

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/H19/82**

<b><u>Applicant</u></b>	New Season Global Limited represented by Masterplan Limited
<b><u>Site</u></b>	The Maryknoll House, 44 Stanley Village Road, Stanley
<b><u>Site Area</u></b>	About 7,645.577m <sup>2</sup>
<b><u>Land Status</u></b>	<p>Rural Building Lot (RBL) 333 RP (<b>Plan A-2</b>):</p> <ul style="list-style-type: none"><li>- carved out from RBL 333 by an assignment of RBL 333 s.A (i.e. Stanley Knoll) dated 17.10.1975</li><li>- with a term of 75 years from 9.11.1931 and an option of renewal for one further 75 years</li><li>- no restrictions on user, gross floor area (GFA), site coverage (SC), building height (BH) nor landscaping</li><li>- not to erect more than 3 houses of European type</li><li>- a right-of-way (ROW) leading from the main road crossing RBL 333 s.A is reserved for the owner and occupier of RBL 333 RP</li></ul>
<b><u>Plan</u></b>	<p>Draft Stanley Outline Zoning Plan (OZP) No. S/H19/15 (currently in force)</p> <p>Approved Stanley OZP No. S/H19/14 (in force at the time of submission. The zoning and development restrictions for the application site (the Site) remain unchanged on the current OZP)</p>
<b><u>Zoning</u></b>	<p>"Other Specified Uses" annotated "Residential Development with Historic Building Preserved" ("OU(RDHBP)")</p> <ul style="list-style-type: none"><li>- any new development, or demolition of, addition, alteration and/or modification to or redevelopment of the Maryknoll House requires permission from the Town Planning Board (the Board); and</li><li>- maximum plot ratio (PR) of 0.75, SC of 30% and a stepped BH restrictions of 64 mPD and 75mPD (<b>Plan A-1</b>).</li></ul>
<b><u>Application</u></b>	Proposed Residential Development with Minor Relaxation of BH Restriction

## 1. **The Proposal**

- 1.1 The applicant seeks planning permission for a residential development at the Site which is zoned “OU(RDHBP)” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Flat’ is a Column 2 use which requires planning permission from the Board. Any new development, or demolition of, addition, alteration and/or modification to (except those minor alteration and/or modification works which are ancillary and directly related to the always permitted uses) or redevelopment of the Maryknoll House also requires permission from the Board.
- 1.2 The proposed residential development comprises adaptive reuse of the Maryknoll House, a Grade 1 historic building, and erection of 2 new 4-storey residential blocks over 1 storey of basement carpark at the southern platform with a BH of 62.2mPD. The proposal also includes addition of 2 new extensions to the Maryknoll House building, i.e. a 3-storey residential extension including a trellis at top floor above a basement carpark with a BH of 75mPD to the east and a 1-storey residential extension with a BH of 67.7mPD to the west. The applicant also proposes to alter the southern façade of the Maryknoll House building and construct 2 new loggias at the G/F (**Drawing A-18**). Swimming pools are proposed to be situated to the west and south of the Maryknoll House building as well as in front of the two residential blocks at southern platform. The total GFA and SC of the proposed development are 5,734m<sup>2</sup> (equivalent to a PR of 0.75) and 30% respectively. As the BH of the proposed western extension of 67.7mPD exceeds the BH restriction of 64mPD stipulated on the OZP (i.e. 5.8% in terms of mPD), planning permission from the Board for minor relaxation of BH restriction is also required.
- 1.3 The Site is the subject of a s.12A application (No. Y/H19/1) submitted by the same applicant to rezone the Site for the proposed preservation-cum-development project. On 4.1.2019, the Metro Planning Committee (the Committee) of the Board decided to partially agree to the s.12A application and the Site was subsequently rezoned to “OU(RDHBP)”. A comparison of the s.12A application and the current application is summarised below:

	<b>s.12A Application (No. Y/H19/1) (a)</b>	<b>Current Proposal (b)</b>	<b>Difference (%) (b) - (a)</b>
Site area <sup>(1)</sup>	7,645.5 m <sup>2</sup>	7,645.577 m <sup>2</sup>	-
Total GFA <sup>(1)</sup>	5,734.18 m <sup>2</sup>	5,734.183 m <sup>2</sup> <sup>(2)</sup>	-
- Maryknoll House building	2,939.26m <sup>2</sup>	2,512.067m <sup>2</sup> <sup>(3)</sup>	-427.193m <sup>2</sup> (-14.5%)
- Additional GFA	2,794.92m <sup>2</sup>	3,222.116m <sup>2</sup>	+427.196m <sup>2</sup> (+14.5%)
Total PR	0.75	0.75	-
SC	30%	30%	-
BH			
- Maryknoll House building	75mPD	75mPD	-
- Two new residential blocks at the southern platform	63.2mPD	62.2mPD <sup>(4)</sup>	-1 (-1.6%)
- Proposed eastern extension	75mPD	75mPD	-
- Proposed western extension	64mPD	67.7mPD	+3.7 (+5.8%)

