

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H20/195

- Applicant** : Fortune Creation Developments Limited represented by Llewelyn-Davies Hong Kong Limited
- Application Site** : 14-16 Lee Chung Street, Chai Wan, Hong Kong
- Site Area** : About 976.96m²
- Lease** : Chai Wan Inland Lot (CWIL) Nos. 12 and 43 (the Lot)
- restricted to industrial and/or godown purposes excluding offensive trade, and only a factory and/or a warehouse, ancillary offices and quarters for persons essential to the safety and security of the building, the number of such quarters and persons to be subject to the special approval of the Commissioner of Labour, are permitted to be erected; and
 - subject to a special waiver dated 29.6.2016 permitting some uses.
- CWIL No. 43
- no part of any structure erected or to be erected on the lot shall exceed a height of 300 feet above the site level of the lot
- Plan** : Draft Chai Wan Outline Zoning Plan (OZP) No. S/H20/24 (currently in force)
- Approved Chai Wan OZP No. S/H20/23
(at the time of submission of planning application, the zoning and development restrictions for the application site remain unchanged on the current OZP)
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
- (a) Maximum plot ratio (PR) of 12 and maximum building height (BH) of 120mPD, or the PR and height of the existing building, whichever is the greater
 - (b) Minor relaxation of the PR/BH restrictions may be considered by the Town Planning Board (the Board) on application
- Application** : Proposed Minor Relaxation of PR for Permitted Non-polluting Industrial Use

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 12 to 14.4 (i.e. +2.4 or +20%) at application site (the Site), which is zoned “OU(B)” on the draft Chai Wan OZP No. S/H20/24 (**Plan A-1**). The subject application is to facilitate the redevelopment of the existing 11-storey industrial building (IB) constructed before 1987^[1] into a 30-storey IB for ‘Non-polluting Industrial Use’ (the Proposed Scheme). According to the OZP, minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Town Planning Ordinance. The proposed development with a BH of not more than 120mPD will not exceed the BH restriction for the “OU(B)” zone under the OZP.
- 1.2 The Site abuts Lee Chung Street where vehicular access of the proposed development will be located. The Proposed Scheme would introduce a 3-tier BH profile stepping down from 120mPD to 98.725mPD and 21.95mPD (**Drawing A-7**). A building separation of about 9m would be provided from the adjoining Minico Building to the north (**Drawing A-5**). A podium garden is proposed on 3/F (**Drawing A-4**). About 7.5m setback of the building at G/F from the centre line of Lee Chung Street (i.e. about 1.1m setback from the lot boundary at ground level up to 15m in height) and a weather canopy of about 1.1m in width and 19m in length are proposed along Lee Chung Street (**Drawings A-8 to A-10**).
- 1.3 Relevant floor plans, section plans and visual illustrations submitted by the applicant are shown at **Drawings A-1 to A-10**. Major development parameters of the Proposed Scheme are as follows:

Major Development Parameters	Proposed Scheme
Site Area	About 976.96m ²
PR	About 14.4
Total Gross Floor Area (GFA)	About 14,068.224m ²
BH (at main roof level)	Not more than 120mPD
No. of Storeys	30 (incl. 2 basement levels)
Site Coverage (above 15m)	Not more than 60%
Parking Spaces	
- Private Car ^(*)	24 (incl. 1 accessible parking space)
- Motorcycle	3
Loading/Unloading (L/UL) Spaces	
- Light Goods Vehicle (LGV)	7
- Heavy Goods Vehicle (HGV)	4
Building Setback	
- From the centre line of Lee Chung Street (from G/F)	About 7.5m
Building Separation	
- From Minico Building (from 3/F)	About 9m
Anticipated Year of Completion	2024

^(*) Including 10 mechanical parking spaces on B1/F and B2/F.

¹ The Occupation Permits (OP) for the CWIL Nos. 12 and 43 IBs were issued on 31.8.1965 and 5.7.1971 respectively.

- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 12.5.2020 (Appendix I)
 - (b) Supporting planning statement providing plans and drawings, Traffic Impact Assessment (TIA), Air Quality Impact Assessment (AQIA) and Sewerage Impact Assessment (SIA) (Appendix Ia)
 - (c) Further Information (FI) received on 31.7.2020 providing responses to departmental and public comments, revised SIA, TIA, plans and layouts for an additional basement floor and diagrams for design merits and planning gains [FI-1]* (Appendix Ib)
 - (d) FI received on 12.8.2020 providing responses to departmental comments and revised block and section plans [FI-2][#] (Appendix Ic)
 - (e) FI received on 4.9.2020 providing responses to departmental comments [FI-3][#] (Appendix Id)
- * *accepted but not exempted from the publication and recounting requirements*
- [#] *accepted and exempted from the publication and recounting requirements*
- 1.5 On 10.7.2020, at the request of the applicant, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months in order to allow sufficient time for the applicant to prepare FI to address departmental comments. With the FI received on 31.7.2020 (Appendix Ib), the application is scheduled for consideration by the Committee at this meeting.
- 2. Justifications from the Applicant**
- The justifications put forth by the applicant in support of the application are detailed in the supporting planning statement and FIs at **Appendices Ia to Id**. They are summarised as follows:
- In line with the latest government's policy to incentivise redevelopment of aging IBs in a timely manner
- 2.1 Revitalising existing aged IBs for more effective use of land through redevelopment has been encouraged by the government as announced in Policy Address (PA) 2018.
 - 2.2 The Site is under single ownership, and the applicant aims to complete redevelopment by 2024 and provide more industrial floor area, about 2.345m² of additional industrial GFA, as well as making better use of valuable land resources in the short run.

Proposed minor relaxation is justifiable and comparable to the prevailing government practices

- 2.3 According to the prevailing policy initiatives and Practice Note No. 2/2019 published by the Lands Department (LandsD), to optimise utilisation of the existing industrial stock and make better use of valuable land resources, the government would provide policy support to owners of IBs to apply for relaxation of the maximum permissible non-domestic PR by up to 20% if the IB satisfy the criteria set by the government. The proposed development, comprised of a redevelopment of the subject IB aged 49 years for industrial uses upon a minor relaxation of maximum permissible non-domestic PR, is fully in line with the criteria under the revitalisation scheme.
- 2.4 Similar planning applications pertinent to minor relaxation of non-domestic PR of IBs for redevelopment by 20% since the promulgation of the revitalisation scheme in 2018 can be easily found in Hong Kong.

Release of development potential for better utilisation of industrial land

- 2.5 As revealed by the 2014 Area Assessments of Industrial Land in the Territory (2014 Area Assessments), there is demand for industrial space in the “OU(B)” zone of Chai Wan, which has a lower vacancy rate than the overall levels in Hong Kong and Chai Wan area. The figures published by the Rating and Valuation Department reflected the amount of industrial stock in Eastern District has shrunk about 134,000m² (about 10%) from 2014 to 2018. The proposed redevelopment can replenish some of the diminishing stock to support the long-term development in Hong Kong.

In line with the planning intention and requirements under Town Planning Board Guidelines No.22D

- 2.6 The proposed industrial use echoes the planning intention of the subject “OU(B)” zone and contributes to the gradual transformation of the area dominated by ageing industrial uses to a mix of modernised industrial and business area.
- 2.7 The proposed development complies with the Town Planning Board Guidelines, all relevant building and fire safety regulations and the parking and L/UL spaces requirements stipulated under the Hong Kong Planning Standards and Guidelines (HKPSG).

Planning gains and design merits

- 2.8 The proposed development will not exceed the maximum permissible BH as stipulated under the OZP. To provide better pedestrian environment and respect the BH under OZP, underground parking has been adopted to minimise traffic at G/F level. Opportunities would be taken to explore a flexible building design on lower floors to allow some permissible uses under “OU(B)” zone in order to activate the street frontage.
- 2.9 To improve air ventilation and enhance pedestrian environment, a setback of about 7.5m on G/F from the centre line of Lee Chung Street with a weather canopy would be provided. A building separation of about 9m from the adjacent

Minico Building at above podium level is also proposed to mitigate the visual bulkiness.

