

TOWN PLANNING BOARD GUIDELINES FOR INTERIM PLANNING CONTROL ON SERVICE APARTMENT

(Important Note:

The Guidelines are intended for reference only.

Any enquiry on this pamphlet should be directed to the Planning Information and Technical Administration Unit of the Planning Department, 17th Floor, North Point Government Offices, 333 Java Road, Hong Kong - Tel. No. 2231 5000.

These Guidelines are subject to revision without any prior notice.)

1. Introduction

- 1.1 Since the promulgation of Town Planning Board (TPB) Guidelines No. 2A for Development of Service Apartment (SA) in September 1999, concerns were raised on some of the requirements, notably, the two-room restriction and restriction on the size of units and the proportion of such units. On the other hand, concerns were also raised that residential flats constructed in the name of SA in unsuitable areas, e.g. in industrial and commercial areas or areas subject to environmental constraints, would be undesirable as the residents therein would be subject to adverse environmental impacts such as noise and air pollution. Besides, the provision of open space and community facilities in industrial and commercial areas would not cater for long-term family population.
- 1.2 The Board has all along considered SA as "hotel-like" for planning control purpose. Despite the planning considerations promulgated in the Guidelines, the Government has encountered difficulties in defining SA in enforceable legal terms. In the light of the above and in anticipation of a change in Government policy in respect of strata-title sale of SA development, the Board recognizes that there is a need to review the control mechanism for SA development. Whilst it is acknowledged that there is a market need for this type of accommodation, it is necessary to avoid abuses of the system so as to ensure control on those residential flats constructed in the name of SA developments in commercial and industrial areas or areas subject to environmental constraints. Such kind of SA development, which essentially is a kind of residential accommodation, would result in land use incompatibility and problems of inadequate provision of supporting community facilities.
- 1.3 To provide clarity in land use terms, the Board has decided to delete the term "SA" from the Notes of all statutory plans. Pending amendments to the relevant plans to be exhibited in accordance with the provisions of the Town Planning Ordinance, this set of Guidelines will provide interim guidance on the interpretation of SA by the Board for planning control purpose.

2. Scope and Application

- 2.1 This set of Guidelines is applicable to developments within an area covered by an outline zoning plan with "Service Apartment" use in either Column 1 or Column 2 of the Notes for the relevant land use zone.
- 2.2 Planning applications approved prior to the promulgation of these Guidelines will not be affected. Such developments could proceed on the basis of the approved schemes. In the event that there are amendments to the approved schemes, amendments which are in line with the planning considerations set out in the previous TPB Guidelines No. 2A would be considered as minor amendments and would be permitted. Minor amendments will be processed by the District Planning Officer under the delegated

authority of the Board. Major deviations from the approved schemes would require fresh planning approval from the Board in accordance with the provision of the extant outline zoning plan.

- 2.3 Save under the circumstances mentioned in paragraph 2.2. above, the previous TPB Guidelines for Development of Service Apartment (TPB PG-No. 2A (September 1999 version)) are now spent of effect.

3. Interpretation of SA Development

- 3.1 In line with the Board's original definition of SA as "hotel-like" SA, if the proposed SA units are developed as part of and/or operated within a hotel establishment, it will be considered as "Hotel".
- 3.2 All other SA developments, including those conventional residential flats with central services provided as a marketing tool, will be regarded as a kind of residential development. Such development will be subject to the provision for "Flat" use under the Notes of the relevant statutory plans.

Town Planning Board
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