MPC Paper No. A/H21/151A
For Consideration by the
Metro Planning Committee
on 13.12.2019

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H21/151

Applicant	Wealth First Limited represented by Pro Plan Asia Limited
Site	16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong
Site Area	About 4,076.7m^2
Lease	(a) s. J ss. 1, s. J ss. 2, s. J ss. 3, s. J ss. 4, s. J ss. 5, s. J ss. 6, s. J ss. 7, s. J RP, s. K ss. 1, s. K ss. 2, s. K ss. 3, s. K ss. 4, s. K ss. 5, s. K RP, s. L ss. 1 and s. L RP of Quarry Bay Marine Lot (QBML) 1 (b) No specific user restriction but subject to non-offensive trades clause
Plan	Approved Quarry Bay Outline Zoning Plan (OZP) No. S/H21/28
Zoning	"Residential (Group A)" ("R(A)") (89%) [subject to a maximum building height (BH) of 120mPD or the height of the existing building, whichever is the greater] and shown as 'Road' (11%)
Application	Proposed Office, Shop and Services and Eating Place

1. The Proposal

1.1 The applicant seeks planning permission for a proposed 32-storey commercial development comprising two Grade A office cum shop and services and eating place buildings at 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay (the Site). The Site falls within an area mainly zoned "R(A)" and partly shown as 'Road' on the approved Quarry Bay OZP No. S/H21/28 (**Plan A-1**). According to the Notes of the OZP, 'Office', 'Shop and Services' and 'Eating Place' uses not within the lowest three floors of a building within "R(A)" zone require planning permission from the Town Planning Board (the Board).

1.2 The floor plans, section and photomontages of the proposed development submitted by the applicant are shown in **Drawings A-1 to A-21**. Major development parameters and floor uses provided in Section 3 of Planning Statement at **Appendix Ia** are summarised below:

Site Area	About 4,076.7m^2
Total Gross Floor Area (GFA) Office Shop and Services/Eating Place	About 61,150.5m^2 55,000.5m^2 (about 89.9%) 6,150m^2 (about 10.1%)
Plot Ratio (PR)	15

Site Coverage (SC)	64.24%
BH	120mPD (at main roof)
No. of Tower	2
No. of Storeys	32 (including 21-storey office, 1 storey E&M facilities, 3-storey podium and 7 levels of basement)
Public Open Space	507m^2
Parking Spaces	
Car Parking Spaces	331
Motorcycle Parking Spaces	34
Loading/Unloading (L/U) Bays	
Heavy Goods Vehicles (HGV)	13
Light Goods Vehicles (LGV)	23
Refuse Collection Vehicle (RCV)	1
Bus Lay-by	1
Major Floor Use	
B1/F to B7/F	Vehicle Park, L/U Bay
G/F to 2/F	Shop and Services/Eating Place, Open Plaza, Podium Garden
3/F	E&M Facilities
4/F to 24/F	Offices

1.3 An at-grade open plaza in-between the two proposed office towers and a podium garden in the form of landscape decks on 1/F and 2/F are proposed (**Drawings A-11 to A-14**). The at-grade open plaza will be a public open space in private development (POSPD) and to be open 24 hours for public use as well as managed/maintained by the applicant. Vertical green walls extending from G/F to 3/F of the proposed development are also proposed at the podium/building façade facing Sunway Garden (low level) (**Drawings A-11 and A-16**).

1.4 To enhance the walking environment, a setback of 2.75m along the northern boundary of the Site fronting Pan Hoi Street (**Drawing A-9**) and a setback of 3m from the southern boundary of the Site (i.e. the existing back lane) are proposed (**Drawing A-20**). The former will enable a footpath of 3.2m-wide (**Drawing A-6**) (including a planter strip of 0.75m-wide) to be provided along Pan Hoi Street. An at-grade shopping street is also proposed to introduce street activities from the open plaza to the back lane which will be revitalised through the provision of pedestrian connection to office and shops via the proposed podium (**Drawing A-6**).

1.5 According to the Traffic Impact Assessment (TIA) submitted by the applicant, widening of an existing off-site pedestrian crossing at Tong Chong Street from 7m to 8m and corresponding traffic re-arrangement are proposed (**Drawings A-19 and A-21**) to enhance pedestrian circulation. In addition, two new elevated walkways are proposed. The first one is a 5m-wide footbridge connecting the proposed development from 1/F to the adjoining office building (known as Two Taikoo Place) currently under construction across Pan Hoi Street. It will operate in-line with the opening hours of the Taikoo Place walkway system. The other walkway is a 2.5m-wide footbridge connecting the proposed development at 1/F to an existing footbridge over King's Road and

will be operated on a 24-hour basis (**Drawings A-7 and A-17**). The existing footbridge over King's Road is also proposed to be upgraded with the provision of a lift at King's Road westbound and upgrading of the staircase (**Drawing A-20**). The entire footbridge (the new 2.5m-wide section and the upgraded section) will be handed back to the government for management and maintenance upon request.

1.6 Apart from the above, the applicant has also proposed to widen the private lane at the eastern boundary of the Site connecting Pan Hoi Street and Sunway Garden carpark from 6m to 9m to facilitate vehicular access to the proposed development (**Drawing A-6**). Also, a bus layby at King's Road eastbound outside the proposed development is proposed to alleviate traffic impact due to kerb-side activities (**Drawing A-8**). The proposed office development is expected to be in operation by 2025.

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

(a)	Application form received on 25.4.2019	(**Appendix I**)
(b)	Planning Statement (PS)	(**Appendix Ia**)
(c)	Applicant's letter dated 10.6.2019 requesting deferment of consideration of the application	(**Appendix Ib**)
(d)	Applicant's letter dated 8.7.2019 (FI-1) providing responses to departmental comments, revised Master Layout Plan, floor plans, sectional plan and revised TIA *(not exempted from publication and recounting requirements)*	(**Appendix Ic**)
(e)	Applicant's letter dated 13.8.2019 (FI-2) providing responses to departmental comments and revised TIA *(not exempted from publication and recounting requirements)*	(**Appendix Id**)
(f)	Applicant's letter dated 18.9.2019 (FI-3) providing responses to departmental comments, revised TIA and further justifications on the application *(not exempted from publication and recounting requirements)*	(**Appendix Ie & If**)
(g)	Applicant's letter dated 23.10.2019 (FI-4) providing responses to department comments and revised TIA *(not exempted from publication and recounting requirements)*	(**Appendix Ig**)
(h)	Applicant's letter dated 6.12.2019 (FI-5) providing clarifications and associated plans	(**Appendix 1h**)

1.8 The application was received on 25.4.2019 and was originally scheduled for considered by the Metro Planning Committee (the Committee) of the Board on

21.6.2019. On 10.6.2019, as requested by the applicant, the Committee decided to defer making a decision on the application pending the submission of FI by the applicant. As FI requiring recounting was submitted by the applicant on 23.10.2019, the application is scheduled for considered 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 Section 5 of the PS at **Appendix Ia**. Major points are summarised as follows:

In-line with Town Planning Board Guidelines (TPB PG-No. 5)

(a) the proposal involves amalgamation of 16 lots into a sizeable office floor plate for Grade A office development with sufficient basement car parking spaces and loading/unloading facilities in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) and within 200m walking distance from Mass Transit Railway (MTR) Quarry Bay Station and other public transport along King's Road. The proposal will not cause congestion and disruption to traffic flow. Located within an established non-Central Business District (CBD) commercial hub, and the proposal is purposely designed for office/commercial uses and not capable for illegal conversion to other uses;

In-line with government's strategic planning initiatives and relevant property research

(b) the "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" indicates that there is a shortfall of both residential and economic land after taking committed and planned development into account. The proposed development is in-line with government policy to increase office supply in non-CBD area and to decentralise non-essential and back-of-house commercial activities. Private research also shows that Quarry Bay is a well-established decentralised Grade A office hub and the proposed development is a rare opportunity for additional floor space to the hub;

Compatible with the surroundings

(c) supported by wide range of internal/external transport and pedestrian connections, the proposed office building is compatible with the nearby established and planned land uses and is located directly across a private street from the established Grade A office hub at Taikoo Place. It is not located in a predominantly residential area;

Planning gains with enhanced streetscape, pedestrian environment, connectivity and road widening

(d) the proposed development can enhance the existing streetscape, pedestrian environment and site connectivity by providing open spaces at ground and podium level, greening features on G/F to 2/F with terraced landscape deck and the rear façade facing Sunway Gardens, providing setback from the northern and southern boundaries, revitalising the existing back lane, providing active retail frontage along different sides of the retail podium, providing a continuous view corridor along Hoi Wan Street and providing a pedestrian footbridge

connecting Two Taikoo Place and a 24-hours pedestrian footbridge connecting to an existing footbridge over King's Road linking to the MTR station. These design merits are planning gain that could only be achieved with the proposed commercial development instead of a permitted as-of-right residential redevelopment scheme. Also, the proposed road widening of the private access to Sunway Gardens carpark could meet current traffic design requirement;

Will not set an undesirable planning precedent

(e) the proposed development is not incompatible with the surrounding residential use. There were precedent cases with application sites within "R(A)" zones being approved for conversion to commercial use. Despite the proposed development, the Site could be reverted to residential use in the future; and

No insurmountable technical concerns

(f) technical assessments have confirmed that there are no insurmountable technical problems such as traffic impact associated with the proposed development. No tree felling will be involved in the proposed development.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is one of the "current land owners". In respect of the other "current land owners", the applicant has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by giving them notifications. Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

4.1 The 'Application for Office Development in "Residential (Group A)" Zone under Section 16 of the Town Planning Ordinance' (TPB PG-No. 5) is relevant to this application. The relevant planning assessment criteria are summarized as follows:

(a) the site should be sufficiently large to achieve a properly designed office building;

(b) there should be adequate provision of parking and L/U facilities within the site in accordance with HKPSG and to the satisfaction of the Transport Department (TD);

(c) the site should be at an easily accessible location, e.g. close to the MTR station or well served by other public transport facilities;

(d) the proposed office development should not cause congestion and disruption to the traffic flow of the locality;

(e) the proposed office building should be compatible with the existing and planned land uses of the locality and it should not be located in a predominantly residential area; and

(f) the proposed office development should be purposely designed for office/commercial uses so that there is no risk of subsequent illegal conversion to substandard domestic units or other uses.

4.2 In general, the Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains – for example, if the site is located near to major sources of air and noise pollution such as a major road, and the proposed office development is equipped with central air-conditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board would favour in a proposed office development would include public open space and community facilities required in the planning district.

5. Previous Applications

There is no previous application at the Site[1].

6. Similar Applications

There is no similar application for office development within the "R(A)" zone in the Quarry Bay planning scheme area.

7. The Site and its Surrounding Areas (**Plans A-1** to **A-2** and photos on **Plans A-3 to A-4**)

7.1 The Site is:

(a) elongated in shape and located along Pan Hoi Street and King's Road;

(b) currently occupied by nine dilapidated 8-storey medium-rise residential buildings and a 12-storey residential building (Swiss House) including a level of basement. There are a total of about 366 flats in these buildings (based on building plan records); and

(c) accessible by vehicles via a 2-lane private road, Pan Hoi Street.

7.2 The surrounding areas have the following characteristics:

(a) to the north across Pan Hoi Street are two existing residential developments (Chung Hing Mansion and Kam Hoi Mansion) and a

[1] The same applicant previously submitted a planning application (No. A/H21/149) for a 32-storey office cum shop and services and eating place development with a smaller site area covering only 16-94 Pan Hoi Street. The application was subsequently withdrawn by the applicant.

comprehensive commercial/office development "Taikoo Place Phase 2" (One Taikoo Place and Two Taikoo Place) currently under construction;

(b) to the immediate east and south is a residential neighbourhood comprising high-rise residential development including Westland Court, Sunway Gardens and a group of medium-rise residential building blocks; and

(c) to the west is a section of King's Road with different public transport facilities, including MTR Quarry Bay Station, buses and tram within walking distance.

8. Planning Intention

The "R(A)" zone is intended 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.

9. Comments from the Relevant Government Departments

9.1 The following government 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/Hong Kong East, Lands Department (DLO/HKE, LandsD):

(a) the Site comprises of a proposed office, shop and services and eating place development over 16 private lots (namely, s. J ss. 1 to 7, s. J RP, s. K ss. 1 to 5, s. K RP, s. L ss. 1 and s. L RP of QBML 1 ("the Lots")), a proposed footbridge over Pan Hoi Street, and proposed upgrading of an existing footbridge near the junction of King's Road and Pan Hoi Street and extension to the proposed development ("the Proposed Footbridge Upgrading");

(b) the lease conditions governing the Lots have no specified user restriction but subject to non-offensive trade clause. The proposal submitted by the applicant does not conflict with the lease conditions governing the Lots, hence if the proposal is approved by the Board, the applicant is not required to seek a lease modification from LandsD except to seek a licence to remove certain offensive trades to facilitate the proposed eating place and easement for the Proposed Footbridge Upgrading. However, there is no guarantee that the above application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by LandsD; and

(c) authorisation of the Proposed Footbridge Upgrading under Roads (Works, Use and Compensation) Ordinance (Cap. 370) is also required before its implementation. The applicant has to confirm its alignment and conceptual design prior to gazettal. The applicant is reminded that there is no guarantee that authorization under Cap. 370 will be given and the applicant will be liable for all administrative costs and compensation claims incurred or to be incurred by the Government in connection with or in relation to the said road works.

Traffic Aspect

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

(a) no objection in principle to the application and the TIA reports from traffic engineering viewpoint but suggested that should the application be approved, an approval condition should be imposed for the design and provision of improvement schemes as proposed in the TIA, in order to mitigate both vehicular and pedestrian traffic impacts of the proposed development; and

(b) detailed comments are in **Appendix II**.

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

(a) no objection to the application;

(b) the proposed upgrading works and footbridge extension shall be managed by TD and be opened to the public 24 hours a day upon its handover to the Government;

(c) proposed ramps, staircases, escalators or lifts for the upgrading works and footbridge extension shall be located at public footway maintained by HyD with unimpeded public access;

(d) the building management shall guarantee 24 hours unrestricted access through the development for use by the public to the footbridge; and

(e) detailed comments are in **Appendix II**.

Building Aspect

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

(a) no objection to the application;

(b) the applicant has claimed the Site as a Class C site for the purpose of calculation of PR and SC. However, the street(s) of the Site abutting is a private street. As such, the applicant should submit

adequate information to demonstrate the requirements as laid down in regulation 18A of the Building (Planning) Regulations (B(P)R) for Class C site have been complied with; and

(c) detailed comments are in **Appendix II**.

Environmental Aspect

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

(a) no objection to the application;

(b) office developments are normally provided with central air conditioning system and the applicant/Authorised Person should be able to select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisance/impact; and

(c) should the Committee decide to approve this application, the applicant shall submit a Sewerage Impact Assessment (SIA) for the approval of the Director of Environmental Protection or the Board. The applicant shall be responsible for implementing the local sewerage upgrading/sewerage connection works as recommended in the approved SIA report.

9.1.6 Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HKIs, DSD):

(a) no comment to the application; and

(b) there is an existing underground box culvert along footpath of 979 to 987 King's Road, which is within the proposed footbridge extension. The applicant is advised to pay attention to DSD's existing services.

Fire Safety Aspect

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

(a) no objection in-principle to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction;

(b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and

(c) as no details of the emergency vehicular access (EVA) have been provided, comments could not be offered at the present stage. The applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD.

Urban Design, Visual and Air Ventilation Aspects

Urban Design and Visual

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

(a) no comment from visual impact point of view;

(b) the proposed development consists of two tower blocks with a height of 120mPD which may not be incompatible with adjacent developments with BH ranging from 120mPD to 225mPD; and

(c) façade area along King's Road of the proposed development is facing west, solar control devices should be considered to reduce solar heat gain and avoid glare affecting adjacent buildings as far as practicable.