- 2.10 A 3-tier stepping BH profile would offer visual interests in the area, breaking the visual monotony in the “OU(B)” zone and improve permeability in the local environment (**Drawings A-7 and A-8**). A podium garden with landscape treatments is proposed on 3/F of the proposed development to facilitate cross-ventilation and improve visual amenity of the industrial area. Design treatments (e.g. colours, architectural features, materials articulations) to further enhance design interests would be explored at the detailed design stage.

No Adverse Impacts

- 2.11 As demonstrated in the submitted technical assessments, no adverse traffic, environmental and sewerage impacts from the proposed development are anticipated.

3. Background on Policy Initiatives of Revitalisation of IBs

- 3.1 As set out in Chief Executive’s 2018 PA 2018, to provide more floor area to meeting Hong Kong’s changing social and economic needs, and make better use of the valuable land resources, a new scheme to incentivise redevelopment of IBs has been announced. To encourage owners to redevelop IBs constructed before 1987^[2] (pre-1987 IB), there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified under OZPs by up to 20% for redevelopment of pre-1987 IBs located outside “Residential” zones in Main Urban Areas and New Towns into industrial/commercial uses (the Policy). The relaxation of PR is subject to approval by the Board on a case-by-case basis and the maximum non-domestic PR permissible under the Building (Planning) Regulations (B(P)R)^[3]. The Board may approve such application subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.
- 3.2 The time limit for owners to submit application is three years, with effect from 10.10.2018. Should the application be approved, the modified lease should be executed (with full land premium charged) within three years after the planning permission is granted.

4. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

² Pre-1987 IBs refer to those eligible IBs which were wholly or partly constructed on or before 1.3.1987, or those constructed with their building plans first submitted to the Building Authority for approval on or before the same date.

³ Under the new policy, any bonus floor area claimed under section 22(1) or (2) of the B(P)R is not to be counted towards the proposed increase of non-domestic PR by 20% for redevelopment projects.

5. Previous Application

There is no previous application in respect of the Site.

6. Similar Applications

- 6.1 There is no similar application within the Chai Wan OZP area. However, another application (No. A/H20/193) for minor relaxation of PR for non-polluting industrial use at a site (i.e. Minico Building) located immediate northeast of the Site is currently under processing.
- 6.2 Since March 2019, the Committee has considered a total of 31 applications for minor relaxation of PR and/or BH in the Metro Area relating to the Policy (see **Appendix II** for details). Out of the 31 similar applications, 28 applications were approved with conditions, two were rejected (Nos. A/K13/313 and A/K14/764) and one was deferred pending FI by the applicant on planning and design merits of the development proposal.
- 6.3 In consideration of these applications, the Committee generally indicated support for the Policy to relax the PR up to 20% as it provided incentives to encourage redevelopment of pre-1987 IBs taking account that relevant technical assessments were submitted to support the technical feasibility and there was no adverse comment from relevant government departments. The 2 rejected applications were rejected on the consideration that the proposed relaxation of BH restrictions were without strong justifications or sufficient planning and design merits. They are not relevant to the subject case which only proposes minor relaxation of PR.

