

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TW/514

- Applicant** : Gain Concept Limited represented by Kenneth To & Associates Limited
- Site** : Tsuen Wan Town Lot (TWTL) 85 and Lot 486 in D.D. 443, Fui Yiu Kok Street, Tsuen Wan
- Site Area** : About 593m²
- Lease** : TWTL 85 and Lot 486 in D.D. 443:
(a) Held under New Grant No. 4515 for TWTL 85 and New Grant No. 4335 as varied and modified by a modification letter dated 18.4.1970 for Lot 486 in D.D. 443;
(b) To expire on 30.6.2047; and
(c) Restricted to general industrial and/or godown purposes excluding offensive trades.
- Plan** : Approved Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/33
- Zoning** : “Industrial” (“I”)
(a) Maximum plot ratio (PR) of 9.5 and maximum building height (BH) of 100 meters above Principal Datum (mPD), 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 based on individual merits of development proposal
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Industrial Redevelopment

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) at TWTL 85 and Lot 486 in D.D.443, Fui Yiu Kok Street (the Site) in Tsuen Wan East Industrial Area (TWEIA), which falls within an area zoned “I” on the approved Tsuen Wan OZP No. S/TW/33 (**Plan A-1**). The proposal is for development of the Site¹ into a 24-storey (including 2 basement

¹ The Site was previously occupied by two IBs with occupation permits (OPs) issued in 1970 and 1973, which were demolished in 2013.

levels for parking and loading/unloading (L/UL) facilities) industrial building (IB) with a maximum BH of about 85.38mPD for “industrial use”. The Site is currently vacant. According to the Notes for the “I” zone, “Industrial Use” is a Column 1 use which is always permitted within the zone. Minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Town Planning Ordinance (the Ordinance).

- 1.2 According to the applicant, the proposed scheme will incorporate full-height building setbacks of 0.6m wide fronting Fui Yiu Kok Street (**Drawings A-3 and A-6**). The setback area at G/F will be paved to match the existing public footpath abutting the Site along Fui Yiu Kok Street, which will also be upgraded by repaving with concrete paving block as per Highways Department’s standard. The 0.6m wide full height set back fronting Fui Yiu Kok Street will be designed, constructed, managed and maintained by the applicant. No bonus plot ratio will be claimed under B(P)R 22(1). Besides, a continuous glass canopy structure facing Fui Yiu Kok Street will be provided above the pavement to enhance the comfort of pedestrian environment (**Drawings A-4 and A-9**).
- 1.3 A communal podium garden will be provided at 1/F (**Drawing A-4**). It will open on front and back sides, with high headroom (minimum 4.5m clear) and planters (**Drawings A-8 to A-10**). The proposed podium garden may facilitate wind penetration and improve micro-climate environment as well as thermal comfort at pedestrian level of Fui Yiu Kok Street. Vertical greening system will be adopted on the building façade of 1/F facing Fui Yiu Kok Street (**Drawing A-9**). The total greenery will be not less than 20%, with an additional 22m² shrubs planting (not accountable towards required greenery coverage) provided at the communal podium at 1/F.
- 1.4 Relevant floor plans and schematic sections submitted by the applicant are shown at **Drawings A-1 to A-10**. Major development parameters of the proposed scheme (**Appendix Ia**) are as follows:

Major Development Parameters	Proposed Scheme
Site Area ²	About 593m ²
PR	11.4
Total Gross Floor Area (GFA)	About 6,760m ²
BH (main roof)	About 85.38mPD
Site Coverage (SC)	
• G/F to 1/F	About 97%
• Typical floors (2/F and above)	Not more than 60%
No. of Block	1
No. of Storeys	24 (including two basement levels)
Proposed Uses	Workshops, Podium Garden, Car Parking and loading/unloading (L/UL) facilities

² The site area includes the proposed 0.6m setback at G/F, M/F and 1/F and 2.65m setback at 2/F and above of the proposed development along Fui Yiu Kok Street.

