

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K5/822

- Applicant** : E-Trend Biz Limited represented by Townland Consultants Limited
- Site** : 396 Lai Chi Kok Road, Sham Shui Po, Kowloon
- Site Area** : About 87.515m²
- Lease** : New Kowloon Inland Lot (NKIL) 176 s.G ss.4 R.P (part)
- (a) Restricted to non-industrial purposes
 - (b) Subject to a non-offensive trade clause
 - (c) Building Height (BH) restriction of 150 feet above Hong Kong Principal Datum (HKPD)
- Plan** : Approved Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/37
- Zoning** : “Residential (Group A)6” (“R(A)6”)
- (a) Restricted to a maximum plot ratio (PR) of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic, and a maximum BH of 80mPD (100mPD for sites with an area of 400m² or more), or the PR/BH of the existing building, whichever is the greater.
 - (b) For a non-domestic building to be erected on the site, the maximum PR shall not exceed 9.0.
- Application** : Proposed Hotel (Conversion of Existing Non-domestic Building)

1. The Proposal

- 1.1 The applicant seeks planning permission for in-situ conversion of the existing 6-storey non-domestic building (except the G/F currently occupied by a shop) for proposed hotel, at 396 Lai Chi Kok Road, Sham Shui Po (the Site) (**Plan A-1**). According to the Notes of the OZP for the “R(A)” zone, ‘Hotel’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board).

- 1.2 According to the applicant, the existing retail shop at G/F of the subject building will be retained¹ (**Drawing A-1**). No change to the existing gross floor area (GFA), existing building footprint and basic building structures will result from the proposed conversion works. The GFA and PR for the proposed hotel use after conversion is about 451.182m² and 5.15 respectively. The total GFA and PR of the subject building (including the retail shop at G/F) after the proposed conversion works is 485.906m² and 5.55 respectively, which is the same as the GFA and PR of the existing non-domestic building.
- 1.3 The proposed conversion works include proposed roof-top structures covering 55.3% area of the existing main roof and the resultant BH of the subject building is about 26.23mPD (including proposed roof-top structures) (**Drawing A-7**). There will be no vehicular access and internal transport facilities provided at the proposed hotel due to site constraint. The entrance of the proposed hotel is at Yen Chow Street (**Drawing A-1**). The targeted completion date for the proposed hotel is 2023.
- 1.4 The layout plans and schematic section plan are at **Drawings A-1** to **A-7**. Key development parameters and floor uses of the proposed hotel excluding the ground floor shop are as follows:

Proposed Development Parameters	
Site Area	87.515m ²
Proposed GFA and PR for the conversion for hotel use (about) [^]	<ul style="list-style-type: none"> • GFA - 451.182m² • PR – 5.15
Site Coverage (SC) (about)	94.51%
Proposed BH (about) [@]	<ul style="list-style-type: none"> • 26.23mPD (including the proposed roof-top structures)
Proposed No. of Storeys [@]	7 (including one storey for the proposed roof-top structures)
No. of Guestrooms	Not more than 16 (including 2 for disabled persons)
Average Guestroom Size (about)	5.374m ²
Parking and Loading/Unloading	Nil
Main Uses by Floor	
G/F	Hotel Entrance/ Lift Lobby, E&M facilities and Existing Retail Shop (excluded from the Application)
1/F	Guestrooms, Shared Toilet, Communal Recreation Area and Lift Lobby
2/F to 5/F	Guestrooms, Shared Toilet and Lift Lobby
R/F	E&M facilities

Notes

[^] Total proposed/existing GFA and PR of the whole building are 485.906m² and 5.55 respectively. The portion of the G/F currently used for retail purpose (an existing shop of 34.724m²) of the existing building will be retained.

¹ According to the Occupation Permit (OP) issued on 28.9.1976, the subject building was for non-domestic use, with office on upper floors and a shop on G/F.

@ The existing building has 6 storeys and BH of 23.79mPD (main roof). The proposed hotel will have proposed roof-top structures covering 55.3% area of the existing main roof, which will be counted as extra storey.

