding building. A Heritage Appraisal is submitted in support of the planning application. ([Appendix 3](#) refers)

Subject to further liaison with AMO at the post-planning approval stage, the conservation of Siu Lo comprises the following aspects ([Heritage Conservation Strategy in Appendix 1](#) refers):

- a) Siu Lo, including its main building and annex block, will be preserved entirely in-situ, remain as a freestanding building and be maintained and upkeep in sound condition. **With the exception that the later added bathroom next to the transitional space connecting the main and annex block would be removed;**
- b) Public views to the Siu Lo and its Annex Block from Tai Tong Road (the main road) would be maintained [unobstructed](#) and the façade treatment of the new RCHE building fronting Siu Lo will be carefully studied and designed to integrate with Siu Lo. The Applicant will devise a heritage sympathetic and sensible design for the two columns of the RCHE building at detailed design stage.
- c) To minimize the need for internal alteration and changes, thus to best reflect its historical nature and appearances, the original use of Siu Lo as "House" will be resumed;
- d) The Applicant would reserve the internal area for private use at this stage, [except for the arrangement of certain guided tours as stated below](#);
- e) [There is an old water well remaining in the backyard and it will become part of the Heritage Garden, and be preserved for interpretation and public visit.](#)
- f) The external Heritage Garden will be provided with interpretation display boards to allow public visitors to understand the background of Siu Lo, the original owner's family life, and the history of the Tai Kei Leng and Yuen Long. Self-guided tours with audio guidance, in Cantonese and English, will be provided for visitors on a specific Sunday each month (i.e. once per month and 12 days each year) during the opening hours from 10:00 am – 18:00 pm with maximum 20 visitors each hour, who are allowed to stay at the Heritage Garden with restriction on unattended access to the proposed RCHE building. Among the 8 nos. of hourly sections, one of which will be a guided tour with maximum number of 20 visitors. Personnel with relevant knowledge of heritage conservation will be leading the guided tours, [which would also visit some of the interior areas of Siu Lo under the docent's guidance](#). The number of visitors on that day will be controlled by the advanced booking arrangement.

- g) Private tours for non-government organizations ("NGO") and schools would be provided on a need-basis with maximum 20 visitors per group [and allowed the visit of some of the internal areas of the Main Building and the Annex Block, including the display area and the historic kitchen](#);
- h) Virtual tours covering the interior and exterior of Siu Lo to be [provided online](#);
- i) The above services will be provided free-of-charge for members of the public; and
- j) Photographic and cartographic records [have been prepared](#) at the applicant's own costs.

A Heritage Appraisal ([Appendix 3](#)) is submitted in support of this planning application. According to the Heritage Appraisal, **the Character Defining Elements (CDEs) of Siu Lo** (as the materials, forms, location, spatial configurations, uses, and cultural associations or meanings that contribute to the heritage value of a historic place), **which are classified as "high significance", comprise the external architectural features only**. As compared to the external features, including but not limited to the Chinese Eclectic style with Western architectural features, open porch with octagonal columns, the name plaques, splayed building corners with decorative patterns, the old water well, etc., the internal elements have relatively minor contribution to the overall significance of the place. As such, the proposed landscaped Heritage Garden will become the area open for the aforementioned public visits with **educational display boards**, thus allowing **photo-taking spots around the external of Siu Lo and offering heritage information for public appreciation**. Nevertheless, while the interior features of historical significance will be preserved as far as practicable as per the Heritage Appraisal, [some existing windows of the Annex Block will be converted to glazed windows without the security bars to allow visitors to view the interior from the outside](#). On the other hand, more alternation works to Siu Lo will be required if **all** the internal area to be open to public visitors, such as accessible facilities for the disabled persons and installations for crowd control, together with the pandemic situation, which is considered not preferable. While it is intended that the future residency of Siu Lo will be retained for the Applicant itself, the Applicant will very much welcome the aforementioned free public visits in the external area of Siu Lo in future. Information of the interior features of Siu Lo and its Annex Block will be presented to visitors through the provision of virtual tours, guided tours ([limited spots only](#)) and display boards or interpretation areas at the "Heritage Garden" or locations that could be accessed by members of the public.

For conservation of the Siu Lo building in detail, major findings of the Heritage Appraisal will be respected. Whilst part of the new RCHE building (1/F and above) will be built over a portion of Siu Lo's annex block, they will have no physical connection with a sufficient headroom on the G/F and no structural load will be added on it.