Major Development Parameters	Proposed Scheme
Parking Spaces and L/UL Bays	
• Private Car	7 (including one accessible parking space)
• Motorcycle	1
• Light Goods Vehicle (LGV) ^(^)	8
• Heavy Goods Vehicle (HGV) ^(^)	2
Building Setback	
• Fui Yiu Kok Street	0.6m full-height
Total Greenery Ratio ⁽²⁾	Not less than 20% ³ (about 119.378m ²)
Anticipated Year of Completion	2023

Notes:

(^) Also serve as L/UL bays

1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 15.11.2019 **(Appendix I)**
- (b) Supporting Planning Statement (SPS) received on 15.11.2019 **(Appendix Ia)**
- (c) Clarification letter received on 21.11.2019 with one replacement page of the Application form and SPS **(Appendix Ib)**
- (d) Further information (FI) vide letter received on 20.12.2019 (FI1) responding to departmental comments and enclosing revised architectural drawings and technical assessments[#] **(Appendix Ic)**
- (e) FI2 vide letter received on 27.12.2019 responding to departmental comments* **(Appendix Id)**
- (f) FI3 vide letter received on 3.2.2020 responding to departmental comments and enclosing revised architectural drawings, landscape plans and landscape sections and technical assessments[#] **(Appendix Ie)**
- (g) FI4 vide letter received on 20.2.2020 responding to departmental comments* **(Appendix If)**
- (h) FI5 vide letter received on 6.3.2020 responding to departmental comments and enclosing replacement pages to landscape proposal* **(Appendix Ig)**
- (i) FI6 vide letter received on 19.3.2020 responding to departmental comments and enclosing replacement pages to architectural drawings, SPS and Sewerage Impact Assessment (SIA)* **(Appendix Ih)**

Remarks:

[#] accepted but not exempted from publication and recounting requirement

* accepted and exempted from publication and recounting requirement

1.6 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 3.4.2020 for consideration of the application has been rescheduled, and the Board has agreed to

³ According to FI3, the total greenery area is about 119.378m² (about 20.133%). An additional 22m² shrubs planting not accountable towards the greenery coverage area under PNAP APP-152 is also proposed by the applicant.

defer consideration of the application. The application is now scheduled for consideration by the Metro Planning Committee (the Committee) at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are set out in Section 4 of the Planning Statement at **Appendix Ia** and summarized as follows:

In line with Government's Policies for Revitalising IBs

- (a) The proposed development with PR relaxation by 20% is in line with the 2018 Policy Address to optimize the use of vacant or underutilized IBs in a better way and provide more floor area through the introduction of IBs revitalization policy to meet Hong Kong's changing economic and social needs.

Meeting the Projected Shortfall in Floor Space for industries in "2030+" Study

- (b) It is projected in "2030+" Study that there will be a deficit of land area and floor space for industries. The proposed development optimises utilisation of valuable land resources in meeting the projected shortfall in floor space for industries in "2030+" Study.

In Support of Recommendations in the 2014 Area Assessments Report

- (c) According to "Report on 2014 Area Assessments of Industrial Land in the Territory", the TWEIA was recommended to be retained as "I". The proposed development echoes with the recommendations to ensure an adequate supply of industrial floor space in the area and provide employment for the labour force in Tsuen Wan New Town.

Planning and Design Merits for the Proposed Development

- (d) The proposed full-height building setbacks fronting Fui Yiu Kok Street would improve streetscape, and enhance pedestrian connectivity and comfort. The proposed upgrading works at the G/F setback area and adjoining public footpath would provide a pleasant streetscape for pedestrians.
- (e) The proposed communal podium garden at 1/F with edge planters can improve the visual quality of the surrounding environment, streetscape and public realm.
- (f) The proposed high-headroom podium garden (minimum 4.5m clear) which opens on front and back sides above parapet level height could facilitate wind penetration and improve micro-climate environment as well as thermal comfort at pedestrian level of Fui Yiu Kok Street. The podium garden with not less than 20% of SC of greenery would create an outdoor leisure area to both tenants and their visitors for relaxation, social gathering and ad-hoc meetings.
- (g) The proposed scheme, which adopts a compact building form and conform with

BH restrictions as stipulated in the OZP could create interesting building height profile in TWEIA.