	<b>s.12A Application (No. Y/H19/1) (a)</b>	<b>Current Proposal (b)</b>	<b>Difference (%) (b) - (a)</b>
No. of storeys <sup>(5)</sup>			
- New residential blocks at the southern platform	3 storeys above 1 storey of carport	4 storeys above 1 storey of carport	+1 (+33.3%)
- Proposed eastern extension	3 storeys above 1 storey of carport	3 storeys above 1 storey of carport	-
- Proposed western extension	-	1 storey	+1
No. of block	3	3	-
No. of unit	8 <sup>(6)</sup>	23 <sup>(7)</sup>	+15 (+187.5%)
No. of private car parking spaces	18	43	+25 (+139%)
No. of motorcycle parking spaces	1	1	-
No. of loading/unloading bay	1	1	-

Remarks:

- (1) The exact site area and total GFA based on a PR of 0.75 would be subject to further confirmation at the building plan submission stage.
- (2) According to the Notes of the OZP, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded from the GFA and SC calculation.
- (3) According to the applicant, the reduction of GFA for the adaptive reuse of the existing Maryknoll House due to exemption of the GFA calculation for recreational and E&M facilities is subject to Buildings Department's (BD) decision at the building plan submission stage.
- (4) According to the applicant, there would be no roof-top structure for the additional blocks at the southern platform.
- (5) According to the current proposal, the proposed floor-to-floor height of the eastern and western extensions is 3.7m, the proposed floor-to-floor height of the new 4-storey houses at the southern platform is 3.5m.
- (6) Under the s.12A application, the Maryknoll House building and the proposed buildings 2 and 3 at the southern platform consist of 6, 1 and 1 units respectively.
- (7) According to the current proposal, the Maryknoll House building and the proposed buildings 2 and 3 at the southern platform consist of 12, 8 and 3 units respectively. By calculation, the average flat size of the proposed development is 250m<sup>2</sup>.
- (8) According to the applicant, the proposed development would be completed in 2026.

1.4 The applicant has submitted an updated Heritage Assessment (HA) and Conservation Management Plan (CMP) to support the proposed addition, alteration and/or modification of the Maryknoll House building. According to the submission, the pitched roof, green glazed tiles, all chimneys and the white cross of the Maryknoll House would be preserved in-situ. A number of alternations to the eastern, southern and western facades of the Maryknoll House are proposed, including construction of a new 3-storey extension to the east and a 1-storey extension to the west as well as two loggias to the south (**Drawings A-16 to A-18**)<sup>1</sup>. The applicant also proposes to preserve and renovate the 1/F of the chapel and library on two wings for recreational facilities, and maintain the existing decoration at the chapel undercroft at G/F which would be used to

<sup>1</sup> According to the applicant, the proposed change of the existing western and eastern façades to be enclosed into the new extensions would be kept in minimal. The proposal would be subject to further negotiation with AMO during the implementation stage.

accommodate E&M facilities<sup>2</sup> (**Drawing A-21**). The verandah at the west wing which is previously filled-in would be reverted to the original design. The key features of the existing 2 staircases including the existing timber flooring and metal balustrade with timber handrail, would be preserved and relocated to the circulation cores between the main building and the chapel and library wings to meet the current building and fire safety requirements (**Drawing A-23**). Lifts are also proposed within the circulation cores. The existing octagonal glass windows (with or without stained glass) on the chapel/library wings will be restored beside the relocated staircases (**Drawings A-19** and **A-20**). The applicant would also arrange cartographic and condition survey, 3D scanning, photography and videography to record the conditions of the Maryknoll House for the preservation-cum-development project and interpretation purpose. A number of interpretation panels would be displayed at 1/F of the chapel and library to demonstrate the history and conservation of the Maryknoll House. Free guided tours would also be arranged every 6 weeks for the general public to appreciate the original architectural design of the building and visit the interpretation panels. A website will be set up to contain the historical and conservation information and details of the guided tours. Some of the existing trees will be removed due to the proposed development, a portion of the main façade of the Maryknoll House will hence be seen from a distance. The total number of trees proposed to be retained, felled and transplanted are summarised below:

	Within the Site	Outside the Site
Retained	12	11
Felled	141	0
Transplanted	14	0
Total	167	11
Compensatory Planting	141	0

- 1.5 In support of the proposed development, the applicant has also submitted Tree Preservation and Landscape Proposal, Traffic Impact Assessment (TIA), Geotechnical and Structural Report and Drainage and Sewerage Impact Assessment. The layout plans, section plans, landscape plan, photomontages, façade alteration plans and proposed relocation of the staircase of the proposed development submitted by the applicant are at **Drawings A-1** to **A-23**.
- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 2.8.2021 (Appendix I)
  - (b) Planning Statement (PS) (Appendix Ia)
  - (c) Supplementary information dated 5.8.2021 (Appendix Ib)
  - (d) Further information (FI) dated 15.9.2021 providing responses to departmental comments (Appendix Ic)
  - (e) FI dated 3.11.2021 providing responses to departmental comments (Appendix Id)
  - (f) FI dated 2.12.2021 providing responses to departmental comments<sup>#</sup> (Appendix Ie)

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<sup>2</sup> According to the applicant, the conversion would not affect the overall architectural appreciation. The proposal would be subject to further negotiation with AMO during the implementation stage.