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

- (a) Application form received on 15.7.2020 and supplementary information received on 21.7.2020 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Letter dated 17.8.2020 providing responses to departmental comment and clarifying development parameters[#] **(Appendix Ib)**
- (d) Letter dated 26.8.2020 providing responses to departmental comment, revised floor plans to show the location of the back-of-house facilities and the relevant replacement pages of the Supplementary Planning Statement [#] **(Appendix Ic)**
- (e) Letter dated 4.9.2020 providing responses to departmental comments [#] **(Appendix Id)**
- (f) Letter dated 14.10.2020 providing responses to departmental comments and revised floor plans [#] **(Appendix Ie)**
- (g) Letter dated 4.12.2020 providing responses to departmental comments [#] **(Appendix If)**

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

1.6 The application was originally scheduled for consideration by the Metro Planning Committee (the Committee) on 4.9.2020. On 4.9.2020 and 23.10.2020, as requested by the applicant, the Committee agreed to defer making a decision on the application for a total of three months in order to allow sufficient time for the applicant to prepare further information to address departmental comments. The applicant subsequently submitted further information on 4.12.2020 (**Appendix If**). 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 Planning Statement and submissions of further information at **Appendices I to If**. They can be summarised as follows:

In-Line with Government's Latest Initiatives to Promote In-Depth District Tourism

- (a) The proposed hotel responds to the 2018 Policy Address and the Hong Kong Tourism Board (HKTB)'s campaign to promote district tourism in Sham Shui Po. Furthermore, the Government launched a design and fashion project at the Tung Chau Street/Kweilin Street project under the Urban Renewal Authority (URA). The proposed hotel being located at the core of Sham Shui Po with various tourist attractions nearby and within walking distance is strategically placed to capitalize the tourism policy initiatives.

Sustaining in Hotel Accommodation in Sham Shui Po

- (b) According to the information of HKTB, visitor arrival to Hong Kong increased by 14.9% year-on-year in the first five months of 2019, and the hotel occupancy rate was high during the period. While there has been a drop in visitors since the second half of 2019, HKTB has planned to launch a new branding campaign to rebuild the tourism industry. The total number of hotel and guesthouse rooms in Sham Shui Po District is low. Increase in hotel rooms can support further growth of the tourism sector by providing more choice in accommodation for visitors.

Ideal Location for Hotel Development

- (c) Being predominantly surrounded by major tourist attractions, shops, eating places, commercial and institutional uses, the Site is ideal for a hotel development to provide local tourism resources whilst minimizing the impact on the residential area. Furthermore, the Site has good public transport links, such as Sham Shui Po Mass Transit Railway (MTR) station and bus stops.

Suitability of the Site for the Proposed Hotel

- (d) The Site is located within a mixed-use character. The proposed hotel is compatible with the surrounding commercial/residential land uses and the tourist attractions in the vicinity. The proposed hotel will adopt the concept of co-living accommodation with apartment-like rooms and shared bathrooms, and a communal recreation area will be provided at 1/F to facilitate socialisation and interaction between guests.
- (e) Although the Site is zoned "R(A)6", the existing building was purposely designed for non-domestic use and has been used for office/shop and services since the 1970s. As the previous office use within the Site is no longer viable, the proposed hotel conversion is a practical use of the currently vacant premises. The applicant will renovate the building façade. The proposed hotel can utilize the existing land resource and provide benefits to the neighbourhood.
- (f) The practicality and feasibility of redeveloping the Site on its own for residential purpose is very low due to small site area, narrow configuration, and the requirements under the Building (Planning) Regulations on PR/SC. Should the Site be redeveloped for residential use as permitted in the OZP, the SC would be limited to 33.3%. This would result in an extremely small floorplate. After taking into account lift lobbies and fire escape staircases, it will result in a very inefficient and economically/commercially non-viable development. Besides, site constraints

prevent any tower setback to overcome traffic emissions and noise pollution from Lai Chi Kok Road and Yen Chow Street. With no future amalgamation and redevelopment of the Site with adjacent properties, the proposed conversion for hotel use on the Site is an appropriate use of the existing building.

Planning Precedents for Hotel Development in the Area

- (g) There are several precedents for hotel development approved by the Board in the “R(A)” zone within the same OZP. Approval of the proposed hotel conversion would not establish undesirable precedent in the area.

