

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TW/518

- Applicant** : Venyu Development Company Limited represented by Kenneth To & Associates Limited
- Site** : Lot 301 RP in D.D. 355, Pun Shan Street, Tsuen Wan
- Site Area** : About 903.5m²
- Lease** : Lot 301 RP in D.D. 355:
(a) Held under New Grant No. 3576 as modified by a Modification Letter dated 10.9.1963;
(b) To be expired on 30.6.2047; and
(c) Restricted to industrial purposes and adequate space shall be provided within the Lot for loading and unloading and storage
- Plan** : Approved Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/33
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)

(a) Maximum plot ratio (PR) of 9.5 and maximum building height (BH) of 100 metres above Principal Datum (mPD), or the PR/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 Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods)

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. 1.9 or +20%) at Lot 301 RP in D.D. 355, Pun Shan Street (the Site) in Chai Wan Kok Industrial/Business Area, which falls within an area zoned “OU(B)” on the approved Tsuen Wan OZP No. S/TW/33 (**Plan A-1**). The Site is currently a works site and the ex-industrial building on the site has been demolished¹. The

¹ The Occupation Permit for the subject demolished building on the Site was issued on 7.11.1966.

proposal is for development of a 20-storey industrial building (IB) (including 1 basement level) with a maximum BH of not more than 100mPD for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous good). According to the Schedule II for industrial or industrial-office (I-O) buildings of the Notes for the “OU(B)” zone of the OZP, ‘Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of dangerous goods)’ is a Column 1 use which is always permitted. Minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Town Planning Ordinance.

- 1.2 According to the applicant, a 3m-wide non-building area (NBA) along Pun Shan Street will be provided for creating a wider footpath while a 4.5m-wide strip of land adjoining the south-western lot boundary is proposed as an NBA for pedestrian passage (**Drawing A-11**). The two NBAs are in line with the requirements of the Tsuen Wan Central Outline Development Plan (the ODP)² (**Plan A-2**). The latter would form part of the pedestrian network extending from Sha Tsui Road into the inner part of the street block bounded by Sha Tsui Road, Pun Shan Street and Chai Wan Kok Street, creating an alternative pedestrian route to enhance pedestrian circulation (**Plan A-2** and **Drawing A-12**). Adequate lighting will be provided in the NBA to create a pleasant environment for pedestrians’ circulation.
- 1.3 Both NBAs will be hard paved with nicely designed pattern. No tree planting is proposed for both NBAs with a view to preserve future traffic improvement proposal on Pun Shan Street (i.e. the 3m-NBA) and to avoid impeding pedestrian circulation as well as to avoid encroaching onto the means of escape of the adjoining development (under Application No. A/TW/509)³ (**Drawing A-12**) along the southern boundary (i.e. the 4.5m-NBA). Instead, the applicant proposes a 0.5m landscape strip along the Pun Shan Street 3m-NBA with sunken planters⁴ for grass/ground cover/small shrubs planting (**Drawings A-2, A-9 and A-10**). The applicant will take up the design, construction, maintenance, and management of the proposed NBAs. No bonus PR under Building (Planning) Regulations (B(P)R) will be claimed by the applicant under the application. Besides, a 2m x 6m canopy is proposed at the main entrance at the building façade along the 4.5m wide pedestrian passage subject to exemption of GFA (**Drawings A-2 and A-10**).
- 1.4 Greenery features including vertical greening at G/F facing Pun Shan Street and a green roof on R/F will be provided (**Drawings A-7 to A-10**). The provision of vertical greening at G/F and green roof at R/F would achieve not less than 20% greenery coverage of the total site area (i.e. about 183.7m²)⁵.
- 1.5 For the sustainability and maintenance of vertical greening, the applicant has submitted a “Vertical Green System Inspection and Maintenance Schedule” (the Schedule) stating that inspection frequency and recommended actions for

² According to the applicant (**Appendix Ic**), the proposed NBAs will have a total area of about 225.9m² (about 25% of the site area).

³ According to the submission of Application No. A/TW/509, the 4.5m-wide setback is also for public access.