- (g) FIs dated 16.12.2021, 17.12.2021 and 20.12.2021 providing responses to departmental comments<sup>#</sup> (Appendix If)  
<sup>#</sup> *accepted and exempted from publication and recounting requirement*

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in PS and FIs at **Appendices Ia, Ic to If**. They can be summarised as follows:

### Consistent with the Planning Intention

- (a) The proposed scheme of a residential development at the Maryknoll House is consistent with the planning intention of this zone and in line with the Government's heritage conservation policy of revitalising the historical and heritage building for the benefit and enjoyment of the future generations. It is compatible with the surrounding context where there is a concentration of residential areas of "Residential (Group A)" and "Residential (Group C)" ("R(C)") zones.

### Design Merits of the Proposed Scheme

- (b) The creation of the new extensions on the east and west of the Maryknoll House follows similar structures of the existing north wings, with a connecting element articulating and mitigating the differences of the two architectural styles. Generally, the existing building massing of a U-shaped structure is kept.
- (c) A large portion of the existing building is preserved in-situ, especially areas of high heritage significance as established in the HA (**Drawings A-16 to A-22**). This includes most of the external façade (including the roof green glazed tiles and green perforated faience panels), chapel with columns and vaulted ceiling, library and the two existing staircases, which are to be retained, properly restored and enhanced so that adaptive re-use of the Maryknoll House will be possible, while meeting the current building and fire safety regulations. One of the two verandahs at 1/F of the library was filled-in, which is proposed to be reverted to its original design and the existing octagonal windows would be restored. The additional structures proposed in the current scheme are considered to be compatible with the original architectural design of the building. The new buildings will adopt the similar architectural language and colour scheme to the Maryknoll House.
- (d) Although the southern façade of the Maryknoll House with the addition of two loggias is the area with the most significant change in the current proposal (**Drawing A-18**), it has been integrated into the original façade in a sensitive way and does not change the character of the southern façade. The impact of this change is only visible from close quarters and it does not impact on the long distance views in which the heritage significance of the building lies.
- (e) As compared with s.12A application (**Plan A-12**), the current proposal bears much improvement in preservation and design of the Maryknoll House. A triple volume glass space (i.e. 3-storey glass atrium) slicing through the building from north to south would be replaced by the new extensions equally on both sides of the Maryknoll House building, which respects the symmetrical design of heritage building, thus achieving a better balance on the west and east side. Two existing

staircases within the building are preserved rather than only one as proposed in the s.12A application.

Consistent with the Intention of the BH Restriction

- (f) The minor relaxation of BH is consistent with the intention of the BH restriction of 64mPD, which is to ensure that the main public views to the building are preserved and does not detract the visibility of the existing Maryknoll House from publicly accessible locations. These include views from the Murray House, Ma Hang Park and Kwun Yum Temple, which are no worse than the current views towards the building.
- (g) Minor increase in BH is needed to allow the new contemporary extensions to resemble the original symmetrical building expression. While the current proposal introduces an extension building at the west wing, it also achieves the intention of the BH restriction as the western façades at 2/F and 3/F are preserved. This is similar to the existing condition where part of the western façade is compromised by the existing 1-storey carport structure at ground floor.
- (h) Key views of the Maryknoll House will be no worse than the existing condition (**Drawings A-13 to A-15**). The current proposal has adopted the stepped-BH profile concept of having lower buildings near the waterfront areas, and taller buildings inland. In terms of impact on the public views of the southern and western façades of the building, the impact of the proposed extension is similar to the existing situation. Furthermore, the removal of the carport structure will increase the extent of the western façade that is not obstructed by existing structure, being an improvement over the existing situation.

Improved Public Appreciation and Enjoyment of Maryknoll House

- (i) The Maryknoll House was never opened for the public to freely access or visit. The current proposal will make it more accessible than previously. The only access to the Site is via a ROW given by the private owners of the adjacent RBL 333 s.A (i.e. Stanley Knoll), which is limited to the owners / occupiers of the Maryknoll House and those guests invited by the owners. There is a need to respect the legal relationship with the owners of Stanley Knoll. Reasonable public access in the form of guided tours is considered the most suitable approach.
- (j) The proposed guided tours which are free of charge would be arranged at an average rate of once every 6 weeks annually (i.e. 8 times a year). The tour will allow the public to appreciate the Maryknoll House in-situ, and access to interpretation areas with information and exhibitions on the building's history, artefacts, or conservation elements. This frequency will balance the opportunities for public appreciation of heritage conservation and maintenance of privacy for both future Maryknoll House and Stanley Knoll residents. Special fee-charging events may also be arranged for in-depth heritage appreciation of the Maryknoll House and the Stanley neighbourhood.