No Adverse Traffic Impact

- (h) The submitted Traffic Impact Assessment (TIA) (Appendix 2 of **Appendix Ia**) and FI demonstrate that the proposed conversion of the existing building for hotel use is feasible from a traffic engineering point of view and will not induce adverse traffic impact onto the adjacent road network.
- (i) Regarding the nil provision of on-site transport facilities, as Lai Chi Kok Road and Yen Chow Street are classified as primary distributor and district distributor roads, a run-in is not permitted. The Site is also small in size that it cannot accommodate any internal transport facilities after providing the necessary floor space for the circulation facilities. The proposed hotel will provide not more than 16 guestrooms. The Site is highly accessible by public transport services by hotel guests and hotel staff. There will be nil pick-up/drop-off demand for coaches, and hence no tour bus or coaches are proposed for the proposed hotel as it is targeted at individual travellers instead of group tours. The proposed hotel will result in minimal loading/unloading needs which can make use of the existing eastern kerbside of Yen Chow Street and Lai Chi Kok Road to carry out loading/unloading activities.

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

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

4. Background

- 4.1 The Site and its surrounding area were previously zoned “Commercial/Residential” (“C/R”) on the draft Mong Kok OZP No. LK 3/8. On 23.5.1975, the draft Mong Kong OZP No. LK 3/10 incorporating amendments to rezone the “C/R” sites including the Site to “Residential” (“R”) was exhibited for public inspection as the planning application system provided the flexibility for commercial uses at desirable locations (**Plan A-3**).
- 4.2 The part of the Planning Area to the southeast of Yen Chow Street including the Site was excised from the draft Mong Kong OZP No. S/K3/1 and was incorporated in the draft Cheung Sha Wan OZP No. S/K5/4, and the “R” zone of the excised area was rezoned to “R(A)” in the draft Cheung Sha Wan OZP No. S/K5/4 exhibited for public inspection on 9.10.1987 (**Plan A-4**).

- 4.3 To incorporate the recommendation of the Kowloon Density Study Review completed in early 2002, the restriction of maximum PR of 7.5 for a domestic building and maximum PR of 9.0 for a partly domestic and partly non-domestic building in the “R(A)” zone was incorporated in draft Cheung Sha Wan OZP No. S/K5/23 exhibited for public inspection on 31.5.2002. On 30.9.2010, the draft Cheung Sha Wan OZP No. S/K5/32 with amendments to rezone the Site from “R(A)” to “R(A)6” with BH restriction was exhibited for public inspection (**Plan A-4**). Since then, the zoning of the Site remains unchanged.

5. Previous Application

There is no previous application at the Site.

6. Similar Applications

- 6.1 There are 15 similar applications for hotel use within “R(A)” zone in the Cheung Sha Wan Planning Scheme Area considered by the Committee since 2000 (**Plan A-1**). Amongst them, ten applications were for redevelopment for hotel use and five were for wholesale/partial conversion of existing building for hotel use. Out of these applications, one wholesale conversion case and three redevelopment cases were approved with conditions and eleven cases (7 for redevelopment and 4 for wholesale/partial conversion) were rejected.
- 6.2 The four approved applications (Nos. A/K5/696, A/K5/724 and A/K5/730 for redevelopment and A/K5/718 for conversion) were approved by the Committee having considered the land use compatibility with the surrounding areas which were predominantly residential in nature with commercial uses on the lower floors, development intensity in compliance with the OZP restrictions and insignificant traffic impact caused by the proposed developments, and the proposed hotel would alleviate the industrial/residential interface problem in the area as the application site was in an area with existing industrial buildings in the immediate surroundings.
- 6.3 Two (Nos. A/K5/696 and A/K5/724) out of the four approved applications have commenced and the hotels are already in operation. However, the other two (Nos. A/K5/718 and A/K5/730) have not been implemented and the planning approvals have lapsed.
- 6.4 For the eleven rejected applications, 7 applications (Application Nos. A/K5/583, A/K5/604, A/K5/623, A/K5/736, A/K5/755, A/K5/793, A/K5/814) were for redevelopment with three cases (Application Nos. A/K5/583, A/K5/604 and A/K5/623) relating to the same site. They were rejected mainly on grounds of the current shortfall in housing supply and the sites should be developed for their zoned use, no planning merits to justify the proposed development and the applicant failed to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas. Three rejected applications (Nos. A/K5/715, A/K5/721 and A/K5/769) were for partial conversion of existing composite commercial/residential buildings and were rejected mainly due to non-provision of

separated and independent access from other portions of the existing building and the operation of hotel may cause nuisance and inconvenience to the residents in the composite building. Application No. A/K5/731 was for wholesale conversion of existing composite commercial/residential building for guesthouse use and it was rejected on grounds of no planning merits to justify the proposed development and approving the application would affect the supply of housing land in meeting the pressing housing demand over the territory.