⁴ The sunken planters will be provided along area without conflicting to main entrance and transformer room which requires to be unobstructed (**Appendix Ic**).

⁵ Provided by the applicant on voluntary basis in spite that it is not required under PNAP APP-152 due to site area less than 1,000m². Please refer to paragraph 9.1.9(a)(iv).

maintaining the vertical greenery⁶. The applicant undertakes to engage landscape architect to prepare a maintenance manual should the application be approved. The Schedule and the drainage system is detailed in **Appendix Ib** and **Drawing A-13** respectively.

- 1.6 Relevant floor plans and schematic sections submitted by the applicant are shown at **Drawings A-1 to A-7**. Major development parameters of the proposed scheme (**Appendices I and Ia**) are as follows:

Major Development Parameters	Proposed Scheme
Site Area	About 903.5m ²
PR	About 11.4
Total Gross Floor Area (GFA)	About 10,300m ²
BH (main roof)	Not more than 100mPD
Site Coverage (SC)	
• 2/F and below	Not more than 75%
• 3/F and above	Not more than 60%
No. of Block	1
No. of Storeys	20 (including one basement level)
Proposed Uses	Workshops
Parking Spaces/Loading/Unloading Bay	
• Private Car	18 (including one accessible parking spaces)
• Motorcycle	2
• Light Goods Vehicle (LGV)	6
• Heavy Goods Vehicle (HGV)	3
NBA	
• Pun Shan Street	3m full height from the lot boundary
• South-western lot boundary	4.5 full height from the lot boundary
Greenery	183.7m ² (20.3% of the total site area)
	- Greenery (R/F): 84.825 m ² (9.4%)
	- Vertical Greening (G/F): 98.891m ² (10.9%)
Anticipated Year of Completion	2024

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

- Application form and clarification letter received on 22.5.2020 with replacement pages of the Supporting Planning Statement (SPS) (**Appendix I**)
- SPS received on 22.5.2020 enclosing Traffic Impact Assessment (TIA) and Sewerage Impact Assessment (SIA) (**Appendix Ia**)
- Further information 1 (FI) vide letter received on 12.8.2020 responding to departmental comments and enclosing replacement page for SIA, supplementary information to TIA and description and indication drawing for vertical greening system[#] (**Appendix Ib**)

⁶ The use of grey water for irrigation of the vertical greening will be considered by the applicant as part of the green building design at detailed design stage (**Appendix If**).

- (d) FI 2 vide letter received on 28.9.2020 responding to departmental comments and enclosing revised floor plans* (**Appendix Ic**)
- (e) FI 3 vide letter received on 28.9.2020 enclosing artist impression* (**Appendix Id**)
- (f) FI 4 vide letter received on 23.11.2020 responding to departmental comments and enclosing plans of landscape proposal* (**Appendix Ie**)
- (g) FI 5 vide letter received on 15.1.2021 responding to department comments with enclosing revised plans of artist impression* (**Appendix If**)

Remarks:

accepted but not exempted from publication and recounting requirement

** accepted and exempted from publication and recounting requirement*

- 1.8 The application was originally scheduled for consideration on 10.7.2020. On 10.7.2020 and 9.10.2020, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision as requested by the applicant to allow sufficient time for preparation of FI to address departmental comments. Subsequent to the submission of FI by the applicant on 23.11.2020, the application is now 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 set out in Section 5 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 "Hong Kong 2030+" Study

- (b) It is projected in "Hong Kong 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 "Hong Kong 2030+" Study.

Continuing to Meet the Prevailing Planning Intention

- (c) The "OU(B)" zone was introduced to allow maximum flexibility in the use of existing industrial and I-O buildings as well as in the development of new buildings for both commercial and clean industrial uses. The provision of new non-polluting industrial floor space could promptly respond to the latest trend of the development of non-polluting industries as well as expediting and synergising the transformation of Chai Wan Kok Business Area.

Relaxation Sought is Minor and Acceptable

- (d) The proposed redevelopment scheme is formulated in accordance with the maximum BH stipulated under the approved OZP. To minimise the building bulk, a portion of the car parking spaces and L/UL bays will be provided at basement level. The proposed development is in harmony with the surrounding context and the relaxation of PR being sought is considered minor in nature and deemed acceptable.