No Adverse Technical Impact

- (k) The technical assessments attached in the appendices of the PS have demonstrated that there is no adverse technical impact for the Proposed Scheme. Appropriate mitigation measures where required have been addressed in the reports.

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

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

### **4. Background**

- 4.1 The Maryknoll House was built in 1935 and served as the headquarters of the Maryknoll Fathers and Brothers for their Chinese missionary work. The Antiquities Advisory Board (AAB) confirmed the Grade 1 status<sup>3</sup> of the Maryknoll House building at its meeting held on 8.12.2016 for its architectural merit and authenticity.
- 4.2 The Site was previously zoned “Government, Institution or Community” on the then OZP No. S/H19/12. On 11.7.2018, the owner of the Site submitted a s.12A application (No. Y/H19/1) to rezone the Site to “R(C)2” or “OU(RDHBP)” for the proposed preservation-cum-development project for the Maryknoll House. On 4.1.2019, the Committee considered the rezoning application and decided to partially agree to rezone the Site to “OU(RDHBP)”.
- 4.3 On 15.5.2020, the Committee agreed to the proposed amendments to the OZP to take forward the decision of the Committee. The following development restrictions for the proposed development within “OU(RDHBP)” zone are imposed:
  - (a) residential uses including ‘Flat’ and ‘House’ are specified under Column 2 and planning permission from the Board would be required. Relevant technical assessments are required to demonstrate that no adverse impact would be resulted from the proposed Column 2 uses at the Site;
  - (b) to provide adequate control over the in-situ preservation of the Maryknoll House, any new development, or demolition of, addition, alteration and/or modification to (except those minor alteration and/or modification works which are ancillary and directly related to the always permitted uses) or redevelopment of the Maryknoll House requires permission from the Board. Hence, the Board can examine and control the future design and layout of the proposed preservation-cum-development project through the consideration of planning application and impose suitable approval condition(s) including the submission and implementation of a CMP prior to the commencement of the proposed development in order to properly manage the change of uses while conserving the Maryknoll House; and
  - (c) a maximum PR of 0.75, SC of 30% and a stepped BH restriction of 64mPD and 75mPD.

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<sup>3</sup> By definition, historic buildings accorded with Grade 1 status are buildings of outstanding merit, which every effort should be made to preserve if possible. The grading system is administrative in nature and will not affect the ownership, usage, management, and development rights of the buildings that have been graded. The historic building appraisal, location, extent and grading status of the Maryknoll House are available at [www.aab.gov.hk](http://www.aab.gov.hk).

- 4.4 During the deliberation, members raised concerns on the architectural design of the proposed development as well as the mitigation measures from the heritage preservation perspective. In this regard, the requirement for submission and implementation of a CMP as well as provision of reasonable public access to the Maryknoll House for public appreciation are specified in the Explanatory Statement (ES) of the OZP for the Site.
- 4.5 The draft OZP No. S/H19/13 incorporating the above amendments was gazetted on 5.6.2020. A total of 10 representations and 10 comments were received during the 2-month plan publication period, which included, inter alia, a representation submitted by the applicant proposing to relax the BH restriction of the area to the west of Maryknoll House from 64mPD to 75mPD. After giving consideration to the representations on 15.1.2021, the Board considered that the proposal for relaxing the BHR upfront was considered not justified and that there would be a provision under the “OU(RDHBP)” zone for minor relaxation of the BH restriction to allow for design flexibility due to possible site constraints and innovative design. The Board therefore decided not to uphold the representations and that no amendment should be made to the draft OZP to meet the representations. On 4.5.2021, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Stanley OZP, which was subsequently renumbered as S/H19/14.

## **5. Previous Application**

There is no previous application for residential uses for the Site.

## **6. The Site and Its Surrounding Areas (Plans A-1 to A-3, and Photos on Plans A-4 to A-8)**

### **6.1 The Site is:**

- (a) situated on a hilltop platform overlooking the Stanley area. It is visually prominent from public viewpoints such as Stanley Ma Hang Park, Stanley Promenade and St. Stephen’s Beach;
- (b) comprised of a Grade 1 historic building, i.e. the Maryknoll House, with a 3-storey main building and two 2-storey wings (i.e. chapel and library) extending at both ends as well as ancillary facilities including 1-storey carport at east and west sides and 2-storey staff quarter at west side of the building, which is currently vacant;
- (c) to the south and east are natural hillslopes which are densely vegetated; and
- (d) accessible via an existing access road from Stanley Village Road through the Stanley Knoll leading to the Site.



6.2 The surrounding areas have the following characteristics:

- (a) to the immediate north and east is a low-rise residential cluster, i.e. Stanley Knoll, Carmel Hill and Gordon Terrace. To the further east is the Stanley Main Beach;
- (b) to the southwest across Carmel Road is a bus terminus and the Stanley Plaza. The Ma Hang Estate and Stanley Ma Hang Park are situated to the further southwest; and
- (c) to the further southeast is the Stanley Market, Stanley Promenade and Stanley Bay which are popular tourist spots. Stanley Old Town is situated to the further southeast.