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

(a) the proposal is mainly to erect two 32-storey office towers with eating place/shop and services uses on G/F and 2/F at the Site. The proposed BH of 120mPD is in-line with the prevailing BH restriction stipulated in the OZP. The scale of the proposal is not considered incompatible with the surrounding planning context;

(b) the proposed open plaza and landscape deck will generally enhance at-grade public realm and facilitate pedestrian circulation with the commercial frontage;

(c) the pedestrian space resulting from the proposed setback would be similar to the existing pavement and footpath along Pan Hoi Street and thus may not constitute a design merit;

(d) the elevated footbridges could enhance the connectivity of the Site to Taikoo Place and the MTR station. Enhancement to existing footbridge would provide better facilities, however, further comments from TD and HyD should be sought on the needs and scope of improvement works; and

Air Ventilation

(e) the Site does not fall within any identified air path and there is no particular air ventilation concern related to the Site. The Site or the proposal does not fall within the criteria for an air ventilation assessment (AVA) in accordance with the joint HPLB-ETWB Technical Circular No. 1/06 on AVA. Moreover, the proposed development does not exceed the BH restriction as stipulated on the subject OZP. As such, it is not anticipated that the proposal would induce any significant adverse air ventilation impact on the surrounding.

Landscape Aspect

9.1.10 Comments of CTP/UD&L, PlanD:

(a) no objection to the application from the landscape planning perspective; and

(b) the proposed uses are considered not incompatible with the existing landscape character. The Site is currently occupied by 10 residential blocks with commercial use on the ground level. It locates at Pan Hoi Street where Taikoo Place redevelopment is at its north and residential estate 'Sunway Gardens' is at its south. The Site is situated in an area of urban landscape character. Medium to high rise residential and commercial buildings are common in the surrounding areas. No existing landscape resources are found within the Site. Significant change or disturbances to the existing landscape character and resource arising from the proposed use are not anticipated.

Water Supplies Aspect

9.1.11 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

(a) no objection to the application; and

(b) there are works under WSD's Contract No. 3/WSD/12 "Replacement and Rehabilitation of Water Mains, Stage 4 Phase 1 – Remaining Mains on Hong Kong Island" in the vicinity of the Site. The works is tentatively scheduled to complete by end December 2019. The applicant is reminded to pay attention to any interfacing matters.

Local View

9.1.12 Comments of the District Officer (Eastern), Home Affairs Department:

(a) the previous application of the proposed development (i.e. Planning Application No. A/H21/149) which was withdrawn by the applicant had been discussed at the meeting of the Planning, Works and Housing Committee under the Eastern District Council (EDC) on 20.11.2018. Although the crux of discussion was the planning guidelines related to redevelopment projects, members in parallel raised objection to and expressed concerns on the application;

(b) there has been growing local sentiment regarding the current application, in which district personalities (including the EDC member of the subject constituency) have concerns about potential issues and problems that may arise from the development, including but not limited to traffic congestion, visual impact, noise nuisance and ground settlement; and

(c) in view of the above, and given that development issues could be politically sensitive, department(s) concerned and the applicant are suggested to consult EDC at an appropriate juncture with a view to properly addressing local concerns.

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

(a) Director of Food and Environmental Hygiene; and
(b) Commissioner of Police.

10. Public Comments Received During Statutory Publication Period

10.1 The application and FIs were published for public inspection on 3.5.2019, 16.7.2019, 20.8.2019, 24.9.2019 and 1.11.2019. During the statutory publication periods, a total of 17 public comments were received including 14 opposing comments from two DC members (Mr. TING Kong Ho and Mr. LEUNG Siu Sun), Incorporated Owners of Kam Hoi Mansion Phase 2 and individuals; and 3 comments from individuals providing views similar to those raised in the opposing comments. A full set of the public comments received is at **Appendix III** for Members' reference.

10.2 The major concerns raised in the public comments are summarised as follows:

(a) for "R(A)" zone, it is reasonable to take housing supply as a primary consideration as while there is a shortage of Grade A office supply, there is also acute shortage of housing supply;

(b) existing residential use on site should be retained rather than allowing the proposed office development which would significantly increase development intensity of the area;

(c) the proposed excavation works for underground parking spaces may affect the structure of nearby buildings and causing building safety issue;

(d) local roads and footpaths in the area are generally narrow, the proposed redevelopment (including provision of 7-storey underground carpark) would have adverse impacts on local road, traffic and road safety. Local residents should be consulted and compensated for the proposed development and road works. The proposed elevated walkway would not reduce pedestrian flow at street level;

(e) the proposed redevelopment is considered too dense and tall, the area already has too many offices, further office development would cause adverse environmental impacts including noise, air ventilation, glare impact and nuisance on the nearby residents, the effectiveness of the proposed vertical green wall is also uncertain; and

(f) the proposed redevelopment may cause rental increase in the vicinity which some locals might not be able to afford.

11. Planning Considerations and Assessments

11.1 The application is to seek planning permission for redeveloping the Site for office, shop and services and eating place uses. The proposed 32-storey commercial development comprising two Grade A office towers atop retail podium and basement carparks will have a PR of 15, total GFA of 61,150.5 m^2 and BH of 120mPD with an at-grade open plaza and landscaped decks on 1/F and 2/F (**Drawings A-11 to A-14**). To improve the pedestrian environment, setbacks of 2.75m and 3m respectively from the northern and southern boundaries (**Drawing A-20**), and two elevated walkways (one connecting with Two Taikoo Place and the other with an existing footbridge across King's Road (**Drawings A-17 and A-20**)) are proposed. The applicant will also upgrade the existing footbridge across King's Road including provision of lift and upgrading of existing staircase.

Planning Intention

11.2 The Site is zoned "R(A)" on the OZP 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 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 Site, currently occupied by a number of medium-rise residential buildings, is located within 300m from the MTR Quarry Bay Station and at the edge of a larger residential cluster adjacent to the commercial/office development of Taikoo Place (**Plan A-1**). Although the proposed office development with shop and services/eating places on the lower floors is considered not incompatible with the surrounding developments and does not exceed the maximum BH of 120mPD as stipulated on the OZP, and concerned departments have no adverse technical comments, the proposed development is not fully in-line with the planning intention of the "R(A)" zone.

11.4 According to the land requirement and supply analysis undertaken under "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" in 2016, there are projected long-term shortfall of Grade A office floorspace in CBD and surplus of Grade A office floorspace at non-CBD areas. Moreover, the redevelopment of the Site for the proposed commercial use instead of residential use would result in a loss of about 366 flats currently provided at the Site. As such, there seems no strong planning justifications for a departure from the planning intention of the "R(A)" zone.

Building Design and Enhancement

11.5 According to the applicant, the proposed development can enhance the existing streetscape, pedestrian environment and connectivity through the provision of an at-grade POSPD, landscape decks on 1/F and 2/F, setbacks from the northern and southern boundaries, provision of two elevated walkways and upgrading of existing footbridge across King's Road, which could only be achieved with the proposed commercial development instead of a permitted as-of-right residential development. In this regard, CTP/UD&L considers that the proposed POSPD

with commercial frontages and the landscape decks would in general enhance public realm, local amenity and facilitate pedestrian circulation at the commercial frontage along Pan Hoi Street. C for T also considers that the proposed elevated walkway linking Taikoo Place may enhance the connectivity of the Site to Taikoo Place and the MTR station.

11.6 As for other design measures mentioned above, they are provided largely to facilitate the proposed development and may not be considered as planning gain as claimed by the applicant. For example, the proposed setback at the eastern boundary of the Site near Sunway Garden to allow widening of the private lane is required to facilitate vehicular access to the proposed development; and the proposed connection to and upgrading of the existing footbridge over King's Road, as well as the proposed bus lay-by at King's Road are mitigation measures proposed in the TIA to address the traffic impact arising from the proposed development.

Setting of Precedent

11.7 While the applicant has claimed that there were precedent cases for planning applications within "R(A)" zones being approved for conversion to commercial uses, it should be noted that no such application has been approved by the Committee in the Quarry Bay area since the policy to address the pressing housing need. For similar applications that were approved by the Board in other areas of Hong Kong Island (A/H3/402, A/H5/400, A/H3/432, A/H7/172 and A/H5/412), as cited by the applicant, each of these applications has its unique planning background and context. Both applications No. A/H3/402 and A/H3/432 involve a same site (at 2-4 Shelley Street) which is surrounded on 3 sides by existing commercial buildings. Both applications No. A/H5/400 and A/H5/412, which were approved in 2015 and 2019 respectively, also involve a same site (at Queen's Road East) which is immediately adjoining to the Hopewell Centre and Hopewell Centre II within a commercial cluster. For application No. A/H7/172, which was approved in 2017, the application site (at 8 Leighton Road) is the subject of nine planning applications previously approved by the Committee for commercial/office/hotel uses since 1981 and the site is currently used as a hotel. In view of the above, they are different from the subject application either in terms of its site context or planning background and hence, are not relevant to the subject application. As the Site falls within a larger "R(A)" zone and there are other "R(A)" zones located in the vicinity, approval of the subject application may set an undesirable precedent for similar applications resulting in cumulative loss of residential land.

11.8 There are adverse public comments raising concerns on the impact of the proposed development in terms of land use, traffic and environment, the assessments above and the comments from the relevant government departments in paragraph 9 above are relevant. As for the public concern on rent increase and affordability, they are not land-use related issues.

12. Planning Department's Views

12.1 Based on the assessment made in paragraph 11 above, and having taken into account the public comments mentioned in paragraph 10, PlanD does not support the application for the following reasons:

(a) the proposed office development is not in-line with the planning intention of the "R(A)" zone which is for high-density residential developments. The applicant has failed to demonstrate that there are sufficient justifications to deviate from the planning intention of the "R(A)" zone; and

(b) approval of the application would set an undesirable precedent for similar applications in the same and other "R(A)" zones in the vicinity. The cumulative effect of approving such applications would aggravate the shortfall in the supply of housing land.

12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 13.12.2023, and after the said date, the permission shall cease to have effect unless prior to the said date either 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 the improvement schemes as proposed in the accepted Traffic Impact Assessment prior to operation of the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

(b) the design and provision of the internal transport facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

(c) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and

(d) the implementation of the local sewerage upgrading/sewerage connection works as identified in the SIA 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 IV**.

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 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 25.4.2019
Appendix Ia	Planning Statement
Appendix Ib	Applicant's letter for deferment dated 10.6.2019
Appendix Ic	Further Information dated 8.7.2019
Appendix Id	Further Information dated 13.8.2019
Appendix Ie	Further Information dated 18.9.2019
Appendix If	Further Information dated 18.9.2019
Appendix Ig	Further Information dated 23.10.2019
Appendix Ih	Further Information dated 6.12.2019
Appendix II	Detailed comments from Government departments
Appendix III	Public comments received during the statutory publication period
Appendix IV	Recommended advisory clauses
Drawing A-1	Master Layout Plan
Drawings A-2 to A-9	G/F, 1/F, 2/F, Typical Floor and B1/F to B7/F Plans
Drawing A-10	Section Plans
Drawings A-11 to A-14	Landscape Plans and Section
Drawings A-15 to A-16	Photomontages
Drawing A-17	Urban Design Concept Plan
Drawing A-18	Urban Design Concept Plan (Pedestrian Circulation and Open Space Network)
Drawing A-19	Future Key Ingress and Egress Traffic Routes
Drawing A-20	Identified Critical Section of Footpaths/Elevated Walkway
Drawing A-21	Proposed Improvement of Junction at King's Road/Tong Chong Street
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-4	Site Photos

PLANNING DEPARTMENT
DECEMBER 2019

Detailed Comments from Government Departments

(Please also refer to paragraph 9 of the Paper for other comments of these government departments)

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

(a) the site area claimed is different from the site area adopted in the approved building plans for the relevant existing buildings. As such, the applicant should clarify. According to Regulation 23(2)(a) of B(P)R, no account should be taken of any street or service lane in the site area calculation;

(b) the proposed footbridge connecting the future Phase 2B of Taikoo Place, MTR Station and the proposed building should be included in GFA calculation. Exemption under BO Section 31(1) may be permitted for the proposed footbridge to project over street provided that the requirements as stated in paragraph 2 of PNAP APP 38 would be complied with;

(c) if GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services is applied for the subject development, requirements including Sustainable Building Design Guidelines as sated in PNAP APP-151 & 152 should be complied with;

(d) all areas covered by overhang structure/footbridge within the lot boundary should be included in GFA calculation unless exempted;

(e) justification should be provided for the high headroom (6m) on G/F. Otherwise, the high headroom may be considered as a floor for the consideration of GFA calculation;

(f) firefighting and rescue stairway(s) should be provided in accordance with Part D of Code of Practice for Fire Safety in Building 2011;

(g) carparking spaces and loading/unloading areas may be exempted from GFA calculation provided all the relevant requirements under PNAP APP-2 area are complied with; and

(h) detailed comments on compliance with the Buildings Ordinance will be made at building plan submission stage.

Comments of the Commissioner for Transport, Transport Department (C for T)

(a) the proposed bus layby at King's Road eastbound outside the subject development should be constructed by the developer at his own cost and up to latest standards and guidelines of TD and Highway Department (HyD);

(b) a minimum 2m clear width of footpath to the northern boundary of the subject development along Pan Hoi Street; and a minimum 1.5m clear width of footpath along the private access road close to the Sunway Garden carpark access should be provided;

(c) the proposed elevated walkway of 2.5m clear width connecting the nearby footbridge across King's Road and the proposed development should be provided and constricted by the developer at his own cost. The proposed elevated walkway should up to latest standards and guidelines of TD and HyD and opened to public with 24-hour access;

(d) the proposed lift at King's Road westbound and upgrading the nearby staircase on the existing slope should be constructed by the developer at his own cost and up to the latest standards and guidelines of TD and HyD;

(e) the applicant should carry out local consultation in relation to the proposed vehicular access of the proposed development and the widening of the proposed private carpark access road; and

(f) the real-time parking vacancy information should be provided not only at the car park entrance, but also to TD for disseminating the information to the public on the internet or through the smart phone application.

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

(a) the applicant proposed to construct an elevated walkway connecting to the existing HyD footbridge (Structure No. HF88) across King's Road at Pan Hoi Street and upgrade the existing footbridge;

(b) the proposed upgrading works of the footbridge and footbridge extension shall be physically separated with the proposed development. There shall be clear demarcation between the footbridge and the development;

(c) the design should comply with the Structures Design Manual for Highways and Railways and relevant design guidelines from TD;

(d) barrier free access should be provided; and

(e) the Advisory Committee on the Appearance of Bridges and Associated Structures should be consulted.

