

**FURTHER CONSIDERATION OF APPLICATION NO. A/K5/820
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**Proposed Minor Relaxation of Plot Ratio Restriction for
Permitted Non-polluting Industrial Use (excluding industrial undertakings
involving the use/storage of Dangerous Goods)
in “Other Specified Uses” annotated “Business” zone and areas shown as ‘Road’
1016-1018 Tai Nan West Street, Cheung Sha Wan, Kowloon**

1. Background

- 1.1 On 12.6.2020, the applicant, CSW 1018 Company Limited, submitted the current application seeking planning permission for minor relaxation of plot ratio (PR) restriction from 12 to 14.3998 (i.e. +2.3998 or +20%) for development of a 29-storey industrial building (including three levels of basement car park and a mechanical plant floor) for ‘non-polluting industrial use (excluding industrial undertakings involving the use/storage of Dangerous Goods)’ at the Site. The proposed building height (BH) of 130mPD complies with the restriction under the Outline Zoning Plan. The Site was previously occupied by a pre-1987 industrial building (pre-1987 IB) namely Kwong Loong Tai Building¹, which had been demolished and the Site is currently vacant. Majority of the Site (97%) falls within an area zoned “Other Specified Uses” annotated “Business” (“OU(B)”) with a minor portion (3% of the site area) encroached upon the adjoining areas shown as ‘Road’² on the approved Cheung Sha Wan Outline Zoning Plan No. S/K5/37 (the OZP) (**Plan FA-2a**). While the proposed use is always permitted under Schedule II of the Notes for “OU(B)” zone for industrial or industrial-office building, minor relaxation of the PR restriction may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance.
- 1.2 On 18.9.2020, the application was considered by the Metro Planning Committee (the Committee) of the Board. Members had no in-principle objection to the application but there were concerns on the landscape design and arrangement of the proposed setback areas. Additional information on the future management of the setback areas should be provided.
- 1.3 After deliberation, the Committee decided to defer a decision on the application, pending the applicant’s submission of further information and clarification on building design and landscaping treatment especially within the setback areas at pedestrian level under the Proposed Scheme.

¹ The Occupation Permit for the subject IB was issued on 11.5.1962.

² The encroachment within the areas shown as ‘Road’ on the OZP could be considered as minor boundary adjustment in zoning boundaries under the covering Notes of the OZP.

1.4 For Members' reference, the following documents are attached:

- (a) MPC Paper No. A/K5/820 considered on 18.9.2020 (Appendix F-I)
- (b) Extract of minutes of the MPC meeting held on 18.9.2020 (Appendix F-II)
- (c) Secretary of the Board's letter dated 9.10.2020 informing the applicant of the Committee's decision to defer a decision on the application (Appendix F-III)
- (d) Letter received on 9.12.2020 providing clarifications with revised floor plan, elevations, artist's impression and photomontages in response to the Members' concerns # (Appendix F-IV)
- (e) Letter received on 15.12.2020 providing revised elevations # (Appendix F-V)
- (f) Letter received on 5.1.2021 providing responses to departmental comments and information on pedestrian traffic flow # (Appendix F-VI)
- (g) Letter received on 29.1.2021 providing revised artist impression and photomontages # (Appendix F-VII)

[#Accepted and exempted from the publication and recounting requirements.]

2. Further Information submitted by the Applicant

In response to Members' concerns, the applicant made refinements to the Proposed Scheme and provided clarifications in further information (**Appendices F-IV to F-VII**) which are summarised below:

Improvement on Building and Landscape Design

- (a) in order to address Members' concerns on pedestrian environment/circulation, tree planting instead of planter boxes within the setback areas along Tai Nan West Street and King Lam Street is proposed (**Drawing FA-1**) and there is also an increase in overall greenery from 274.852m² to 313.643m² (+38.791m², +14.11%) and in the greenery coverage in the pedestrian zone from 156.751m² to 160.460m² (+3.709m², +2.37%) due to more planting areas in the podium garden on 2/F (**Drawings FA-2 to FA-8**). Compared with the previous scheme (20%), the Revised Scheme will achieve a higher overall greenery of 22.827%. The greenery will be provided on G/F to 2/F including vertical greening³ and that in the podium garden on 2/F;

³ The actual provision of vertical greening is increased from 149.839m² to 166.797m² (+16.958m², +11.32%) of which only 82.440m² is accountable towards required greenery coverage.