7. The Site and Its Surrounding Areas (Plans A-1 to A-3 and site photos on Plans A-4 and A-5)

- 7.1 The Site is:
 - (a) occupied by a 11-storey IB (about 43.62mPD), which is merged from two buildings built in 1965 and 1971 and planned for non-industrial uses upon completion of wholesale conversion;
 - (b) abutting Lee Chung Street and located within a cluster of IBs at the eastern fringe of the Chai Wan “OU(B)” Area; and
 - (c) about 50m northwest of the MTR Chai Wan Station.
- 7.2 The surrounding area has the following characteristics:
 - (a) along Lee Chung Street are mainly medium-rise IBs and I-O buildings, and the area opposite to the Site has been redeveloped into an office (data processing centres and computer-related operations) building (known as the E-Trade Plaza);
 - (b) Chai Wan Park is located to the northeast and further beyond to the east is the Island East Corridor; and

- (c) to the south across Lee Chung Street/Ning Foo Street are the Wah Ha Estate (a public housing development converted from a previous flatted factory), bus terminus and the MTR Chai Wan Station together with its topside residential development (known as New Jade Garden).

8. Planning Intention

The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or I-O buildings.

9. Comments from Relevant Government Departments

- 9.1 The following government bureau/departments (B/Ds) have been consulted and their views on the application are summarised as follows:

Policy Perspective

9.1.1 Comments of the Secretary for Development (SDEV):

- (a) the existing 11-storey building, with a building age of about 49 years, was originally built for industrial purposes. Under the previous scheme of IB revitalisation pursued by the government between 2010 and 2016, the owner applied to LandsD for a special waiver to permit the use of the lot for specified non-industrial purposes upon wholesale conversion. The special waiver was duly executed in June 2016 to permit the lot and the existing building to be used for a list of non-industrial uses, during the lifetime of the existing building, or until the expiry of the lease, or upon the early termination of the waiver. The waiver fee was fully exempted to incentivise the hitherto wholesale conversion. As such, alteration and addition works including those necessary to bring the fire service installations compliant with present-day standards were timely pursued for the wholesale conversion of the existing building, until when the owner submitted a Form BA14 to the Buildings Department (BD) in August 2018 to indicate the completion of such works. BD certified the completion of the wholesale conversion in December 2018;
- (b) in view of above background, he does not very much see this wholesale-converted building on the lot among the targeted aged IBs under the present policy to incentivise IB redevelopment. Given that this wholesale-converted building can now accommodate the prescribed non-industrial uses covered by the special waiver, it should not be taken as a “pre-1987 IB” under the policy. He, therefore, does not think that the policy to

incentivise pre-1987 IBs to upgrade their fire service installations amongst other things through redevelopment is applicable to the subject building;

- (c) notwithstanding the above, when assessing the application in the context of facilitating the market to contribute to the urban renewal in Chai Wan district and the future supply of commercial or industrial GFA, it is noted that the applicant intends to develop a new industrial building on the Site with a PR increase for non-polluting industrial uses, which is in line with the planning intention of the “OU(B)” zone and is compatible with the surrounding modernised industrial/office developments. In view of the increasing long-run shortfall of industrial floor space in Hong Kong under the current projection, there is a case to capitalise on each and every industrial redevelopment project to cater for the demand for industrial space as far as possible. The extra 20% PR provision will bring about additional industrial GFA (or 2,345m²), hence going some way to help address the said shortfall in the territory. In addition, the redevelopment is said to bring certain planning and design merits (e.g. setback of building, enhancement to the pedestrian environment, building separation, etc.) to provide better streetscape and amenity of the locality;
- (d) subject to other departments’ assessments of technical feasibility and planning parameters, the subject proposal of redeveloping the wholesale-converted building at a PR of 14.4 (i.e. 20% more than the PR permissible on the OZP) is worthy of his support from the perspective of putting the Site into optimal use to produce the maximum possible industrial space and giving a further impetus to urban renewal; and
- (e) other detailed comments are at **Appendix III**.

9.1.2 Comments of the Director-General of Trade and Industry (DG of TI):

It is noted that SDEV considers that the application is worthy of his support. According to the 2014 Area Assessments, the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. As such, while DG of TI does not have the technical knowledge on PR restriction, he has no objection to the application given that it would put the Site into optimal use to produce more industrial space.