Advisory Clauses

(a) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio (PR) and site coverage (SC) and/or gross floor area (GFA) concession/exemption for the proposed development will be approved/granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approvals. In addition, if the building design elements and the PR/GFA concession are not approved/granted by the Building Authority and major changes to the current scheme are required, a fresh application to the Town Planning Board (the Board) may be required;

(b) to note the comments of the District Lands Officer/Hong Kong East, Lands Department regarding application for licence to remove the non-offensive trades and the implementation of the proposed footbridge upgrading works;

(c) to note the comments of the Commissioner for Transport including the implementation of improvement schemes as proposed in the Traffic Impact Assessment;

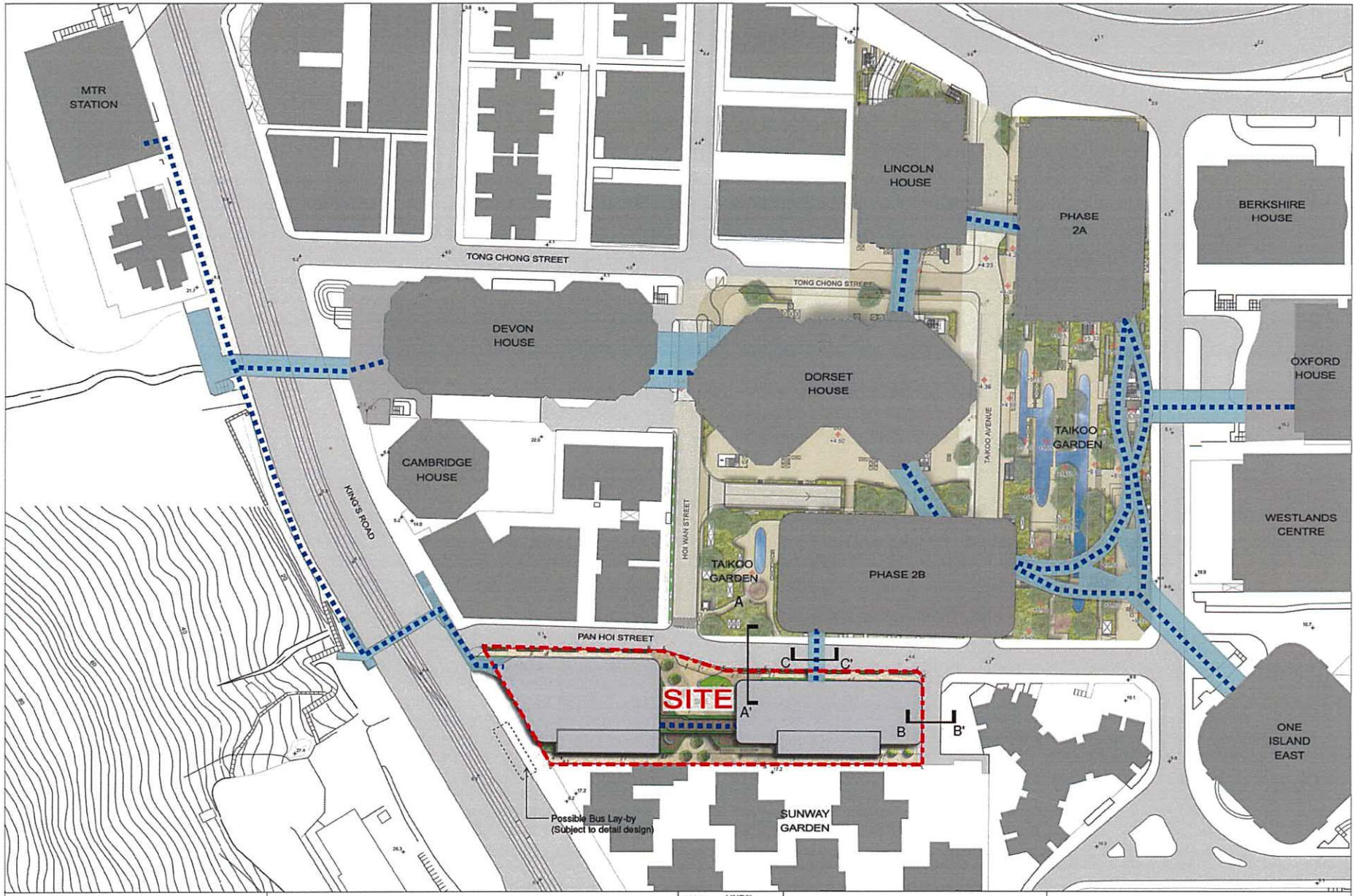
(d) to note the comments of the Chief Building Surveyor/Hong Kong East & Heritage, Buildings Department regarding the site area, the calculation of GFA, the need to comply with the requirement as laid down in regulation 18A of the Building (Planning) Regulations (B(P)R) for Class C site, the requirements on the proposed footbridge as stated in paragraph 2 of PNAP APP 38 and SBD guidelines stipulated in PNAP APP-151 & 152, and the requirement of refuge floor provision;

(e) to note the comments of Director of Fire Services regarding the requirement of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011;

(f) to note the comments of Chief Engineer/Construction, Water Supplies Department that there are works under Contract No. 3/WSD/12 "Replacement and Rehabilitation of Water Mains, Stage 4 Phase 1 – Remaining Mains on Hong Kong Island" in the vicinity of the application site. The works is

tentatively scheduled to complete by end December 2019. The applicant should note the interfacing matters related to the subject works; and

(g) to note the comments of Chief Engineer/Hong Kong Islands, Drainage Services Department that there is existing underground box culvert along footpath of 979 to 987 King's Road, which is within the proposed footbridge extension. The applicant should pay attention to DSD's existing services.



資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 1

B7/F

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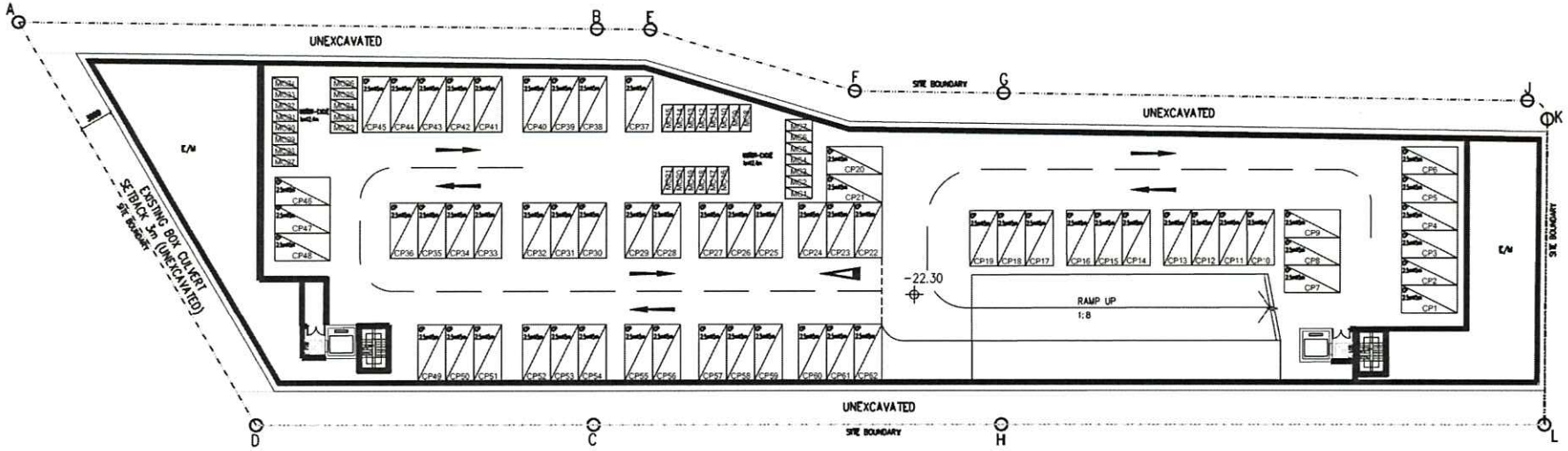
MOTOR CYCLES = 34



B6/F

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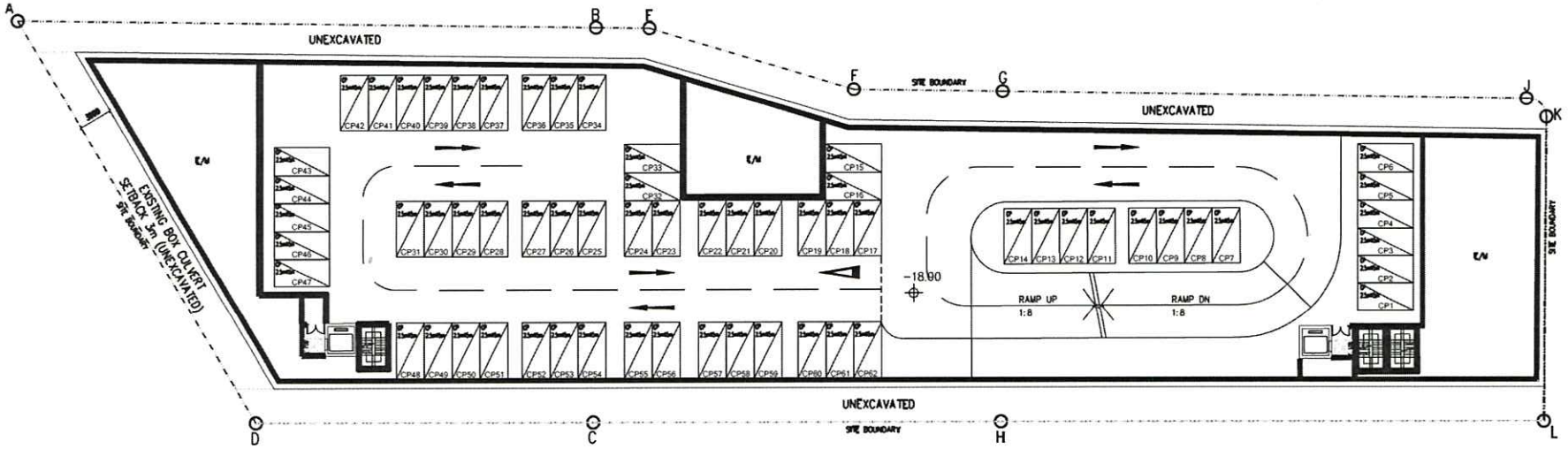

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 2

B5/F

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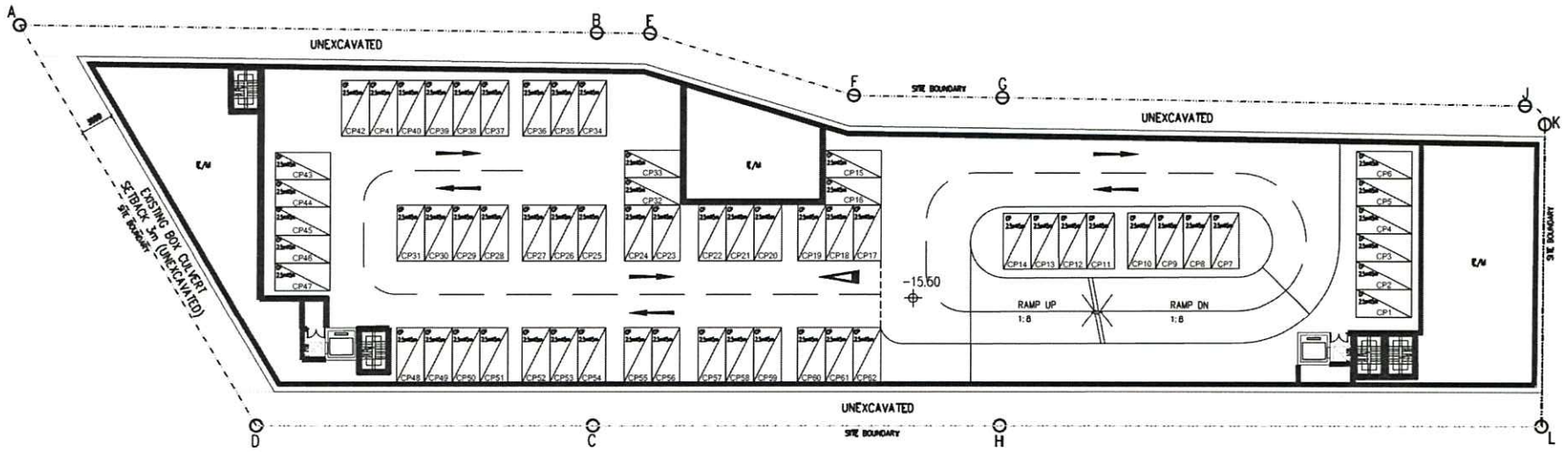

B4/F

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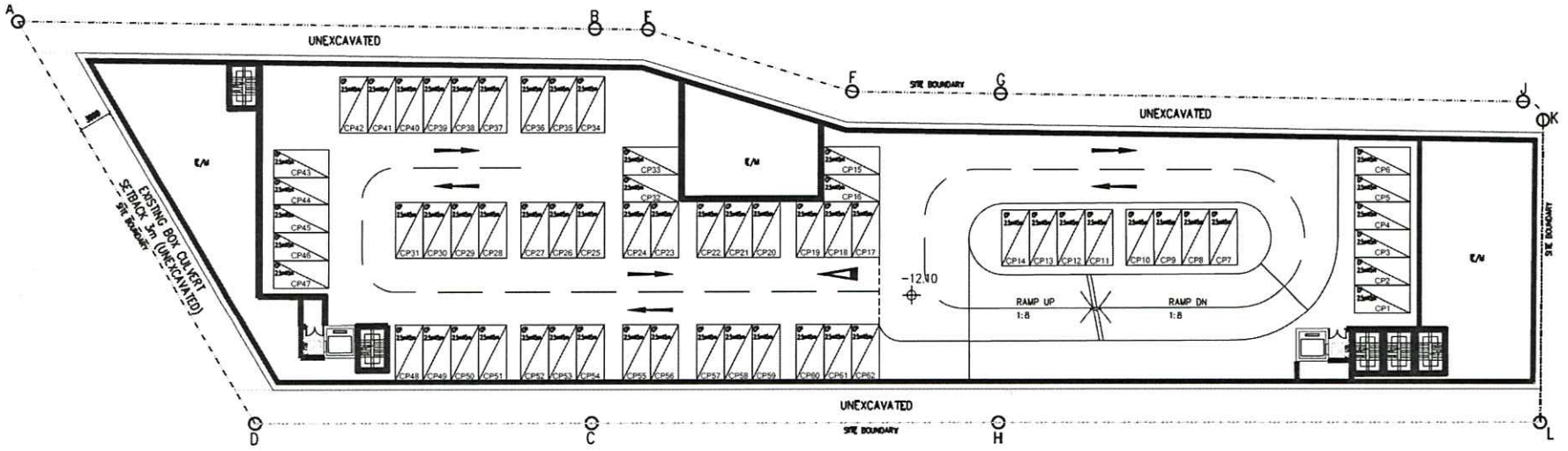

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 3

B3/F

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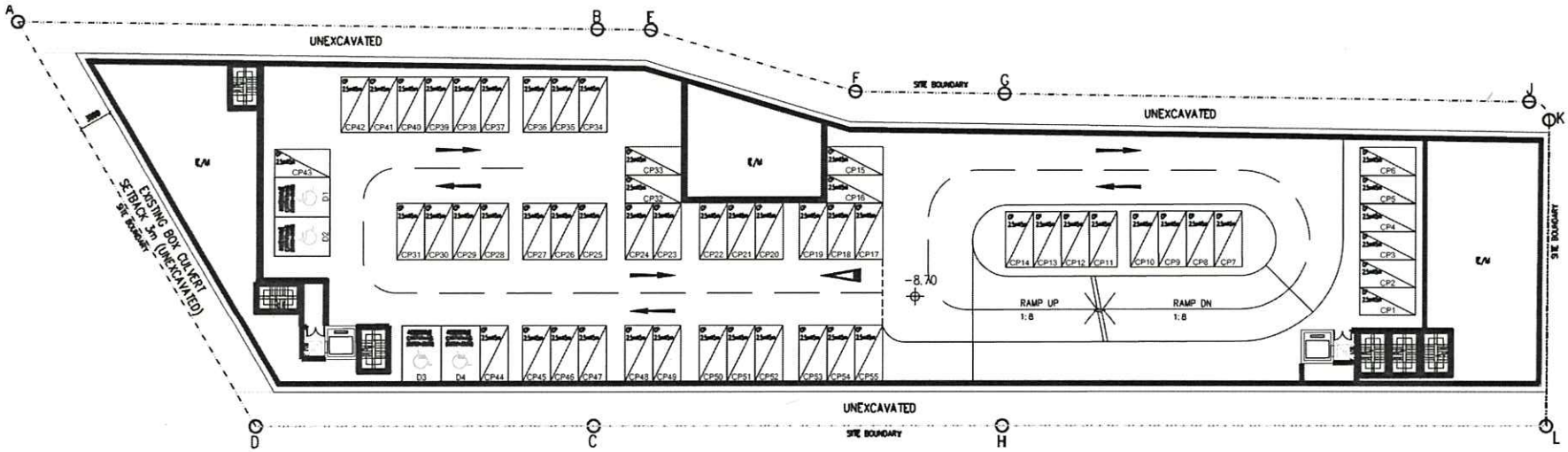

B2/F

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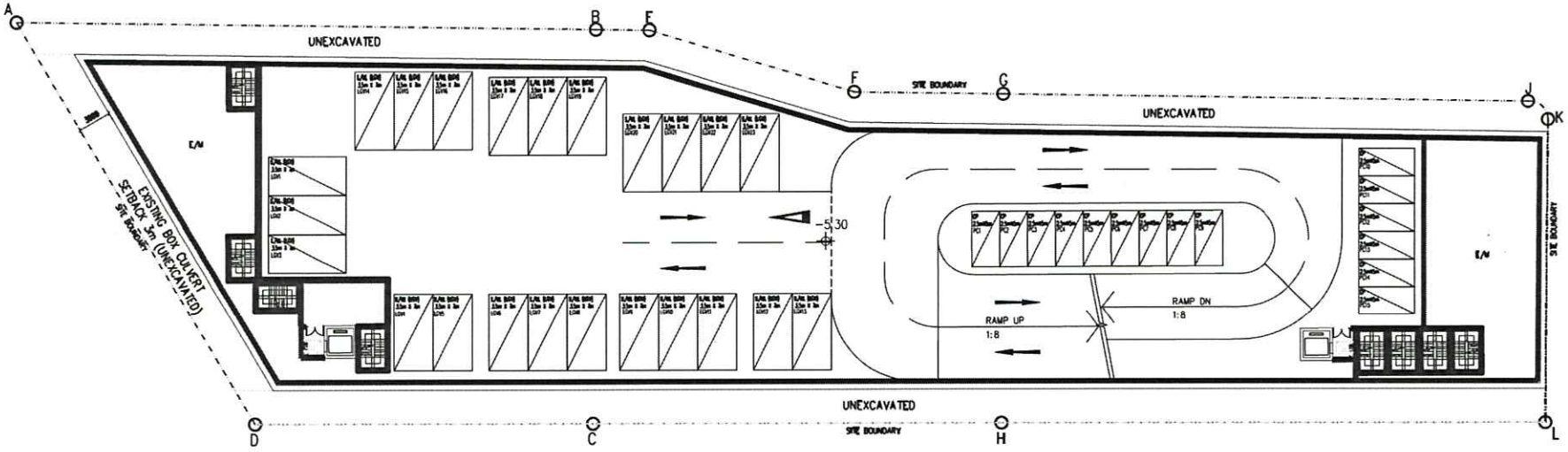
PRIVATE CARPARK = 15