## **7. Planning Intention**

- 7.1 The “OU(RDHBP)” zone is intended primarily to preserve the historic building of the Maryknoll House in-situ through the preservation-cum-development project.
- 7.2 According to the ES of the OZP, should extensive renovation, addition and / or alteration works be conducted at the Maryknoll House to meet new use(s) and modern requirement(s), a CMP should be devised and implemented to properly manage changes of uses and conservation of the Maryknoll House. The CMP should include the historical development of the Maryknoll House, character-defining elements with their respective level of significance, and recommended protective/ monitoring/ mitigation measures for safeguarding the Maryknoll House from the proposed works.
- 7.3 The BH restriction is to preserve the public views of the historic building from the south and southwest and to maintain the character and setting of Stanley. Any application for minor relaxation of BH restriction should not lead to blocking the public view of the main façades of the Maryknoll House. Reasonable public access to the Maryknoll House for public appreciation should be provided in the formulation of development proposal(s) at this site. Relevant technical assessments on the environmental, waste management, traffic, landscape, water supplies and geotechnical aspects should be submitted by the applicant during the planning application stage. Minor relaxation of the stated restrictions may be considered by the Board on application under s.16 of the Ordinance. Each application will be considered on its own merits.

## **8. Comments from Relevant Government Departments**

- 8.1 The following bureau/government departments have been consulted and their views on the application are summarised as follows:

### **Heritage Conservation**

- 8.1.1 Joint comments from the Commissioner for Heritage’s Office (CHO) and Executive Secretary (Antiquities and Monuments), AMO:

- (a) no in-principle objection from heritage conservation point of view;
- (b) as per the prevailing heritage conservation policy promulgated since 2007, the Government recognises the need for economic incentives in order to encourage and facilitate private owner to preserve historic buildings in their ownership. In implementing this policy, CHO aims to strike a proper balance between preservation of historic buildings and respect for private property rights;
- (c) according to the submissions, it is noted that the Maryknoll House would be preserved *in-situ* for residential development. Two extension wings on the east and west of the Maryknoll House with two storeys and one storey respectively are proposed, and two loggias are proposed to be built connecting to the south façade of the Maryknoll House. Two circulation cores to house new staircases and lifts are also proposed. The chapel and library of the Maryknoll House would be retained, while the two grand staircases would be relocated within the Graded Building. The applicant has also agreed to provide free guided tours for members of public to appreciate the Maryknoll House after the completion of the proposed development;
- (d) from the heritage conservation perspective, a Grade 1 historic building carries significant heritage value and every effort should be made to preserve it if possible. We acknowledge the needs to modify / alter the Grade 1 historic building to fulfil the relevant statutory requirements and to meet the new use under the residential development proposed in the application. We consider that the proposed development, which enables the in-situ preservation of the Grade 1 historic building, retains most of the significant architectural features of the historic building and has struck a balance between heritage conservation and development. While the detailed mitigation measures will be proposed for agreement by AMO in the full CMP, the proposed preservation and partial alterations to the facades and significant features of the Grade 1 historic buildings are considered acceptable;
- (e) regarding the proposed locations of the Circulation Cores, CHO and AMO note that the proposed installation of staircases and lifts is essential in view of the statutory requirements;
- (f) according to the photomontages provided, the public could continue to appreciate the west and south façade of the Maryknoll House;
- (g) according to the applicant's submission, the Maryknoll House was used as a private dormitory and retreat for the Maryknoll Fathers and Brothers, and it was never opened for the public for

access or visit. It is noted that the applicant has, after exploring other possible options, selected the most suitable location taking into account factors such as arrangement for guided tours for the public and disturbance to the façade appreciation. Based on the applicant's latest proposal, public appreciation of and access to the Maryknoll House would be enhanced through the arrangement of free guided tours. The guided tours would be arranged on an average rate of every 6 weeks (8 times a year) with maximum 25 visitors upon completion of the development. Tours in Cantonese, Mandarin and English will be offered;

- (h) the project proponent/Authorised Person is reminded to seek the approval/comment from relevant authorities, e.g. BD, Fire Services Department, etc., for any proposed works related to the statutory requirements;
- (i) as the current CMP does not include all character defining elements including those with moderate and low significance, it is expected that a detailed CMP will be required from the applicant and such requirement is proposed for the Board's consideration for inclusion as a planning condition if the subject application is approved; and
- (j) the applicant proposes to arrange guided tours for the members of the public free-of-charge. As such, a planning condition on provision of free guided tours with specified frequency to the member of public is proposed for the Board's consideration if the subject application is approved.