Planning and Design Merits for the Proposed Development

- (e) The proposed 3m-wide NBA along Pun Shan Street would widen the existing footpath along Pun Shan Street from 3m to 6m to enhance pedestrian circulation and comfort. The 4.5m-wide strip of land adjoining the south-western lot boundary is would create a new pedestrian passage from Pun Shan Street to Sha Tsui Road for public access (**Drawing A-12**). Due to the limited size of the Site and constraints posed by the building structure upon accommodating the essential facilities, as well as the room occupied by the turntable and parking and loading/unloading bays for heavy goods vehicles, it is not feasible to further set back from Pun Shan Street or from the lot boundary.
- (f) The two NBAs are proposed to be hard paved with nicely designed pattern as per Highways Department's standard to improve streetscape.
- (g) The incorporation of vertical greening at G/F with the 3m-wide NBA along Pun Shan Street would enhance visual quality and air permeability of the surrounding environment, streetscape and public realm. Having considered the sustainable growth of plants, no vertical green is proposed along the 4.5m NBA.
- (h) The proposed development has referred to the high end of relevant requirements in the HKPSG in providing internal transport facilities.
- (i) To avoid conflicting with the vertical greening at the façade of Pun Shan Street, canopy will only be provided to the southern façade along the 4.5m-wide pedestrian passage.

Compliance with Sustainable Building Design Guidelines (SBDG)

- (j) The proposed development meets the requirement of SBDG in terms of building separation (less than 60m for continuous projected façade length); provision of two NBAs and total greenery of not less than 20%.

Adopting Green Building Design Measures

- (k) The proposed scheme would apply for the Leadership in Energy and Environmental Design ("LEED") certification with the details of the green building measures considered at the detailed building design stage.

No Adverse Traffic and Sewerage Impact

- (l) The submitted SIA and TIA have demonstrated that the proposed development is anticipated to generate no adverse impacts to the surrounding area.

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 1987⁷, 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 B(P)R⁸. 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.
- 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.

6. Similar Applications

- 6.1 Since March 2019, the Committee has considered a total of 18 applications for minor relaxation of PR and/or BH in the Yau Tsim Mong, Cheung Sha Wan, Kwai Chung

⁷ 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.

⁸ 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.

and Tsuen Wan areas relating to the Policy, including six applications (No. A/TW/505, A/TW/508, A/TW/509, A/TW/514, A/TW/516 and A/TW/517) in Tsuen Wan (**Plan A-1**). Out of the 18 similar applications, 17 applications were approved with conditions and one was deferred pending for the applicant's submission of further information on the design of the proposed setback areas and greenery measures on ground level under the proposed scheme, and clarifications on the future management responsibility and pedestrian accessibility of the proposed setback areas (No. A/K5/820) (**Appendix IV**). 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.

- 6.2 Same as the current application, planning applications No. A/TW/508, A/TW/509 and A/TW/517 are located in the Chai Wan Kok Industrial /Business Area approved with conditions on 17.1.2020, 13.12.2019 and 9.10.2020 respectively, of which A/TW/508 is located to the northwest of the Site across Pun Shan Street, while A/TW/509 and A/TW/517 are located immediately to the east and to the further northeast of the Site respectively (**Plan A-1**). The other three (Nos. A/TW/505, A/TW/514 and A/TW/516) are located in Tsuen Wan East Industrial Area at Texaco Road (**Plan A-1**).

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) bounded by Pun Shan Street to its northwest; and
- (b) a works site and was previously occupied by portions of Central Textiles (HK) Limited Factory.

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

- (a) the neighbouring buildings along Pun Shan Street, Chai Wan Kok Street and Sha Tsui Road are mainly industrial in Chai Wan Kok Industrial/Business Area;
- (b) to its further west is a "Government, Institution or Community" zone for the CLP Power Hong Kong Limited Tsuen Wan Depot and the Chai Wan Kok Cooked Food Market; and
- (c) to its further north/northeast across the Castle Peak Road – Tsuen Wan are four residential developments, namely Summit Terrace, Joyful Building, Tsuen Tak Gardens and Kam Fung Garden.