- (h) The proposed development has met the requirements as per the PNAP APP-152 in terms of building separation, building setback, and greenery.
- (i) The proposed scheme would adopt green building design and obtain BEAM Plus certification.

Facilitating the Upgrading of TWEIA

- (j) The proposed scheme could improve urban environment and help upgrade TWEIA. New provision of industrial floor space with modern specifications in fire safety and technology could expedite the transformation of this old industrial area. It will create synergy and collective benefits with the surrounding industrial land use, while the industrial characteristics of the existing ambience in the precinct remain unchanged.

No Adverse Traffic and Sewerage Impact

- (k) The submitted Traffic Impact Assessment (TIA) and SIA have demonstrated that the proposed development would not cause adverse impacts to its surroundings.

3. 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.

4. Background

Policy Initiatives of Revitalisation of IBs

- 4.1 As set out in 2018 Policy Address, 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 is announced. To encourage owners to redevelop IBs constructed before 1987⁴, there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified in an OZP 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 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) Regulation (B(P)R)⁵. The Board may approve such application subject to technical assessments confirming the feasibility of allowing

⁴ 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.

⁵ 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.

such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.

- 4.2 The time limit for owners to submit applications 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.

5. Previous Application

There is no previous application for minor relaxation of PR at the Site. However, the Site was the subject of a s.16 planning application (Application No. A/TW/491) for proposed off-course betting centre on 1/F of the proposed development which was rejected by the Committee on 8.9.2017 on the reasons that the applicant had not demonstrated that there was a genuine need for the proposed off-course betting centre and no suitable alternative accommodation could be found in the vicinity, and failed to demonstrate that the proposed development would be acceptable in fire safety and traffic aspects.

6. Similar Applications

6.1 Since March 2019, the Committee has considered a total of 22 applications for minor relaxation of PR and/or BH in the Metro Area relating to the Policy, including three applications (No. A/TW/505, A/TW/508 and A/TW/509) in Tsuen Wan (**Plan A-1**). Out of the 22 similar applications, 20 applications were approved with conditions and two were rejected (No. A/K13/313 and A/K14/764) mainly on the ground that there was insufficient planning and design merits to support the proposed minor relaxation of BH restriction and the applicant failed to demonstrate that it will not create adverse visual impact on the area (see **Appendix IV** for details). In consideration of these applications, the Committee generally indicated support for the Policy to relax the PR up to 20% as it provides 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.

7. The Site and Its Surrounding Areas (**Plans A-1** and **A-2** and photos on **Plans A-3** to **A-5**)

7.1 The Site is:

- (a) abutting Fui Yiu Kok Street near the junction of Fui Yiu Kok Street and Wang Lung Street within the TWEIA;
- (b) previously occupied by two IBs demolished in 2013; and
- (c) currently vacant.

7.2 The surrounding areas have the following characteristics (**Plans A-2** to **A-4**):

- (a) The neighbouring buildings to the east, south and west are mainly industrial buildings in TWEIA under active operation;
- (b) to the north across Fui Yiu Kok Street are three commercial and service apartment developments, namely Indi Home, H Cube and Chelsea Court; and
- (c) is well served by various modes of public transport including bus, public light bus and taxi. MTR Tsuen Wan West Station is located about 600m to the west (**Plan A-5**).

8. Planning Intention

- 8.1 The planning intention of the “I” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone.
- 8.2 As stated in the Explanatory Statement of the OZP, provision of industrial land in Tsuen Wan has been made in conjunction with the industrial land planned for Kwai Chung and Tsing Yi to ensure that sufficient land is set aside for industrial developments to provide employment for the labour force in Tsuen Wan New Town.