6.5 Details of the similar applications are summarised at **Appendix II**.

7. The Site and Its Surrounding Areas (Plans A-1, A-2, A-5 and A-6)

7.1 The Site is:

- (a) located at the junction of Lai Chi Kok Road and Yen Chow Street; and
- (b) currently occupied by a 6-storey non-domestic building completed in 1976. Portion of the G/F is now occupied by a retail shop (excluded from this application) and the upper floors for office use are currently vacant.

7.2 The surrounding areas have the following characteristics:

- (a) to the northeast, east and south of the Site is predominantly residential buildings with commercial uses on the lower floors including three buildings located adjacent to the Site, namely Lee Luen Yick Building, Peace Building and Ming Fai Building² (**Plan A-2**);
- (b) to the west, northwest and north of the Site across Yen Chow Street is the Yen Chow Street Hawker Bazaar, the Sham Shui Po Police Station and a shopping mall known as Dragon Centre (**Plan A-2**); and
- (c) the Site is easily accessible by various modes of public transport, with Sham Shui Po MTR Station located at about 300m northeast of the Site.

8. Planning Intention

The planning intention of the “R(A)6” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

² The OPs for Lee Luen Yick Building was issued in 1981, for Peace Building in 1982 and for Ming Fai Building in 2001.

9. Comments from Relevant Government Departments

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

Land Administration

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

- (a) no objection to the application;
- (b) the Premises falls within s.G ss.4 R.P. of NKIL No.176 (“the ~~Lots~~ **Lot**”) which is governed by Government Lease dated 4.1.1918 as varied or modified by a Deed of Variation dated 21.3.1974 (“the Lease”). The Lot is restricted to non-industrial purposes and subject to a ~~non-offensive trade~~ **non-offensive trade** clause. The Lessee, amongst others, shall not erect any building which exceeds a height of 150ft above HKPD (about 45.72m) and shall have no right of ingress and egress to or from Lai Chi Kok Road or Yen Chow Street for the passage of motor vehicles. The proposed use as hotel does not conflict with the lease conditions governing the Premises; and
- (c) as the Lease contains a non-offensive trade clause, if provision and sale of food and beverages are proposed at the Lot, the lot owner is required to apply for removal of the lease restriction by way of a ~~licence~~ **licence**. However, there is no guarantee that the licence application, if submitted, will be approved. Such application, if received by LandsD, will be considered by LandsD in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of licence fee and administrative fee as may be imposed by LandsD.

Traffic

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

- (a) has no objection to the application;
- (b) it is noted that the proposed development will involve only in-situ conversion of an existing building with internal change of use and the existing building bulk will be largely unchanged; and
- (c) has the rights to impose, alter or cancel any car parking, loading/unloading facilities and/or any no-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development.

Environmental Aspect

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

- (a) hotel developments are normally provided with central air conditioning system and the applicant(s)/Authorised Person(s) should be able to select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact; and
- (b) should the application be approved, approval conditions requiring the applicant to submit a Sewerage Impact Assessment (SIA) to the satisfaction of his department and to implement the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Drainage Services Department are recommended; and the applicant should be advised to prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage work.

Drainage and Sewerage Aspects

9.1.4 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

He supports the inclusion of the approval conditions to submit a SIA and to implement the local sewerage upgrading/sewerage connection works identified in the SIA and the advisory clause as recommended by DEP in paragraph 9.1.3 (b) above.

Urban Design and Visual

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

- (a) the proposed development for hotel consists of one building block with a height of 26.23mPD, which complies with the BH Restriction permitted in the OZP and may not be incompatible with adjacent developments with BH Restriction of 80mPD; and
- (b) in this regard, he has no comment from architectural and visual impact point of view.