Tree Planting

- (b) the proposed tree planting will be inside the lot boundary and will not encroach on the public footpath. The tree planting will allow pedestrians to walk under the proposed continuous canopy and provide sun-shading effects. The landscape design will facilitate pedestrian flow along the setback areas/pavement and bring streetscape improvement simultaneously. It is confirmed that there is no public utilities under the tree planting area and building, and utilities works will be avoided in the tree planting area to ensure that the growth of trees is not obstructed;
- (c) as the pavement along Wing Hong Street is surrounded by tall buildings with limited sun exposure and the vehicular ingress/egress is proposed at Wing Hong Street, tree planting at Wing Hong Street is not recommended to avoid obstruction to drivers' sightline at the ingress/egress point and road junctions. On the other hand, the Tai Nan West Street and King Lam Street are wide enough for tree planting with better sunlight penetration;
- (d) slow-growing species requiring no hard pruning will be adopted to maintain the suitable height of the trees. A Registered Landscape Architect will be consulted on tree species at detailed design stage;

Irrigation

- (e) recycled rain-water will be adopted for irrigation of the vegetation to achieve water-saving purpose;

Management of the Setback Areas

- (f) the building owner will be responsible for the future management of the tree planting within the setback areas. The setback areas will be dedicated as Common Area in the Deed of Mutual Covenant and indicated as "Pedestrian Footpath" in the building plans; and

Level of Services of the Footpath

- (g) the pedestrian traffic assessment reveals that the concerned sections of footpath including the proposed setback areas and tree planting along Tai Nan West Street and King Lam Street will have adequate capacity to cater for the pedestrian flows upon the completion of the proposed development.

3. Previous Application

There is no previous application in respect of the Site.

4. Similar Applications

- 4.1 When the current application was considered by the Committee on 18.9.2020, there were two similar applications (Nos. A/K5/813 and A/K5/816) for minor relaxation

of PR and/or BH relating to Government's new policy on revitalising IBs as announced in 2018 (the Policy) within "OU(B)" zone in the Cheung Sha Wan Industrial/Business Area, of which both were approved with conditions by the Committee on 6.3.2020 and 21.8.2020 respectively. After the current application was deferred by the Committee on 18.9.2020, two more similar applications (Nos. A/K5/825 and A/K5/826)⁴ for minor relaxation of PR relating to the Policy were approved with conditions by the Committee on 20.11.2020 (**Plan FA-1**).

- 4.2 In consideration of these four similar 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 (**Appendix F-VIII**).

5. Comments from Relevant Government Departments

- 5.1 Comments on the current application made previously by the relevant Government bureaux/departments are stated in paragraph 9 of **Appendix F-I**.
- 5.2 For the current submissions of further information (**Appendices F-IV to F-VII**), the following government departments have been consulted and their comments are summarised as follows:

Land Administration

- 5.2.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

the Site falls within New Kowloon Inland Lot No. 3505 s.A s.s.1, s.A RP, s.B s.s.1, s.B. s.s.2 and s.B. RP ("the Lot") which is held under a Government Lease dated 24.8.1948 as varied and modified by a Modification letter dated 16.2.1959 ("the Lease"). The Lease conditions restrict the Lot to be used for general industrial purposes excluding offensive trades. There is no tree preservation clause and setback requirement under the Lease governing the Lot.

Urban Design and Visual

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

Urban Design and Visual Aspects

- (a) as compared to the previous scheme, tree planting instead of planter boxes are proposed within the setback areas. There is also an increase in overall greenery at the building's low zone in the form of additional vertical greening and edge plantings along building

⁴ Planning Application Nos. A/K5/825 and A/K5/826 were submitted by 1 Plus 16 Investment Company Limited and 1 Plus 15 Investment Company Limited respectively, the company directors of which are same as the director of the company (i.e. CSW 1018 Company Limited) who submitted the current application.

frontages. The above proposals will further enhance the pedestrian environment and visual amenity along the building frontages; and

Landscape Aspect

- (b) according to the submitted information, there is approximately 1.5m between the proposed trees and the building, and a canopy is proposed above the proposed trees. Noting that the applicant will appoint a Registered Landscape Architect to select appropriate tree species along the pedestrian footpath within the Site in detailed design stage, she maintains the view of no objection to the application from landscape planning perspective.

Traffic

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

- (a) no further comment on the proposal; and
- (b) the level of services of the public footpaths, taking into account the proposed tree planting in setback areas, is acceptable.

Buildings Matters

5.2.4 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

the applicant is advised that areas covered by the proposed canopy within private lot should be accountable for gross floor area. Detailed comments on the proposed development under the Buildings Ordinance (BO) will be formulated at the plan approval stage under the building regime.