9. Comments from Relevant Government Departments

- 9.1 The following Government bureaux/departments have been consulted and their views on the application are summarized as follows:

Policy Perspective

9.1.1 Comments of the Secretary for Development (SDEV):

- (a) it is Government’s policy to incentivise owners to redevelop old IBs to optimise utilisation of existing industrial stock and make better use of the valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses. To this end, as announced in the 2018 Policy Address, relaxation of the maximum permissible non-domestic PR by up to 20% may be permitted, on a case-by-case basis, under the new revitalisation scheme for redevelopment projects of pre-1987 IBs located outside “Residential” zones in Main Urban Areas and New Towns. In this light, he accepts that the landowner of a site which was occupied by a pre-1987 IB immediately before its present vacancy should be eligible for applying for the relaxation of PR, as long as a relevant planning application is submitted to the Board within three years starting from 10 October 2018; and
- (b) he supports the application in-principle on the understanding that there

is an increasing long-run shortfall of industrial floor space in Hong Kong under the current projection.

Land Administration

9.1.2 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing (DLO/TW&KT) and the Chief Estate Surveyor/Development Control (CES/DC), Lands Department (LandsD):

- (a) TWTL 85 with a registered site area 3,246ft² (or 301.56m²) is governed by New Grant No. 4515, while Lot 486 in D.D. 443 with a registered site area 3,136ft² (or 291.34m²) is held under New Grant No. 4335 as varied by a modification letter dated 18.4.1970. The Lots (total site area of about 6,382ft² or 592.2m²) are each restricted to erection of a building or buildings; general industrial and/or godown purposes excluding offensive trade and with a term expiring on 30 June 2047. The current registered owner of Lot 486 in D.D. 443 is "Gain Concept Limited". TWTL 85 is strata-titled but "Gain Concept Limited" currently owns all the undivided shares of TWTL 85;
- (b) there is no PR, GFA, or BH restriction under the new grants;
- (c) for each of the Lots, spaces shall be provided for parking, L/UL of motor vehicles at rate not less than 1 vehicle for each 10,000ft² or part thereof of floor area and in any event not less than 1 vehicles for each 5,000ft² or part hereof of site area. A lay-out plan indicating the parking, L/UL spaces shall be registered by memorial in the District Land Office for each of the Lots. Unless the car parking provision in the lease of the respective lots is complied with, a lease modification of the car parking provision of the lot(s) would be required;
- (d) "industrial use" in planning terms covering a wide range of uses, would constitute uses in breach of the lease conditions whereby the user restrictions of "industrial and/or godown purposes" under lease should involve manufacturing process and/or transient deposit and storage for delivery purposes as per court decided cases. Besides, General Condition No. 4(a) of both New Grants stipulated that the grantee shall "*develop the lot by the erection thereon of a building or buildings...*" Hence, the proposal of one building straddling over the Lots would be in contravention of the leases governing the lots;
- (e) the proposed setback on G/F and the communal podium garden at 1/F are not a lease requirement nor required by LandsD. The provision of which would be dealt with during the processing of lease modification stage;
- (f) LandsD noted the Applicant was fully aware of the user restriction of "industrial and/or godown purposes" under lease which has a different

interpretation under the TPB's definition. As the Applicant has confirmed that the lot owner "will ensure and confirmed there will be no breach of the user restrictions of the lease" despite the wide ranges of Column I uses permitted under the planning regime, the current lot owner advised technical studies were conducted based on such industrial use permissible under lease conditions and has committed herself for strict observance of the lease conditions and will ensure its subsequent assigns for no breach of lease conditions; and

- (g) if the planning application is approved, the applicant has to apply for lease modification to effect the proposal. Upon receipt of lease modification application, LandsD will impose such appropriate terms and conditions, including user restriction, payment of full premium and administrative fee. Such application will be considered by LandsD acting in its capacity as the landlord at its own discretion and any approval given will be subject to such terms and conditions as may be imposed by LandsD. There is no guarantee that the application will be approved by LandsD. Under the 2018 IB revitalisation measure for redevelopment, the lease modification letter/conditions of land exchange shall be executed within 3 years from the date of the Board's approval letter and the proposed redevelopment shall be completed within 5 years from the date of execution of the lease modification letter/conditions of land exchange.

Traffic

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

- (a) no objection in principle to the application; and
- (b) should the application be approved, the following condition is recommended to be incorporated:

the design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the C for T or of the Town Planning Board.