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

There is no change to the PR of the existing building and the proposed BH about 26.23mPD has not exceeded the BH restriction stipulated for the Site. As such, it is unlikely that the proposed development will induce any significant visual impact.

Building Matters

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

- (a) no in-principle objection to the application;
- (b) application for hotel concessions under Building (Planning) Regulation 23A will be considered upon formal submission of building plans subject to compliance with criteria under PNAP APP-40 including provision of dry goods store;
- (c) all buildings works should comply with the Buildings Ordinance (BO) and allied regulations; and
- (d) basic information and development parameters are provided in the Supplementary Planning Statement and it is noted that the scheme is subject to further refinement when its details are firmed up. Hence detail comments on the development potential of the proposal under the BO can only be formulated at the plan approval stage under the building regime.

Fire Safety

9.1.8 Comments of the Director of Fire Services (D of FS):

- (a) no objection in principle to the application subject to the fire service installations and water supplies for firefighting being provided to the satisfaction of his department;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from licensing authority; and
- (c) the applicant is advised to observe the requirements of Emergency Vehicular Access (EVA) as stipulated in Section 6, Part D of the *Code of Practice for Fire Safety in Buildings 2011* which is administered by the BD.

Tourism

9.1.9 Comments of the Commissioner for Tourism (C for Tourism):

- (a) no objection to the proposed hotel development at the Site provided that it is agreeable to all relevant Government departments, and that the applicant is able to comply with all requirements laid down by the relevant departments; and
- (b) the proposed hotel development will help increase the provision of hotel facilities, broaden the range of accommodations for visitors, and support the development of convention and exhibition, tourism

and hotel industries.

Hotel Licensing

9.1.10 Comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD):

- (a) no objection to the application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap. 349;
- (b) the applicant should submit a copy of the occupation permit or acknowledgement letter for proposed hotel issued by BD when making an application under the HAGAO, Cap. 349; and
- (c) the licensing requirements will be formulated after inspections by the HAD's Building Safety Unit and Fire Safety Team upon receipt of an application under HAGAO.

Other Aspect

9.1.11 Comments from the Director of Food and Environmental Hygiene (DFEH):

No environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should arrange its disposal properly at their own expenses.

District Officer's Comments

9.1.12 Comments of the District Officer (Sham Shui Po), Home Affairs Department (DO(SSP), HAD):

Since the proposed site area (87.515m²) is relatively small, it is believed that this redevelopment will not cause huge impact to the district. Having said that, the nature of the application itself is very similar to another application in the local proximity, namely "56G-56H and 56J-56K Yen Chow Street" (Planning Application No. A/K5/814) which was opposed unanimously by the members of the Sham Shui Po District Council in the meeting dated 5 March 2019 with due consideration to potential adverse traffic impact and the shortfall in the supply of housing land in the district. In this regard, it is assessed that the above factors are still of the prime concern of Sham Shui Po District Council members.

9.2 The following departments consulted have no objection to or no comment on the application:

- (a) Secretary for Commerce and Economic Development, Commerce and Economic Development Bureau (SCED, CEDB);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

- (c) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
- (d) Commissioner of Police (C of P);
- (e) Director of Electrical and Mechanical Services (DEMS); and
- (f) Project Manager (South), Civil Engineering and Development Department (PM(S), CEDD).

10. Public Comments Received During Statutory Publication Period

During the three-week statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is to seek planning permission for in-situ conversion of an existing 6-storey non-domestic building (except the existing retail shop occupying portion of the G/F) for hotel use providing not more than 16 guestrooms. The proposed hotel will have a PR of 5.15³. The BH of the subject building as a result of the proposed conversion works for hotel use is about 26.23mPD (including the proposed roof-top structures). The proposed PR and the proposed BH of the subject building are within the OZP restrictions. No vehicular access and internal transport facility are proposed at the Site (**Drawings A-1 to A-7**).