### **Land Administration**

#### **8.1.2 Comments of the District Lands Officer/Hong Kong West & South, Lands Department (LandsD):**

- (a) RBL 333 was carved out into RBL 333 s.A (i.e. Stanley Knoll) and RBL 333 RP (i.e. the Site) by an assignment of RBL 333 s.A dated 17.10.1975 (the Assignment). According to the Assignment, the Vendor and the Purchaser mutually agreed, inter alia, not to erect more than 3 houses upon RBL 333 RP and not to erect more than 7 houses upon RBL 333 s.A without prejudice to their respective rights to apply for lease modification to permit more houses. A lease modification was subsequently executed in 1976 for RBL 333 s.A to remove, inter alia, the houses restriction;
- (b) Special Condition No. 9 (SC(9)) of the lease stipulated that ROW outside RBL 333 to be approved by the then Director of Public Works will be given to the purchaser of RBL 333 and the ROW alignment as shown coloured Brown on the plan No. MH623a was approved under SC(9) of the lease on 14.9.1977. Besides, as stipulated under the Assignment, the Purchaser of RBL 333 s.A should provide the owners and occupiers of RBL

333 RP a full free and uninterrupted ROW within RBL 333 s.A (area coloured apricot at **Plan A-2**). The Assignment was a private agreement between the owners of RBL 333 s.A and RBL 333 RP and the Government does not have any role in dealing with the disputes of the ROW;

- (c) as noted from the PS, the applicant proposed an extension to the existing Maryknoll House and erection of two new buildings. Since RBL 333 RP is subject to a 3 'houses' restriction under lease, the proposed development shall comply with the definition of 'house' as stipulates under Practice Note No. 3/2000 issued by LandsD, i.e. "a building with one main entrance and one secondary entrance, together with such means of escape (MoE) as may be required under the Buildings Ordinance to serve the buildings (providing such MoE are designed and constructed to be for exit purposes only and are openable only from the inside) is one house". As far as the lease is concerned, development of 3 houses of European type within the Site would not be considered in breach of lease condition. The approval of the proposed development, if given, shall be subject to detail scrutiny during the building plan submission stage; and
- (d) There is no heritage conservation clause under the lease and no lease modification application for RBL 333 RP had been received by his office up to now.

### **Urban Design and Visual Aspects**

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

the applicant's proposal of adaptive reuse and conservation of the subject historic building of Maryknoll House is generally in line with the urban design considerations for heritage preservation as stated in section 6.2(6) of the Urban Design Guidelines to the Hong Kong Planning Standard and Guidelines. The overall scale of the proposal which mainly includes two new extension wings and two new residential blocks in terms of BH and building mass are considered to have respected the heritage feature, and is not incompatible with the surrounding developments in visual terms.

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

- (a) no comment from architectural and visual impacts point of view;
- (b) it is noted that the proposed preservation-cum-development mainly consist of 2 extension buildings at both west and east wings (with BH of 1 storey and 3 storeys respectively) to the existing Maryknoll House and a new lower apartment building (with BH of 4 storeys) which may not be incompatible with

adjacent “R(C)” development with BH restrictions of 2 to 4 storeys permitted in the OZP;

- (c) most of the external façade of Maryknoll House will be retained and the new buildings are considered satisfactorily to blend in with the preserved Maryknoll House, while the applicant is still encouraged to minimise the use of glass walls at lower apartment to avoid glare to the surrounding dense vegetation area as far as practicable; and
- (d) the proposed development may involve cut and fill slope works. The applicant is advised to consider a balance cut and fill design to reduce burden to public fill.

### **Landscape Aspect**

#### **8.1.5 Comments of CTP/UD&L, PlanD:**

- (a) no objection to the application from the landscape planning perspective;
- (b) noting the site located on the top of a hill is surrounded by existing vegetation buffer on slope at its south and there is no major public frontage along the site boundary, should the Board approve this application, it is considered not necessary to impose a landscape condition; and
- (c) according to the submitted PS, no Registered Old and Valuable Tree (OVT) and rare or endangered tree species are identified within the Site. 141 out of 167 nos. of existing trees within the Site are proposed to be felled due to the proposed development. On the other hand, 141 nos. of new trees in heavy standard size are proposed to be planted within the Site to compensate the tree lose (i.e. 1:1 in ratio). 12 nos. and 14 nos. of existing trees are proposed to be retained and transplanted respectively. Referred to the layout plan, various landscape treatments such as planting strips of new trees and shrubs ranging from 1.5m to 8.5m wide are proposed to along the northern, eastern and western boundaries. Shrub mix with new tree planting is proposed on the affected slope at the south of the Site to integrate with the adjoining vegetation to extend landscape buffer. Adverse impact on the existing landscape resources within the Site is not anticipated with mitigation measures.

### **Traffic Aspect**

#### **8.1.6 Comments of Commissioner for Transport (C for T):**

- (a) no adverse comment on the application; and
- (b) after reviewing the TIA, it is noted that the junctions are performing within their capacity and the car parking provision is

in accordance with the upper-limit of Hong Kong Planning Standards and Guidelines' requirements.

**Environmental Aspect**

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

- (a) no objection to the application; and
- (b) since the proposed development involves site formation and excavation, the applicant is advised to minimise the generation of Construction and demolition (C&D) materials, and reuse and recycle the C&D materials on-site as far as possible.

**Building Aspect**

8.1.8 Comments of the Chief Building Surveyor/Hong Kong East and Heritage, BD:

- (a) no in-principle objection to the application; and
- (b) detailed comments under the Buildings Ordinance will be given upon formal building plan submission.