資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 4

B1/F

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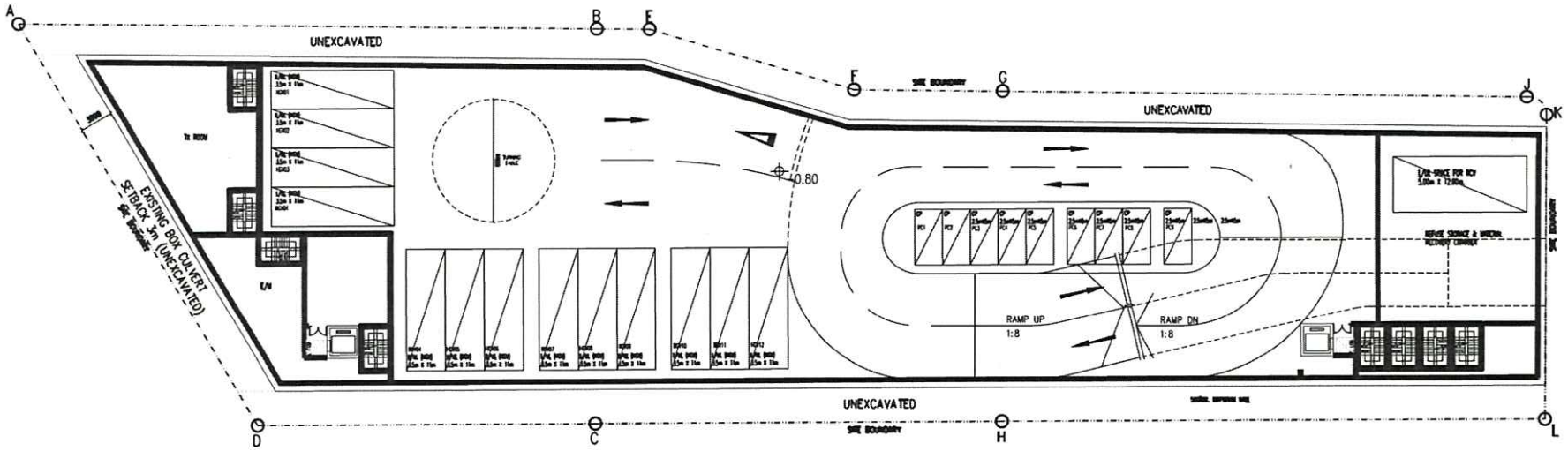


資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 5

PROPSED OFFICE SCHEME | GROUND FLOOR PLAN

JOB NO : 14167HK
DATE :
SCALE : 1:450
DRAWING NO. :

SECTION 16 APPLICATION FOR OFFICE DEVELOPMENT
PAN HOI STREET QUARRY BAY

RONALD LU & PARTNERS

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 6

PROPOSED OFFICE SCHEME | FIRST FLOOR PLAN

JOB NO : 14167HK
DATE :
SCALE : 1:450
DRAWING NO. :

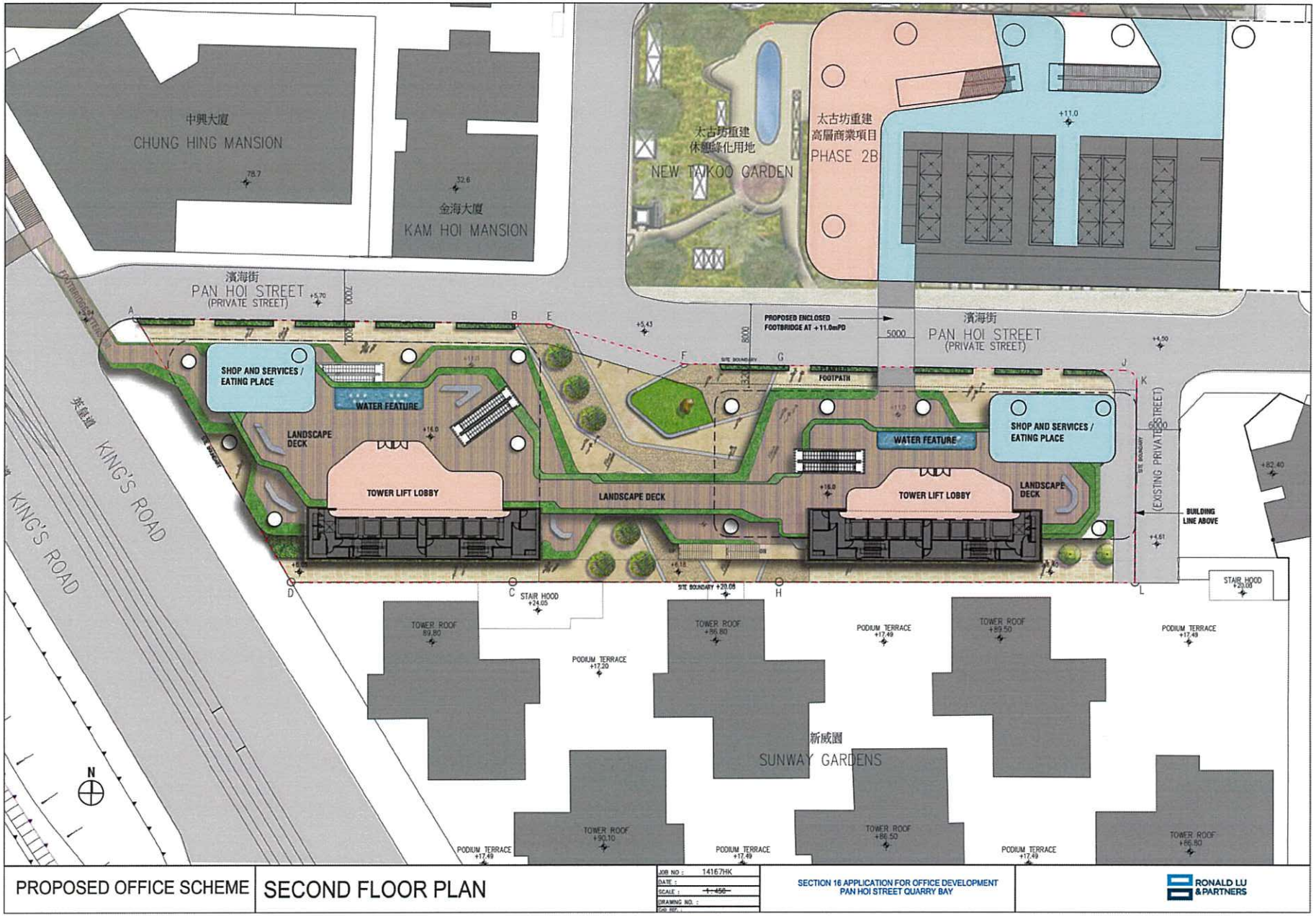
SECTION 16 APPLICATION FOR OFFICE DEVELOPMENT
PAN HOI STREET QUARRY BAY

RONALD LU & PARTNERS

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 7

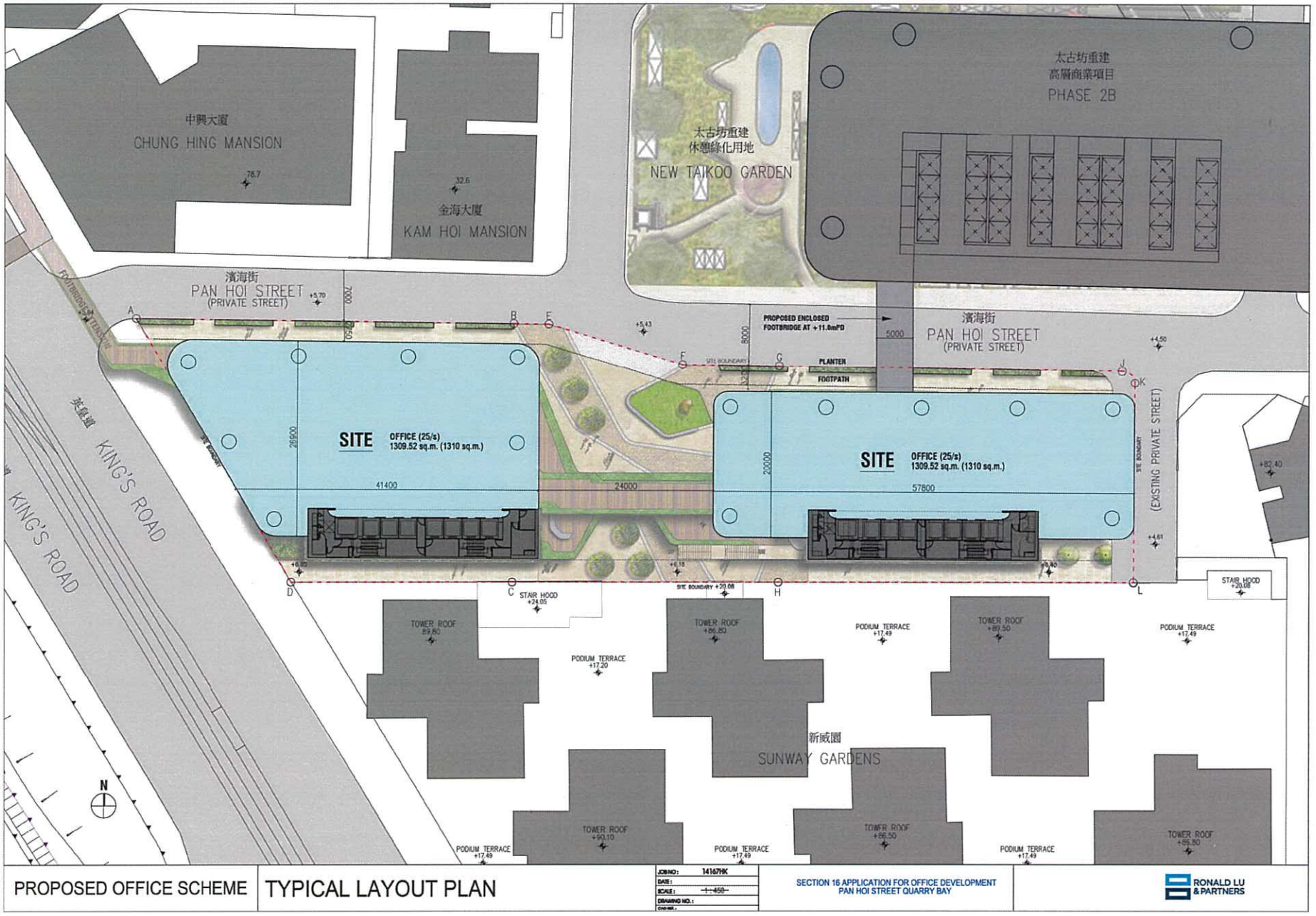


PROPOSED OFFICE SCHEME	SECOND FLOOR PLAN	JOB NO : 14167HK DATE : SCALE : ~~1:450~~ DRAWING NO. : (A1 SIZE)	SECTION 16 APPLICATION FOR OFFICE DEVELOPMENT PAN HOI STREET QUARRY BAY	RONALD LU & PARTNERS

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No. A/H21/151	繪圖 DRAWING A - 8



資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 9

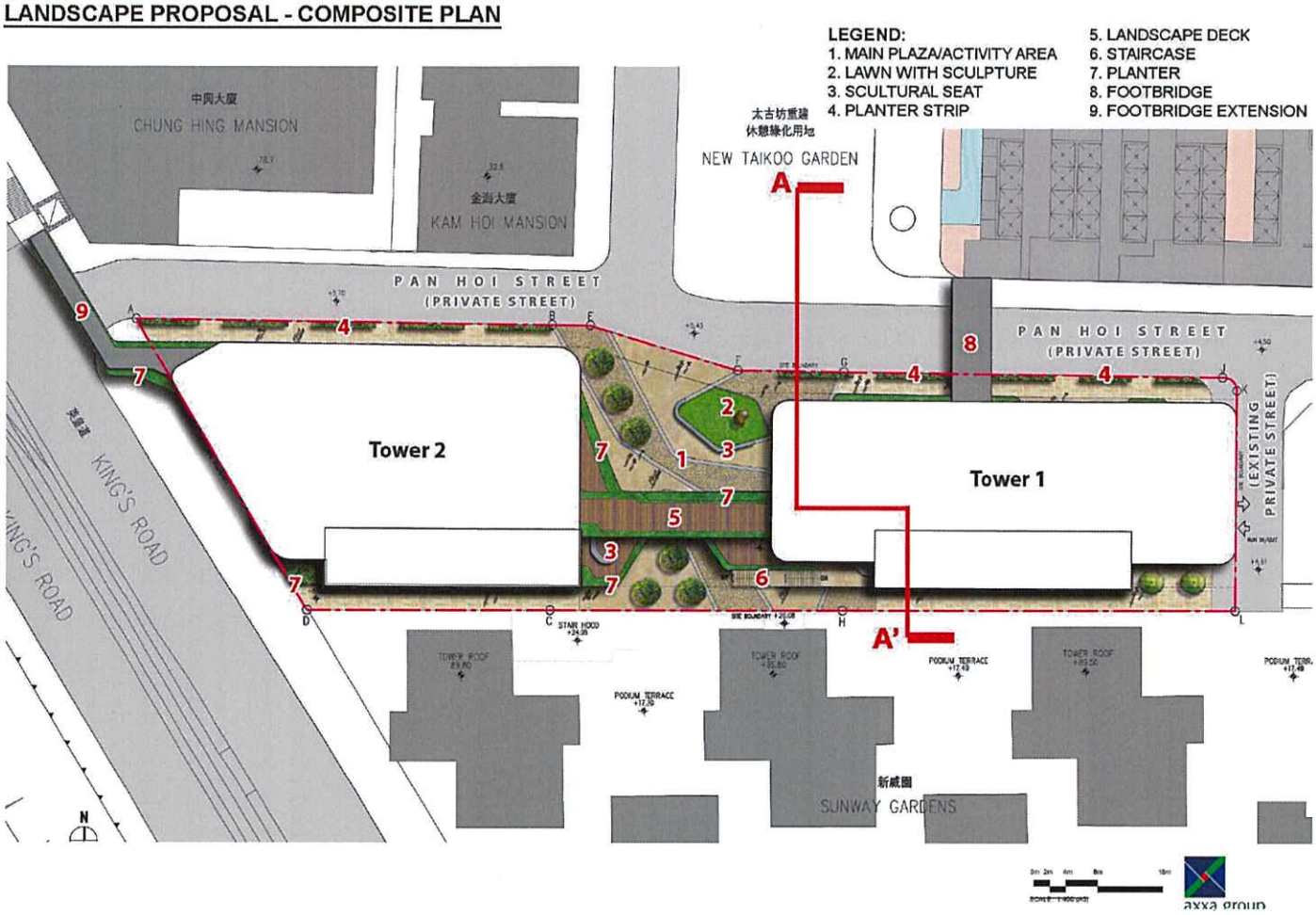
PROPOSED OFFICE SCHEME	SITE SECTION	JOB NO.: 1416THK DATE: SCALE: 1:750 DRAWING NO.: DWG BY:	SECTION 16 APPLICATION FOR OFFICE REDEVELOPMENT PAN HOI STREET QUARRY BAY	RONALD LU & PARTNERS