Land Administration

9.1.3 Comments of the District Lands Officer/Hong Kong East (DLO/HKE), LandsD:

- (a) no objection to the application;
- (b) Johnson Building is erected on Chai Wan Inland Lot Nos. 12 and 43 governed by Conditions of Sale No. 7913 dated 1.4.1963 for

a term of 75 years commencing from 15.9.1963 renewable for 75 years and Conditions of Sale No. 9439 dated 27.1.1969 for a term of 75 years commencing from 27.1.1969 renewable for 75 years respectively subject to a special waiver dated 29.6.2016 ('the special waiver') for conversion of entire IB;

- (c) according to the record, a building was erected on Chai Wan Inland Lot 12 with an OP in 1965 whilst another building was erected on Chai Wan Inland Lot 43 with OP issued in 1971. The A&A works for the conversion project in respect of the previous special waiver issued on 17.4.2012 (superseded by the special waiver issued on 29.6.2016) was completed in March 2015. The special waiver issued on 29.6.2016 was completed in December 2018 as BD certified the completion of the wholesale conversion on 7.12.2018;
- (d) according to Condition No. (2) of the special waiver, the lots and the existing buildings thereon shall not be used for any purpose other than for the permitted purposes and on the terms as set out in the special waiver;
- (e) if the planning application is approved by the Board, the lot owner has to apply to LandsD for a lease modification/land exchange in respect of the lots. However, there is no guarantee that the lease modification/land exchange application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. Such application, if approved would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as the Director of Lands considers appropriate; and
- (f) other detailed comments are at **Appendix III**.

Building Matters

9.1.4 Comments of the Chief Building Surveyor/Hong Kong East and Heritage (CBS/HKE&H), BD:

- (a) no objection in principle to the proposed relaxation of PR as the proposed PR and site coverage do not exceed limits as specified in the First Schedule of the B(P)R;
- (b) GFA concessions under PNAP APP-151 (i.e. excluding/disregarding green/amenity features and non-mandatory/non-essential plant rooms and services from GFA and/or site coverage calculation) will only be considered when the pre-requisites in paragraph 6 of PNAP APP-151 have been complied with;
- (c) GFA concession for carparking spaces or loading/unloading areas may be considered when the relevant requirements as laid down in PNAP APP-2 have been complied with; and

- (d) detailed comments under the Buildings Ordinance will be made at building plan submission stage.

Traffic Aspect

9.1.5 Comments of the Commissioner for Transport (C for T):

- (a) no comment on the TIA from traffic engineering viewpoint as:
 - (i) the parking provision has met the upper end of HKPSG requirement; and
 - (ii) the proposed double-deck parking will have sufficient headroom for parking private cars; and
- (b) should the application be approved, it is recommended to impose the following approval condition:

the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the C for T or of the Board
- (c) other detailed comments are at **Appendix III**.

9.1.6 Comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD):

- (a) no comment on the application from highways maintenance point of view;
- (b) the applicant is reminded that the construction of run-in/out should follow the latest HyD's standards. Agreement from the Transport Department (TD) and LandsD should be sought on the proposed location of run-in/out; and
- (c) other detailed comments are at **Appendix III**.

9.1.7 Comments of the Commissioner of Police (C of P):

- (a) no comment on the application; and
- (b) other detailed comments are at **Appendix III**.

Environment Aspect

9.1.8 Comments of the Director of Environmental Protection (DEP):

- (a) based on the information provided, no objection to the application since adverse environmental impact as a result of the proposed redevelopment is not anticipated from environmental planning perspective;

(b) it is noted that the application document is silent on land contamination status of the Site. According to **FI-2**, it is noted that the applicant intends to address the land contamination issue at the later stage under a relevant planning approval condition. In this connection, no strong view on the proposed development and an approval condition on land contamination should be imposed, should the application be approved by the Committee; and

(c) other detailed comments are at **Appendix III**.

9.1.9 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

(a) no comment on the application; and

(b) should the application be approved, it is recommended to impose the following approval condition:

the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Board.