Electrical Safety Aspect

5.2.5 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site; and
- (b) they should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

- 5.3 The following government departments have no objection to/no further comment on the further information and their previous comments on the application set out in **Appendix F-I** remain valid:
- (a) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD);
 - (b) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
 - (c) Chief Engineer/Land Works, Civil Engineering and Development Department (CE/LW, CEDD); and
 - (d) Director of Leisure and Cultural Services (DLCS).

6. Planning Considerations and Assessments

- 6.1 The application is for minor relaxation of PR restriction from 12 to 14.3998 (+2.3998 or +20%) for a proposed 29-storey IB (including three basement levels and a mechanical plant floor) at the Site zoned “OU(B)” for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of Dangerous Goods). The proposed development is generally in line with the planning intention of the “OU(B)” zone, which is primarily for general business uses, including non-polluting industrial use. The proposed BH of 130mPD complies with the BH restriction under the OZP. At the Committee’s meeting on 18.9.2020, Members were concerned about the building design and landscaping treatment especially within the setback areas at pedestrian level under the Proposed Scheme. The applicant submitted further information on 9.12.2020, 15.12.2020, 5.1.2021 and 29.1.2021 in response to Members’ concerns and departmental comments.
- 6.2 In the Revised Scheme, full-height building setbacks of 2m along Wing Hong Street and Tai Nan West Street and 3.5m along King Lam Street in accordance with the Outline Development Plan’s requirements for the purpose of street widening and streetscape improvement; corner splays at Wing Hong Street/Tai Nan West Street and King Lam Street/Tai Nan West Street; canopy along the three building edges; and vertical greening on G/F and 1/F, a podium garden on 2/F and recessed platforms on 29/F will remain unchanged as in the previous scheme. The applicant further refined the landscape treatments as discussed in paragraph 2 above with tree planting instead of planter boxes within the setback areas along Tai Nan West Street and King Lam Street. No tree planting is proposed along Wing Hong Street as the vehicular access point will be provided there and obstruction to drivers’ sightline at the ingress/egress point and road junctions should be avoided. There is an increase in overall greenery and greenery coverage in the pedestrian zone as there are more planting areas in the podium garden on 2/F. Compared with the previous scheme (20%), the Revised Scheme will achieve a higher overall greenery of 22.827% and provide additional vertical greening. The applicant also indicated that the building owner will be responsible for the future management of the tree planting within the setback areas. The setback areas will be dedicated as Common Area in the Deed of Mutual Covenant and indicated as “Pedestrian Footpath” in the building plans.
- 6.3 CTP/UD&L, PlanD considered that the Revised Scheme will further enhance the pedestrian environment and visual amenity along the building frontages. It is noted that a Registered Landscape Architect will be appointed for selection of tree species.

CTP/UD&L, PlanD maintains the view of no objection to the application from landscape planning perspective. C for T considered that the level of services of the public footpaths, taking into account the proposed tree planting in the setback areas, is acceptable. All departments consulted including CBS/K, BD, DEMS and CA/CMD2, ArchSD have no objection to/no comment on the Revised Scheme.

7. Planning Department's Views

- 7.1 Based on the assessments made in paragraph 6 above, the Planning Department maintains its previous view of having no objection to the application.
- 7.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 5.2.2025, 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) in relation to (b) above, the 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.

Advisory clauses

The recommended advisory clauses are attached at **Appendix F-IX**.

- 7.3 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.

8. Decision Sought

- 8.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

- 8.2 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.
- 8.3 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.

9. Attachments

Appendix F-I	MPC Paper No. A/K5/820 considered on 18.9.2020
Appendix F-II	Extract of minutes of the MPC meeting held on 18.9.2020
Appendix F-III	Secretary of the Board's letter dated 15.5.2020 informing the applicant of the Committee's decision to defer a decision on the application
Appendix F-IV	Letter received on 9.12.2020 providing clarifications with revised floor plan, elevations, artist's impression and photomontages in response to the Members' concerns
Appendix F-V	Letter received on 15.12.2020 providing revised elevations
Appendix F-VI	Letter received on 5.1.2021 providing responses to departmental comments and information on pedestrian traffic flow
Appendix F-VII	Letter received on 29.1.2021 providing revised artist impression and photomontages
Appendix F-VIII	Similar Applications in Cheung Sha Wan Industrial/Business Area
Appendix F-IX	Advisory Clauses
Drawings FA-1 and A-2	Floor Plans
Drawing FA-3	Artist Impression
Drawings FA-4 and FA-5	Photomontages
Drawings FA-6 to FA-8	Elevations
Plan FA-1	Location Plan
Plans FA-2 and FA-2a	Site Plans
Plan FA-3	Site Photos

**PLANNING DEPARTMENT
FEBRURAY 2021**