資料來源：由申請人提供

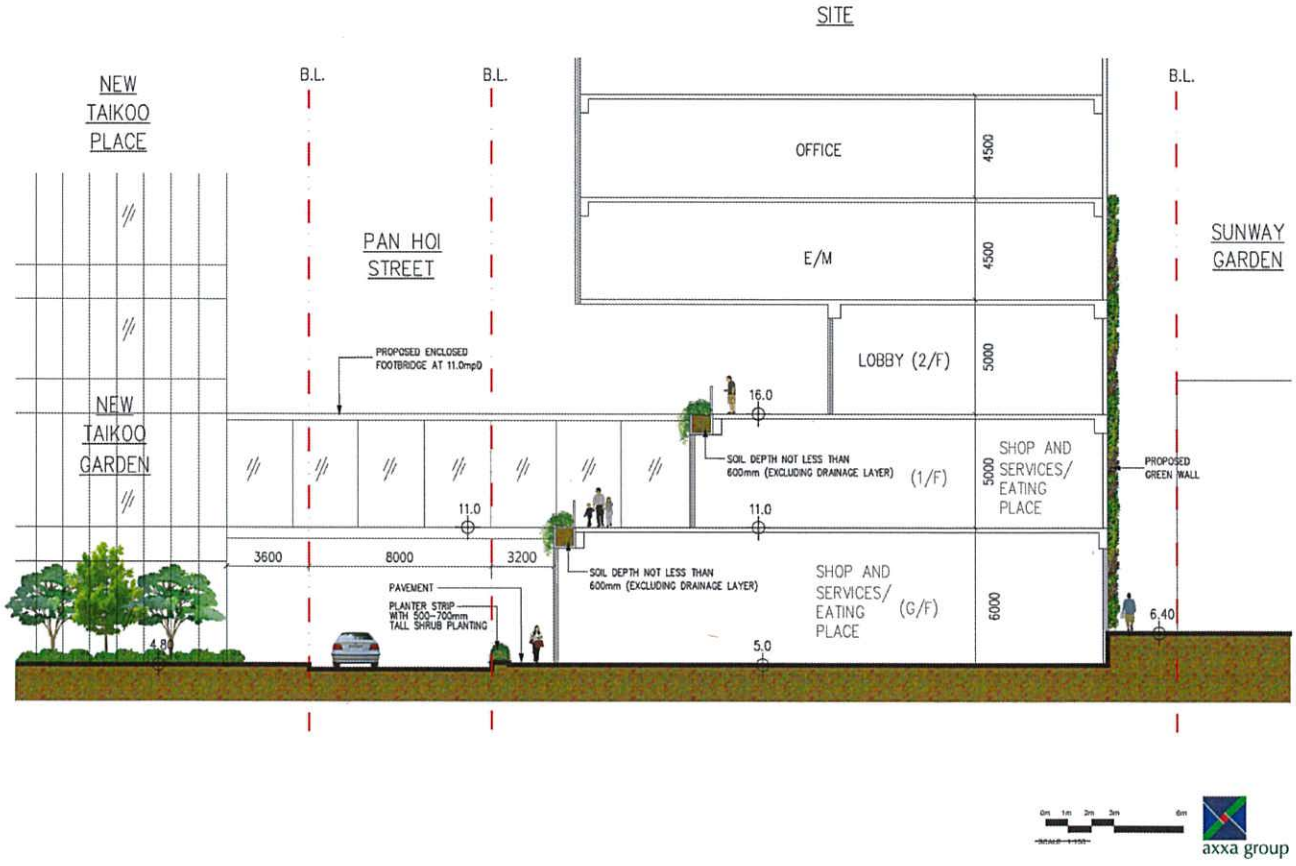
SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No. A/H21/151	繪圖 DRAWING A - 10

LANDSCAPE PROPOSAL - COMPOSITE PLAN



LANDSCAPE PROPOSAL - SECTION A-A'



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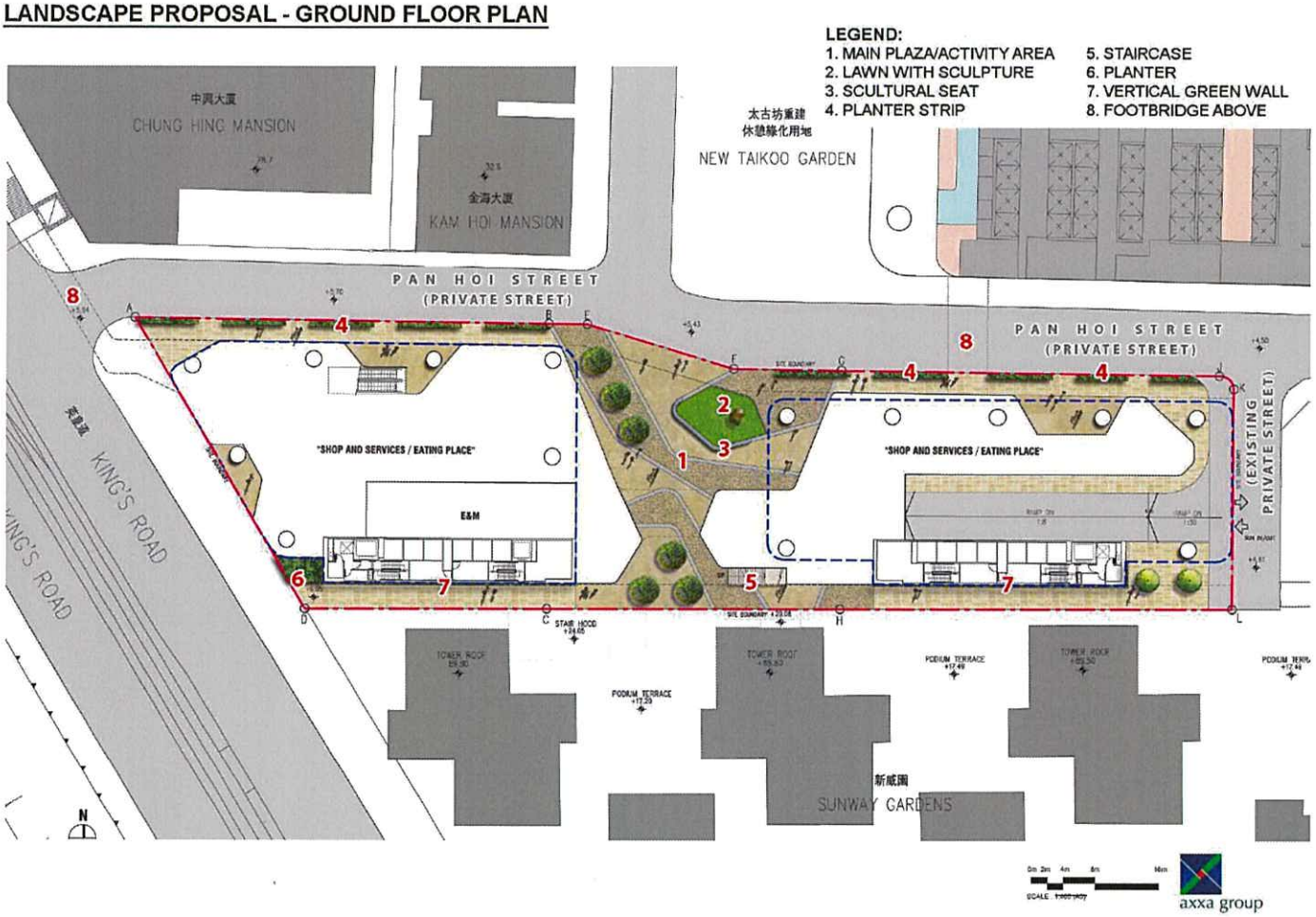
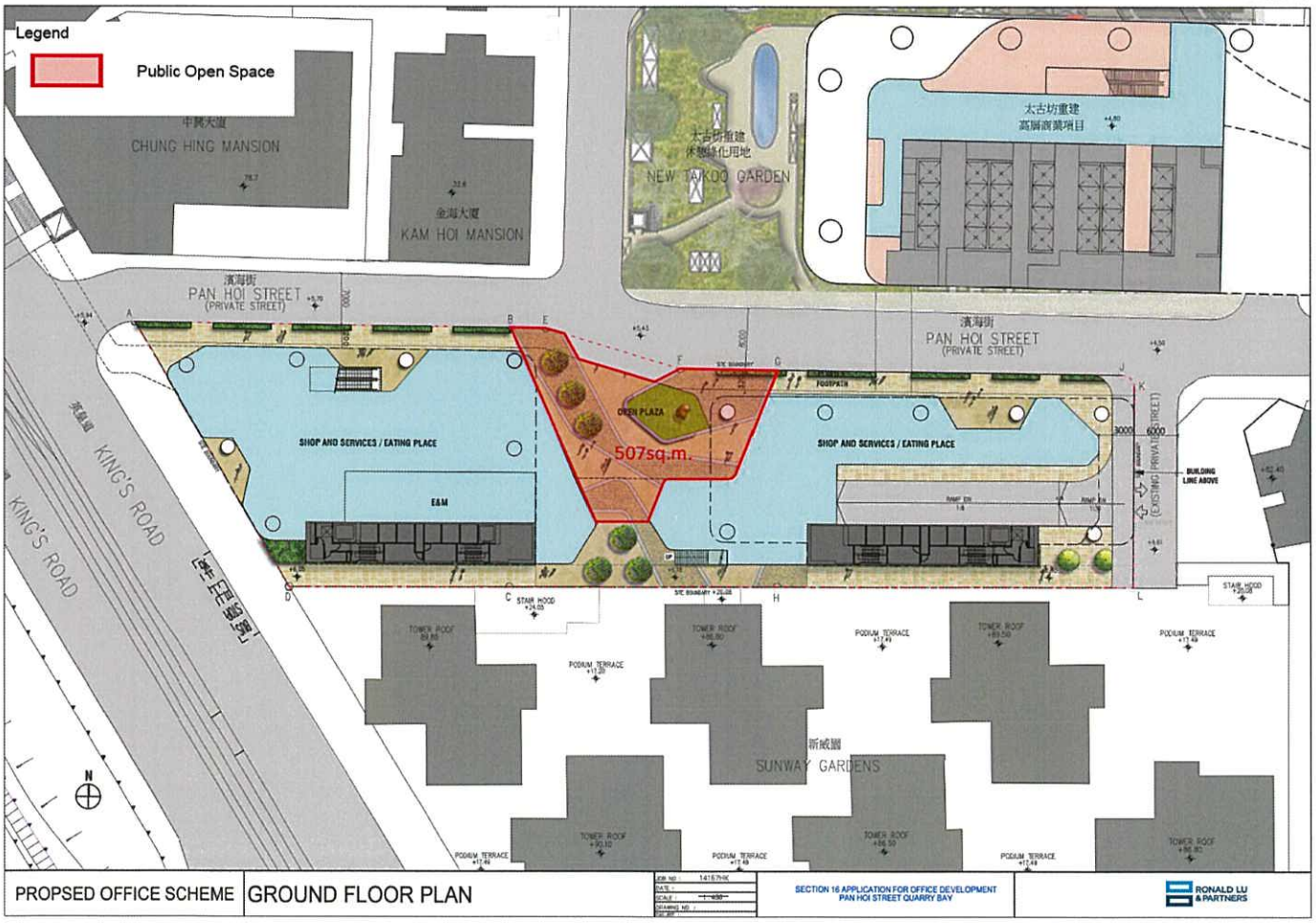
SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 11

LANDSCAPE PROPOSAL - GROUND FLOOR PLAN



Annex I



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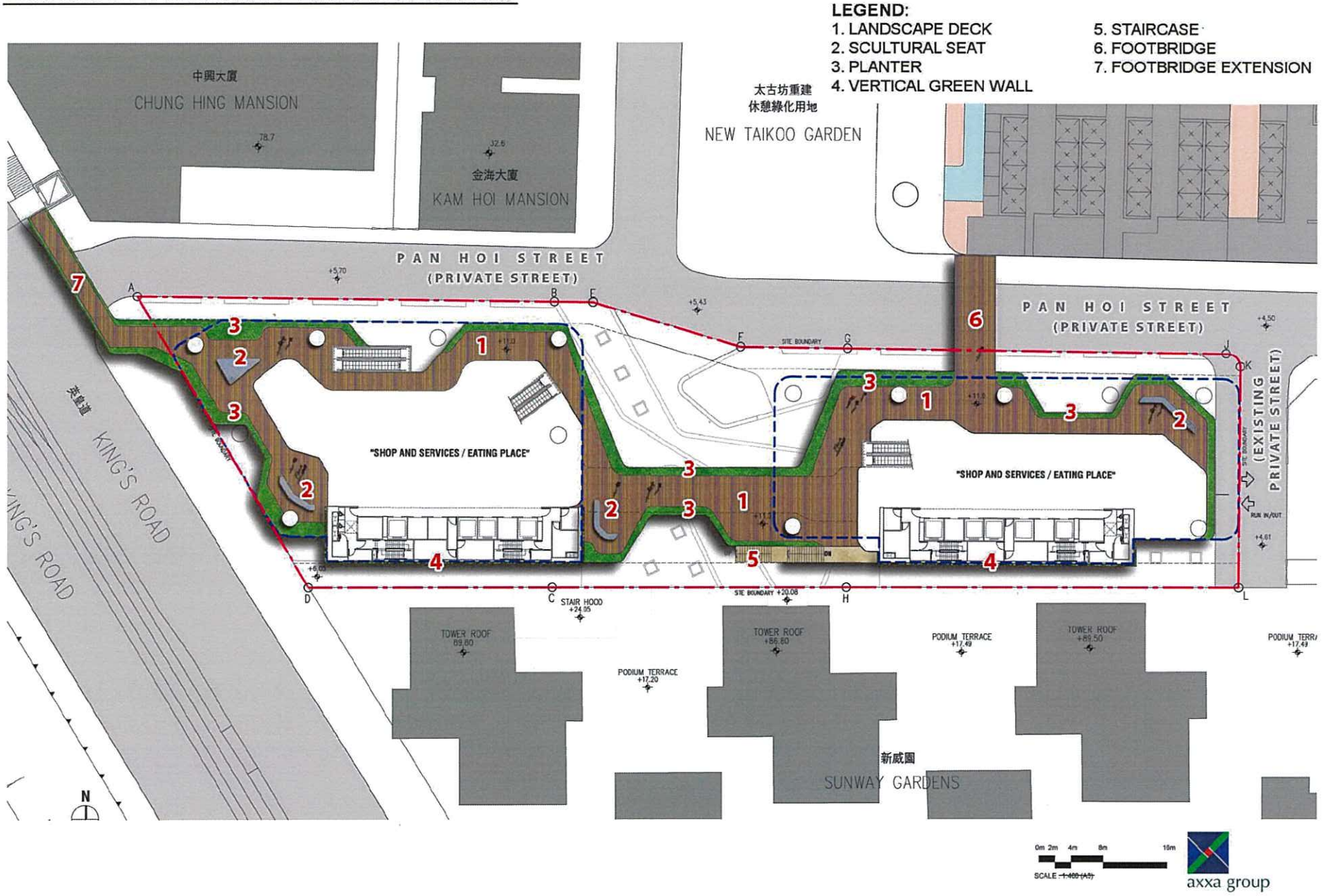
SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 12