8. **Planning Intention**

- 8.1 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 industrial-office buildings.

- 8.2 As stated in the Explanatory Statement (ES) of the OZP, to cater for the traffic and pedestrian movement needs in the Chai Wan Kok Industrial/Business Area, setbacks from the lot boundaries along the roads and/or between buildings for carriageway and footpath improvement and greening are required. The detailed requirements have been stipulated on the Tsuen Wan Central Outline Development Plan (**Plan A-2**).

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, relaxation of the maximum permissible non-domestic PR by up to 20% may be permitted, on a case-by-case basis, under the current revitalisation scheme for redevelopment of pre-1987 IBs located outside “Residential” zones in Main Urban Areas and New Towns. In this light, 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) it is noted that the applicant intends to develop a new industrial building on the Site for non-polluting industrial uses. He is willing to provide policy support for the subject planning application, on the clear understanding that the development proposal (if materialised) would help address the increasing long-run shortfall of industrial floor space in Hong Kong under the current projection, subject to the applicant’s compliance with all the technical requirements as examined by relevant departments.

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) the Site comprises the Remaining Portion of Lot No. 301 in D.D.355 (the Lot). The Lot is governed by New Grant No. 3576 as varied or modified by a Modification Letter dated 10.9.1963. The Lot is restricted to industrial purposes. Adequate space shall be provided within the Lot for loading and unloading and storage;
- (b) "Non-polluting industrial" use in planning terms covers a wide range of uses and many of such uses quoted in the TPB guidelines including but not limited to:
 - (i) research and development;
 - (ii) quality control;
 - (iii) information technology support;
 - (iv) training for the process of enhanced productivity/delivery of goods;
 - (v) computer-aided design service;
 - (vi) editing of newspapers/book/magazines; and
 - (vii) after-sale services of products

will constitute uses in breach of the lease conditions including the user restriction of "industrial purposes" which should involve manufacturing process as decided by court cases. The applicant being the owner of the Lot should be fully aware of the user restriction of the "industrial" use under lease which has a different interpretation under the TPB's definition in Column I uses permitted under the planning regime. If the proposed industrial development is intended to be used for non-polluting industrial uses" that are in breach of the lease conditions, the lot owner shall need to apply to LandsD for a lease modification;

- (c) the proposed non-building areas (i.e. 3m and 4.5m wide adjoining Pun Shan Street and south-western lot boundary respectively) are not the existing lease requirements;
- (d) Upon receipt of the lease modification application, LandsD will impose such appropriate terms and conditions including user restriction for non-residential purposes, the 5-year time limit for completion of the development, payment of full premium and administrative fee, other conditions applicable to 2018 IB revitalisation measure etc. There is no guarantee that the application will be approved by LandsD. Under the 2018 IB revitalisation measure for redevelopment, the modification letter shall be executed within 3 years from the date of Board's approval letter.

Traffic

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

- (a) no objection in principle to the application;

- (b) to cater for the future pedestrian flow in the transforming business area, it is proposed to introduce building setback for carriageway and footpath widening, greening and landscaping in Chai Wan Kok Industrial Area. The carriageway of Pun Shan Street will be widened to 10.3m with footpaths of 5m. As a result, the proposed width of the carriageway cum footpath would be 20.3m. Given the existing road widening requirement on the ODP, an additional 3m setback is proposed along the street;
- (c) he has no adverse on the provision of landscaping within the NBA from traffic management viewpoint;
- (d) should the application be approved, the following condition is recommended to be incorporated: and

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

9.1.4 Comments of Chief Highway Engineer/New Territories West, Highways Department (CHE/NT/HyD):

- (a) he has no comment on the application from highway maintenance perspective; and
- (b) he has the following comments on the NBA:
 - (i) the applicant shall be responsible for the design, provision and maintenance of the lighting system for the setback area to the satisfaction of HyD;
 - (ii) the applicant shall at his own expense keep, manage, maintain repair and clear (including keeping and maintaining the landscape works in a clean, neat, tidy, functional and healthy condition) the NBA;
 - (iii) the applicant shall at his own expense surface, kerb and channel the NBA; and
 - (iv) no underground facilities shall be installed within the NBA.