Environment and Drainage

9.1.4 Comments of the Director of Environment Protection (DEP):

- (a) no in-principle objection to the application;
- (b) should the application be approved, the following condition is recommended to be incorporated:

submission of an updated SIA for the proposed development to the satisfaction of the DEP or of the Town Planning Board; and

- (c) the applicant is advised to minimize the generation of C&D materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development.

9.1.5 Comments of the Chief Engineer/Mainland South, DSD (CE/MS, DSD):

- (a) no comment on the application; and
- (b) should the application be approved, the following condition is recommended to be incorporated:

implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Urban Design, Visual and Landscape

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

- (a) the proposed development consists of one tower block which complies with the BH restriction permitted in the OZP and may not be incompatible with adjacent developments with BH restriction of 100mPD; and
- (b) he has no comment from architectural and visual point of view.

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

Urban Design and Visual

- (a) the Site is surrounded by a cluster of industrial buildings within the same "I" zone with BH ranging from 32mPD to 103mPD. The proposed PR relaxation does not involve additional BH beyond what is permitted in the OZP. The resulting development would unlikely induce any significant visual impact to the surrounding;
- (b) the applicant proposes a building setback of 0.6m along Fui Yiu Kok Street with SC of 97% at G/F and not more than 60% from 2/F and above. The pavement of Fui Yiu Kok Street is currently 2.75m in width, the proposed setback of the Site would result in a pavement of 3.35m. The proposed measures including building setback, provision of a continuous glass canopy above the pavement along Fui Yiu Kok Street and a communal podium garden on 1/F (with a min. 4.5m clear height), and greenery along the podium facade of the development

would enhance the pedestrian environment. The above measures represent the applicant's efforts in improving the building design for a relatively small site.

Landscape

- (c) with reference to the aerial photo of 2018, the site is situated in an area of industrial urban landscape character surrounded by industrial and commercial buildings. The site is currently vacant without any existing landscape resource on site;
- (d) he has no objection to the application from the landscape planning perspective;
- (e) the applicant is reminded to provide proper access to all landscape areas for vegetation maintenance and provide sufficient soil provision, drainage layer and etc. at planting areas for sustainable plant growth; and
- (f) although a small vertical green wall and small landscape treatments are proposed by the applicant on 1/F, the proposed landscape treatments would have minimal effect in enhancing the quality of the public realm. As such, he considers a landscape condition is not necessary, should the application be approved by the Board.

Building Matters

9.1.8 Comments of the Chief Building Surveyor/NTW, Buildings Department (CBS/NTW, BD):

No objection to the application subject to a development intensity not exceeding the permissible as stipulated under the First Schedule of the B(P)R.

9.2 The following Government departments have no objection to/no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Highway Engineer/NT West, Highways Department;
- (c) Commissioner of Police;
- (d) Project Manager (West), Civil Engineering and Development Department;
- (e) Director-General of Trade and Industry;
- (f) Director of Fire Services; and
- (g) District Officer (Tsuen Wan), Home Affairs Department.

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection periods, a total of 19 public comments (**Appendix**

II) were received, including 15 supporting comments from individuals and 4 objecting comments from an individual and the representative of Indi Home Owners' Corporation. The supporting comments are mainly of the views that the proposed development would facilitate new industrial development with land resources utilised, provide more industrial floor space, enhance ventilation/visual quality/streetscape/pedestrian experience, upgrade TWEIA, and facilitate urban renewal to echo with Government policies. The four objecting comments are mainly on the grounds that there is no consideration to the cumulative impacts of similar applications in Tsuen Wan, the maintenance of the proposed vertical greening system would be costly and difficult, and that the proposed development would obstruct the view enjoyed by the surrounding residences and cause adverse impacts to air quality and traffic.

11. Planning Considerations and Assessments

11.1 The application is for minor relaxation of PR restriction from 9.5 to 11.4 (by 20%) for proposed development at the Site, which falls within an area zoned "I", into a 24-storey IB development (including two basement levels) for permitted industrial uses. The proposed use is generally in line with the planning intention of the "I" zone in TWEIA, which is primarily for general industrial use. The proposed BH of about 85mPD complies with the BH restriction of 100mPD under the OZP.