Urban Design, Visual and Air Ventilation Aspects

9.1.10 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

no comment from architectural and visual impact point of view. Based on the information provided, it is noted that the proposed development consists of one tower block with a height not more than 120mPD which complies with the BH restriction permitted in the OZP and may not be incompatible with adjacent developments with BH restriction of 120 mPD.

9.1.11 Comments of the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD:

(a) the Site fronts onto Lee Chung Street and is surrounded by industrial and office buildings within the same “OU(B)” zone with BHs ranging from about 44mPD to 148mPD. The applicant seeks planning permission for minor relaxation of maximum PR from 12 to 14.4 (+20%) for redevelopment of an existing IB which is subject to PR restriction of 12 and a BH restriction of 120mPD on the OZP. The proposed development at 120mPD does not exceed the permissible BH restriction. Accommodating additional PR not exceeding BH restriction would unlikely have adverse visual impact on the surrounding areas;

(b) the applicant has proposed several design merits in support of the application, including a 1.1m setback of the podium (up to 15m) from the lot boundary, a 9m separation to the adjacent building from 3/F and above, a podium garden on 3/F with planters for edge

planting, stepped height of 120mPD and 98.725mPD and a podium garden at 21.95mPD (**Drawing A-7**), and a weather canopy along part of the frontage facing Lee Chung Street. Although technically speaking, incorporation of these design measures do not necessarily require additional PR, they represent the applicant's effort in building design improvement;

- (c) the building setback from Lee Chung Street and greenery would help enhance the pedestrian environment and visual amenity along the building frontage;
- (d) it is noted from the FIs that the applicant will try to take into account the advisory suggestions on façade treatment and greenery within setback area and allowing flexibility to help activate the street frontage at the detailed design stage; and
- (e) other detailed comments are at **Appendix III**.

Landscape Aspect

9.1.12 Comments of CTP/UD&L, PlanD:

- (a) no objection to the application from landscape planning perspective; and
- (b) the Site is currently occupied by an existing building. Medium to high rise industrial and commercial buildings are found in the vicinity of the Site. No significant vegetation is found within the Site. Significant change or disturbance arising from the proposed use to the existing landscape character and resource are not envisaged.

9.2 The following government departments have no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Director of Fire Services; and
- (c) District Officer (Eastern), Home Affairs Department.

10. Public Comments Received During Statutory Publication Periods

10.1 During the statutory public inspection periods, a total of 60 public comments were received (**Appendix IV**), including 55 supporting comments from individuals, and 5 objecting comments from a District Councillor and individuals.

10.2 The main grounds of the supporting comments are summarised as follows:

- (a) the proposed development follows the policy on revitalizing the existing IBs and will help to meet the shortage of industrial floor space in Hong Kong. It will also bring along various planning and design merits to improve the environment of the area;

- (b) it creates synergy for the surrounding developments and encourages redevelopment of aged IBs for better utilization of land resources;
- (c) it is in line with the planning intention of the subject “OU(B)” zone and complies with the BH restriction;
- (d) it provides setback from Lee Chung Street with weather canopy to enhance the streetscape and improve pedestrian comfort. A building separation of 9m from adjacent building is also provided;
- (e) it incorporates stepped BH profile and green features such as podium garden and edge planting which would improve the visual and air permeability and contribution to sustainable design; and
- (f) the additional parking facilities would help to reduce illegal on-street parking.

10.3 The major grounds of the objecting comments are summarised as follows:

- (a) the proposed development may cause adverse impacts on traffic, noise, air ventilation, natural light penetration and adjoining building and no assessment on the cumulative impact is provided;
- (b) there are insufficient car parking spaces in the proposed development which may lead to illegal parking and add burden to car parking facilities in the area;
- (c) the podium garden is not open for public use. The weather canopy only covers a short section of the building frontage. No tree planting on pavement or any green measures that benefit the pedestrians;
- (d) the relaxation of PR will lead to additional influx of workers to the district; and
- (e) there is no justification for additional PR.