LANDSCAPE PROPOSAL - FIRST FLOOR PLAN



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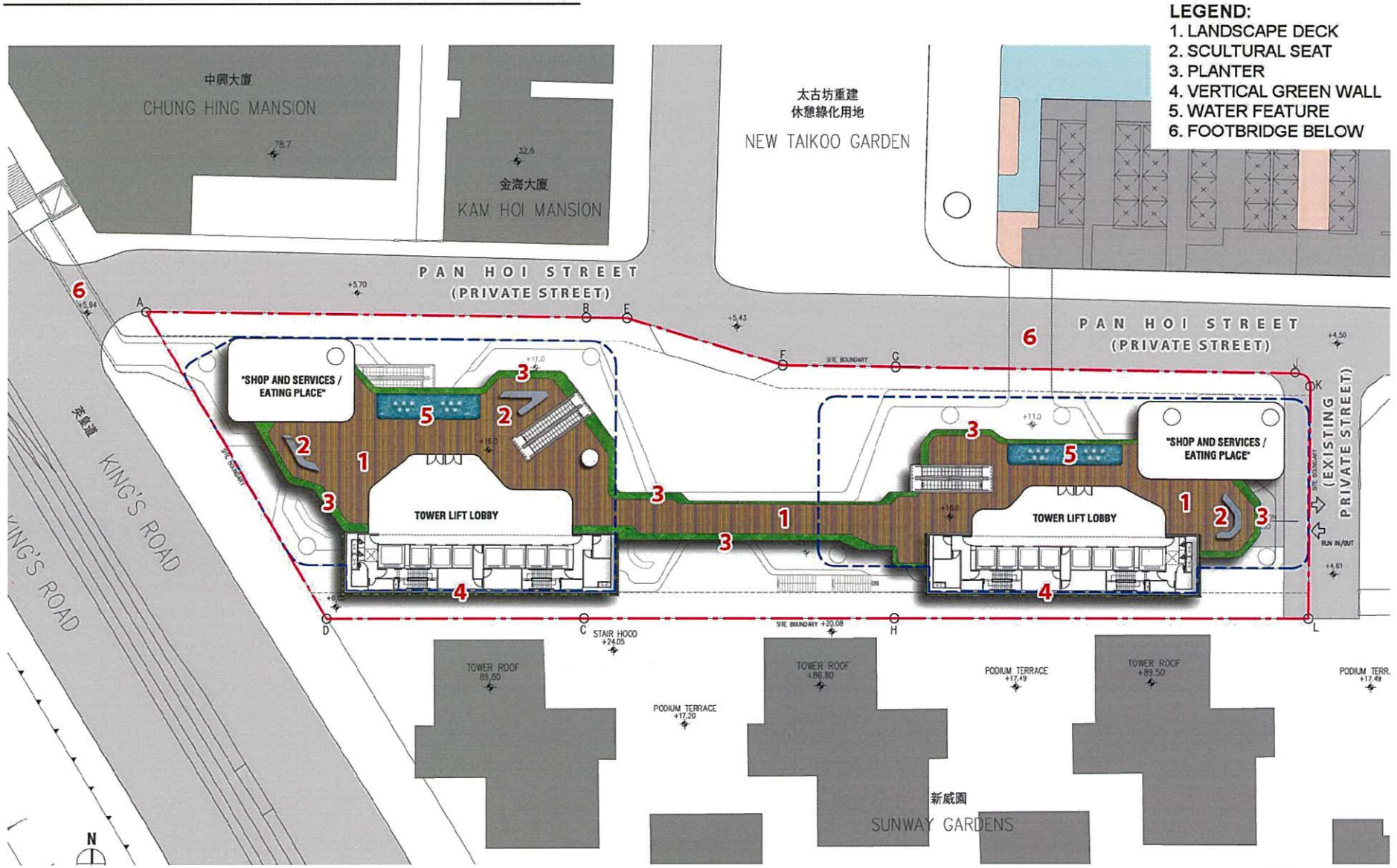
參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 13

LANDSCAPE PROPOSAL - SECOND FLOOR PLAN



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SOURCE : SUBMITTED BY THE APPLICANT

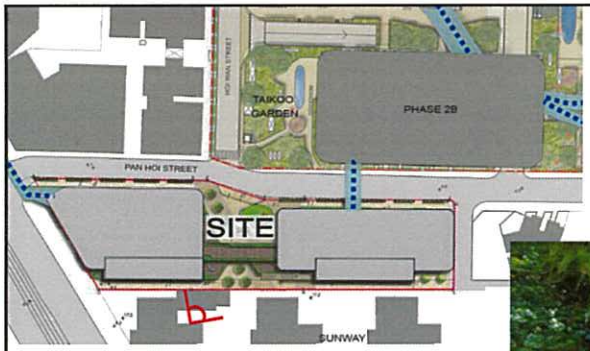
參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 14

Project: Section 16 Planning Application for Proposed Commercial Development ('Office', 'Shops and Services' and 'Eating Places) at 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong	**Title:** Artist's Impression of the Proposed Development	**Figure 7a** **Scale:** N/A **Date:** March 2019	**Pro Plan Asia Ltd.** PPA 亞洲先創

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 15

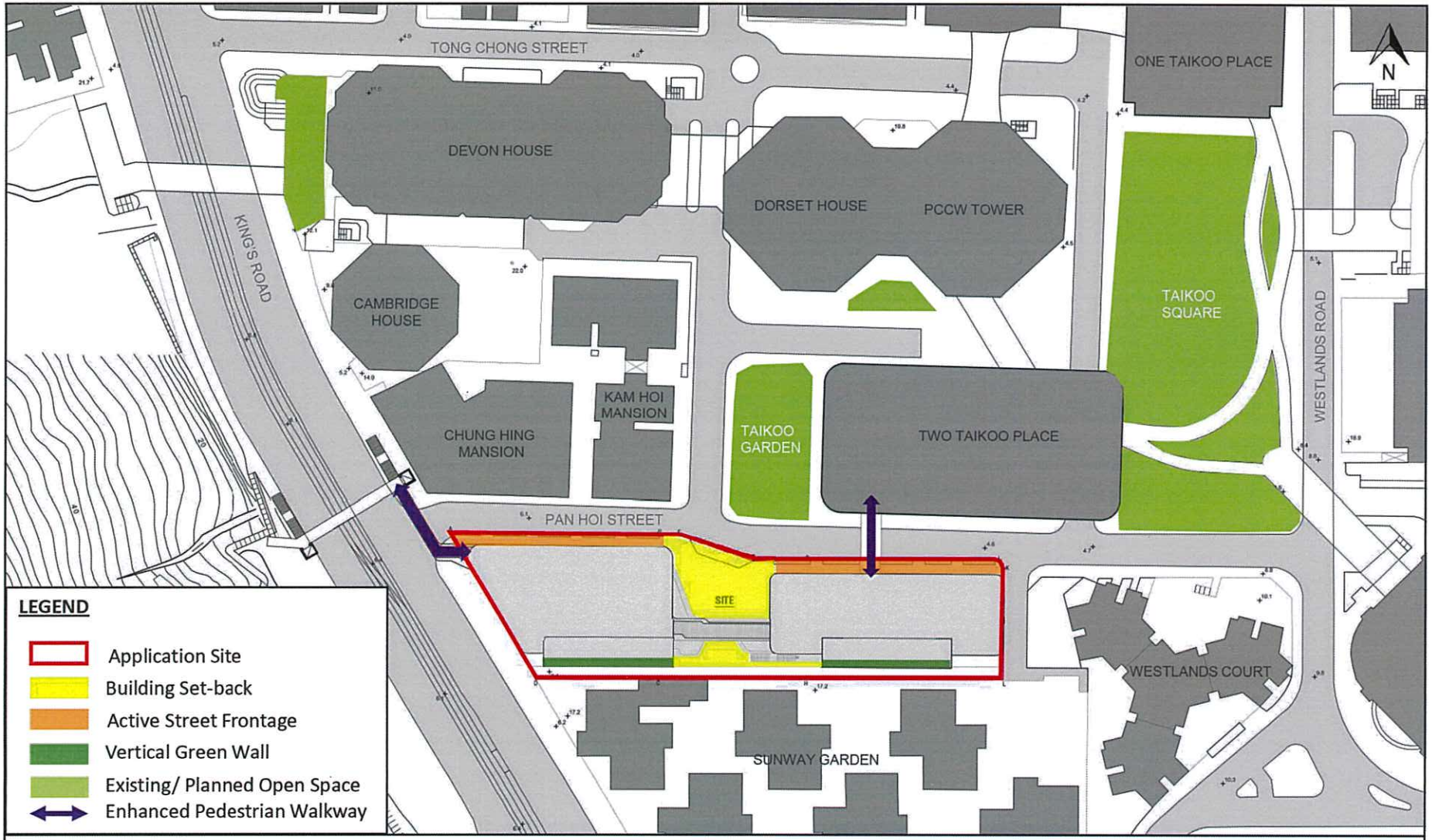


Project: Section 16 Planning Application for Proposed Commercial Development ('Office', 'Shops and Services' and 'Eating Places) at 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong	**Title:** Artist's Impression of the Proposed Development	**Figure 7c** **Scale:** N/A **Date:** March 2019	**Pro Plan Asia Ltd.** PPA 亞洲先創

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

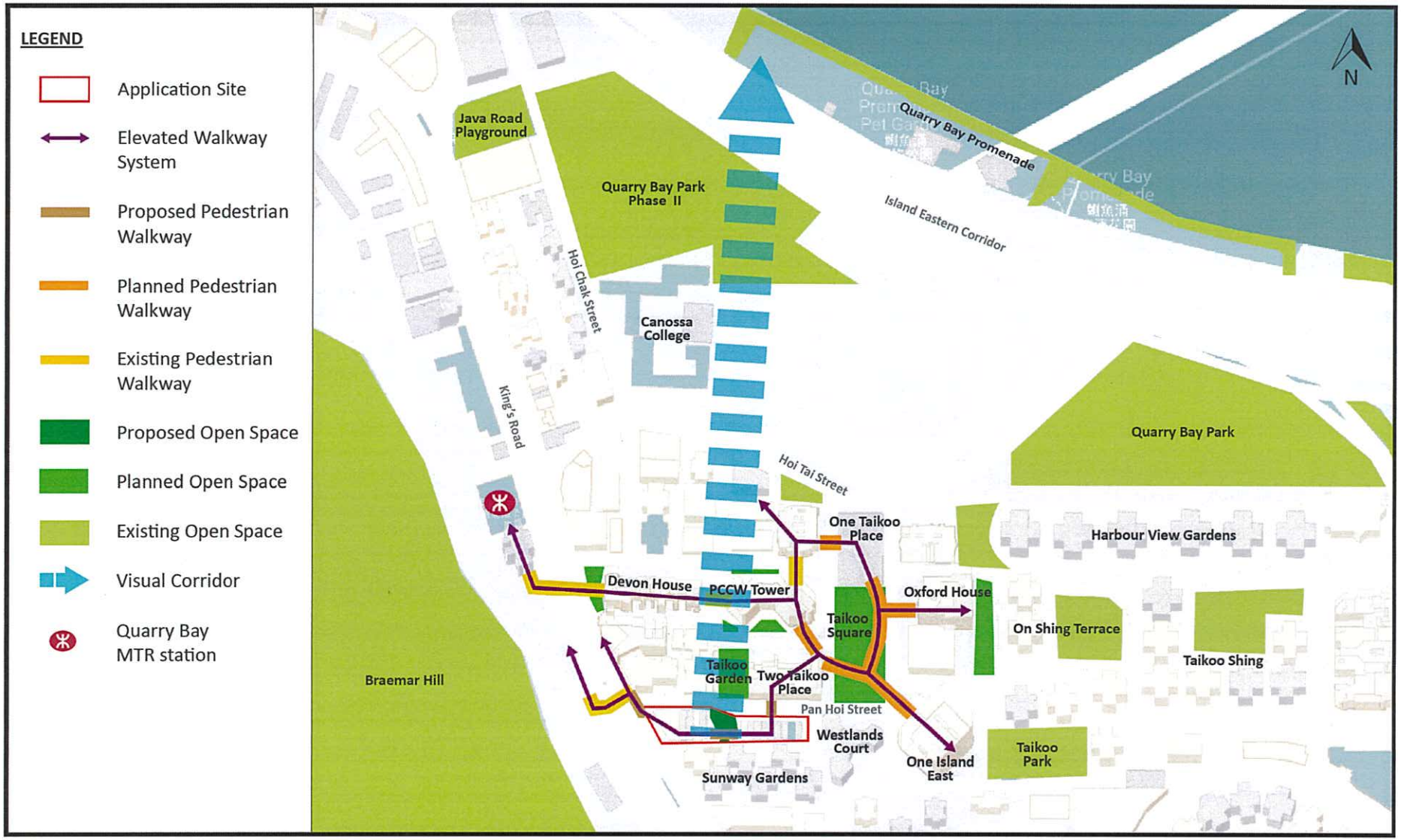
參考編號 REFERENCE No.	繪 圖 DRAWING
A/H21/151	A - 16



Project: Section 16 Planning Application for Proposed Commercial Development ('Office', 'Shops and Services' and 'Eating Places') at 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong	**Title:** Urban Design Concept Plan	**Figure 5a** **Scale:** N/A **Date:** March 2019	**Pro Plan Asia Ltd.** PPA 亞洲先創

資料來源：由申請人提供
SOURCE : SUBMITTED BY THE APPLICANT

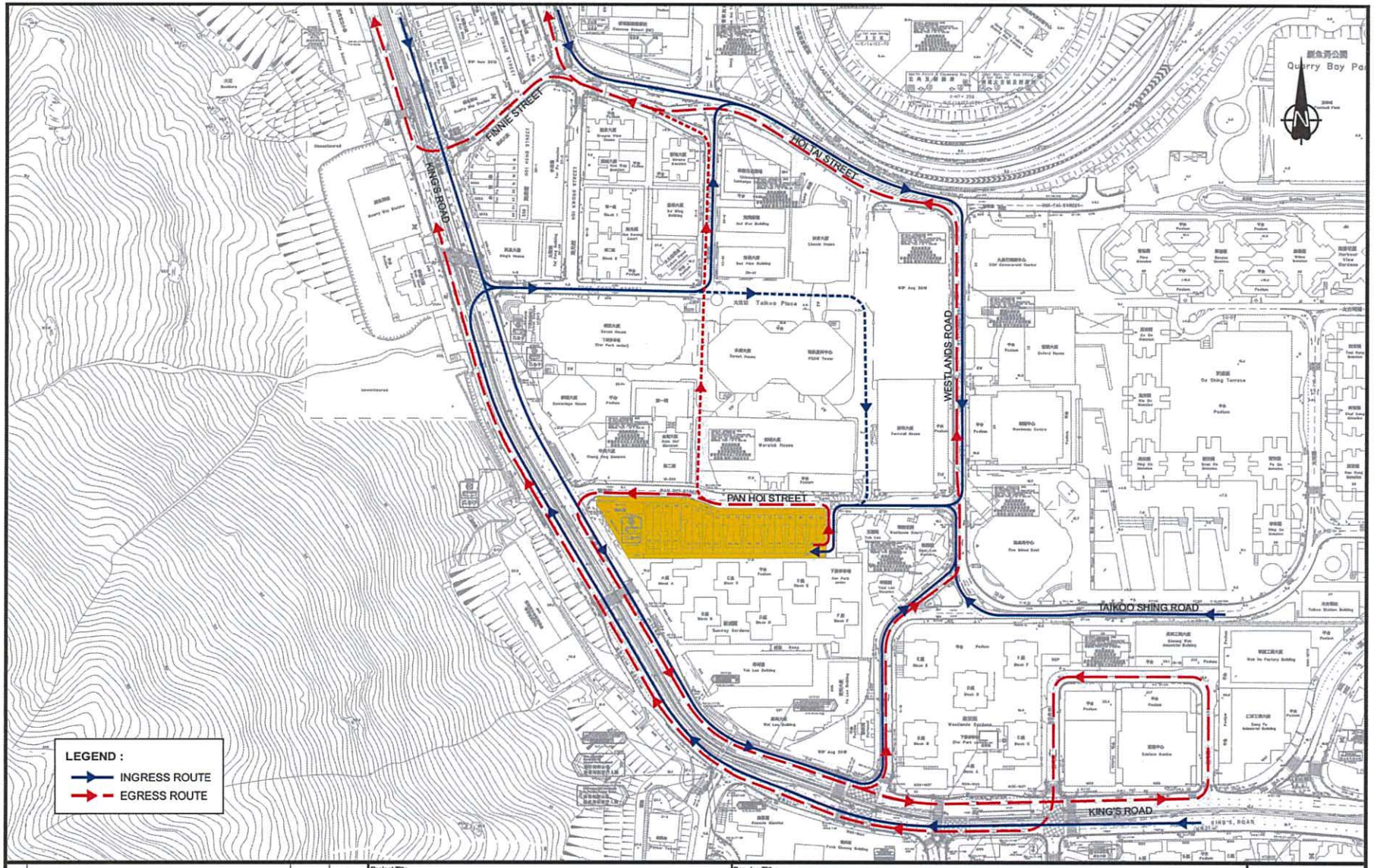
參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 17



Project: Section 16 Planning Application for Proposed Commercial Development ('Office', 'Shops and Services' and 'Eating Places') at 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong	Title: Urban Design Concept Plan (Pedestrian Circulation and Open Space Netwrok)	**Figure 5b** **Scale:** N/A **Date:** March 2019	**Pro Plan Asia Ltd.** PPA 亞洲先創

資料來源：由申請人提供
SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 18



Rev.	Description	Checked	Date
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

Project Title

S16 PLANNING APPLICATION FOR THE PROPOSED COMMERCIAL DEVELOPMENT ("OFFICE, SHOP AND SERVICES" AND "EATING PLACES") AT 16-94 PAN HOI STREET AND 983-987A KING'S ROAD, QUARRY BAY