Planning Intention

- 11.2 The Site is zoned “R(A)” which is intended primarily for high-density residential developments with certain commercial uses always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. In general, sites should be developed/redeveloped in accordance with the planning intention of the zoning as shown on the OZP unless strong justifications have been provided for a departure from such planning intention.
- 11.3 The immediate neighbourhood of the Site on the same side of Yen Chow Street is predominantly residential in nature with retail shops and restaurants located at the lower floors of the buildings. At the opposite side of the Site along Yen Chow Street are Yen Chow Street Hawker Bazaar, Sham Shui Po Police Station and a commercial development (Dragon Centre). According to the OP of the existing building issued in 1976, the subject building was for non-domestic uses (i.e. office and shop). The proposed conversion of the existing non-domestic building for hotel use is considered not incompatible with other use of the building (i.e. retail shop) and the surrounding developments in terms of land use.
- 11.4 As there is current acute shortage of housing supply, sites planned for residential use should generally be retained for residential development. Since the subject building is a purpose-designed non-residential building for office and shop uses, the proposed in-situ conversion for hotel use will not impact on the existing housing supply in the

³ The PR of the subject building including the proposed hotel and the existing retail shop at G/F is 5.55, which is the same as the PR of the existing non-domestic building

area. SCED has no comment on and C for Tourism has no objection to the application.

Technical Aspects

- 11.5 The proposed hotel will provide not more than 16 guestrooms with no internal transport facility. According to the submitted TIA, the proposed hotel use will not induce adverse traffic impact onto the adjacent road network. The Site is highly accessible with public transport services. As the proposed development will involve only in-situ conversion of an existing building with internal change of use and the existing building bulk will be largely unchanged, C for T has no objection to the application.
- 11.6 The proposed development would not result in adverse environmental, sewerage and drainage impact on the surrounding area. Relevant departments including DEP, CE/MS of DSD, CBS/K of BD, D of FS and DEMS have no objection to or adverse comment on the application. To address DEP's concerns on sewerage impact, approval conditions under paragraphs 12.2 (a) to (b) below are recommended.

Similar Applications

- 11.7 The Committee has previously considered five similar applications for wholesale or partial conversion of the existing composite commercial/residential building for hotel use within the "R(A)" zone on the OZP since 2000. One was approved and four were rejected. Application No. A/K5/718 (wholesale conversion) was approved on grounds of land use compatibility with the surrounding residential use with commercial uses on the lower floors, development intensity in compliance with the OZP restrictions and insignificant traffic impact. Regarding the four rejected cases, three (Nos. A/K5/715, A/K5/721 and A/K5/769 for partial conversion) were rejected mainly on grounds of non-provision of separated and independent access from other portions of the existing building and the operation of hotel may cause nuisance and inconvenience to the residents in the composite building, and one (No. A/K5/731) was rejected mainly on the grounds of no planning merits to justify the proposed development and approving the application would affect the supply of housing land in meeting the pressing housing demand over the territory. Noting that the five similar applications mentioned above are all composite commercial/residential buildings (non-domestic uses on the lower floors and domestic use on floors above) and the building under the current application is a non-domestic building, approval of the current application for in-situ conversion will not be inconsistent with the Committee's previous decisions.

Public Comments

- 11.8 No public comment on the application was received.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above, the Planning Department 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 22.1.2025, 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 also suggested for Members' reference:

Approval Conditions

- (a) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in relation to (a) 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 proposed hotel development is not in line with the planning intention of the "Residential (Group A)" ("R(A)") zone which is for high-density residential development. The applicant fails to demonstrate that there are strong justifications to deviate from the planning intention of the "R(A)" zone.

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 conditions and advisory clauses, 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 and Supplementary Information
Appendix Ia	Planning Statement
Appendix Ib	Letter dated 17.8.2020 providing responses to departmental comment and clarifying development parameters
Appendix Ic	Letter dated 26.8.2020 providing responses to departmental comment, revised floor plans to show the location of the

	back-of-house facilities and the relevant replacement pages of the Supplementary Planning Statement
Appendix Id	Letter dated 4.9.2020 providing responses to departmental comments
Appendix Ie	Letter dated 14.10.2020 providing responses to departmental comments and revised floor plans
Appendix If	Letter dated 4.12.2020 providing responses to departmental comments
Appendix II	Similar Applications within “R(A)” Zone on Cheung Sha Wan OZP since 2000
Appendix III	Advisory Clauses
Drawings A-1 to A-6	Layout Plan
Drawing A-7	Schematic Section Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-4	Location Plans on Previous OZPs
Plans A-5 to A-6	Site Photos

PLANNING DEPARTMENT
January 2021