**Fire Safety Aspect**

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

- (a) no in-principle objection subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) the applicant is advised to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administrated by BD.

8.2 The following government departments have no objection to / no adverse comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (c) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (d) Chief Highway Engineer/Hong Kong, Highways Department;
- (e) Commissioner of Police;
- (f) Director of Agriculture, Fisheries and Conservation;
- (g) Director of Electrical and Mechanical Services; and
- (h) District Officer (Southern), Home Affairs Department.

## **9. Public Comments Received During Statutory Publication Period**

- 9.1 On 6.8.2021, 24.9.2021 and 12.11.2021, the application and FIs were published for public inspection respectively. During the two statutory public inspection periods, a total of 101 public comments submitted by individual including a then Southern District Council (SDC) member were received, with 87 supporting/providing views and 14 objecting/providing concerns. The samples of the supportive and objecting comments are attached to this paper at **Appendices IIa and IIb** respectively. A full set of public comments received on the application is deposited at the Town Planning Board Secretariat for Members' inspection and reference.
- 9.2 The major grounds of the supporting comments are that the proposed development would be in line with the Government's policy of conserving heritage buildings under private development; the public can visit the Maryknoll House; the increase in BH would not have environmental and visual impacts; many heritage elements have been preserved, and the proposal can strike a balance between development and conservation.
- 9.3 The major grounds of the objecting comments / concerns are summarised as follows:
- (a) The proposed adaptive reuse of the Maryknoll House building for residential development would affect its historic value. Only the exterior façade and a piecemeal of internal spaces are retained, which are not able to preserve the history of the building;
  - (b) As compared with the rezoning scheme, the current proposal involves increase in number of unit from 8 to 23. The potential impacts towards the historic building have not been assessed;
  - (c) The proposed alteration on exterior façades would affect the integrity of the building. There is a concern that the new basement carpark may affect structural stability of the Maryknoll House. Any addition or alteration works to the Maryknoll House should be minimised;
  - (d) It is suggested to relax BH of the residential block (i.e. House 2) at the southern platform of the Site to accommodate the proposed GFA of the extension block so as to preserve the exterior façade of the eastern side of the Maryknoll House;
  - (e) There is only limited public access to the Maryknoll House and the public cannot enjoy a closer view to the historic building;
  - (f) The proposed development would damage the green views around the Maryknoll House, cause the traffic congestion and affect the slope stability and drainage system; and
  - (g) The proposed minor relaxation of BH would obstruct the view of the Stanley Knoll and increase the usage of road and facilities of Stanley Knoll. The traffic assessment does not cover a vehicular access road leading to the Site.

## 10. Planning Considerations and Assessment

10.1 The applicant seeks planning permission for a residential development comprising adaptive reuse of the Maryknoll House, construction of 2 new residential blocks at the southern platform, 2 new extensions to the east and west and 2 new loggias to the south of the main building. A minor relaxation of the BH for the new western extension from 64mPD to 67.7mPD is required, representing an increase of 5.8% in terms of mPD. Under the current proposal, the applicant proposes to preserve most of the external façades, chapel, library and architecturally significant parts of the building for adaptive reuse of the Maryknoll House. The key features of the 2 existing staircases (i.e. the existing timber flooring and metal balustrade with timber handrail) are also proposed to be preserved and relocated to the chapel and library wings of the Maryknoll House. A number of interpretation panels would be displayed in the chapel and library to demonstrate the history and conservation of the Maryknoll House. According to the applicant, free guided tours would also be arranged to allow the public to appreciate the Maryknoll House building.

### Planning Intention

10.2 The proposed adaptive reuse of the Maryknoll House for residential development is in line with the planning intention of the “OU(RDHBP)” zone, which is for the preservation of the historic building of the Maryknoll House in-situ through the preservation-cum-development project. The applicant has submitted the HA and CMP to highlight the historical development of the Maryknoll House, character-defining elements with the respective level of significance, and recommended mitigation measures for safeguarding the Maryknoll House from the proposed works. CHO and AMO have no in-principle objection to the proposed development.

### Design Compatibility

10.3 According to the applicant, as compared with the proposal under the s.12A application (No. Y/H19/1) (**Plan A-12**), the current scheme with addition of new extensions equally on both sides of the heritage building, instead of a triple volume glass space slicing through the building from north to south, would better respect the symmetrical built form and achieve much improvement in the preservation and design of the Maryknoll House. The proposed new extensions and residential blocks at southern platform will adopt similar architectural language/design and colour scheme to the Maryknoll House. CHO and AMO acknowledge the needs to alter the Grade 1 historic building to meet the new use under the residential development proposed in the application. CA/CMD2 of ArchSD advises that the proposed new buildings are considered satisfactorily to blend in with the preserved Maryknoll House. In general, the proposed design of new residential blocks and extensions is considered compatible with the Maryknoll House.