Environment

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

- (a) no objection to the application; and
- (b) should the application be approved, it is recommended to impose the following conditions:

Approval condition for Sewerage Impact Assessment

the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the DEP or of the Board;

Approval condition for land contamination assessment

the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the DEP or of the Board; and

Advisory clause for waste management

the applicant is advised to minimise the generation of construction and demolition (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.

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

- (a) he has no comment on the application; and
- (b) should the application be approved, it is recommended to impose an approval condition on the implementation of the recommended works identified in the updated Sewerage Impact Assessment for the proposed development to the satisfaction of the DSD or of the Board.

Urban Design, Visual and Landscape

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

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

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

Urban Design and Visual

- (a) he has no in-principle objection to the application;
- (b) the Site, fronting Pun Shan Street is located in the western portion of Chai Wan Kok "OU(B)" area which is occupied predominantly by industrial and some commercial/office developments with an intended BH of 100mPD as per the OZP. The proposed minor relaxation of PR

does not involve additional BH beyond what is permitted in the OZP. Given the context, accommodation of the proposed development would unlikely cause any significant visual impact to the surroundings;

- (c) the existing footpath/pavement along Pun Shan Street is proposed to be widened to provide a 3m-wide NBA from 3.0m to about 6.0m which will benefit the pedestrians. A 4.5m-wide strip of land adjoining the south-western lot boundary is also proposed to be designated as NBA for pedestrian passage that would form part of the pedestrian networks extending from Sha Tsui Road into the inner part of the street block bounded by Sha Tsui Road, Pun Shan Street and Chai Wan Kok Street thus creating an alternative pedestrian route; and
- (d) the applicant proposes greening in the form of a vertical green wall at G/F facing Pun Shan Street (about 98.89m²) and greenery at the roof level. The proposed greening treatment at the building's low zone would enhance the pedestrian environment and visual amenity along the building frontage.

Landscape

- (e) he has no objection to the application from landscape planning perspective; and
- (f) the Site is situated in an area of urban landscape character. It is currently occupied by an IB without any existing landscape resource. The proposed development is considered not incompatible with the surrounding environment. Significant adverse landscape impact arising from the proposed development is not anticipated and landscape condition in planning permission is not required, should the application be approved by the Board.

Building Matters

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

- (a) no objection under the Buildings Ordinance (BO) to the application subject to the following comments:
 - (i) before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System. Otherwise they are Unauthorised Building Works (UBW). An Authorised Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (ii) any proposed building works should comply with the prevailing

requirements under the BO and allied regulations and Code of Practices;

- (iii) percentage of disregarded GFA for the proposed aboveground private car parks on 1/F and the percentage of GFA concession of the associated car lifts and driveway on G/F should be calculated based on the principle laid down under PNAP APP-2. The applicant's attention is drawn to the requirements on percentage on GFA of the carpark ancillary areas to be disregarded as stipulated in paragraphs 7 and 10 of Appendix C of PNAP APP-2;
- (iv) if GFA concession is granted, the pre-requisites in PNAP APP-151 (e.g. BEAM Plus Certification) and sustainable building design guidelines (SBDG) set out in PNAP APP-152 should be complied with. As the site area (about 903.5m²) is less than 1,000m², requirement for site coverage of greenery under PNAP APP-152 may not be applicable;
- (v) the proposed canopy at 1/F projecting not more than 2m above the main entrance of the building need not be counted for site coverage and PR calculation subject to the requirements under PNAP APP-19;
- (vi) detailed comments will be given in the building plan submission stage; and
- (vii) the OP of the existing building was issued on 7.11.1966.

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

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

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection periods, a total of 3 public comments (**Appendix II**) were received. Two of them were submitted by the same individual which are mainly to express the concerns on the cumulative impact of minor relaxation cases in the area and the sustainability of the proposed greenery. One comment is supporting the application as it can improve the local environment and create more job opportunities.