Drawing Title

FUTURE KEY INGRESS AND EGRESS TRAFFIC ROUTES

Designed	Checked	Scale	Date	Drawing No.	Rev.
WTH	WCY	NTS	MAR 2019	4.4	-

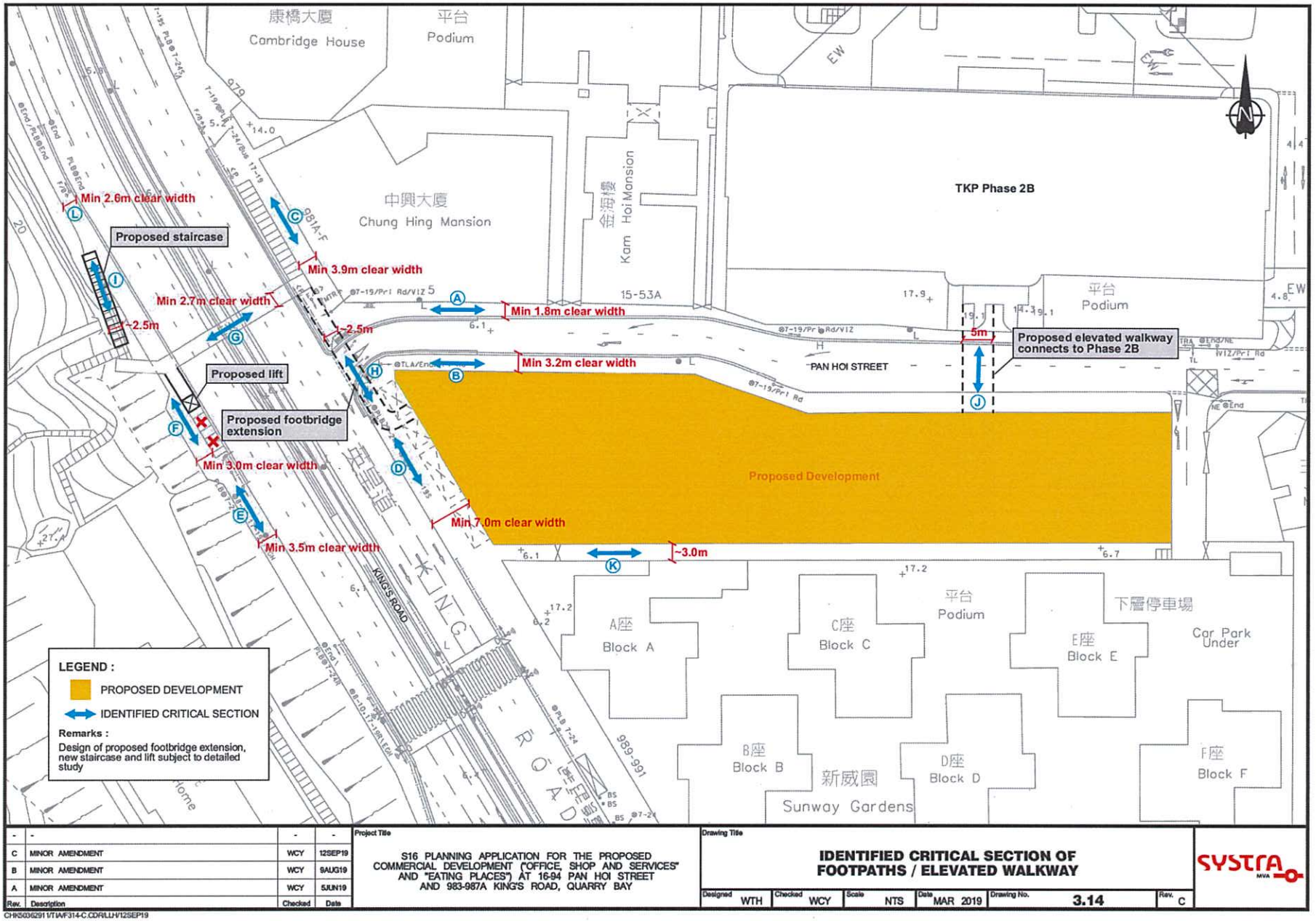
SYSTRA MVA

CHK5036291/TIAF44.CDR/LLH/28MAR19

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 19



Rev.	Description	Checked	Date
-	-	-	-
C	MINOR AMENDMENT	WCY	12SEP19
B	MINOR AMENDMENT	WCY	9AUG19
A	MINOR AMENDMENT	WCY	5JUN19

Project Title: S16 PLANNING APPLICATION FOR THE PROPOSED COMMERCIAL DEVELOPMENT ("OFFICE, SHOP AND SERVICES" AND "EATING PLACES") AT 16-94 PAN HOI STREET AND 983-987A KING'S ROAD, QUARRY BAY

Drawing Title: **IDENTIFIED CRITICAL SECTION OF FOOTPATHS / ELEVATED WALKWAY**

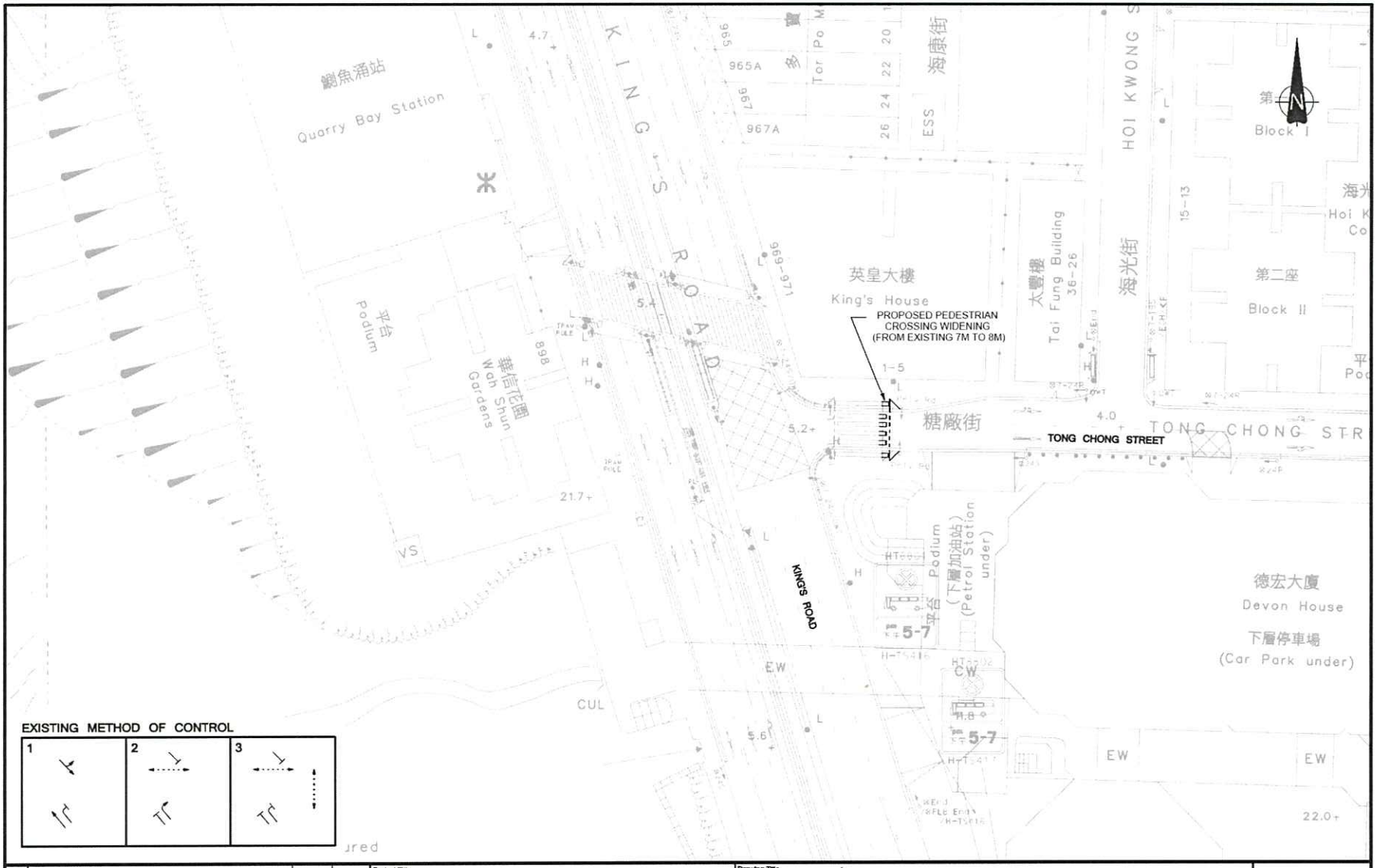
Designed	Checked	Scale	Date	Drawing No.	Rev.
WTH	WCY	NTS	MAR 2019	3.14	C

CHK5036291\ITA\F314-C.CDR\LJ-V12SEP19

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 20



Rev.	Description	Checked	Date
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-	-	-	-
-	-	-	-
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Project Title

S16 PLANNING APPLICATION FOR THE PROPOSED COMMERCIAL DEVELOPMENT ("OFFICE, SHOP AND SERVICES" AND "EATING PLACES") AT 16-94 PAN HOI STREET AND 983-987A KING'S ROAD, QUARRY BAY

Drawing Title

PROPOSED IMPROVEMENT OF J7 : KING'S ROAD/ TONG CHONG STREET

Designed	Checked	Scale	Date	Drawing No.	Rev.
WTH	WCY	~~1:500(A3)~~	OCT 2019	SK1	-

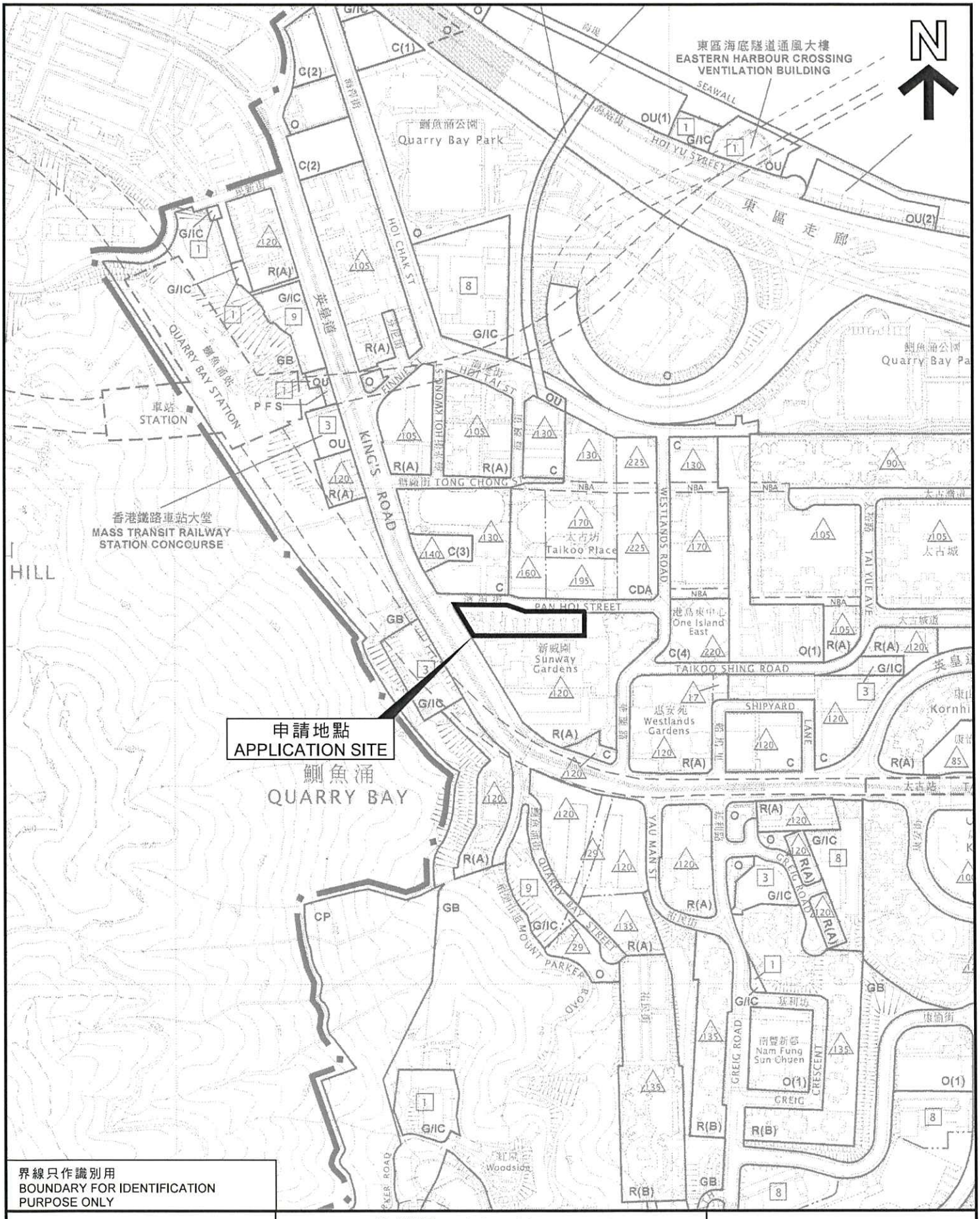
SYSTRA MVA

CHK50362911/TIA/SK1.DGN/DAL/09OCT19

資料來源：由申請人提供

SOURCE : SUBMITTED BY THE APPLICANT

參考編號 REFERENCE No.	繪圖 DRAWING
A/H21/151	A - 21



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2019年12月4日擬備，
所根據的資料為於2010年7月6日
核准的分區計劃大綱圖編號S/H21/28

EXTRACT PLAN PREPARED ON 4.12.2019
BASED ON OUTLINE ZONING PLAN No.
S/H21/28 APPROVED ON 6.7.2010

位置圖 LOCATION PLAN

擬議辦公室、商店及服務行業及食肆
香港鰂魚涌濱海街16-94號及英皇道983-987A號
PROPOSED OFFICE, SHOP AND SERVICES AND EATING PLACE
16-94 PAN HOI STREET AND 983-987A KING'S ROAD,
QUARRY BAY, HONG KONG

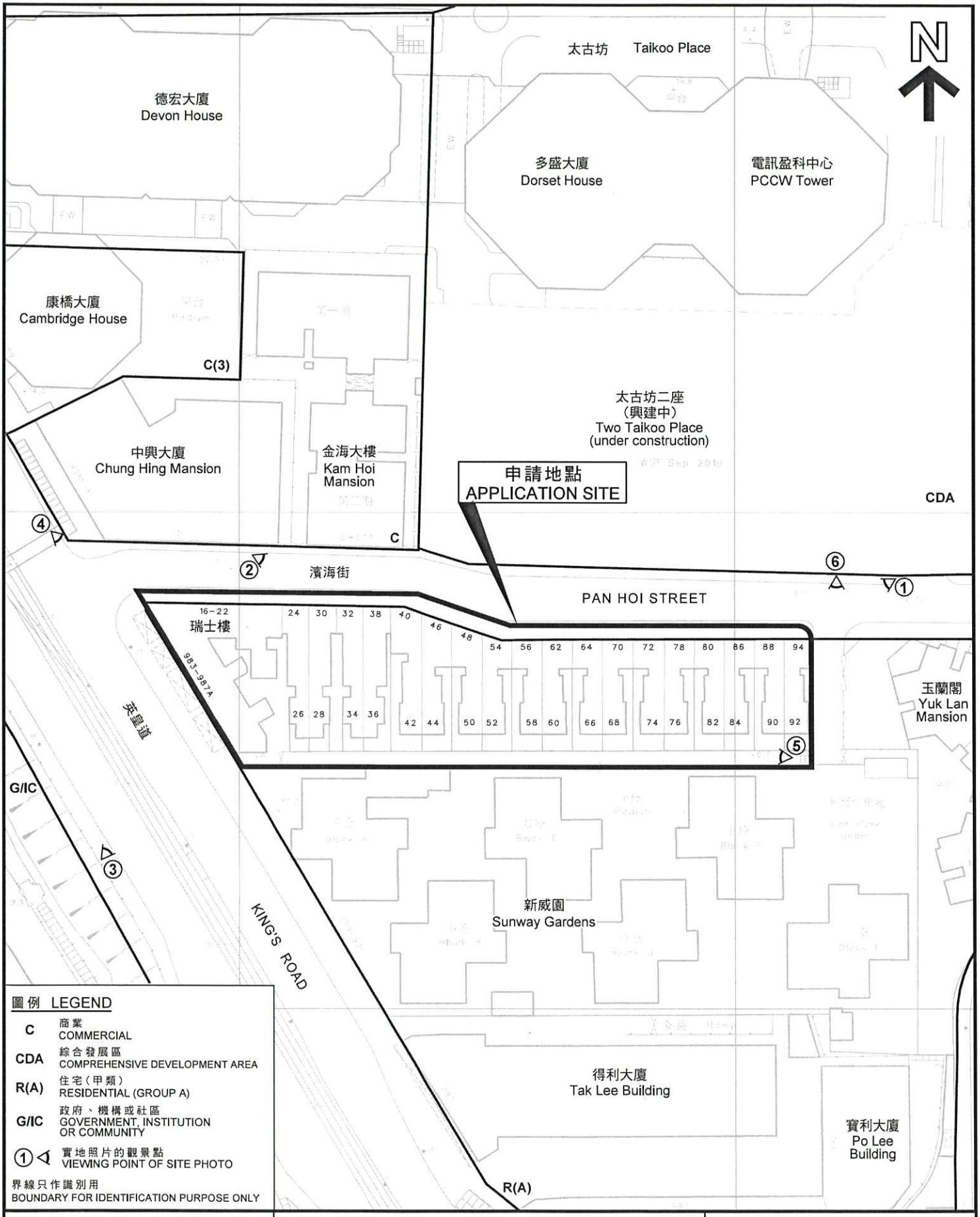
SCALE 1 : 5 000 比例尺

米 METRES 100 0 100 200 米 METRES

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
A/H21/151

圖 PLAN
A - 1



圖例 LEGEND

C	商業 COMMERCIAL
CDA	綜合發展區 COMPREHENSIVE DEVELOPMENT AREA
R(A)	住宅(甲類) RESIDENTIAL (GROUP A)
G/IC	政府、機構或社區 GOVERNMENT, INSTITUTION OR COMMUNITY
①	實地照片的觀景點 VIEWING POINT OF SITE PHOTO