### In-situ Preservation of the Maryknoll House

- 10.4 According to the HA and CMP submitted by the applicant, the key architectural features of the Maryknoll House with historic and heritage significance, including the green glazed tile roof, perforated faience panels, red brick elevation, verandahs, timber windows and French doors, two existing staircases, the interior of chapel and library as well as the octagonal windows (**Plans A-9 to A-11**), would be retained, properly restored or enhanced to achieve adaptive reuse of the building. CHO and AMO consider that the proposed development has struck a balance between heritage conservation and development, and the proposed preservation and partial alterations to the facades for the new extensions and loggias (**Drawings A-16 to A-18**) and significant features of the Grade 1 historic buildings are acceptable. An approval condition requiring submission and implementation of a revised CMP for preservation of the Maryknoll House is recommended in paragraph 11.2(a) below.

### Minor Relaxation of BH Restriction

- 10.5 Based on the photomontages submitted by the applicant (**Drawings A-13 to A-15**), the proposed new extension to the west of the Maryknoll House with a BH of 67.7mPD, albeit exceeding the BH restriction of 64mPD, would not lead to blocking of the public view of the western exterior façades of the Maryknoll House from the local public view points at Blake Pier, Ma Hang Park, Kwun Yum Temple at Stanley. According to the applicant, minor increase in BH is required to enable the addition of a new contemporary extension to resemble the original symmetrical building expression. CHO and AMO consider that with the proposed minor relaxation of BH restriction, the public could continue to appreciate the west and south façade of the Maryknoll House. CTP/UD&L of PlanD advises that the overall scale of the proposal in terms of BH and building mass is considered to have respected the heritage feature, and is not incompatible with the surrounding developments in visual terms.

### Proposed Access for Public Appreciation

- 10.6 To fulfill the requirement of providing reasonable public access to the Maryknoll House for public appreciation as required in the ES of the OZP, the applicant is committed to arrange guided tours free of charge every 6 weeks annually for the public, the frequency of which is more than that as proposed under s.12A application (i.e. half-yearly), balancing the opportunities for public appreciation of heritage conservation and maintenance of privacy for future residents of the Maryknoll House and its neighbourhood. During the tour, the public is allowed to appreciate the Maryknoll House in-situ and visit the interpretation panels to be erected in the chapel and library, which display building's history, artefacts and conservation elements. CHO and AMO consider that through the arrangement of the free proposed guided tours, the public appreciation of and access to the Maryknoll House would be enhanced. An approval condition on the provision of free guided tours with detailed arrangement is recommended in paragraph 11.2(b) below.

### Other Technical Considerations

- 10.7 Various technical assessments conducted by the applicant have demonstrated that the proposed residential development would not induce adverse impacts on the surrounding environment such as road traffic noise, waste management, traffic, landscape, water supplies and geotechnical aspects. Relevant departments, including DEP, C for T, CTP/UD&L of PlanD, CE/C, WSD and H(GEO), CEDD have no adverse comment on / no objection to the application.

### Public Comments

- 10.8 Regarding the adverse public comments, the planning assessment in paragraphs 10.2 to 10.7 above and departmental comments in paragraph 8 above are relevant.

## **11. Planning Department's Views**

- 11.1 Based on the assessment made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9, PlanD has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 24.12.2025, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the submission of a revised Conservation Management Plan (CMP) prior to the commencement of any works and implementation of the works in accordance with the CMP to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the Town Planning Board; and
- (b) the provision of free guided tours with detailed arrangement, as proposed by the applicant, to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the Town Planning Board.

### Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

- 11.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:
- (a) the applicant fails to demonstrate that the overall design and layout of the proposed development will be compatible with the Maryknoll House; and

- (b) the applicant fails to demonstrate that there are adequate planning and design merits to justify the proposed minor relaxation of BH restriction.

## **12. Decision Sought**

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 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.
- 12.3 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.

## **Attachments**

<b>Appendix I</b>	Application Form received on 2.8.2021
<b>Appendix Ia</b>	PS
<b>Appendix Ib</b>	Supplementary Information dated 5.8.2021
<b>Appendix Ic</b>	FI dated 15.9.2021
<b>Appendix Id</b>	FI dated 3.11.2021
<b>Appendix Ie</b>	FI dated 2.12.2021
<b>Appendix If</b>	FIs dated 16.12.2021, 17.12.2021 and 20.12.2021
<b>Appendix IIa</b>	Sampled Supportive Public Comments
<b>Appendix IIb</b>	Sampled Objecting Public Comments
<b>Appendix III</b>	Advisory Clauses
<b>Drawings A-1 to A-8</b>	Layout Plans submitted by the Applicant
<b>Drawings A-9 and A-10</b>	Section Plans submitted by the Applicant
<b>Drawing A-11</b>	Landscape Master Plan submitted by the Applicant
<b>Drawings A-12 to A-15</b>	Photomontages submitted by the Applicant
<b>Drawings A-16 to A-22</b>	Proposed Façade Alteration Plans submitted by the Applicant
<b>Drawing A-23</b>	Proposed Relocation of the Staircases
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4 to A-11</b>	Site Photos
<b>Plan A-12</b>	Comparison of the Proposal under s.12A application and the Current Proposal