11. Planning Considerations and Assessments

Planning Intention

- 11.1 The application is for minor relaxation of PR restriction from 12 to 14.4 (i.e. +2.4 or +20%) for redevelopment of the existing IB at the Site into a 30-storey IB for ‘non-polluting industrial use’. The proposed redevelopment is generally in line with the planning intention of the “OU(B)” zone, which is primarily for general business uses, including non-polluting industrial uses. The proposed redevelopment complies with the BH restriction of 120mPD on the OZP.

Policy Aspect

- 11.2 The existing 11-storey buildings were built in 1965 and 1971 for industrial purposes. The building was wholesale-converted for non-industrial purposes to bring the fire service installations compliant with present-day standards under

the previous scheme of IB revitalisation pursued by the Government between 2010 and 2016. The wholesale conversion was completed in 2018. In view of the above, SDEV has advised that the present IB revitalisation policy, which is to incentivise pre-1987 IBs to upgrade their fire service installations amongst other things through redevelopment, is not applicable to the existing building. Notwithstanding that, taking into account no adverse impacts on infrastructure/technical aspects and the planning/design merits brought by the proposed development, as mentioned in paragraphs 11.4 to 11.5 below, SDEV in support of the proposal of redeveloping the existing IB with a PR of 14.4 (i.e. 20% more than the PR permissible on the OZP) from the perspective of putting the Site into optimal use to produce the maximum possible industrial space and giving a further impetus to urban renewal.

- 11.3 According to the 2014 Area Assessments, the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. SDEV is supportive to the proposed redevelopment from site optimization perspective, and DG of TI has no objection to the application given that it would put the Site into optimal use to produce more industrial space.

Technical Aspects

- 11.4 The applicant has submitted technical assessments to demonstrate that the proposed development will not cause adverse traffic, air quality and sewerage impacts on the surrounding areas. C for T has no comment to the application as the parking provision has met the HKPSG requirement. Other relevant government departments including DEP and DSD have no objection to/no comment on the application. To address their technical concerns, approval conditions on vehicular access/car parking/L/UL provision, land contamination and sewerage aspects as set out in paragraph 12.2 below are recommended.

Planning and Design Merits

- 11.5 The applicant proposes a setback of about 1.1m from the lot boundary at ground level fronting Lee Chung Street up to 15m in height, building separation of about 9m from the adjacent Minico Building, a 3-tier stepped height profile of 120mPD, 98.725mPD and 21.95mPD (at podium garden) (**Drawings A-7 and A-8**), planting at podium garden edge and a weather canopy along part of the frontage facing Lee Chung Street to improve the general environment and pedestrian amenity. CTP/UD&L, PlanD considers that the proposed additional PR would unlikely have significant adverse visual impact on the surrounding areas and the proposed setback and greenery would enhance the pedestrian environment and visual amenity along the building frontage. CA/CMD2, ArchSD has also no adverse comment on the application from architectural and visual impact point of view.

Public Comments

- 11.6 Regarding the adverse public comments, the assessment above and departmental comments in paragraph 9 are relevant.

12. **Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 18.9.2024, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval conditions

- (a) the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a land contamination assessment and remedial plan and implementation of the agreed remedial actions prior to commencement of construction for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are attached at **Appendix V**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of plot ratio restriction.

13. **Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application form received on 12.5.2020
Appendix Ia	Supporting planning statement received on 12.5.2020
Appendix Ib	1 st FI vide letter received on 31.7.2020
Appendix Ic	2 nd FI vide letter received on 12.8.2020
Appendix Id	3 rd FI vide letter received on 4.9.2020
Appendix II	Similar applications
Appendix III	Detailed comments of government departments
Appendix IV	Public comments
Appendix V	Recommended advisory clauses
Drawings A-1 to A-7	Floor plans and sectional plans of the proposed development
Drawings A-8 to A-10	Design merits and planning gains of the proposed development
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Building heights in Chai Wan “OU(B)” Area
Plans A-4 and A-5	Site photos

**PLANNING DEPARTMENT
SEPTEMBER 2020**