11. Planning Considerations and Assessments

- 11.1 The application is for minor relaxation of PR restriction from existing 9.5 to 11.4 (+20%) to facilitate redevelopment of an existing IB at the Site into a 20-storey IB development (including one basement level) 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 not more than 100mPD complies with the BH restriction under the OZP.

Policy Aspect

- 11.2 The IB before demolition at the Site with an OP issued on 7.11.1966 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 by the applicant 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. CE/MS, DSD and DEP have also no objection to the application subject to the imposition of approval conditions on sewerage and land contamination aspects as set out in paragraphs 12.2(b), (c) and (d) below respectively. Other relevant Government departments consulted including CA/CMD2, ArchSD, D of FS and CHE/NTW, HyD have no objection to/no comment on the application.

Planning and Design Merits Aspect

- 11.4 The proposed development will provide a 3m-NBA fronting Pun Shan Street with landscape treatments in form of vertical greening and sunken planters facing Pun Shan Street (**Drawings A-9 to A-12**), and will widen the existing footpath/pavement along Pun Shan Street which would benefit the pedestrians. The 4.5m-NBA would form part of the pedestrian networks extending from Pun Shan Street into the inner part of the street block bounded by Sha Tsui Road, Pun Shan Street and Chai Wan Kok Street, and will join the same proposed 4.5m setback under Application No. A/TW/509 (approved with conditions on 13.12.2019) (**Drawing A-12**), creating an alternative pedestrian route. The provision of the NBAs is in line with the setback requirements as stipulated on the ODP and the planning intention for carriageway and footpath improvement as well as greening requirement as stated in paragraph 8.2 above.

- 11.5 On the sustainability building design aspect, although the Site is less than 1,000m² in which the requirement on greenery provision under the SBDG is not applicable, the applicant has nevertheless shown efforts in building design improvement by introducing greenery provision of not less than 20% of the site area on voluntary basis. CTP/UD&L, PlanD considers the proposed greening treatment at the building's low zone would enhance the pedestrian environment and visual amenity along the building frontage.

Public Comments

- 11.6 Regarding the view on cumulative impacts of similar applications under the Policy, application for minor relaxation of PR in relation to the Policy is subject to the applicants' demonstration of technical feasibility, taking into account the approved similar applications, and would be considered by the Board based on its individual merits. For the sustainability of the proposed greenery, the applicant has submitted the Schedule stating that inspection frequency and recommended actions for maintaining the vertical greenery.

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, PlanD 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 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 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 (SIA) for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the implementation of the recommended works as identified in the updated SIA for the proposed development in condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (d) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the Site to the satisfaction of the Director of Environmental Protection 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 and clarification letter received on 22.5.2020 with replacement pages of the Supporting Planning Statement
Appendix Ia	Supporting Planning Statement received on 22.5.2020
Appendix Ib	FI 1 received on 12.8.2020
Appendix Ic	FI 2 received on 28.9.2020
Appendix Id	FI 3 received on 28.9.2020
Appendix Ie	FI 4 received on 23.11.2020
Appendix If	FI 5 received on 15.1.2021
Appendix II	Public comments received during the statutory publication periods
Appendix III	Recommended advisory clauses
Appendix IV	Similar applications
Drawing A-1	Basement Plan
Drawing A-2	G/F Plan
Drawing A-3	1/F Plan
Drawing A-4	2/F to 20/F Typical Floor Plan
Drawing A-5	R/F Plan
Drawing A-6	Section Plan
Drawing A-7	Site Coverage of Greenery
Drawing A-8	Roof Greenery Plan

Drawings A-9 and 10	Artist Rendering of Vertical Greening and Sunken Planters at G/F
Drawing A-11	Proposed Non-building Area
Drawing A-12	Proposed Pedestrian Circulation Network
Drawing A-13	Indication Drawing for Vertical Greening System
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-5	Site Photos
Plan A-6	Pedestrian Access Network in Tsuen Wan

**PLANNING DEPARTMENT
JANUARY 2021**