Policy Aspect

11.2 The Site which was previously occupied by two IBs with OPs issued in 1970 and 1973 can be regarded as an eligible pre-1987 IB under Government's new policy on revitalising IBs. SDEV gives in-principle policy support to the application, with the initiative to incentivise redevelopment of old IBs to optimise utilisation of the existing industrial stock and make better use of the valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses.

Technical Aspect

11.3 The proposed minor relaxation of PR from 9.5 to 11.4 (i.e. +20%) generally follows the policy on revitalisation of pre-1987 IBs, and consideration of such application is subject to technical assessments confirming the feasibility of the proposed development. To support the application, the TIA submitted (**Appendix Ie**) demonstrates that the proposed development will not cause adverse traffic impact to the surrounding areas. In this regard, C for T has no in-principle objection to the application subject to the imposition of an approval condition as set out in paragraph 12.2(a) below. DEP and CE/MS, DSD's concerns on sewerage aspect can be addressed by the imposition of suitable approval conditions in paragraphs 12.2(b) and (c) below respectively. Other relevant Government departments including D of FS have no objection to/no comment on the application.

Planning and Design Merits Aspect

11.4 The proposed scheme will provide full height building setbacks of 0.6m fronting Fui Yiu Kok Street (**Drawings A-3 and A-6**). The setback area at G/F will be

paved to match the existing public footpath abutting the Site along Fui Yiu Kok Street. The proposed scheme will also incorporate a communal podium garden at 1/F (**Drawings A-4 and A-8 to A-10**) with high headroom (minimum 4.5m clear) and planters. Vertical green system will be adopted on the building façade of 1/F facing Fui Yiu Kok Street while a continuous glass canopy structure above the pavement at G/F is proposed. CTP/UD&L, PlanD considers that above measures would enhance the pedestrian environment, which represent the applicant's efforts in improving the building design of the proposed scheme in a relatively small site.

- 11.5 Regarding the green building design, the applicant has proposed that the green building measures will be adopted for meeting the requirements of BEAM Plus certification. Detailed proposed measures on green building design could be considered at the detailed building design stage.

Public Comments

- 11.6 Regarding the public comments on greening system, visual impact, air quality and traffic concerns, the planning assessments above and departmental comments in paragraph 9 above are relevant. Regarding the public comment on the cumulative impact of approving similar application for minor relaxation of PR restriction, any such applications in the future have to be supported by relevant assessments and will be considered on their individual merits.

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, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 29.5.2024, 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 parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of an updated Sewerage Impact Assessment 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 as identified in the updated Sewerage Impact Assessment for the proposed development in condition (b) above 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 III**.

- 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 to 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 15.11.2019
Appendix Ia	Supporting Planning Statement received on 15.11.2019
Appendix Ib	Clarification letter received on 21.11.2019
Appendix Ic	FI 1 vide letter received on 20.12.2019
Appendix Id	FI 2 vide letter received on 27.12.2019
Appendix Ie	FI 3 vide letter received on 3.2.2020
Appendix If	FI 4 vide letter received on 20.2.2020
Appendix Ig	FI 5 vide letter received on 6.3.2020
Appendix Ih	FI 6 vide letter received on 19.3.2020
Appendix II	Public comments received during the statutory publication periods
Appendix III	Recommended advisory clauses
Appendix IV	Similar applications
Drawings A-1 and A-2	Basement Plans
Drawing A-3	G/F Plan
Drawing A-4	1/F Plan
Drawing A-5	2/F to 20/F Plan
Drawing A-6	Section Plan
Drawing A-7	Greenery Calculation Plan
Drawing A-8	1/F Landscape Plan
Drawings A-9 and A-10	1/F Landscape Section Plans
Plans A-1	Location Plan

Plan A-2
Plans A-3 to A-4
Plan A-5

Site Plan
Site Photos
Pedestrian Access Network in Tsuen Wan

PLANNING DEPARTMENT
MAY 2020