界線只作識別用
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本摘要圖於2019年12月4日擬備，
所根據的資料為測量圖編號
11-SE-7B

EXTRACT PLAN PREPARED ON 4.12.2019
BASED ON SURVEY SHEET No.
11-SE-7B

平面圖 SITE PLAN

擬議辦公室、商店及服務行業及食肆
香港鰂魚涌濱海街16-94號及英皇道983-987A號
PROPOSED OFFICE, SHOP AND SERVICES AND EATING PLACE
16-94 PAN HOI STREET AND 983-987A KING'S ROAD,
QUARRY BAY, HONG KONG

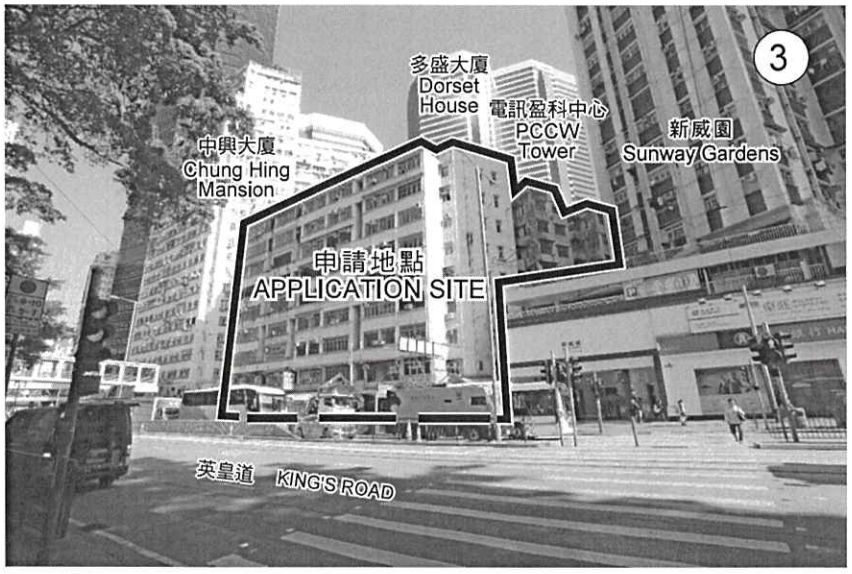
SCALE 1 : 1 000 比例尺

米 METRES 20 0 20 40 米 METRES

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
A/H21/151

圖 PLAN
A - 2



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本圖於2019年12月4日擬備，
所根據的資料為攝於
2019年12月4日的實地照片

PLAN PREPARED ON 4.12.2019
BASED ON SITE PHOTOS
TAKEN ON 4.12.2019

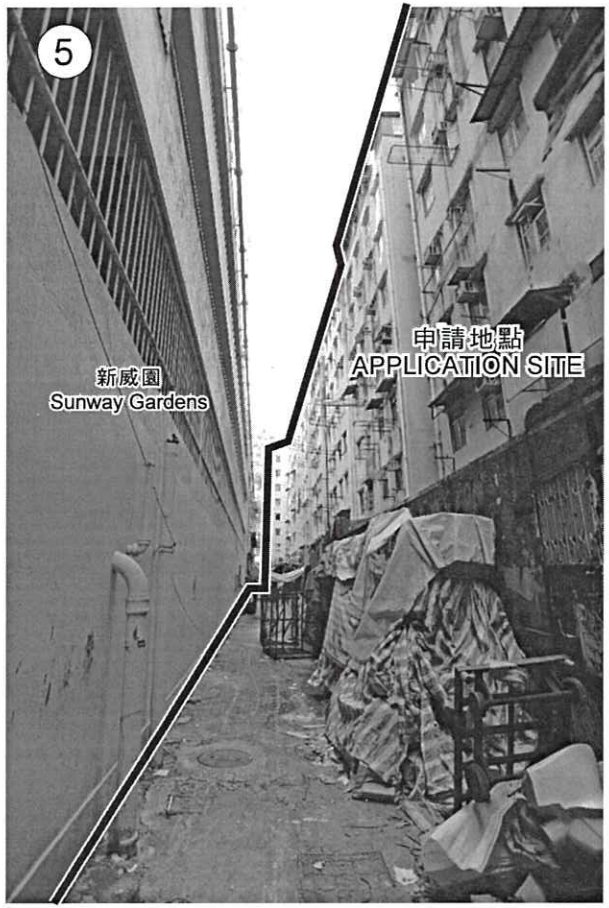
實地照片 SITE PHOTO

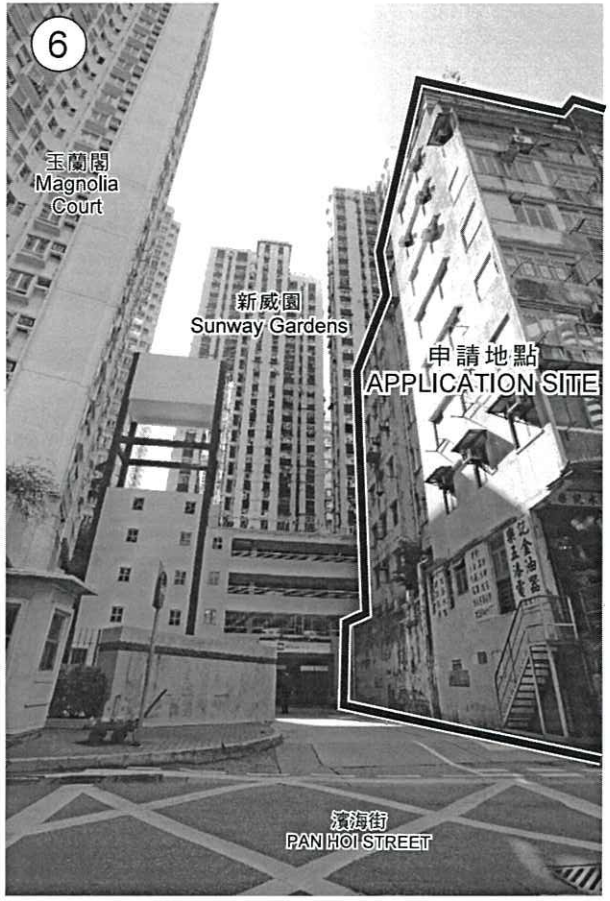
擬議辦公室、商店及服務行業及食肆
香港鰂魚涌濱海街16-94號及英皇道983-987A號
PROPOSED OFFICE, SHOP AND SERVICES AND EATING PLACE
16-94 PAN HOI STREET AND 983-987A KING'S ROAD,
QUARRY BAY, HONG KONG

規劃署
PLANNING
DEPARTMENT

參考編號
REFERENCE No.
A/H21/151

圖 PLAN
A - 3





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本圖於2019年12月4日擬備，
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2019年12月4日的實地照片

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BASED ON SITE PHOTOS
TAKEN ON 4.12.2019

實地照片 SITE PHOTO

擬議辦公室、商店及服務行業及食肆
香港鰂魚涌濱海街16-94號及英皇道983-987A號
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16-94 PAN HOI STREET AND 983-987A KING'S ROAD,
QUARRY BAY, HONG KONG

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
A/H21/151

圖 PLAN
A - 4

Extract From Minutes Of 641st MPC Meeting Held On 13.12.2019

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H21/151 Proposed Office, Shop and Services and Eating Place in "Residential (Group A)" Zone and an area shown as 'Road', 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong
(MPC Paper No. A/H21/151A)

69. The Secretary reported that the application site (the Site) was located in Quarry Bay. The application was submitted by Wealth First Limited, which was a joint-venture of Henderson Land Development Company Limited (HLD) and Swire Properties Limited (Swire), with Jones Lang LaSalle Limited (JLL), MVA Hong Kong Limited (MVA) and Ronald Lu & Partners (Hong Kong) Limited (RLP) as three of the consultants of the applicant. The following Members had declared interests on the item:

Mr Wilson Y.W. Fung - co-owning with spouse a flat in Quarry Bay;

Mr Thomas O.S. Ho	-	having current business dealings with Swire, MVA and RLP, and his firm having current business dealings with Swire and MVA; and owning a flat in Quarry Bay;
Mr Alex T.H. Lai	-	his firm having current business dealings with HLD, Swire, JLL, MVA and RLP; and
Mr Simon S.W. Wang *(Assistant Director (Regional 1), Lands Department)*	-	co-owning with spouse a flat in Quarry Bay.

70. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the properties of Messrs Wilson Y.W. Fung and Simon S.W. Wang had no direct view of the Site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

71. With the aid of a PowerPoint presentation, Mr T.W. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

(a) background to the application;

(b) the proposed office, shop and services and eating place;

(c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The District Officer (Eastern), Home Affairs Department (DO(E), HAD) advised that there was local concerns about the potential issues and problems that might arise from the development. Other concerned government departments had no objection to or no adverse comment on the application;

(d) during the first three weeks of the statutory publication periods, a total of 17 public comments were received including 14 opposing comments from two DC members, Incorporated Owners of Kam Hoi Mansion Phase 2 and

individuals; and three comments from individuals providing views similar to those raised in the opposing comments. Major views were set out in paragraph 10 of the Paper; and

(e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment set out in paragraph 11 of the Paper. Although the proposed office development with shop and services/eating places on the lower floors was considered not incompatible with the surrounding developments and did not exceed the maximum building height (BH) of 120mPD as stipulated on the Outline Zoning Plan, and concerned departments had no adverse technical comments, the proposed development was not fully in line with the planning intention of the "Residential (Group A)" ("R(A)") zone. According to the land requirement and supply analysis undertaken under "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" in 2016, there were projected long-term shortfall of Grade A office floorspace in Central Business District (CBD) and surplus of Grade A office floorspace at non-CBD areas. Moreover, the redevelopment of the Site for the proposed commercial use instead of residential use would result in a loss of about 366 flats currently provided at the Site. There seemed no strong planning justifications for a departure from the planning intention of the "R(A)" zone. In addition, there were no precedent cases for planning applications within "R(A)" zone in the Quarry Bay area since the promulgation of policy to address the pressing housing need. For similar applications that were approved by the Town Planning Board (the Board) in other areas of Hong Kong Island, each of those applications had its unique planning background and context. As the Site fell within a larger "R(A)" zone and there were other "R(A)" zones located in the vicinity, approval of the subject application might set an undesirable precedent for similar applications resulting in cumulative loss of residential land. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

72. In response to some Members' enquiries, Mr T.W. Ng, replied that the ground

settlement issue was a concern expressed by the locals as the proposed development would involve the construction of seven levels of basement. Relevant government departments consulted had no information with regard to the possible ground settlement issue. For the precedent similar cases approved by the Board as mentioned by the applicant, they were not located in the Quarry Bay area. Although there were existing commercial developments in the vicinity (e.g. in area fronting King's Road), they were located within commercial zones. If the Site was to be developed into a residential development, the estimated maximum number of flats that could be provided would be about 1,200.

Deliberation Session

73. Members generally considered that the proposed office development was not in line with the planning intention of "R(A)" zone which was for high-density residential developments. Although the proposed office use and development intensity might not be incompatible with the surrounding developments, the applicant had failed to demonstrate that there were sufficient justifications to deviate from the planning intention of the "R(A)" zone.

74. After deliberation, the Committee decided to reject the application. The reasons were:

"(a) the proposed office development is not in line with the planning intention of the "Residential (Group A)" ("R(A)") zone which is for high-density residential developments. The applicant fails to demonstrate that there are sufficient justifications to deviate from the planning intention of the "R(A)" zone; and

(b) approval of the application would set an undesirable precedent for similar applications in the same and other "R(A)" zones in the vicinity. The cumulative effect of approving such similar applications would aggravate the shortfall in the supply of housing land."

Annex C of
TPB Paper No. 10644

DESPATCH

城 市 規 劃 委 員 會
香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD
15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳　真 Fax: 2877 0245 / 2522 8426
電　話 Tel: 2231 4810
來函檔號 Your Reference:

覆函請註明本會檔號
In reply please quote this ref.: TPB/A/H21/151

By Post & Fax (2916 8800)

3 January 2020

Pro Plan Asia Ltd.
K&W, 24/F, Siu On Plaza (Cigna Tower)
482 Jaffe Road
Causeway Bay, Hong Kong
(Attn.: Phill Black)

Dear Sir/Madam,

Proposed Office, Shop and Services and Eating Place in "Residential (Group A)" Zone and an area shown as 'Road', 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong

I refer to my letter to you dated 11.12.2019.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

(a) the proposed office development is not in line with the planning intention of the "Residential (Group A)" ("R(A)") zone which is for high-density residential developments. You fail to demonstrate that there are sufficient justifications to deviate from the planning intention of the "R(A)" zone; and

(b) approval of the application would set an undesirable precedent for similar applications in the same and other "R(A)" zones in the vicinity. The cumulative effect of approving such similar applications would aggravate the shortfall in the supply of housing land.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 13.12.2019 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 24.1.2020). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal

should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please contact Mr. Ng Tak Wah of Hong Kong District Planning Office at 2231 4935.

Yours faithfully,

(Raymond KAN)

Advisory Clauses

(a) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design (SBD) Guidelines, and any proposal on bonus plot ratio (PR) and site coverage (SC) and/or gross floor area (GFA) concession/exemption for the proposed development will be approved/granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approvals. In addition, if the building design elements and the PR/GFA concession are not approved/granted by the Building Authority and major changes to the current scheme are required, a fresh application to the Town Planning Board may be required;

(b) to note the comments of the District Lands Officer/Hong Kong East, Lands Department regarding application for licence to remove the non-offensive trades and the implementation of the proposed footbridge upgrading works;

(c) to note the comments of the Commissioner for Transport including the implementation of improvement schemes as proposed in the Traffic Impact Assessment;

(d) to note the comments of the Chief Building Surveyor/Hong Kong East & Heritage, Buildings Department regarding the site area, the calculation of GFA, the need to comply with the requirement as laid down in regulation 18A of the Building (Planning) Regulations for Class C site, the requirements on the proposed footbridge as stated in paragraph 2 of PNAP APP 38 and SBD Guidelines stipulated in PNAP APP-151 & 152, and the requirement of refuge floor provision;

(e) to note the comments of the Director of Fire Services regarding the requirement of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011;

(f) to note the comments of the Chief Engineer/Hong Kong Islands, Drainage Services Department that the applicant is advised to make an assessment during detailed design stage and make sure the project will not cause any adverse impact to the existing drainage system; and

(g) to note the comments of the Director of Food and Environmental Hygiene that the applicant should arrange its disposal properly at his/her own expenses or any waste generated from the commercial/trading activities; and the need to comply with all the licensing requirements on the food business licence under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.